

In Re NYC - Taxi & Limousine Commission Public Meeting
August 14, 2024

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NEW YORK CITY
TAXI & LIMOUSINE COMMISSION
PUBLIC MEETING

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August 14, 2024
10:04 a.m.

HELD AT
33 BEAVER STREET
NEW YORK, NEW YORK

B E F O R E :
DAVID DO
COMMISSIONER AND CHAIR

LH REPORTING SERVICES, INC.
50 Glen Street, Suite 316
Glen Cove, New York 11542
(718)526-7100

1 A P P E A R A N C E S:

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3 TLC COMMISSIONERS:

4 COMMISSIONER DAVID DO

5 COMMISSIONER SARAH KAUFMAN

6 COMMISSIONER THOMAS SORRENTINO

7 COMMISSIONER KENNETH C. MITCHELL

8 COMMISSIONER ANDREA BIERSTEIN

9 COMMISSIONER ELISA VELAZQUEZ

10 COMMISSIONER KENNETH Y.K. CHAN

11 GENERAL COUNSEL SHERRYL ELUTO

12

13 PRESENTERS:

14 FABIAN CANCEL, DIRECTOR OF BASE AND BUSINESS
15 SERVICES

16

17 IRA GOLDAPPER, DEPUTY COMMISSIONER, TAXI AND
18 LIMOUSINE COMMISSION

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1 CHAIR DO: Good morning,
2 everyone. I'm calling this meeting to
3 order at 10:04 a.m. I am David Do,
4 Commissioner and Chair of the TLC.
5 I'm joined this morning by
6 Commissioners Bierstein, Velasquez,
7 Kaufman, Sorrentino, Mitchell and
8 Chan.

9 I also want to recognize a
10 special guest that we have in the
11 audience, and that is Commissioner
12 Sorrentino's dad. So if you want to
13 say --

14 MR. SORRENTINO: Thank you,
15 Commissioner. And I'd like to welcome
16 my dad, Tom Sorrentino Senior joining
17 us today. It's been something that
18 he's been wanting to do for a while,
19 so I'm glad to have him here. So
20 thank you.

21 CHAIR DO: Thank you so much for
22 joining us.

23 Before we start, I'd like to
24 give everyone an update on our efforts
25 to end Uber and Lyft's use of access

1 restriction, better known as lockouts.
2 These last few months have been
3 challenging for the city's for-hire
4 drivers, and I'd like to commend them
5 for making their voices heard. Access
6 restrictions are unacceptable. They
7 deprive hard-working drivers of income
8 opportunity and attempt to game our
9 existing minimum pay standards.

10 They're also unnecessary. If
11 Uber and Lyft properly manage their
12 onboarding of drivers, they shouldn't
13 have had trouble meeting the
14 utilization rates. Onboarding only to
15 lock them out on the back-end is a
16 harmful and frankly heartless way to
17 manage drivers.

18 After discussions with Uber and
19 Lyft on July 31st, Mayor Adams and I
20 announced a deal between Uber and Lyft
21 with the goal of ending Uber
22 restrictions by Labor Day, provided
23 that Lyft maintains a utilization rate
24 of at least 50 percent. Critically,
25 the deal also pauses onboarding of new

1 drivers, something that the apps
2 should have done a long time ago.
3 This is a short-term solution. We
4 wanted to take immediate action,
5 something that could provide relief
6 without undergoing a lengthy
7 rule-making process.

8 In the longer term, we will be
9 taking a look at how Uber and Lyft
10 manage their driver poles as we
11 consider new rules as soon as this
12 fall. Again, my deepest thanks to all
13 high volume drivers for their patience
14 and perseverance.

15 Today we are voting on a rule
16 proposal that is intended to make the
17 flex fare pilot for taxis a permanent
18 rule. At a hearing held on May 8, we
19 carefully reviewed the written
20 comments and public testimony that we
21 received and conducted additional
22 analysis comparing flex fare to
23 metered trips. TLC matched trips from
24 the first quarter of 2024 with the
25 same pickup and dropoff locations

1 occurring within the same hour on the
2 same day where one trip was a flex
3 fare trip and another was a metered
4 trip. The driver payday they used in
5 this analysis accounted for any
6 commission paid by the driver to the
7 e-hailed dispatcher and excluded tips,
8 taxes or surcharges associated with
9 the trip.

10 Of the more than 1200-metered
11 trips -- excuse me, 1200 matched
12 trips, drivers' average hourly rate
13 for the flex fare trips were about
14 \$75.02. Compared to \$70.78 for
15 metered trips. Which shows that
16 average hourly earnings of flex fare
17 trips were six percent higher than
18 metered trips. Drivers' median hourly
19 rate on flex fare was \$74.53. Whereas
20 the median hourly rate for metered
21 trips was \$68.52.

22 This additional analysis shows
23 that flex fare trips offer significant
24 supplemental earning potential for
25 taxi drivers, whether calculated on a

1 per trip, per mile, or per hour basis.

2 Furthermore, based on the
3 written and oral comments, TLC is
4 amending the proposal to ensure that
5 the driver will be able to see any
6 fees that the e-hail application
7 provider may charge prior to accepting
8 a trip, as well as a breakdown of the
9 itemized charges in electric form --
10 excuse me -- electronic form after the
11 trip is complete.

12 I will now go to our general
13 counsel, Sherryl Eluto to take us
14 through the agenda.

15 Sherryl Eluto, excuse me.

16 MS. ELUTO: Commissioners, the
17 first item before you are the minutes
18 for the June 12, 2024 Commission
19 meeting. I will call a vote now to
20 adopt those minutes.

21 All in favor of adopting the
22 minutes from June 12th, raise your
23 hands.

24 And the vote is unanimous.

25 Thank you. They are adopted.

1 I will now call on director of
2 Base and Business Services, Fabian
3 Cancel to present the base license
4 applications. Good morning.

5 MR. CANCEL: Good morning,
6 Commissioners and attendees. My name
7 is Fabian Cancel. I'm the director of
8 Base and Business Operations at Long
9 Island City TLC. We've submitted
10 three bases for your review and we are
11 awaiting your approval.

12 MS. ELUTO: Commissioners, can
13 we have a vote on adopting the
14 baseline recommendations? All in
15 favor, please raise your hand.

16 And adopted unanimously. Thank
17 you.

18 MR. CANCEL: Thank you.

19 MS. ELUTO: And Commissioners,
20 we will now have Ira Goldapper, our
21 Deputy Commissioner for Uniformed
22 Service Bureau to give us a
23 presentation on enforcement at the
24 airports.

25 MR. GOLDAPPER: Good morning,

1 Commissioners. I'm Ira Goldapper,
2 Deputy Commissioner for uniformed
3 services bureau. As you are aware,
4 the uniformed services bureau consists
5 of the safety and emissions division,
6 which inspects taxis and for-hire
7 vehicles at our inspection facility,
8 and the enforcement division which
9 patrols the city to ensure drivers are
10 driving safely and complying with TLC
11 rules and New York Vehicle and Traffic
12 Law.

13 I'm here to provide a brief
14 update regarding the -- regarding the
15 Enforcement Division operations at our
16 airports.

17 The four main areas of focus at
18 the airports are unlicensed for-hire
19 activity, the hustling and
20 solicitation. Plainly speaking, these
21 are individuals either in or around
22 the terminals soliciting passengers
23 for trips. Oftentimes, they work in
24 groups with a spotter or solicitor in
25 the terminal. And then -- soliciting

1 passengers and then walking those
2 passengers to the partner's cars
3 either into the front of the terminal
4 or into the parking garages. These
5 are not TLC licensed vehicles, and
6 they're not TLC licensed drivers.

7 Illegal street hails. License
8 for-hire vehicles picking up a hailing
9 customer not prearranged. Often at
10 the airports, it may be seen as they
11 drop off a passenger and they
12 either -- they cruise around the
13 airport in the terminals looking to
14 pick up a passenger for their trip
15 back.

16 Line cutting. When taxicab
17 drivers skip the central taxi hail
18 lots at the airports and instead drive
19 directly to the terminals either join
20 up on the taxi cue at the terminal or
21 they also will cruise terminals
22 looking to pick up passengers.

23 And those taxi drivers refusing
24 to engage the meters and other focus.
25 The not engaging the meters,

1 essentially creating an unauthorized
2 flat fare that's off the grid.

3 So we focus on unlicensed
4 for-hire activity because it poses a
5 danger to the public, as well as the
6 industry. Unlicensed drivers are,
7 like I said, not TLC licensed.
8 They're not -- and they're not
9 operating out of inspected vehicles.
10 Our safety and emissions division
11 inspects all taxis and licensed
12 for-hire vehicles for rider safety.
13 These are not licensed drivers who
14 have undergone a background check by
15 our licensing division. There's no
16 drug testing of them, there's no
17 driver safety courses. Oftentimes,
18 these drivers are operating a vehicle
19 without a valid driver's license at
20 all.

21 There's also a lack of
22 appropriate for-hire insurance. These
23 drivers do not have the proper
24 insurance to cover any injuries or
25 damages while illegally operating

1 for-hire. Therefore, limiting the
2 recourse of injured passengers may
3 have.

4 There's also a lack of base
5 affiliation and trip records. Should
6 a driver grossly overcharge a
7 passenger, assault a passenger or
8 worse, it is difficult for passengers
9 to identify the individual or their
10 vehicle, making it extremely difficult
11 to catch these individuals after the
12 fact.

13 The trip, and oftentimes the
14 vehicle itself, is essentially off the
15 grid. We've received complaints from
16 passengers who have been taken
17 advantage of, including those
18 passengers being charged exorbitant
19 amounts through fear and intimidation
20 once in the vehicle. And even picked
21 up -- and even when picking up
22 accomplices on the way. They'll get
23 into the vehicle, go on their trip and
24 next thing you know, the driver stops
25 and picks up another person who ends

1 up being a part of this scheme.

2 These individuals often prey on
3 travelers from overseas, making JFK
4 Airport a real focal point for these
5 hustlers. It's also a danger to the
6 industry. Taking work from licensed
7 drivers. These hustlers are taking
8 work from those drivers who are doing
9 it properly, paying for the proper TLC
10 license and appropriate insurance.

11 Even with the enforcement
12 occurring, TLC license drivers may not
13 see it and get frustrated. Oftentimes
14 our operations at the airports are in
15 plain clothes, so they may not be
16 aware that we are in fact out there.
17 And the last thing anyone wants to see
18 are TLC licensed drivers giving up
19 their licenses to operate illegally
20 themselves. At the end of the day,
21 that would be a tremendous loss for
22 the riding public.

23 Similarly, illegal street hails
24 are a danger to the public and the
25 industry. There's no record of the

1 trip. Although these are TLC licensed
2 vehicles that have undergone proper
3 TLC and safety inspections and may
4 have TLC licensed drivers, this is a
5 problem because the trips, similar to
6 those that are unlicensed, are
7 essentially off the grid. There's no
8 trip record for these trips because
9 they haven't been dispatched by a
10 base, and we have the same
11 difficulties holding these drivers
12 accountable based on complaints from
13 the public.

14 It is incredibly difficult to
15 identify the driver and oftentimes the
16 passengers don't have the license
17 plate number on the vehicle that they
18 were in.

19 At times, we come across drivers
20 of TLC licensed vehicles who do not
21 have a TLC license or a valid driver's
22 license at all. Particularly when we
23 conduct interagency enforcement with
24 NYPD, MTA and others at the bridges
25 and tunnels. It's also one of the

1 reasons our officers issue summonses
2 and warnings to licensed drivers who
3 do not have their hack license
4 displayed. It's incredibly necessary
5 that a member of the public can easily
6 discern whether a driver of a TLC
7 licensed vehicle is in fact licensed
8 by the TLC. And again, there's a harm
9 to the taxi industry. As these
10 drivers are taking work from taxi
11 drivers and owners who pay a premium
12 for the right to accept street hails.

13 We also focus on line cutting at
14 the airports because it creates chaos
15 and safety concerns. Getting in and
16 out of the airports already can be
17 hectic enough. Taxicabs cruising at
18 the terminals or cutting the lines
19 only make it more chaotic. Those
20 drivers are also taking work away from
21 the drivers who are doing it properly.
22 And at times, these drivers become
23 aggressive with the taxi dispatchers
24 who are only trying to enforce the
25 taxi cues at the airport.

1 There may be underlying issues
2 with the taxicabs that prevent them
3 from entering the taxi hold lots in
4 the first place. Once such issue may
5 be when the taxicab itself is
6 suspended. If the vehicle license for
7 the taxicab is suspended, they will
8 not be permitted into the taxi hold
9 lot. More often than not, the meter
10 is also shut down as a result of the
11 suspension.

12 At this point, the dangers
13 become very similar to an unlicensed
14 for-hire vehicle, and it is imperative
15 to get these vehicles off the road.
16 Even worse, some of the drivers
17 renting out the taxis may be unaware
18 that the vehicle's license has been
19 suspended. So we began confiscating
20 rate cards to raise a big red flag
21 allowing the drivers to be aware when
22 renting the vehicles.

23 We focus on refusals to engage
24 the meters because of the potential
25 for abuse and overcharging. Lack of a

1 trip record, same, similar with
2 illegal street hails and -- excuse me,
3 similar with illegal street hails,
4 these trips will be essentially off
5 the grid making it difficult to take
6 appropriate action against the driver
7 based on a passenger's complaint. Our
8 officers cannot be everywhere and --
9 cannot be everywhere at once and
10 customer complaints play a vital role
11 in enforcement.

12 Appropriate taxes and fees
13 including the taxi improvement
14 surcharge, which is important to get
15 more accessible vehicles on the road,
16 are not collected when a driver fails
17 to engage the meter. As the iconic
18 taxicab is indicative of safe metered
19 ride in which passengers will be
20 treated fairly, ending this behavior
21 is important not only for the
22 protection of the passenger, but also
23 for taxi drivers. Combating these
24 issues as a whole are important for
25 the safety of the riding public as

1 well as the industry.

2 Those who unlawfully solicit
3 ground transportation at an airport
4 are in violation of New State Vehicle
5 and Traffic Law 1220-b, which is a
6 traffic infraction with progressive
7 penalties. The first violation is up
8 to a 750-dollar fine. The second
9 within 18 months is up to a
10 1,500-dollar fine, and the third and
11 subsequent violation are 2,000-dollar
12 fines.

13 Those who engage in unlicensed
14 for-hire activity are in violation of
15 New York City Administrative Code
16 19-506. First offense is up to a
17 1500-dollar fine. The second and
18 subsequent offense is within
19 36 months, is up to a 2,000-dollar
20 fine. Repeat offenders' vehicles may
21 also be seized pending forfeiture
22 proceedings.

