

Cab Gab
by Abe Mittleman

Recently, one of my passengers asked me what has changed over the years since I've been driving? I thought of the various crack downs as mentioned in this article to follow and replied that in my opinion the biggest change has been that it has become a Police State for taxi drivers. I know that this was not the way things were in the past.

Cell Phone Madness

Recently a survey was done by the Highway Loss Data Institute, an organization that is funded by the insurance industry. This survey, taken to determine if cell phone laws reduce the number of accidents, concluded that despite laws in many states, there is no recognizable reduction in crashes where these laws have been in effect. This is true even though they know that the laws have reduced the usage of hand held cell phones.

So, then you have to wonder if it is cell phones that are causing accidents or are the

accidents just caused by bad drivers who would have accidents anyway?

It is true that accidents happened long before cell phones were invented and would continue to happen even if cell phone use was somehow stopped completely by drivers.

If you believe all this is true then you have to wonder why is there such a ruckus over taxi drivers using cell phones? Although it's hard to argue with the safety reason. It is always wise to be better safe than sorry. I think it's more about those who have authoritative power using it because simply they can. I think it's more about training taxi drivers to be obedient. This is in response to passengers who don't feel comfortable when drivers are on the phone. It interferes with the quality of service.

I'm not disagreeing with this. I think that drivers should not be on their cell phones when they are servicing passengers. I'm disagreeing with the restrictions and severe penalties for cell phone usage when there are not passengers in the taxi.

Common sense tells me that the laws of New York State should apply to all drivers. If New York State allows hands free talking then it should apply to all drivers. If the TLC wants drivers to be attentive to their passengers then they should have rules that only apply when there are passengers in the taxi.

Will the new strict rules eliminate the usage of cell phones by taxi drivers? Frankly I think they have it all wrong. Despite these strict rules and the so called crack downs on the usage of cell phones by taxi drivers, drivers will somehow find a way to continue the cell phone usage with out getting caught. Otherwise good drivers who do get caught will be revoked and the industry will not be better off. This can create a driver shortage. Many good drivers will just walk away from the industry. What will they do then?

Reckless Driving

I have been in this business for 40 years. I'm what I believe to be a much better than average driver as far as

safety is concerned. I drive slow. I don't have accidents. In 40 years I can say with complete honesty that no one has ever been hurt in a taxi that I was driving. My summonses are few and far apart. I have only been convicted of one moving violation in the last twenty five years.

So, this is unbelievable. I have been given a summons for of all things "Reckless Driving". It happened on a Sunday night just after 7:30pm. At this time of day there was not any traffic at all on 3rd avenue, where this took place. Therefore, I didn't obstruct or interfere with any moving traffic. All I did was very cautiously move from the right side of third ave to the left side in order to be in position to turn left. This was done to accommodate my passenger and save this passenger a few cents.

"Reckless Driving" is chargeable in two ways, either as a traffic offence or as a crime. As a traffic offense it is returnable in traffic court. As a crime it is chargeable in criminal court.

I was given a summons for “Reckless Driving” in Criminal Court and not a traffic ticket. “Reckless Driving” is a misdemeanor and can be punished by up to a year in jail. I’ve spoken to several drivers about this and learned that I am not alone. Charging it as a crime in criminal court instead of charging it as a traffic offense seems to be the latest fad among police against taxi drivers.

Although I have come to understand that most of these summonses are dismissed, I’m still a little apprehensive about how this will turn out. I have competent legal help from the Mini Fleet association and that puts me somewhat at ease. But still I want this to be resolved and dismissed as it should be. Stay tuned, I have to appear in March and I’ll have a lot more to say about this in a future issue.