23 To combat this behavior, we
24 conduct joint operations with Port
25 Authority Police Department,

1 specifically targeting hustlers in the
2 terminals, as well as the unlicensed
3 for-hire operators outside. The Port
4 Authority has been a terrific partner
5 in this endeavor, and I want to thank
6 them for their great work.

7 We also conduct our own
8 enforcement based on our officers'
9 observations while in plain clothes,
10 as well as undercover operations
11 wherein they pose as passengers coming
12 out of the terminals. We do the same
13 for illegal street hails, line cutting
14 and refusal to engage the meter.

15 Moving unlicensed for-hire
16 operators away from the terminals has
17 assisted in enforcement efforts.
18 Because cars cannot park in front of
19 the terminals and are pushed away,
20 hustlers often utilize parking garages
21 either waiting to get a call from a
22 solicitor inside or parking and
23 walking -- parking and going
24 themselves into the terminal to
25 solicit.

1 Vehicles used as part of any
2 unlicensed for-hire activity at the
3 airports are prevented from gaining
4 entry into the parking garages. This
5 forces them back to the frontage of
6 the terminals where it is easier to
7 spot them, move them away before they
8 can get a passenger and conduct
9 enforcement should they accept the
10 passenger.

11 Public awareness is another
12 vital tool. Port Authority has
13 increased signage inside the terminals
14 advising travelers to use a taxicab or
15 other prearranged car service, warning
16 against hustlers. There's also
17 increased signage in the terminals as
18 well as announcements on the public
19 announcement.

20 To date, we've issued over 1100
21 summonses at the airports so far for
22 unlicensed for-hire activity, illegal
23 street hails and solicitations this
24 calendar year.

25 To further our enforcement

1 efforts at the airports, we are taking
2 the following steps: Port Authority
3 has freed up more space for us to
4 expand at JFK. We are currently in
5 the process of renovating the new
6 office space, which will enable us to
7 dispatch over 50 officers directly
8 from our JFK office, which is more
9 than double our current capacity.

10 To that end, we have to fill
11 that office space. Mayor Adams has
12 authorized the hiring of a hundred new
13 officers, and we will begin recruiting
14 program -- a recruiting program to
15 make those hires.

16 While we currently have 20
17 cadets in our USB training academy, we
18 have taken steps to increase our
19 training capacity to satisfy classes
20 of up to 65 cadets by training more
21 officers to become certified training
22 instructors enabling us to have two
23 academy classes at the same time
24 without losing quality.

25 We've also started the process

1 of getting accredited by the New York
2 State Division of Criminal Justice
3 Services. This will enable us to
4 offer our own state mandated peace
5 officer trainings, as well as the
6 training and certification of
7 instructors, which is currently being
8 done by CUNY.

9 To help combat illegal for-hire
10 activity and these other areas of
11 concern, we will be engaging in a
12 public safety campaign to educate the
13 public about the danger of illegal
14 for-hire activity, and how to identify
15 properly licensed vehicles and
16 increase -- and drivers. Excuse me.
17 We have already started this by
18 working with TLC's Community Affairs
19 to increase greater engagement with
20 the public at Van Hailin events and
21 other community focused events. We
22 will be utilizing safety vehicles on
23 social media and are looking to also
24 include testimonials from victims.

25 While Port Authority has already

1 increased messaging within the
2 terminals, they are working with air
3 carriers to make similar announcements
4 about illegal for-hire activities to
5 their passengers as they arrive at the
6 airports.

7 Port Authority is also currently
8 working on an app for drivers that
9 will show the medallion number of
10 those taxis that have been dispatched
11 properly to the taxi cues from the
12 hold lot. This information may be
13 similarly displayed on installed
14 monitors at those cues to make it
15 easier for everyone to identify line
16 cutters. This increased transparency
17 will not only deter line cutters, but
18 also any taxi dispatchers thinking
19 about taking kickbacks from drivers to
20 allow them to cut the line.

21 Rather than relying on officers
22 in the field to enforce against line
23 cutting, we will be further utilizing
24 technology. Comparing trip data from
25 taxicabs with Port Authority's data

1 from their hold lots, we will be able
2 to identify those trips in which taxi
3 drivers -- in which taxi drivers cut
4 the line. Working with Port Authority
5 and TLC's prosecution unit, we've
6 already started the analysis, and I
7 believe the first batch of summonses
8 will be issued shortly. This will
9 free up our officers for greater
10 enforcement on the legal for-hire
11 activity at the airports. And we will
12 continue to seek new ways to utilize
13 technology to regulate the for-hire
14 industry more -- industry more
15 effectively and efficiently.

16 Thank you.

17 CHAIR DO: Thank you so much,
18 Commissioner Goldapper. And thank you
19 for -- to the TLC police for ensuring
20 that our passengers remain safe and
21 not hustled at the airports. And also
22 to ensure that trips go to licensed
23 drivers with the proper insurance to
24 protect not only the driver, but also
25 the passengers.

1 At this time, are there any
2 questions from the commissioners?

3 MS. VELAZQUEZ: Am I on? Okay.
4 Now I'm on.

5 It wasn't a question. It was
6 just more of an observation. I think
7 the public education campaign is
8 great. Just the comment that you made
9 that a lot of the victims are people
10 who are engaging in international
11 travel. So hopefully that education
12 campaign covers different languages
13 and is able to kind of reach out to
14 those different communities so that --
15 so that you are reaching the people
16 who are maybe the most victimized.
17 That was my only comment.

18 MR. GOLDAPPER: Absolutely.
19 Couldn't agree with you more.

20 CHAIR DO: Any other questions
21 from the Commissioners?

22 (No response.)

23 CHAIR DO: All right. Thank you
24 so much, Commissioner.

25 MS. ELUTO: Okay.

1 Commissioners, we'll now turn to item
2 six on the agenda. The vote on the
3 flex fare rule proposal. The proposed
4 rule was published in the city record
5 on April 8, 2024 for public comment.
6 A public hearing was held by the TLC
7 on May 8th. On August 8th, the final
8 version of the proposed rule was
9 posted on our website and circulated
10 to the commissioners along with the
11 hearing transcript and all written
12 comments that were received.

13 Commissioners, may we move for a
14 vote? All those in favor of adopting
15 the rules amended, please raise your
16 hand.

17 Great. The rule is adopted
18 unanimously. Thank you.

19 Okay, Commissioners, we are now
20 going to go into our public hearing on
21 proposed rules establishing interior
22 advertising provider licenses in
23 compliance with Local Laws 33 and 56
24 of 2024. The proposed rules were
25 published in the city record on July

1 15, 2024 and the public comment period
2 ends today.

3 When I call your name, you
4 can un -- sorry, I have the "unmute
5 your microphone" language. When I
6 call your name, you can step up and
7 each speaker will be allotted
8 three minutes to speak. The time
9 limit will be strictly enforced. A
10 30-second warning will be provided and
11 then you'll need to conclude your
12 testimony when your timeline is up.

13 Okay. Let's begin. Our first
14 speaker today is -- start -- skip
15 her -- okay. Our first speaker today
16 is Andrew Greenblatt from IDG.

17 MR. GREENBLATT: Hi, good
18 morning. My name is Andrew
19 Greenblatt. I'm the policy director
20 of the Independent Drivers Guild. I
21 submitted a formal written testimony
22 yesterday, and I brought copies of
23 that today. So I'll speak informally
24 from the podium.

25 Basically, first, I want to

1 thank council -- Council Member Farias
2 for backing this bill and really
3 making it happen. She's been a
4 champion of the drivers on this issue
5 and we all owe her a debt of
6 gratitude.

7 So broadly speaking, we think
8 that the proposed regulations do a
9 good job of protecting drivers and
10 doing what the company intended to do.
11 We have two small -- one large and one
12 small suggestion. Broadly speaking
13 though, it makes sure that drivers get
14 a fair share of the gross revenue from
15 the companies and make sure that the
16 companies have disclosed the
17 information to the TLC to make sure
18 that that rule can be enforced and so
19 on.

20 The two concerns we have, one is
21 pretty easily fixed, and that is that
22 you allow the companies to do
23 electronic contracts with the drivers.
24 We would just ask that you add a
25 phrase that requires the companies to

1 then make a copy of that electronic
2 contract to be sent to the driver so
3 they can have it if they ever need to
4 fight with the companies over this.
5 And we as their advocates can also get
6 access to the contract that was signed
7 by the driver at the time. I think
8 that's an easy fix and easy for the
9 companies to do.

10 The second one though is much
11 more important and broader. And that
12 is the regulations appear to prohibit
13 tipping to be allowed to be done
14 through the tablets. So in other
15 cities, for example Los Angeles, the
16 way it works is drivers get the
17 tablets, the ads are run, drivers get
18 a percentage of the revenue. But if
19 you step into a taxi -- excuse me,
20 step into a car that the tablet is
21 provided by a company that's
22 affiliated with either Uber or Lyft
23 and you are a passenger going through
24 that company, the tablet will
25 recognize that you are one of their

1 passengers and through the -- during
2 the trip, they will give you the
3 opportunity to take care of your tip
4 right there rather than when you are
5 running off and forget about it and so
6 on.

7 They also do things like they'll
8 allow the drivers to provide a brief
9 biography of themselves. So this
10 person, instead of just being a back
11 of a head, it's like this person has a
12 family, you know, they're doing these
13 things, whatever. And that also can
14 increase tips. What the companies
15 have informed us, we haven't seen the
16 data, but what the companies have
17 informed us is that that increase in
18 tip amount is greater than the amount
19 of money they get from the ads. And
20 so that's what we were lobbying on --

21 MS. BIERSTEIN: Thirty seconds.

22 MR. GREENBLATT: Thank you.

23 That's what we were lobbying to
24 legislators about. So we believe that
25 when legislators voted for this, their

1 intent was to make sure that that
2 money went to the drivers, since that
3 is the bigger share. And these
4 regulations actually take the bigger
5 piece of the money off the table.
6 We -- before you pass any regulations,
7 we want to make sure you fix that. It
8 doesn't require passengers to put in
9 any new information, they don't have
10 to take out their credit card, nothing
11 like that. It just ties back into the
12 system where all that information is
13 already kept.

14 MS. KAUFMAN: Your time has
15 expired. Thank you.

16 MR. GREENBLATT: Thank you very
17 much.

18 CHAIR DO: Are there any
19 questions for Andrew?

20 I have a quick question, Andrew.
21 So if a company, advertisement company
22 is not affiliated with any of the high
23 volumes or even the community bases,
24 black car or otherwise, how would we
25 technically write in the rules to be

1 able for them to connect to let's say
2 community car base X or Uber or Lyft?

3 MR. GREENBLATT: So if you
4 wanted to allow those companies to do
5 this, I think it would -- it would
6 probably be easier if you did allow
7 people to just put in their payment
8 information right into the tablet and
9 then the tip -- since the tip isn't,
10 you know, part of the formal fare, the
11 tip could just go through the company
12 system to the driver. You would then
13 want to write into the regulations to
14 make sure that 100 percent of the tip
15 goes to the driver in those cases.

16 CHAIR DO: So would it be that X
17 interior advertising company would
18 have to have a relationship with Uber,
19 with Lyft or with --

20 MR. GREENBLATT: No. So what
21 you could do, so let's say a new
22 company wanted to come into the market
23 and wanted to compete with the
24 companies that are owned by Lyft and
25 Uber, the TLC could write regulations,

1 in fact I would encourage you to, that
2 allow that company to let people
3 process tips through their tablets.
4 The company would then have to have
5 some form of -- some way of accepting
6 payment, so, to do that and then the
7 driver would already have an account
8 with that company because they're
9 getting revenue from the ads. So they
10 could just add onto that 100 percent
11 of the tip. So it's like, this is how
12 much you got in ad revenue, this is
13 how much you got in tip revenue.

14 CHAIR DO: All right. That
15 makes a lot of sense. Thank you so
16 much, Andrew.

17 Any other questions?

18 MS. VELAZQUEZ: It's almost like
19 a parallel process is --

20 CHAIR DO: Yes. So it's
21 separate and apart than the tipping
22 inside this app.

23 MR. GREENBLATT: Right.
24 Exactly. But the TLC doesn't regulate
25 tips in the same way it regulates

1 fares, and so that would be fine that
2 it went through a parallel system.
3 You would have no concerns in those
4 cases.

5 CHAIR DO: Any other questions
6 for Andrew?

7 (No response.)

8 CHAIR DO: Thank you so much,
9 Andrew.

10 MR. GREENBLATT: Thank you,
11 Commissioner.

12 MS. ELUTO: Okay. Thank you.
13 Our next speaker is Jeremy Moskowitz
14 from Voyager Global.

15 MR. MOSKOWITZ: Hi. Thank you.
16 Hi, Commissioner. And we also want to
17 echo our thanks to Council Member
18 Farias. We were glad to introduce her
19 to many of our drivers as she was
20 learning more about the industry and
21 figuring out how we could get more
22 money in the pockets of drivers.

23 We are very excited about
24 introducing advertising into TLC
25 vehicles. We want additional ways for

1 New York City TLC drivers to earn
2 revenue. We love the 25 percent gross
3 revenue that is mandated in the law.

4 Our main concern is that there's
5 parts of this legislation that feel
6 over legislated, and parts that are
7 overly vague. For example, the fact
8 that a lessor -- we're actually a
9 rental company. We're the largest
10 weekly, no strings attached renter for
11 TLC drivers. We play an important
12 role in this industry with more than
13 4,000 well-maintained new vehicles,
14 the newest fleet in the city. Whether
15 that's for people who can't afford or
16 don't want to own their own vehicle,
17 the burden of owning their own vehicle
18 or your car is in an accident and is
19 in the shop for six months.

20 And the way these rules are
21 written, on one hand, it sort of cuts
22 our vehicles out and makes it
23 logistically impossible for us to
24 offer or work with advertising
25 companies to have these in our cars so

1 that the money can go directly to
2 drivers. It's -- it's very difficult
3 to maintain tablets or, for example,
4 the best advertising is probably in
5 headrest, like built into the
6 headrest. We are a fleet that can do
7 that with 4,000 of our cars and the
8 weekly contracts and everything that
9 we have with our drivers, they could
10 be paid directly. The data could be
11 there. You can rent a car on a
12 Wednesday, return it two Thursdays
13 later. You are paid for that amount
14 of days, right. It can't work if an
15 advertiser has to pay someone for a
16 month if they only rented the car for
17 two weeks.

18 Specifically, there's a part of
19 the rules that mention that a
20 lessor -- I think you would count us
21 as a lessor even though we are
22 renting, a renter -- cannot get --
23 charge any fee or collect any fee.
24 I'm not talking about charging fees to
25 the drivers. The drivers pay enough

1 fees to us and to the city and to the
2 MTA and to all the nice little fees
3 that are added to the trips. I'm
4 talking about if that -- that rule is
5 very vague.

6 If you are implying that we
7 can't have any fee from the people who
8 own the tablets or the advertising
9 companies to actually manage those or
10 put them in our cars, I think you are
11 cutting out a huge part of the
12 industry or you are putting that
13 burden fully on the advertisers and on
14 us and it's just not going to work and
15 it's not going to happen. And so
16 those drivers who do want to rent or
17 who need to rent are essentially going
18 to be cut out of the more lucrative
19 advertising deals with the advertisers
20 that aren't going to generate the most
21 money.

22 This only works -- it's gross
23 revenue. It's not a minimum fee. It
24 only works with the good advertisers,
25 to be blunt, that are able to leverage

1 the data and get the most ad revenue
2 into that tablet. And so if they're
3 not able to work with partners like us
4 or even other creative ideas like, I
5 don't know, our friends at the IDG
6 being able to have a partnership and
7 connect to drivers and tablets if you
8 are an IDG member. Whatever it is, it
9 feels like these rules are, on one
10 hand, over legislated and cutting out
11 creativity to get more money into the
12 hands of drivers, and then at the same
13 time vague enough where we can get in
14 a lot of trouble, you know, depending
15 on how you interpret the rules and how
16 we interpret the rules of trying to
17 actually, again, get more money in the
18 hands of drivers.

19 So that's our main concern with
20 these rules.

21 MS. KAUFMAN: Your time has
22 expired. Thank you for your time.

23 CHAIR DO: Thank you, Jeremy.
24 So what are you specifically asking
25 the commission to incorporate?

1 MR. MOSKOWITZ: There's a main
2 rule, I forget the line number, but
3 there's a specific clause that says
4 lessors cannot receive any fees from
5 the advertisers or advertising
6 revenue. I don't know what you define
7 as from the advertisers or advertising
8 revenue to manage or put these tablets
9 into --

10 CHAIR DO: So you want to be
11 able to strike a deal with the new
12 entrance into this market, the
13 advertisers that enter into this
14 market?

15 MR. MOSKOWITZ: Yeah. Again,
16 not actually for us to get a cut of
17 the revenue. The drivers are getting
18 25 or maybe with us, if it's a better
19 effort, then maybe they can get a deal
20 for 30 percent.

21 CHAIR DO: So drivers would get
22 all the money they're entitled to.

23 MR. MOSKOWITZ: Totally.

24 CHAIR DO: And your deal would
25 be with the advertisers alone?

1 MR. MOSKOWITZ: Correct. We can
2 also help facilitate how long the
3 drivers are in the car, getting the
4 money directly to them. However they
5 want to be paid by the -- by the
6 advertiser, if they're in our vehicles
7 or in other rental fleets. I think
8 there's about 20, 30,000 rental cars.

9 CHAIR DO: Commissioners?

10 MS. VELAZQUEZ: And just for
11 clarification, you mentioned that you
12 would not be able to do the tablets,
13 but that you would do -- you thought
14 that putting something in the back --
15 like is that -- is that an issue
16 for -- are you not able to do that and
17 that would be the only alternative?

18 MR. MOSKOWITZ: No. Sorry. We
19 could do tablets. We could also do --
20 we've spoken -- you know, people have
21 come to us and there's actual
22 in-headrest ones, which are more
23 durable, they're not going to break,
24 et cetera.

25 MS. VELAZQUEZ: Okay. I just

1 wanted to clarify that.

2 MR. MOSKOWITZ: No, we can do --
3 we can do anything.

4 MS. VELAZQUEZ: Okay.

5 CHAIR DO: Any other questions?

6 (No response.)

7 CHAIR DO: Thank you, Jeremy.

8 MR. MOSKOWITZ: Thank you, guys.

9 MS. ELUTO: Okay. Our next
10 speaker, Michelle Dottin from IDG.

11 MS. DOTTIN: Good morning,
12 Commissioner Do. Good morning,
13 Commissioners. My name is Michelle
14 Dottin. I'm a driver and advocate for
15 the Independent Drivers Guild IDG.
16 I'm here in support of the interior
17 advertisements for for-hire vehicles.
18 We fought for drivers to have access
19 for tips. Now we are fighting for
20 easy access through the advertising
21 tablets. We -- I totally agree that
22 it should be something that the
23 passengers can see right away and
24 drivers can get, you know, fare,
25 right.

1 Now, the other thing that I
2 wanted to talk about was the fact
3 that, you know, there's income taken
4 away from FHV drivers who help build
5 Uber and Lyft by those jobs given
6 through curb from Uber. And our
7 drivers are suffering from the
8 lockouts still. And those hard-earned
9 drivers who invested all their income
10 should have that -- those trips
11 dispatched to them so that the
12 utilization rate shouldn't be an
13 issue. Because yellow skin do street
14 hail. We can't. And so it's not fair
15 and equitable on both sides. We need
16 to make it more fair and equitable.

17 And the other issue I'd like to
18 talk about is the -- the real
19 devastation to drivers because of
20 pedestrian incidents, riders jumping
21 out the car without giving the drivers
22 a chance to say, hey, look before you
23 exit the car. We don't regulate
24 people who drive their own personal
25 cars. We have adults in the car.

1 They should know better. And drivers
2 shouldn't be paying a price for that.

3 We are also asking to give them
4 more storage time because insurance
5 now is denying them for the
6 irresponsible actions of riders and
7 pedestrians. So I would like --

8 CHAIR DO: Thank you so much,
9 Michele, but can we focus on interior
10 advertising?

11 MS. DOTTIN: Absolutely.

12 CHAIR DO: Thank you.

13 MS. DOTTIN: But I want to put
14 that in your head. Because it's a big
15 issue right now. Okay? And just
16 hopefully you can bring it up.

17 But as far as the interior
18 advertisements, I agree 100 percent
19 with Andrew that we do need it to be
20 accessible, easier. And if it's
21 working in Los Angeles, then maybe we
22 can find out how they made it work so
23 easily without any type of backlash
24 or --

25 MS. BIERSTEIN: Thirty seconds.

1 MS. DOTTIN: -- compromise to
2 the rider's credit card. So if we can
3 do that and get it done quickly, that
4 would be appreciated.

5 CHAIR DO: Thank you so much,
6 Michele. And yes, Andrew brings up
7 good points that we'll consider.
8 Thank you.

9 MS. DOTTIN: Thank you.

10 MS. ELUTO: Our next speaker is
11 Jackie Lin from IDG -- no. Okay.

12 Sonam Lama from IDG. Yes.

13 MR. LAMA: Okay. Good morning,
14 Commissioner Do. Commissioners. Taxi
15 and Limousine Commissioner members.
16 My name is Sonam Lama. And I work
17 with rideshare companies like Uber,
18 Lyft and government Access-a-Ride from
19 the brokers. And also a proud member
20 of Independent Drivers Guild. And I'm
21 here as a driver. And I'm a driver.

22 I'm here today in support of
23 advertisements inside for-hire
24 vehicles. As you know well,
25 inflations and restrictions are

1 killing the job market. Everything is
2 very expensive, from water gallon to
3 gas gallon. The business is very
4 slow. On top of that, everything,
5 lockout is happening, and that's
6 killing big time in driver's income.

7 Advertisement is an additional
8 source of income for the drivers.
9 They can pay the small bills like
10 Netflix, Amazon Prime, and Hulu for a
11 driver like me, which that is
12 something during off time, we can use
13 this entertainment.

14 Because when I say this, this is
15 true. Because the money from the one
16 tablet that I make is so small, that I
17 cannot even take my girlfriend out for
18 a good dinner. That's true. And I
19 can't pay my phone bill, too.
20 Therefore, we'd like to have tablet
21 advertisement from companies in our
22 car where both tablets can produce a
23 distinct amount of money and finally
24 use the money for groceries for my
25 family and my girlfriend, too. And

1 pay the phone bill and online
2 services.

3 I'd like to address my concern
4 about the incidents too, which is very
5 important. I know it's off topic, but
6 I have to, as a driver, like I said.
7 Insurance companies will provide
8 insurance for drivers. They are
9 playing monopoly with the drivers.
10 Drivers are forced to take insurance
11 rate with them. With that power, they
12 are doing whatever they want.

13 MS. ELUTO: I'm sorry, are you
14 finished on interior advertising?
15 Because that's the topic.

16 MR. LAMA: This is like 30
17 seconds. Let me finish. It's a small
18 thing. Thank you so much,
19 Commissioner.

20 Even if it's not a driver fault,
21 they are forcing drivers to give
22 insurance and as a result of the DMV
23 rule, driver's are forced to surrender
24 the plates because they cannot drive
25 without insurance. So my request to

1 TLC, a government of taxi drivers like
2 us and TLC make the licenses, please
3 do something with the insurance, too.
4 Thank you and have a good one.

5 CHAIR DO: Thank you, Sonam. I
6 appreciate your time.

7 MS. ELUTO: Okay. Guillermo
8 Fondeur. No Guillermo. Okay. Larbi
9 Aitabou?

10 MR. AITABOU: Hi good morning,
11 everyone. Good morning, Commissioner
12 Do and member of the TLC
13 Commissioners. My name is Larbi
14 Aitabou. I'm with the Independent
15 Drivers Guild. I've also been a
16 driver since 2007. I still hold the
17 big -- I think it was five by three
18 license.

19 I'm proud to be in this industry
20 because that's how I, you know,
21 support myself and my family here and
22 abroad. As a driver, and I think we
23 addressed this before when Uber came
24 to the market, what they did is saying
25 the tip is included. With the help

1 with the previous Commissioner, we
2 were able to implement the tip option
3 on the app. But right now, we come to
4 technicalities. Is it on the app, put
5 a tip on the app. Yes.

6 Sometimes people, they don't
7 want to tip. We understand that.
8 Most of the people that come to visit
9 New York City from abroad, no, we
10 don't tip. Especially the French.
11 No -- no relation. But here's my
12 concern today.

13 My concern today is this issue
14 should be a very easy to do and
15 provide the driver with the option for
16 the riders to tip them. Passengers.
17 Right. As a driver, I've been in the
18 field before Uber and Lyft. People
19 would say how much do they tip you?
20 Right? And that's the -- the
21 attention that I want this commission
22 to pay attention to, which is the
23 previously Uber used to just give
24 percentage, right, or just give
25 another option which is very hidden,

1 custom tip.

2 No. I want it to be really big
3 on the screen so people can be
4 encouraged helping the drivers. Which
5 they rely on this tip in New York
6 City. And we understand New York is a
7 city that tip every single industry.
8 And I thank you for your time.

9 CHAIR DO: Real quick. So what
10 are you asking? Is it two, three and
11 five, plus the big custom?

12 MR. LAMA: Percentage. When you
13 go to a restaurant, you know that
14 percentage starting with 18. Right?

15 CHAIR DO: Okay. But -- so --
16 this is in competition with what
17 Andrew was saying earlier, when there
18 is no connection between the price of
19 the trip, right. And so should it be
20 two, should it be three and five and
21 then plus custom amount?

22 MR. LAMA: I think the tip
23 always should start at five. Right.
24 So it's custom and people can actually
25 enter the amount they want to enter.

1 If somebody -- it's the holidays, want
2 to give 100, they can.

3 CHAIR DO: All right. There you
4 go. Thank you. Any questions for
5 Larbi?

6 (No response.)

7 CHAIR DO: Okay. Great. Thank
8 you so much.

9 At this time, I want to
10 introduce the councilmember who has
11 fought for this bill pastored through
12 our city council. As someone who has
13 been fighting for drivers, ensuring
14 that they get a fair share as part of
15 this piece of legislation that took a
16 little bit longer than I anticipated
17 to turn into rules, but through your
18 leadership, your fight, we got it to
19 this point. And I want to thank you
20 and thank you so much for always being
21 in the community.

22 We were in the Bronx just a few
23 weeks ago. And drivers love you. And
24 so again, you can see drivers love you
25 today. And so I am honored that you

1 are here today to speak on your piece
2 of legislation and on the rule-making
3 that we provided today. Council
4 Member?

5 COUNCILMEMBER FARIAS: Thank you
6 so much, Commissioner, and everyone on
7 team TLC this morning. I do just want
8 to first start off by saying thank you
9 for being as timely as we could with
10 this set of rules. We know it's going
11 to be impactful and it's going to be
12 super meaningful to drivers. It's
13 important for us to make sure we took
14 the time that we needed to, to put
15 this forward and for working with us
16 throughout this entire process.

17 So as mentioned, I am Amanda
18 Farias, majority leader of the New
19 York City Council. And the prime
20 sponsor of what is now Local Law 33,
21 which permits interior advertising in
22 for-hire vehicles. This bill was
23 written to create a new revenue stream
24 for one of our city's most critical
25 industries and enhance the rider

1 experience while ensuring both safety
2 and comfort.

3 Additionally, my legislation
4 encourages standardization of what
5 experienced consumers can assume to
6 receive when hailing any car service.
7 Which is digital information and
8 engagement from the community they
9 live in or our community throughout.

10 While I appreciate the Taxi &
11 Limousine efforts in moving on this
12 legislation, I'm concerned that the
13 proposed rules on the agenda today
14 stray from the original intent of my
15 legislation. I want to make it clear
16 that the intention of my legislation
17 was not a suggestion and regulations
18 set forth by the TLC must support our
19 drivers and the industry as a whole.

20 I'm here today to testify on the
21 record that I am concerned about the
22 proposed prohibition of tipping on
23 tablets. As described, the proposed
24 rules would limit driver's ability to
25 receive tips through a convenient

1 platform, reducing their potential
2 earnings and undermining the very
3 benefits the legislation intended to
4 provide. The tablets are supposed to
5 empower drivers, make things simpler
6 for passengers and incentivize drivers
7 to maintain high standards of service.

8 Next, while the desire to
9 regulate certain types of content is
10 understandable, mandating what must be
11 on the devices per ride is a little
12 bit of an overreach. TLC should be
13 clearer on the requirements for the 15
14 percent of content to be TLC provided.
15 The questions that are presented to me
16 when reading the rules, is this per
17 ride, or is this over a 24-hour
18 working period, 24-hour day period or
19 just a work standard period of seven
20 to eight hours.

21 I cannot support requiring
22 15 percent of content per ride to be
23 TLC provided, as this will reduce the
24 potential revenue for drivers and
25 limit the diversity of content that

1 could enhance the passenger
2 experience.

3 Finally, it is crucial that we
4 find a balance between robust security
5 measures and practical implementation
6 to protect both providers and
7 passengers without creating
8 unnecessary hurdles. So to that end,
9 I seek your support in simplifying any
10 reporting requirements to ensure
11 transparency without overwhelming
12 drivers and advertising providers. As
13 we know, as city agents, we sometimes
14 propose a lot of different
15 requirements and don't necessarily
16 meet the needs for the diversity that
17 we have in terms of language access,
18 simplification of these requirements,
19 and so on and so forth. We see that
20 across our agency. So I urge you to
21 look at these requirements in that
22 matter.

23 It's important to note that
24 interior advertising systems, as I
25 envisioned in the legislation, are not

1 aiming to replace the functionality of
2 the rideshare apps, but to be
3 complementary to them. The proposed
4 rules would create a slimmed-down
5 version of Taxi TV. When the
6 legislation actually aims for a more
7 forward-looking addition to our
8 for-hire vehicles. The proposed rules
9 go against the underlying purpose,
10 mainly to get drivers an additional
11 revenue stream. The proposed rules
12 consider these systems as if they are
13 akin to point of sale. Even though
14 they cannot track specific trips,
15 accept payment information or gather
16 any personally identifiable
17 information.

18 Page two and three of the rules
19 make it clear that there's a
20 prohibition on credit card
21 transactions on tablets, and page
22 eight restates this to say that a
23 driver must not operate an approved
24 tablet with passenger payment
25 capabilities and must not accept

1 payment from a passenger through any
2 approved tablet.

3 When I test rode with a Lyft
4 driver who just had a tablet
5 installed, I saw with my own eyes
6 through my own experience that the tip
7 function on the tablet was connected
8 to the app on my phone and did not
9 have any other personal information
10 available. There were no additional
11 steps I had to take as the tablet in
12 the car had reflected the ride
13 information on my phone. This
14 function is in compliance with these
15 rules and therefore the regulations
16 should be adjusted to reflect the
17 reality of the tablet's scope and
18 information.

19 I urge the Taxi & Limousine
20 Commission to revisit the proposed
21 rules to align them more closely with
22 the intention of the legislation.
23 Legislation that my team, the city
24 council, TLC and the administration
25 worked hard on to find common ground

1 and that worked for all of us.

2 If these rules are implemented,
3 we will be working backwards from the
4 months of hard work and negotiations
5 we've already put in. Our common goal
6 is to be supporting drivers,
7 encouraging market competition and
8 foster innovation. By addressing
9 these concerns, we can create a
10 regulatory framework that benefits all
11 stakeholders and gets these tablets
12 working in our vehicles.

13 Thank you for your time and
14 consideration today. I look forward
15 to working with Commissioner Do to
16 refine these rules and ensure that
17 they best serve the interest of our
18 drivers, passengers and the broader
19 community. And quite frankly, I'm
20 really excited that this is the first
21 time I'm testifying in front of a
22 hearing with all of you folks here
23 today. So thank you for listening.

24 CHAIR DO: Again, councilmember,
25 thank you so much for your advocacy.

1 We take seriously the intent of the
2 primary sponsor and writer of this
3 bill. And we'll go back to the
4 drawing board to make some changes
5 that reflect some of your comments
6 today.

7 COUNCILMEMBER FARIAS: Thank
8 you. I look forward to a working
9 relationship.

10 MS. ELUTO: Thank you.

11 Our next speaker, Anwaar Malik
12 from IDG.

13 MR. MALIK: Three minutes?
14 Okay. I heard two before, that's why.

15 Good morning. I agree with what
16 Andrew said, I agree with everybody,
17 what they said from IDG. Also agree
18 with -- I'm sorry, but I forgot your
19 name again.

20 COUNCILMEMBER FARIAS:

21 Councilmember is fine.

22 MR. MALIK: I'm -- yeah. Thank
23 you.

24 Councilmember, I also agree with
25 her. And I do want to point out what

1 Sonam said about having two tablets.
2 If we are working and thinking about
3 getting drivers more money, two
4 tablets also work. The guy can't even
5 afford his girlfriend. Like -- let's
6 get two tablets in the car so that way
7 like, you know, it's advertising a lot
8 and it's more money for the driver.

9 And it's insulting that we were
10 with her back in December, city
11 council, back in December or January,
12 the beginning of January and the bills
13 got passed. But it's been -- what --
14 we are at eight months now, but we are
15 still thinking about what to do. On
16 top of that, incomes have been cut to
17 less than 50 percent for us with the
18 lock outs and now it's hard to even
19 pay rent.

20 I also want to say while this
21 temporary solution works, we at IDG
22 request that you start implementing
23 the robust plan you say you have so
24 that we never have to see these
25 lockouts again. Let's not wait until

1 the damage is done this time. Let's
2 be ahead of the game so drivers can
3 work and sleep in peace. Parents,
4 students, older people and everyone
5 that's a driver in this industry needs
6 to be able to work whenever and
7 wherever they want to. And only IDG's
8 plan will work.

9 We have said this since day one,
10 that there should be a pause on new
11 drivers until we need more. Those
12 companies, they found loopholes and
13 history is repeating and nothing is
14 really changing. The time is now to
15 put all the value in the driver and
16 not on a metal plate.

17 58 seconds left. But I want --

18 CHAIR DO: Anwaar, do me a favor
19 and focus on the in-vehicle
20 advertising.

21 MR. MALIK: I do want to focus
22 on that, but the hearing we had for
23 lockouts and raises, it didn't really
24 make a difference. So like Michele
25 said, we just want to put this right

1 there in your head, plant that seed.
2 Because that's really concerning. If
3 we are talking about revenue, then we
4 also have to talk about the lockout
5 revenue that we lost.

6 But the last thing is --

7 MS. BIERSTEIN: Ten seconds.

8 MR. MALIK: I do want to say,
9 Commissioner Do, let's have a Zoom
10 meeting with IDG and drivers and we
11 can talk about the industry. Plus,
12 you can tell us how and what you do to
13 stay healthy. Thank you.

14 CHAIR DO: Thank you so much.
15 I'll chat with you all afterwards.
16 All right.

17 MS. ELUTO: Our next speaker,
18 Adalgisa Diarra from IDG.

19 CHAIR DO: Are you going to be
20 trouble, Adalgisa? Just kidding.

21 MS. DIARRA: Good morning,
22 Commissioner Do. Good morning,
23 members of TLC Commissioners and
24 drivers and other members present
25 here. My name is Adalgisa

1 Payero-Diarra. I'm an Uber and Lyft
2 driver. I'm also the president of
3 UTANY. I'm a member, leader member of
4 the Coalition Justice for App Workers,
5 along with Independent Drivers Guild.
6 I'm here today to talk about the
7 tipping in vehicles, and also about
8 having to be able to have two tablets.
9 A lot has been said, so I'm going to
10 summarize whatever I had written
11 before. I think having two tablets in
12 the vehicle will give us more income
13 because as myself, I drive with both
14 companies. So that will also help
15 with what the -- what the
16 councilmember Amanda Farias was
17 saying, that if I have a tablet from
18 Uber and I'm using Uber trip, all the
19 information will be connected. The
20 tip could go directly from the tablet.
21 The passenger doesn't have to put in
22 any new information. It will be just
23 a reminder that it can come up in the
24 tablet and say, you know, tipping is
25 an option. Give -- I think Andrew

1 said a little brief about what kind of
2 driver I've been, how long I've been
3 in the industry. And then that will
4 encourage passengers to also tip.

5 I think that the main goal with
6 this bill is to give more income to
7 drivers. And putting restrictions on
8 tipping will cause harm to us. We
9 already are struggling with the
10 lockouts, which I encourage
11 Commissioner Do to work on it.
12 Especially because we have -- I think
13 it's inequity in the industry with
14 having yellow cabs in the platform
15 because it's taking jobs away from us.
16 And they have the benefit of street
17 hail, which we do not. If we do, we
18 get that summons. And we don't want
19 to.

20 So please reconsider those
21 things in the benefit for the
22 industry. And, you know as well, we
23 are open to always having
24 conversations to look for more ways to
25 benefit drivers and their family.

1 Thank you.

2 CHAIR DO: Thank you so much for
3 your time, Adalgisa.

4 MS. ELUTO: The next speaker is
5 Brad Sayler from Octopus/T-Mobile.

6 MR. SAYLER: Good morning.
7 Thank you for giving me the
8 opportunity to speak today. My name
9 is Brad Sayler. I serve as the head
10 of rideshare media for Octopus
11 Interactive, a unit of T-Mobile
12 Advertising Solutions.

13 Since 2018, Octopus has provided
14 interior advertising screens to over a
15 hundred thousand rideshare drivers,
16 with over 10,000 drivers partners
17 operating in and around New York City.

18 Although we do not currently
19 show ads or make ad revenue in New
20 York City, we've continued to pay
21 drivers according to the compensation
22 system we use in other cities. To
23 preserve this important stream of
24 driver income, it is critical that we
25 have a clear path to obtaining an

1 interior advertising provider license.

2 The proposed rules, as currently
3 written, impose numerous unnecessary
4 restrictions that will severely limit
5 the ability of for-hire vehicle
6 drivers to earn additional income
7 through in-car advertising. Casting
8 doubt in the viability of the entire
9 business model.

10 First, it appears that many of
11 the TLC's proposed rules were pulled
12 directly out of Chapter 66 of the
13 TLC's rules that govern licensing and
14 rules for technology systems
15 providers. Technology systems are
16 very different from interior
17 advertising systems.

18 Taxi technology systems include
19 payment and credit card machines, as
20 well as systems that track particular
21 trips. They're commonly fixed inside
22 a taxi that multiple drivers may use.
23 On the other hand, interior
24 advertising systems do not accept
25 payment information, do not track

1 particular trips, are easily removable
2 and are assigned to specific drivers
3 rather than vehicles used by multiple
4 drivers.

5 The relative simplicity of
6 interior advertising system should be
7 reflected by simplifying rules related
8 to license registration, cyber
9 security, contractual requirements,
10 hardware and software reviews and
11 tablet functionality requirements.
12 Please refer to my written comments
13 for specific onerous rules that would
14 make operating an interior advertising
15 system overly time consuming,
16 expensive and impractical.

17 Importantly, technology system
18 providers make a significant portion
19 of their revenue from payment
20 processing, which supports their
21 ability to comply with complex rules.
22 Interior advertising systems only
23 generate advertising revenue and this
24 by itself will not justify the high
25 price of complying with the proposed

1 rules.

2 Second, the TLC's proposed rules
3 misunderstand the leading driver
4 compensation model and would reduce
5 driver's prospective earnings. The
6 rules contemplate drivers making 25
7 percent of each ad played. Whereas in
8 practice, drivers often make much
9 more. Our drivers earn continuously
10 as they drive with the device even
11 when ad revenues are very low. This
12 results in a more reliable and --

13 MS. BIERSTEIN: Thirty seconds.

14 MR. SAYLER: -- a greater income
15 stream than traditional revenue share.
16 The proposed rules also contemplate
17 itemized receipts, granular revenue
18 share reporting as well as reference
19 weekly and hourly and shift payments.
20 These concepts do not align with the
21 operations of FHV drivers or
22 well-accepted compensation model.

23 Finally, the rules misunderstand
24 advertising industry norms in that
25 they require affirmative expressed

1 consent for basic ad location
2 targeting, such an unnecessary,
3 atypical message would completely
4 block the industry from operating.
5 Also, a similar affirmative consent
6 provision does not appear in Chapter
7 66 for taxi advertising.

8 MS. BIERSTEIN: Your time has
9 expired. Thank you for your
10 testimony.

11 MR. SAYLER: Thank you.

12 CHAIR DO: Thank you. Any
13 questions?

14 MS. KAUFMAN: Hi. I've used the
15 Octopus tablets, especially my family
16 appreciates it on longer trips.

17 MR. SAYLER: Wonderful.

18 MS. KAUFMAN: To what -- because
19 it's such an interactive tablet that
20 you provide, are you able to provide
21 information to what extent do
22 passengers interact with the tablets
23 that are in your vehicles?

24 MR. SAYLER: Yeah, sure. So
25 from surveys we've run, I think it's

1 important to note that 99 percent of
2 drivers say that the -- the tablets
3 provide entertainment for their
4 passengers. It is the number one
5 reason that they use the tablets.
6 Number two, a close second, is the
7 earnings that they provide.

8 In terms of actual inner
9 activity, about a third of passengers
10 actually touch it. Another third of
11 passengers kind of passively watch the
12 videos and the other third, you know,
13 do not actively engage with it.

14 MS. KAUFMAN: Thank you.

15 MR. SAYLER: Yup.

16 CHAIR DO: Thank you so much. I
17 appreciate your time.

18 MS. ELUTO: Thank you. Next
19 speaker, Bunmi Olowoyeye from
20 Constantinople & Vallone.

21 MR. OLOWOYEEYE: Good morning,
22 Commissioner Do. My name is Bunmi
23 Olowoyeye. I'm here to support the
24 interior advertising on the tablet
25 inside the car, in the driver's car.

1 I've been working Octopus for
2 the past five years now, and I've made
3 almost, you know, about \$1,500 just
4 having the tablet in my car. And the
5 good thing about the tablet in the car
6 is especially for me, when I have kids
7 in the car, I'm always worried about
8 their safety because they move around.
9 But ever since I have this tablet in
10 the car, it will just give them that,
11 you know, opportunity to play games,
12 you know, and get busy with the app
13 until I drop them to their location.
14 The good thing about this app also is
15 that the passenger have the option,
16 just one click to turn off the tip if
17 they want to or mute. You know. They
18 have full control basically of the --
19 of the tablets.

20 So that's basically what I
21 wanted to say about the tablets in the
22 car. Thank you.

23 CHAIR DO: Thanks so much,
24 Bunmi. Appreciate it. Any questions?

25 (No response.)

1 CHAIR DO: All right.

2 MS. ELUTO: Next speaker is
3 Edwin Garcia.

4 MR. GARCIA: Good morning,
5 Commissioners. My name is Edwin
6 Garcia, and I've been driving for TLC
7 for almost 10 years. I'm here to
8 support Octopus. I've been using this
9 tablet since December 2022. Almost
10 two years -- two years. And I'm
11 earning, this month, almost \$2,000.
12 Helped me a lot to pay my cell phone,
13 even tablet. Sometimes Netflix. And
14 love this tablet. And my testimony
15 is, every single family that I ride,
16 especially from JFK to the city, it's
17 almost an hour driving, every single
18 family love it. It's family friendly
19 and the kids love it. Thank you for
20 everything.

21 CHAIR DO: Quick question, Edwin
22 you said \$2,000 since 2022 or 2000 a
23 month?

24 MR. GARCIA: Yeah, it's 100 --
25 80 -- \$80 a month.

1 CHAIR DO: All right. \$180 a
2 month. All right. Thank you so much.

3 MR. GARCIA: No, no. \$80 a
4 month.

5 CHAIR DO: Oh, 80. \$80 a month.

6 MR. GARCIA: Since I started,
7 it's almost 2,000-dollar. So helped
8 me a lot.

9 CHAIR DO: Yeah, that makes
10 sense. Thank you so much. Any other
11 questions?

12 (No response.)

13 MR. GARCIA: Have a nice day.

14 CHAIR DO: Thank you for your
15 time.

16 MS. ELUTO: Our next speaker,
17 Ivan Garcia Quinonez.

18 MR. QUINONEZ: Good morning. My
19 name is Ivan Garcia. I come in to
20 here to give you my testimony about
21 the Octopus tablet.

22 I have the tablet around to
23 2022. They help us to create a little
24 bit tips or extra money. In this
25 city, we spend a lot of money with

1 fixing the car or wash the car or
2 something happen extra when we're
3 working a day, we help us.

4 The tablet is simple. It's like
5 a cell phone. It's like a kid's
6 tablet. So everybody, they have
7 control of this tablet. Only we need
8 to put in the car, plug the charger
9 and that's it. We don't have control.
10 The front to the back, we leave the
11 tablet in the mounting. Everybody
12 enjoy it. The family enjoyed it. So
13 when we have a low ride, everybody
14 enjoy it because everybody
15 participated to the tablet.

16 Thank you very much. Any
17 questions?

18 CHAIR DO: We have a question.

19 MS. KAUFMAN: Is it similar --
20 if you don't mind sharing, is it
21 similarly \$80 a month about for you as
22 well?

23 MR. QUINONEZ: Everything -- you
24 know, everything depend on, some
25 people work more time, so everybody --

1 when you're running a route to the
2 city, you make money. So some people,
3 they make more because more -- more
4 time to -- to run in the city.

5 MS. KAUFMAN: Thank you.

6 MR. QUINONEZ: You are welcome.
7 Thank you very much.

8 MS. ELUTO: Joseph Dim is our
9 next speaker.

10 AUDIENCE MEMBER: He's not here.

11 MS. ELUTO: Okay. Then we have
12 Yeldar -- I'm sorry -- Mukhtaruly. I
13 tried hard. How do you say it?

14 MR. MUKHTARULY: Good morning.
15 Yeldar Mukhtaruly.

16 So I'm here with Octopus
17 drivers, who have Octopus tablets in
18 their cars and it's best experience
19 that I had. And I've been using
20 Octopus since March 2021. So it's
21 been a long time.

22 So as more as I drive, I get
23 more money. So it all depends how
24 often you drive and how often they use
25 your tablet. And it's very easy. If

1 passengers, they don't like it, they
2 can shut it down, they can turn it
3 off. It's not a problem. And the
4 payments, is easy to manage. You can
5 log it in, you can see how much points
6 you earned and you can pay out any
7 time as soon as you earn like \$25 you
8 can pay out straight to your chain
9 account.

10 The tablet content is very easy.
11 My riders, they enjoy the games and
12 video content. The tablet's
13 operations are very easy. You just
14 put it in the car. You can mount it
15 and any time it's easy and carefree.
16 And if anything breaks, the service,
17 they change it right away.

18 The one touch buttons is very
19 quickly and they quickly mute if you
20 wanted. The tablet management is very
21 easy as well. Octopus offers free
22 returns and swaps. They have a great
23 support team to also ship replacement
24 shipments any time if needed. And my
25 personal experience were great, the

1 kids love it and like my previous
2 colleagues said, it's family friendly.
3 Any time they want to play. If there
4 was like -- we have a lot of traffic
5 jams, they want to play, spend some
6 time without their personal phones.
7 So I'm really glad to have it.

8 CHAIR DO: All right. Any
9 questions?

10 MR. CHAN: I have a question.
11 Thank you for that. And maybe I
12 should know the answer to this
13 question. But I don't.

14 So the method by which you earn
15 revenue from Octopus platform is you
16 earn points based on the hours driven?

17 MR. MUKHTARULY: Yes. Usually,
18 you can see the earnings in the day of
19 the -- evening day. When the day is
20 over. Let's say you drove like
21 six hours. It doesn't matter if what
22 ads were playing or not. You still
23 earn. So as soon as you are driving
24 with the rides in the car and you earn
25 the points.

1 MR. CHAN: So do you see how
2 much you've earned or how does that
3 work?

4 MR. MUKHTARULY: Let's say you
5 start driving in the morning and you
6 drove from 6:00 a.m. to 5:00 p.m.
7 When you log into your Octopus app,
8 you can see in the app how many points
9 you earned. And as soon as you earn I
10 believe 200 or 2500 points, which is
11 \$25 equivalent, you can cash out right
12 away with the account right away.

13 MR. CHAN: I see. That's very
14 helpful. Thank you.

15 MR. MUKHTARULY: And I have a
16 very quick question. This is about
17 something else, but it's very quick.

18 So I live in Staten Island,
19 which is part of New York City and --
20 part of New York City. So there's one
21 thing that was implemented last year
22 in November by TLC that you -- when I
23 pick up the ride from Staten Island to
24 Brooklyn, I do not get paid for my
25 tolls. I pay out of pocket. So I

1 wrote a lot of e-mails regarding this,
2 and it's very concerning to me because
3 the rule is when you are picking up
4 the guy from let's say Brooklyn or
5 anywhere to Staten Island, you get
6 paid twice. But very rare. I cannot
7 see where the passenger is going. So
8 I have to pick up any fares. And so
9 every day, I pay like 13, 80 dollars.
10 So if you will concern, if you'll
11 think about it --

12 CHAIR DO: Thank you so much for
13 the further comment on the tolls,
14 Yeldar. This is something that, you
15 know, we heard from the advocates,
16 right, that they wanted it in this
17 structure. And then afterwards, after
18 the implementation of it, then I
19 started hearing from our Staten Island
20 drivers.

21 So this is something that is
22 complicated, and it's something that
23 we'll definitely continue to talk with
24 you and advocates and our drivers
25 about in the future. I can't commit

1 to saying to you today that we are
2 going to change the rules. But it's
3 something that we will consider. All
4 right?

5 MR. MUKHTARULY: Yes. Just very
6 frustrating to pay \$14 every day for
7 the tolls.

8 CHAIR DO: Of course. Thank you
9 so much.

10 MR. MUKHTARULY: I appreciate
11 it.

12 CHAIR DO: If I can call Brad
13 Sayler back up just to ask about
14 tipping real quick.

15 Brad, can you talk a little bit
16 about tipping in terms of, okay,
17 there's an Octopus tablet in let's say
18 a Lyft vehicle, your competitor, how
19 does that work?

20 MR. SAYLER: So the way the
21 Octopus experience works is it's a
22 continuous loop running. Unless we
23 are connected directly with Lyft, we
24 don't know when a new ride starts or
25 ends. So we sort of structure our

1 content loop that sort of makes sense
2 whenever you might get into a car.

3 As you all have seen, we have
4 entered into a partnership with Uber.
5 So at some point in the common future,
6 that will be integrated into our
7 experience, so the content will be
8 curated for the start to the end of
9 the trip.

10 CHAIR DO: Okay. So I want to
11 get back to tipping. So a lot of
12 drivers dual app, right. So they're
13 going to be on Lyft and Uber platform,
14 maybe a small community base. So how
15 would we incorporate tipping into your
16 tablet, as you heard from amongst many
17 drivers today, that's something there
18 we're thinking about.

19 MR. SAYLER: We are supportive
20 in tipping in app as long as it is
21 attached to the app that they are
22 using, whether Lyft or Uber. In terms
23 of totally separate mechanism for
24 someone to enter their payment
25 information or credit card into our

1 tablet and have that be sort of
2 disattenuated from the core app
3 experience, that would introduce a ton
4 of complications. Some of the
5 regulations that I spoke of that are
6 just simply not applicable for
7 interior advertising systems. Then
8 become applicable for taking credit
9 card information.

10 There's also just the rider
11 confusion of, wait a second, I just
12 put a tip in this app on my credit
13 card. It's not showing in my Uber or
14 Lyft app. What's going on here? So
15 it will result in additional inquiries
16 to Uber and Lyft. Potentially to you
17 guys, if there's tipping via both
18 mechanisms and sort of double --
19 double tipping, so we are not
20 supportive of separate credit card
21 entry tipping mechanism outside --

22 CHAIR DO: So the tipping would
23 only be if you have a partnership
24 similar to Uber?

25 MR. SAYLER: Correct.

1 CHAIR DO: So in other
2 jurisdictions, there is no way to tip?

3 MR. SAYLER: Correct.

4 CHAIR DO: Any other questions?

5 MS. KAUFMAN: I didn't realize
6 you are entering into partnership with
7 Uber. A lot of times when you are in
8 an Uber ride, there are kind of pop-up
9 ads to order like food along the way,
10 pick up something from 711 en route.
11 Do you anticipate adding the option to
12 order food or other things to your
13 tablets, or will it strictly be
14 limited to what we've been discussing
15 today?

16 MR. SAYLER: That's a great
17 question. It has not been decided
18 yet. We are just kind of taking care
19 of the initial integration, and that
20 will be fairly basic. I think that's
21 something that we'll always consider
22 in the future. It will be more up to
23 Uber than us. We provide the
24 hardware. They are going to be
25 running the software. But I do think

1 the foundation of these rules will
2 allow for a conversation with you all
3 for something like that to take place
4 in the future.

5 CHAIR DO: So hypothetically, we
6 write a rule. It's very simple, that
7 tipping must be required within the
8 interior advertising ad. What
9 happens?

10 MR. SAYLER: We will be unable
11 to do business in New York because
12 then we have to create an entirely
13 separate credit card payment
14 information mechanism that precludes
15 our operation. I think allowing for
16 tipping and making sure it's okay if
17 connected to the core for-hire app,
18 then that makes sense. But requiring
19 it would be total non-starter.

20 CHAIR DO: And you see the
21 complication here, right?

22 MR. SAYLER: Yup.

23 CHAIR DO: Of 10s of dozens of
24 drivers asking for tipping into your
25 platform and yet, what I'm hearing is,

1 it would be impossible. So we are
2 having to balance that.

3 MR. SAYLER: I very much
4 appreciate the position you all are
5 in. For us, it would force us out of
6 markets and then there would be no
7 advertising revenue or passenger
8 entertainment in the back of the cars.
9 So I also do not think it will be very
10 often used when the very easy tipping
11 mechanism is sitting right there in
12 their app. So why would they tip
13 outside of that?

14 CHAIR DO: All right. We'll
15 think about that throughout the
16 rule-making process. I appreciate it.

17 Andrew, we'll chat.

18 MR. GREENBLATT: I just think
19 what you just said and what he said
20 were not the same thing. He said
21 tipping is easy in the app, easier if
22 it's through the apps, but very hard
23 if it's by credit card. That's
24 different than you just said, so if we
25 allow tipping, the whole system --

1 he's saying, please allow tipping,
2 just if you require it to a credit
3 card, it causes some trouble. But if
4 you can connect it to the app, it
5 doesn't. Am I getting that right?

6 MR. SAYLER: Tipping, as long as
7 connected through Uber, Lyft or
8 another company app is acceptable. A
9 separate tipping mechanism like --

10 CHAIR DO: Sorry, Brad. Can you
11 come back in, to the podium and speak
12 into it so that our audience online
13 can hear.

14 So answer his question.

15 MR. SAYLER: Yeah. So just to
16 clarify, we believe the rules should
17 allow for tipping so long as it does
18 not require a separate credit card
19 entry or payment mechanism on the
20 tablet itself. And thus, the only way
21 to really achieve that would be
22 connected to Uber or Lyft's back-end
23 systems and follow their tipping --

24 CHAIR DO: Are you able to
25 connect through both -- so then we

1 require, let's say, like you know,
2 this is hypothetical, we require that
3 you connect through an API with Uber
4 and Lyft as part of the rule-making
5 process. Right. We are not requiring
6 you to collect any payment options,
7 but just have the ability that
8 whatever companies or bases you
9 contract with, that there has to be an
10 option for tipping within the app.

11 MR. SAYLER: That is more of a
12 question for Uber and Lyft to answer
13 than us. You couldn't necessarily
14 require us to do that. You would need
15 to require them to do that.

16 CHAIR DO: But it's possible?

17 MR. SAYLER: I think if it was
18 required, we would all need to take a
19 step back. Then it would require all
20 these other companies as well as Uber
21 and Lyft to spend lots of time
22 connecting with each other, creating
23 legal agreements with each other,
24 technical integration, correct. So I
25 think it would be very challenging.

1 But I -- I cannot speak to whether you
2 can require those companies to do that
3 or not.

4 CHAIR DO: Thank you for your
5 time.

6 MR. SAYLER: Yes. Thank you.

7 MS. ELUTO: Our next speaker,
8 Michael Chow from Dart Technology.

9 MR. CHOW: Good morning, Chair
10 Do and members of the board of
11 Commissioners. My name is Michael
12 Chow, Founder and CEO of Dart
13 Technologies, a tech NYC start-up
14 member headquartered in Manhattan and
15 software provider of Passenger Media
16 Solutions for mobility operators.

17 On behalf of Dart Technologies,
18 we strongly advocate for
19 simplification of non-core
20 requirements to preserve flexibility
21 for passenger experience innovation
22 going forward.

23 Counter to the intent of Local
24 Laws 33 and 56 designed to create a
25 vibrant marketplace providing choice

1 of licensed solution for drivers,
2 currently proposed rules include
3 overly specific technical restrictions
4 on functionality and content.
5 Specifically one, must provide -- must
6 display a prologue provided by the TLC
7 at the start of each trip.

8 Two, at least 15 percent of the
9 passenger-facing content will be
10 comprised of TLC provided content.
11 Three, must display reminder about the
12 payment of gratuity that will likely
13 result in no providers able to fully
14 comply and operate innovative systems
15 within a paradigm anchored by the
16 legacy TPEP solutions tethered to
17 yellow taxi meters. IE, broadcasting
18 a single linear video loop
19 programmatically initiated by driver
20 starting trips, via meter which is no
21 longer relevant in the context of
22 for-hire vehicles.

23 Our support for removing
24 non-core technical requirements is
25 rooted in firsthand experience

1 operating our iPad base passenger
2 media network for independent driver
3 partners prior to the Second Circuit
4 Court of Appeals reversal in 2019. We
5 believe that prudent implementation of
6 this legislation will lead to a
7 win/win outcome for all stakeholders
8 involved, promoting economic growth,
9 technological innovation and improved
10 passenger experience.

11 Thank you board of commissioners
12 for considering our perspective.

13 CHAIR DO: Did you submit
14 written comments?

15 MR. CHOW: Yes.

16 CHAIR DO: Thank you.

17 Any questions?

18 MS. BIERSTEIN: I have a
19 question.

20 I'm curious why you say that the
21 requirement of 15 percent TLC content
22 would preclude the system being viable
23 at all. If you can elaborate on that
24 a little bit.

25 MR. CHOW: Yes. So it's one out

1 of five minutes being watched. So in
2 terms of dedicated media time. It
3 reduces the overall media earning from
4 drivers by 15 percent or more because
5 passengers will know that immediately
6 when they engage with the tablet,
7 they'll get a TLC prologue followed by
8 one out of every five or six minutes
9 of TLC content. To date, we have not
10 seen TLC content that passengers would
11 want to engage with. And over time,
12 you know, the diversity content,
13 maintaining that, et cetera, it's
14 another dependency that we have to
15 work into the system.

16 CHAIR DO: So another, I guess
17 another word for TLC content is public
18 service advertising, right. And so
19 what is the norm then PSA's out there?
20 This is not --

21 MR. CHOW: If you take a look at
22 LinkNYC for instance, right, they are
23 running a lot of different programs
24 with the New York SBS, Small Business
25 Services, promoting programs like Link

1 Local. In fact, we had some artwork
2 displayed on Linked to promote that in
3 New York City.

4 So we are supportive of hyper
5 local businesses that might have
6 gotten their, you know, business
7 discovered on TikTok in a commercial
8 quarter and leveraging that content
9 and hyper locally targeting in our
10 platform and reusing that content.
11 But that would be for a natural
12 discovery, IE let the best content win
13 that's most engaging, right. Versus
14 fixing it on a 15 percent must come
15 from this content source.

16 And it's highly -- content is
17 expensive to produce. Right. I think
18 we all have to realize that getting
19 fresh, real-time content all the time
20 is another constraint that we see.

21 CHAIR DO: Right. And
22 typically, similar to the TPEP systems
23 or the technology systems, the Mayor's
24 Office of Media and Entertainment
25 handles some of those components,

1 right, and they keep -- so we say TLC
2 content, right, but the PSAs are
3 managed through that office,
4 typically. And it has worked in the
5 thousands of taxis throughout New York
6 City.

7 MR. CHOW: Understood. I think
8 the line is mandating it versus making
9 it optional. If this is the content
10 that passengers want to watch, then
11 providers will optimize for that,
12 right. So I think just fixing it into
13 an arbitrary 15 percent versus, you
14 know, letting market forces --

15 CHAIR DO: What we are saying in
16 this rule-making is that there should
17 be a public benefit to allowing for
18 advertisers to enter into this market.

19 MR. CHOW: Understood.

20 CHAIR DO: And that's our point
21 with that.

22 MR. CHOW: So I think just a
23 comp would be that Link Local, it's
24 not 15 percent of LinkNYC content.
25 It's a smaller fraction. But I think

1 just making it optional for providers
2 versus mandating it, specifically as
3 part of the 37 pages.

4 CHAIR DO: We'll take a look.
5 Any other comments or concerns?

6 MR. SORRENTINO: I have one
7 question.

8 So if the 15 percent is too
9 much, what would be an acceptable
10 percentage, would you say, if you have
11 an input on that?

12 MR. CHOW: I guess working
13 backwards, right. What is the
14 objective of this? Right. Is it to
15 provide a public benefit for
16 organizations for airtime, et cetera,
17 or is it actually providing the
18 content that people want to engage
19 with to maximize driver earnings.

20 And so I think in that latter
21 bucket, it leaves it up to the
22 provider depending on -- and
23 ultimately the performance standard
24 based on whatever the rideshare is the
25 driver, and letting the driver select

1 from that vibrant marketplace of
2 solutions.

3 MR. SORRENTINO: Assuming
4 there's no real answer to that, it's a
5 combination of people coming together
6 on what's reasonable, what would you
7 say would be acceptable? Just not
8 holding you to it. Just getting an
9 idea. Because there is going to be
10 some public benefit necessary,
11 communication. So what would be --
12 would it be seven and a half percent?
13 Would it be half of that?

14 MR. CHOW: I mean, I think those
15 are all arbitrary, right. I think at
16 the end of the day, if you optimize on
17 content engagement, we'll be able to
18 pull that from hyper local businesses
19 automatically. So --

20 CHAIR DO: Okay. We'll take a
21 look at your written comments. Thank
22 you so much for your time today.

23 MR. CHOW: Thank you so much.

24 MS. ELUTO: Our next speaker is
25 Bre Injeshi from Windows Mark.

1 MS. INJESHI: I'm not speaking.

2 MS. ELUTO: Not speaking. Okay.

3 Jose Taveras from IDG.

4 MR. TAVERAS: Hello, everybody.

5 Thank you for allowing us to be here.

6 I just want to say that I did
7 have experience with a Octopus before.
8 And I think it's a good source of
9 income for the drivers that can come
10 to us. And, you know, it was -- it
11 was not a huge amount, but it keeps
12 coming and I was like oh nice, I can
13 pay this bill. You know. And people
14 actually enjoy it.

15 So I think that while we're
16 implementing this, if we can get it
17 out to the drivers and then we can fix
18 what we -- whatever we need to fix,
19 like the tips, you know, I think I
20 greatly appreciate it as a driver. I
21 think it's an extra income for us.
22 That's all.

23 CHAIR DO: All right. Thank
24 you, Jose. Are there questions? No.
25 Okay. Thank you so much.

1 MS. ELUTO: Thank you. Our next
2 speaker, Adekunle Salami. Did I get
3 it anywhere close? Okay.

4 Next one is Madjed Zegrar, a
5 driver. Yes. Okay.

6 MR. ZEGRAR: Good morning,
7 everyone. Good morning, Commissioner
8 Do and member of the Taxi & Limousine
9 Commission. My name is Madjed Zegrar.
10 I'm an Uber driver since 2017, and I'm
11 a member of Independent Drivers Guild,
12 IDG. I'm here today to address the
13 proposed regulation on the interior
14 advertisement for-hire vehicles.

15 I definitely support the concept
16 of generating additional income for
17 drivers through advertising. And I
18 hope in the future FHV can have
19 exterior advertising too, like the
20 taxi.

21 Additionally, the current one
22 tablet per vehicle limit is overly
23 restrictive. Many vehicles, including
24 mine, can safely accommodate multi
25 tablets. This would increase

1 advertising revenue for the drivers by
2 allowing more passengers to engage
3 with the ads. I recommend for
4 allowing for multi tablet per vehicle.

5 Also tipping must be through the
6 tablet since a lot of drivers claiming
7 that they are not receiving the exact
8 amount of tipping -- of tips. So
9 tipping through the app will bring
10 transparency between the drivers and
11 the app company.

12 Finally, despite the TLC's
13 efforts to end the lockouts, Uber
14 continue to prioritize yellow -- I
15 mean taxicab for ride dispatches,
16 limiting opportunities for FHV drivers
17 and creating a low demand for FHV,
18 which triggers the lockout because all
19 the trips come from one platform.
20 So -- which is Uber platform. So if
21 yellow taxi take those trips, that
22 will affect the utilization rate.

23 And taxi is playing a big role
24 to keep the lockout going for FHV. As
25 long as they keep taking the rides, it

1 will be low demand and then create the
2 lockout. Also the FHV does not have
3 the second option for pickup like from
4 the streets and it's prohibited. This
5 is unfair practice and must be
6 addressed to create a leveled playing
7 field for all drivers. The drivers
8 went down about 50 percent since the
9 lockout started.

10 MS. BIERSTEIN: 30 seconds.

11 MR. ZEGRAR: Therefore, the
12 drivers will work more hours, up to 14
13 hours to 14 to 16 hours a day to make
14 a living. Driving 14 to 16 hours a
15 day is unsafe for the driver and the
16 public safety. Therefore, the lockout
17 has to stop and Uber and Lyft company
18 has to stop hiring.

19 Also eliminating illegal
20 pickups at the --

21 CHAIR DO: Is there anything
22 else on in-vehicle advertising? Let's
23 focus on in-vehicle advertising.

24 MR. ZEGRAR: One sentence, I'm
25 finished.

1 CHAIR DO: I'll let you finish.

2 MR. ZEGRAR: Last sentence.

3 CHAIR DO: All right. Thank
4 you.

5 MR. ZEGRAR: Thank you.

6 Also we need to eliminate
7 illegal pickups from the hotels and
8 Terminal 1, especially Terminal 1.
9 All this will bring more jobs and help
10 utilization rate and we avoid the
11 lockout. Thank you.

12 CHAIR DO: Thank you so much. I
13 appreciate your time.

14 MS. ELUTO: Okay. We have our
15 last speaker, Junior Britton. Yes.
16 Okay. No? I'm sorry.

17 CHAIR DO: Junior?

18 AUDIENCE MEMBER: May I speak?

19 CHAIR DO: We're not doing any
20 additional comments at this time.

21 Is Junior the last speaker?

22 AUDIENCE MEMBER: Commissioner,
23 I can't speak? I just got here a
24 little late.

25 CHAIR DO: Sorry, you did not

1 sign up in time.

2 AUDIENCE MEMBER: Come on.

3 Three minutes. Are you for real?

4 CHAIR DO: All right. Thank you
5 so much. All right. I appreciate
6 everyone's time today in this hearing.
7 We have a lot of work to do, and we
8 will most likely make major edits to
9 this hearing. All of your comments
10 today. And then we will do another
11 public hearing in the near future so
12 that we can hear another round of
13 comments to ensure that this answers
14 many of the concerns and questions
15 from the community.

16 I take your comments very
17 seriously, and I take the time that
18 you invested today to come to speak
19 with our commission incredibly
20 seriously. And I speak on behalf of
21 the Commissioners to thank all of you
22 for your dedication to this industry.

23 The time is 11:34 and I call
24 this meeting to a close.

25 (TIME NOTED: 11:34 a.m.)

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C E R T I F I C A T E

STATE OF NEW YORK)

:SS

COUNTY OF NASSAU)

I, Elbia Brumit, a Notary Public within
and for the State of New York, do hereby certify:

I reported the proceedings in the
within-entitled matter, and that the within
transcript is a true record of such proceedings to
the best of my ability.

I further certify that I am not related
to any of the parties to this action by blood or
marriage; and that I am in no way interested in
the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set
my hand this 22nd day of August, 2024.


ELBIA BRUMIT

\$14 79:6	88:13 94:17 (17)	actions 43:6
\$1500 70:3	about 6:13 22:13 23:4,19 30:5,24 34:20,23 36:24 37:4	actively 69:13
\$180 72:1	40:8 42:2,18 46:4 52:21	activities 23:4
\$2000 71:11,22	59:1,2,15 61:3,4,11 62:6,7	activity 9:19 11:4 18:14
\$25 75:7 77:11	63:1 69:9 70:3,5,7,14,21 72:20	20:2,22 22:10,14 24:11 69:9 (9)
\$6852 6:21	73:21 77:16 78:11,25 79:13,16	actual 40:21 69:8
\$7078 6:14	80:18 84:15 88:11 98:8 (41)	actually 31:4 35:8 37:9 38:17
\$7453 6:19	abroad 47:22 48:9	39:16 49:24 55:6 69:10 93:17 95:14 (10)
\$7502 6:14	absolutely 25:18 43:11	ad 33:12 38:1 64:19 67:7,11 68:1 83:8 (7)
\$80 71:25 72:3,5 73:21 (4)	abuse 16:25	adalgisa 61:18,20,25 64:3 (4)
& 3 52:10 56:19 69:20 96:8 (5)	academy 21:17,23	adams 4:19 21:11
10s 83:23	accept 15:12 20:9 55:15,25 65:24 (5)	add 28:24 33:10
1200metered 6:10	acceptable 85:8 93:9 94:7	added 37:3
1220b 18:5	accepting 7:7 33:5	adding 82:11
12th 7:22	access 3:25 4:5 29:6 41:18,20 54:17 (6)	addition 55:7
1500dollar 18:10,17	accessaride 44:18	additional 5:21 6:22 34:25 45:7 55:10 56:10 65:6 81:15 96:16 99:20 (10)
2000dollar 18:11,19 72:7	accessible 17:15 43:20	additionally 52:3 96:21
22nd 101:18	accident 35:18	address 46:3 96:12
24hour 53:17,18	accommodate 96:24	addressed 47:23 98:6
30second 27:10	accomplices 12:22	addressing 57:8
31st 4:19	according 64:21	adekunle 96:2
750dollar 18:8	account 33:7 75:9 77:12	adjusted 56:16
8th 26:7,7	accountable 14:12	administration 56:24
ability 52:24 65:5 66:21 86:7 101:12 (5)	accounted 6:5	administrative 18:15
able 7:5 24:1 25:13 32:1 37:25 38:3,6 39:11 40:12,16 48:2 60:6 62:8 68:20 85:24	accredited 22:1	adopt 7:20
	achieve 85:21	
	across 14:19 54:20	
	action 5:4 17:6 101:14	

<p>adopted 7:25 8:16 26:17</p> <p>adopting 7:21 8:13 26:14</p> <p>ads 29:17 30:19 33:9 64:19 76:22 82:9 97:3 (7)</p> <p>adults 42:25</p> <p>advantage 12:17</p> <p>advertisement 31:21 45:7,21 96:14 (4)</p> <p>advertisements 41:17 43:18 44:23</p> <p>advertiser 36:15 40:6</p> <p>advertisers 37:13,19,24 39:5,7,13,25 92:18 (8)</p> <p>advertising 26:22 32:17 34:24 35:24 36:4 37:8,19 39:5,7 41:20 43:10 46:14 51:21 54:12,24 59:7 60:20 64:12,14 65:1,7,17,24 66:6,14,22,23 67:24 68:7 69:24 81:7 83:8 84:7 90:18 96:17,19 97:1 98:22,23 (39)</p> <p>advising 20:14</p> <p>advocacy 57:25</p> <p>advocate 41:14 87:18</p> <p>advocates 29:5 78:15,24</p> <p>affairs 22:18</p> <p>affect 97:22</p> <p>affiliated 29:22 31:22</p> <p>affiliation 12:5</p> <p>affirmative 67:25 68:5</p> <p>afford 35:15 59:5</p> <p>after 4:18 7:10 12:11 78:17 (4)</p>	<p>afterwards 61:15 78:17</p> <p>again 5:12 15:8 38:17 39:15 50:24 57:24 58:19 59:25 (8)</p> <p>against 17:6 20:16 23:22 55:9 (4)</p> <p>agency 54:20</p> <p>agenda 7:14 26:2 52:13</p> <p>agents 54:13</p> <p>aggressive 15:23</p> <p>ago 5:2 50:23</p> <p>agree 25:19 41:21 43:18 58:15,16,17,24 (7)</p> <p>agreements 86:23</p> <p>ahead 60:2</p> <p>aiming 55:1</p> <p>aims 55:6</p> <p>air 23:2</p> <p>airport 10:13 13:4 15:25 18:3 (4)</p> <p>airports 8:24 9:16,18 10:10,18 13:14 15:14,16 20:3,21 21:1 23:6 24:11,21 (14)</p> <p>airtime 93:16</p> <p>aitabou 47:9,10,14</p> <p>akin 55:13</p> <p>align 56:21 67:20</p> <p>allotted 27:7</p> <p>allow 23:20 28:22 30:8 32:4,6 33:2 83:2 84:25 85:1,17 (10)</p> <p>allowed 29:13</p>	<p>allowing 16:21 83:15 92:17 95:5 97:2,4 (6)</p> <p>almost 33:18 70:3 71:7,9,11,17 72:7 (7)</p> <p>alone 39:25</p> <p>along 26:10 62:5 82:9</p> <p>already 15:16 22:17,25 24:6 31:13 33:7 57:5 63:9 (8)</p> <p>also 3:9 4:10,25 10:21 11:21 12:4 13:5 14:25 15:13,20 16:10 17:22 18:21 19:7 20:16 21:25 22:23 23:7,18 24:21,24 29:5 30:7,13 34:16 40:2,19 43:3 44:19 47:15 58:17,24 59:4,20 61:4 62:2,7,14 63:4 67:16 68:5 70:14 75:23 81:10 84:9 97:5 98:2,19 99:6 (49)</p> <p>alternative 40:17</p> <p>although 14:1 64:18</p> <p>always 49:23 50:20 63:23 70:7 82:21 (5)</p> <p>am 8 3:3,3 25:3 50:25 51:17 52:21 77:6 85:5 100:25 101:13,15 (12)</p> <p>amanda 51:17 62:16</p> <p>amazon 45:10</p> <p>amended 26:15</p> <p>amending 7:4</p> <p>amongst 80:16</p> <p>amount 30:18,18 36:13 45:23 49:21,25 95:11 97:8 (8)</p> <p>amounts 12:19</p> <p>analysis 5:22 6:5,22 24:6 (4)</p> <p>anchored 88:15</p>
---	---	---

<p>andrea 2:8</p> <p>andrew 27:16,18 31:19,20 33:16 34:6,9 43:19 44:6 49:17 58:16 62:25 84:17 (13)</p> <p>angeles 29:15 43:21</p> <p>announced 4:20</p> <p>announcement 20:19</p> <p>announcements 20:18 23:3</p> <p>another 6:3 12:25 20:11 48:25 69:10 85:8 90:14,16,17 91:20 100:10,12 (12)</p> <p>answer 76:12 85:14 86:12 94:4 (4)</p> <p>answers 100:13</p> <p>anticipate 82:11</p> <p>anticipated 50:16</p> <p>anwaar 58:11 60:18</p> <p>anyone 13:17</p> <p>anything 41:3 75:16 98:21</p> <p>anywhere 78:5 96:3</p> <p>apart 33:21</p> <p>api 86:3</p> <p>app 23:8 33:22 48:3,4,5 56:8 62:4 70:12,14 77:7,8 80:12,20,21 81:2,12,14 83:17 84:12,21 85:4,8 86:10 97:9,11 (25)</p> <p>appeals 89:4</p> <p>appear 29:12 68:6</p> <p>appears 65:10</p> <p>applicable 81:6,8</p>	<p>application 7:6</p> <p>applications 8:4</p> <p>appreciate 47:6 52:10 69:17 70:24 79:10 84:4,16 95:20 99:13 100:5 (10)</p> <p>appreciated 44:4</p> <p>appreciates 68:16</p> <p>appropriate 11:22 13:10 17:6,12 (4)</p> <p>approval 8:11</p> <p>approved 55:23 56:2</p> <p>apps 5:1 55:2 84:22</p> <p>april 26:5</p> <p>arbitrary 92:13 94:15</p> <p>are 4:6 5:15 7:17,25 8:10 9:3,9,18,21 10:5 11:6,13,18 13:7,8,14,16,18,24 14:1,6,6 15:10,20,21,24 17:16,24 18:4,11,14 19:19 20:3 21:1,4 22:23 23:2 25:1,9,10,15,16 26:19 29:17,23,25 30:4 31:18 32:24 34:23 35:6,20 36:6,13,21 37:3,6,10,12,17,25 38:8,9,24 39:17 40:3,16,22 41:19 42:7 43:3 44:25 46:8,10,12,13,21,23 49:10 51:1 53:4,15 54:25 55:12 57:2 59:2,14,14 61:3,19 63:9,23 65:15 66:1,2 67:11 68:20,23 74:6 75:13 76:23 78:3 79:1,23 80:19,21 81:5,19 82:6,7,8,18,24 84:1,4 85:24 86:5 90:22 91:4 92:2,15 94:15 95:24 97:7 100:3 (125)</p> <p>areas 9:17 22:10</p> <p>aren't 37:20</p> <p>around 9:21 10:12 64:17 70:8 72:22 (5)</p>	<p>arrive 23:5</p> <p>artwork 91:1</p> <p>ask 28:24 79:13</p> <p>asking 38:24 43:3 49:10 83:24 (4)</p> <p>assault 12:7</p> <p>assigned 66:2</p> <p>assisted 19:17</p> <p>associated 6:8</p> <p>assume 52:5</p> <p>assuming 94:3</p> <p>attached 35:10 80:21</p> <p>attempt 4:8</p> <p>attendees 8:6</p> <p>attention 48:21,22</p> <p>atypical 68:3</p> <p>audience 3:11 74:10 85:12 99:18,22 100:2 (6)</p> <p>august 7 26:7 101:18</p> <p>authority 18:25 19:4 20:12 21:2 22:25 23:7 24:4 (7)</p> <p>authority's 23:25</p> <p>authorized 21:12</p> <p>automatically 94:19</p> <p>available 56:10</p> <p>average 6:12,16</p> <p>avoid 99:10</p> <p>awaiting 8:11</p>
--	---	--

<p>aware 9:3 13:16 16:21</p> <p>awareness 20:11</p> <p>away 15:20 19:16,19 20:7 41:23 42:4 63:15 75:17 77:12,12 (10)</p> <p>b 16</p> <p>back 10:15 20:5 30:10 31:11 40:14 58:3 59:10,11 73:10 79:13 80:11 84:8 85:11 86:19 (14)</p> <p>backend 4:15 85:22</p> <p>background 11:14</p> <p>backing 28:2</p> <p>backlash 43:23</p> <p>backwards 57:3 93:13</p> <p>balance 54:4 84:2</p> <p>base 2:14 8:2,3,8 12:4 14:10 32:2 80:14 89:1 (9)</p> <p>based 7:2 14:12 17:7 19:8 76:16 93:24 (6)</p> <p>baseline 8:14</p> <p>bases 8:10 31:23 86:8</p> <p>basic 68:1 82:20</p> <p>basically 27:25 70:18,20</p> <p>basis 7:1</p> <p>batch 24:7</p> <p>beaver 12</p> <p>because 11:4 14:5,8 15:14 16:24 19:18 33:8 42:13,19 43:4,14 45:14,15 46:15,24 47:20 61:2 62:13 63:12,15 68:18 70:8 73:14 74:3 78:2 83:11 90:4 94:9 97:18 (29)</p>	<p>become 15:22 16:13 21:21 81:8 (4)</p> <p>before 3:23 7:17 20:7 31:6 42:22 47:23 48:18 58:14 62:11 95:7 (10)</p> <p>began 16:19</p> <p>begin 21:13 27:13</p> <p>beginning 59:12</p> <p>behalf 87:17 100:20</p> <p>behavior 17:20 18:23</p> <p>being 12:18 13:1 22:7 30:10 38:6 50:20 51:9 89:22 90:1 (9)</p> <p>believe 24:7 30:24 77:10 85:16 89:5 (5)</p> <p>benefit 63:16,21,25 92:17 93:15 94:10 (6)</p> <p>benefits 53:3 57:10</p> <p>best 36:4 57:17 74:18 91:12 101:12 (5)</p> <p>better 4:1 39:18 43:1</p> <p>between 4:20 49:18 54:4 97:10 (4)</p> <p>bierstein 2:8 3:6 30:21 43:25 61:7 67:13 68:8 89:18 98:10 (9)</p> <p>big 16:20 43:14 45:6 47:17 49:2,11 97:23 (7)</p> <p>bigger 31:3,4</p> <p>bill 28:2 45:19 46:1 50:11 51:22 58:3 63:6 95:13 (8)</p> <p>bills 45:9 59:12</p> <p>biography 30:9</p> <p>bit 50:16 53:12 72:24 79:15</p>	<p>89:24 (5)</p> <p>black 31:24</p> <p>block 68:4</p> <p>blood 101:14</p> <p>blunt 37:25</p> <p>board 58:4 87:10 89:11</p> <p>both 42:15 45:22 52:1 54:6 62:13 81:17 85:25 (7)</p> <p>brad 64:5,9 79:12,15 85:10 (5)</p> <p>bre 94:25</p> <p>break 40:23</p> <p>breakdown 7:8</p> <p>breaks 75:16</p> <p>bridges 14:24</p> <p>brief 9:13 30:8 63:1</p> <p>bring 43:16 97:9 99:9</p> <p>brings 44:6</p> <p>britton 99:15</p> <p>broadcasting 88:17</p> <p>broader 29:11 57:18</p> <p>broadly 28:7,12</p> <p>brokers 44:19</p> <p>bronx 50:22</p> <p>brooklyn 77:24 78:4</p> <p>brought 27:22</p> <p>brumit 101:7</p> <p>bucket 93:21</p>
---	---	--

<p>build 42:4</p> <p>built 36:5</p> <p>bunmi 69:19,22 70:24</p> <p>burden 35:17 37:13</p> <p>bureau 8:22 9:3,4</p> <p>business 2:14 8:2,8 45:3 65:9 83:11 90:24 91:6 (8)</p> <p>businesses 91:5 94:18</p> <p>busy 70:12</p> <p>buttons 75:18</p> <p>c 2:1,7 101:1,1 (4)</p> <p>cabs 63:14</p> <p>cadets 21:17,20</p> <p>calculated 6:25</p> <p>calendar 20:24</p> <p>call 7:19 8:1 19:21 27:3,6 79:12 100:23 (7)</p> <p>calling 3:2</p> <p>came 47:23</p> <p>campaign 22:12 25:7,12</p> <p>can 8:12 15:5,16 20:8 27:4,6 28:18 29:3,5 30:13 36:1,6,11 38:13 39:19 40:1 41:2,3,23,24 43:9,16,22 44:2 45:9,12,22 49:3,24 50:2,24 52:5 57:9 60:2 61:11,12 62:23 75:2,2,4,5,6,8,14 76:18 77:8,11 79:12,15 85:4,10,13 87:2 89:23 95:9,12,16,17 96:18,24 100:12 (61)</p> <p>can't 35:15 36:14 37:7 42:14 45:19 59:4 78:25 99:23 (8)</p> <p>cancel 2:14 8:3,5,7,18 (5)</p>	<p>cannot 17:8,9 19:18 36:22 39:4 45:17 46:24 53:21 55:14 78:6 87:1 (11)</p> <p>capabilities 55:25</p> <p>capacity 21:9,19</p> <p>car 20:15 29:20 31:24 32:2 35:18 36:11,16 40:3 42:21,23,25 45:22 52:6 56:12 59:6 69:25,25 70:4,5,7,10,22 73:1,1,8 75:14 76:24 80:2 (28)</p> <p>card 31:10 44:2 55:20 65:19 80:25 81:9,13,20 83:13 84:23 85:3,18 (12)</p> <p>cards 16:20</p> <p>care 30:3 82:18</p> <p>carefree 75:15</p> <p>carefully 5:19</p> <p>carriers 23:3</p> <p>cars 10:2 19:18 35:25 36:7 37:10 40:8 42:25 74:18 84:8 (9)</p> <p>cases 32:15 34:4</p> <p>cash 77:11</p> <p>casting 65:7</p> <p>catch 12:11</p> <p>cause 63:8</p> <p>causes 85:3</p> <p>cell 71:12 73:5</p> <p>central 10:17</p> <p>ceo 87:12</p> <p>certain 53:9</p> <p>certification 22:6</p>	<p>certified 21:21</p> <p>certify 101:8,13</p> <p>cetera 40:24 90:13 93:16</p> <p>chain 75:8</p> <p>chair 18 3:1,4,21 24:17 25:20,23 31:18 32:16 33:14,20 34:5,8 38:23 39:10,21,24 40:9 41:5,7 43:8,12 44:5 47:5 49:9,15 50:3,7 57:24 60:18 61:14,19 64:2 68:12 69:16 70:23 71:1,21 72:1,5,9,14 73:18 76:8 78:12 79:8,12 80:10 81:22 82:1,4 83:5,20,23 84:14 85:10,24 86:16 87:4,9 89:13,16 90:16 91:21 92:15,20 93:4 94:20 95:23 98:21 99:1,3,12,17,19,25 100:4 (77)</p> <p>challenging 4:3 86:25</p> <p>champion 28:4</p> <p>chan 2:10 3:8 76:10 77:1,13 (5)</p> <p>chance 42:22</p> <p>change 75:17 79:2</p> <p>changes 58:4</p> <p>changing 60:14</p> <p>chaos 15:14</p> <p>chaotic 15:19</p> <p>chapter 65:12 68:6</p> <p>charge 7:7 36:23</p> <p>charged 12:18</p> <p>charger 73:8</p> <p>charges 7:9</p> <p>charging 36:24</p>
---	--	---

<p>chat 61:15 84:17</p> <p>check 11:14</p> <p>choice 87:25</p> <p>chow 87:8,9,12 89:15,25 90:21 92:7,19,22 93:12 94:14,23 (12)</p> <p>circuit 89:3</p> <p>circulated 26:9</p> <p>cities 29:15 64:22</p> <p>city 2 8:9 9:9 18:15 26:4,25 35:1,14 37:1 48:9 49:6,7 50:12 51:19 54:13 56:23 59:10 64:17,20 71:16 72:25 74:2,4 77:19,20 91:3 92:6 (27)</p> <p>city's 4:3 51:24</p> <p>claiming 97:6</p> <p>clarification 40:11</p> <p>clarify 41:1 85:16</p> <p>classes 21:19,23</p> <p>clause 39:3</p> <p>clear 52:15 55:19 64:25</p> <p>clearer 53:13</p> <p>click 70:16</p> <p>close 69:6 96:3 100:24</p> <p>closely 56:21</p> <p>clothes 13:15 19:9</p> <p>coalition 62:4</p> <p>code 18:15</p> <p>colleagues 76:2</p> <p>collect 36:23 86:6</p>	<p>collected 17:16</p> <p>combat 18:23 22:9</p> <p>combating 17:23</p> <p>combination 94:5</p> <p>come 14:19 32:22 40:21 48:3,8 62:23 72:19 85:11 91:14 95:9 97:19 100:2,18 (13)</p> <p>comfort 52:2</p> <p>coming 19:11 94:5 95:12</p> <p>commend 4:4</p> <p>comment 25:8,17 26:5 27:1 78:13 (5)</p> <p>comments 5:20 7:3 26:12 58:5 66:12 89:14 93:5 94:21 99:20 100:9,13,16 (12)</p> <p>commercial 91:7</p> <p>commission 3 2:16 6:6 7:18 38:25 48:21 56:20 96:9 100:19 (9)</p> <p>commissioner 18 2:4,5,6,7,8,9,10,16 3:4,11,15 8:21 9:2 24:18 25:24 34:11,16 41:12 44:14,15 46:19 47:11 48:1 51:6 57:15 61:9,22 63:11 69:22 96:7 99:22 (32)</p> <p>commissioners 2:3 3:6 7:16 8:6,12,19 9:1 25:2,21 26:1,10,13,19 40:9 41:13 44:14 47:13 61:23 71:5 87:11 89:11 100:21 (22)</p> <p>commit 78:25</p> <p>common 56:25 57:5 80:5</p> <p>commonly 65:21</p> <p>communication 94:11</p> <p>communities 25:14</p>	<p>community 22:18,21 31:23 32:2 50:21 52:8,9 57:19 80:14 100:15 (10)</p> <p>comp 92:23</p> <p>companies 28:15,16,22,25 29:4,9 30:14,16 32:4,24 35:25 37:9 44:17 45:21 46:7 60:12 62:14 86:8,20 87:2 (20)</p> <p>company 28:10 29:21,24 31:21,21 32:11,17,22 33:2,4,8 35:9 85:8 97:11 98:17 (15)</p> <p>compared 6:14</p> <p>comparing 5:22 23:24</p> <p>compensation 64:21 67:4,22</p> <p>compete 32:23</p> <p>competition 49:16 57:7</p> <p>competitor 79:18</p> <p>complaint 17:7</p> <p>complaints 12:15 14:12 17:10</p> <p>complementary 55:3</p> <p>complete 7:11</p> <p>completely 68:3</p> <p>complex 66:21</p> <p>compliance 26:23 56:14</p> <p>complicated 78:22</p> <p>complication 83:21</p> <p>complications 81:4</p> <p>comply 66:21 88:14</p> <p>complying 9:10 66:25</p> <p>components 91:25</p>
--	---	---

<p>comprised 88:10</p> <p>compromise 44:1</p> <p>concept 96:15</p> <p>concepts 67:20</p> <p>concern 22:11 35:4 38:19 46:3 48:12,13 78:10 (7)</p> <p>concerned 52:12,21</p> <p>concerning 61:2 78:2</p> <p>concerns 15:15 28:20 34:3 57:9 93:5 100:14 (6)</p> <p>conclude 27:11</p> <p>conduct 14:23 18:24 19:7 20:8 (4)</p> <p>conducted 5:21</p> <p>confiscating 16:19</p> <p>confusion 81:11</p> <p>connect 32:1 38:7 85:4,25 86:3 (5)</p> <p>connected 56:7 62:19 79:23 83:17 85:7,22 (6)</p> <p>connecting 86:22</p> <p>connection 49:18</p> <p>consent 68:1,5</p> <p>consider 5:11 44:7 55:12 79:3 82:21 (5)</p> <p>consideration 57:14</p> <p>considering 89:12</p> <p>consists 9:4</p> <p>constantinople 69:20</p> <p>constraint 91:20</p>	<p>consumers 52:5</p> <p>consuming 66:15</p> <p>contemplate 67:6,16</p> <p>content 53:9,14,22,25 75:10,12 80:1,7 88:4,9,10 89:21 90:9,10,12,17 91:8,10,12,15,16,19 92:2,9,24 93:18 94:17 (27)</p> <p>context 88:21</p> <p>continue 24:12 78:23 97:14</p> <p>continued 64:20</p> <p>continuous 79:22</p> <p>continuously 67:9</p> <p>contract 29:2,6 86:9</p> <p>contracts 28:23 36:8</p> <p>contractual 66:9</p> <p>control 70:18 73:7,9</p> <p>convenient 52:25</p> <p>conversation 83:2</p> <p>conversations 63:24</p> <p>copies 27:22</p> <p>copy 29:1</p> <p>core 81:2 83:17</p> <p>correct 40:1 81:25 82:3 86:24 (4)</p> <p>could 5:5 32:11,21,25 33:10 34:21 36:9,10 40:19,19 51:9 54:1 62:20 (13)</p> <p>couldn't 25:19 86:13</p> <p>council 28:1,1 34:17 50:12 51:3,19 56:24 59:11 (8)</p>	<p>councilmember 50:10 51:5 57:24 58:7,20,21,24 62:16 (8)</p> <p>counsel 2:11 7:13</p> <p>count 36:20</p> <p>counter 87:23</p> <p>county 101:5</p> <p>course 79:8</p> <p>courses 11:17</p> <p>court 89:4</p> <p>cove 23</p> <p>cover 11:24</p> <p>covers 25:12</p> <p>create 51:23 55:4 57:9 72:23 83:12 87:24 98:1,6 (8)</p> <p>creates 15:14</p> <p>creating 11:1 54:7 86:22 97:17 (4)</p> <p>creative 38:4</p> <p>creativity 38:11</p> <p>credit 31:10 44:2 55:20 65:19 80:25 81:8,12,20 83:13 84:23 85:2,18 (12)</p> <p>criminal 22:2</p> <p>critical 51:24 64:24</p> <p>critically 4:24</p> <p>crucial 54:3</p> <p>cruise 10:12,21</p> <p>cruising 15:17</p> <p>cue 10:20</p>
---	---	--

<p>cues 15:25 23:11,14</p> <p>cuny 22:8</p> <p>curated 80:8</p> <p>curb 42:6</p> <p>curious 89:20</p> <p>current 21:9 96:21</p> <p>currently 21:4,16 22:7 23:7 64:18 65:2 88:2 (7)</p> <p>custom 49:1,11,21,24 (4)</p> <p>customer 10:9 17:10</p> <p>cut 23:20 24:3 37:18 39:16 59:16 (5)</p> <p>cuts 35:21</p> <p>cutters 23:16,17</p> <p>cutting 10:16 15:13,18 19:13 23:23 37:11 38:10 (7)</p> <p>cyber 66:8</p> <p>dad 3:12,16</p> <p>damage 60:1</p> <p>damages 11:25</p> <p>danger 11:5 13:5,24 22:13 (4)</p> <p>dangers 16:12</p> <p>dart 87:8,12,17</p> <p>data 23:24,25 30:16 36:10 38:1 (5)</p> <p>date 20:20 90:9</p> <p>david 17 2:4 3:3</p> <p>day 4:22 6:2 13:20 53:18 60:9 72:13 73:3 76:18,19,19 78:9 79:6 94:16 98:13,15 101:18</p>	<p>(16)</p> <p>days 36:14</p> <p>deal 4:20,25 39:11,19,24 (5)</p> <p>deals 37:19</p> <p>debt 28:5</p> <p>december 59:10,11 71:9</p> <p>decided 82:17</p> <p>dedicated 90:2</p> <p>dedication 100:22</p> <p>deepest 5:12</p> <p>define 39:6</p> <p>definitely 78:23 96:15</p> <p>demand 97:17 98:1</p> <p>denying 43:5</p> <p>department 18:25</p> <p>depend 73:24</p> <p>dependency 90:14</p> <p>depending 38:14 93:22</p> <p>depends 74:23</p> <p>deprive 4:7</p> <p>deputy 2:16 8:21 9:2</p> <p>described 52:23</p> <p>designed 87:24</p> <p>desire 53:8</p> <p>despite 97:12</p> <p>deter 23:17</p> <p>devastation 42:19</p>	<p>device 67:10</p> <p>devices 53:11</p> <p>diarra 61:18,21</p> <p>didn't 60:23 82:5</p> <p>difference 60:24</p> <p>different 25:12,14 54:14 65:16 84:24 90:23 (6)</p> <p>difficult 12:8,10 14:14 17:5 36:2 (5)</p> <p>difficulties 14:11</p> <p>digital 52:7</p> <p>dim 74:8</p> <p>dinner 45:18</p> <p>directly 10:19 21:7 36:1,10 40:4 62:20 65:12 79:23 (8)</p> <p>director 2:14 8:1,7 27:19 (4)</p> <p>disattenuated 81:2</p> <p>discern 15:6</p> <p>disclosed 28:16</p> <p>discovered 91:7</p> <p>discovery 91:12</p> <p>discussing 82:14</p> <p>discussions 4:18</p> <p>dispatch 21:7</p> <p>dispatched 14:9 23:10 42:11</p> <p>dispatcher 6:7</p> <p>dispatchers 15:23 23:18</p> <p>dispatches 97:15</p>
--	---	---

<p>display 88:6,11</p> <p>displayed 15:4 23:13 91:2</p> <p>distinct 45:23</p> <p>diversity 53:25 54:16 90:12</p> <p>division 9:5,8,15 11:10,15 22:2 (6)</p> <p>dmv 46:22</p> <p>does 68:6 77:2 79:19 85:17 98:2 (5)</p> <p>doesn't 31:8 33:24 62:21 76:21 85:5 (5)</p> <p>doing 13:8 15:21 28:10 30:12 46:12 99:19 (6)</p> <p>dollars 78:9</p> <p>done 5:2 22:8 29:13 44:3 60:1 (5)</p> <p>dottin 41:10,11,14 43:11,13 44:1,9 (7)</p> <p>double 21:9 81:18,19</p> <p>doubt 65:8</p> <p>down 16:10 75:2 98:8</p> <p>dozens 83:23</p> <p>drawing 58:4</p> <p>drive 10:18 42:24 46:24 62:13 67:10 74:22,24 (7)</p> <p>driven 76:16</p> <p>driver 5:10 6:4,6 7:5 11:17 12:6,24 14:15 15:6 17:6,16 24:24 29:2,7 32:12,15 33:7 41:14 44:21,21 45:11 46:6,20 47:16,22 48:15,17 55:23 56:4 59:8 60:5,15 62:2 63:2 64:24 67:3 88:19 89:2 93:19,25,25 95:20 96:5,10 98:15 (45)</p>	<p>driver's 11:19 14:21 45:6 46:23 52:24 67:5 69:25 (7)</p> <p>drivers 4:4,7,12,17 5:1,13 6:25 9:9 10:6,17,23 11:6,13,18,23 13:7,8,12,18 14:4,11,19 15:2,10,11,20,21,22 16:16,21 17:23 22:16 23:8,19 24:3,3,23 27:20 28:4,9,13,23 29:16,17 30:8 31:2 34:19,22 35:1,11 36:2,9,25,25 37:16 38:7,12,18 39:17,21 40:3 41:15,18,24 42:4,7,9,19,21 43:1 44:20 45:8 46:8,9,10,21 47:1,15 49:4 50:13,23,24 51:12 52:19 53:5,6,24 54:12 55:10 57:6,18 59:3 60:2,11 61:10,24 62:5 63:7,25 64:15,16,21 65:6,22 66:2,4 67:6,8,9,21 69:2 74:17 78:20,24 80:12,17 83:24 88:1 90:4 95:9,17 96:11,17 97:1,6,10,16 98:7,7,12 (130)</p> <p>drivers' 6:12,18</p> <p>driving 9:10 71:6,17 76:23 77:5 98:14 (6)</p> <p>drop 10:11 70:13</p> <p>dropoff 5:25</p> <p>drove 76:20 77:6</p> <p>drug 11:16</p> <p>dual 80:12</p> <p>durable 40:23</p> <p>during 30:1 45:12</p> <p>e 16,16 2:1,1 101:1,1 (6)</p> <p>each 27:7 67:7 86:22,23 88:7 (5)</p> <p>earlier 49:17</p> <p>earn 35:1 65:6 67:9 75:7 76:14,16,23,24 77:9 (9)</p>	<p>earned 75:6 77:2,9</p> <p>earning 6:24 71:11 90:3</p> <p>earnings 6:16 53:2 67:5 69:7 76:18 93:19 (6)</p> <p>easier 20:6 23:15 32:6 43:20 84:21 (5)</p> <p>easily 15:5 28:21 43:23 66:1 (4)</p> <p>easy 29:8,8 41:20 48:14 74:25 75:4,10,13,15,21 84:10,21 (12)</p> <p>echo 34:17</p> <p>economic 89:8</p> <p>edits 100:8</p> <p>educate 22:12</p> <p>education 25:7,11</p> <p>edwin 71:3,5,21</p> <p>effectively 24:15</p> <p>efficiently 24:15</p> <p>effort 39:19</p> <p>efforts 3:24 19:17 21:1 52:11 97:13 (5)</p> <p>ehail 7:6</p> <p>ehailed 6:7</p> <p>eight 53:20 55:22 59:14</p> <p>either 9:21 10:3,12,19 19:21 29:22 (6)</p> <p>elaborate 89:23</p> <p>elbia 101:7</p> <p>electric 7:9</p> <p>electronic 7:10 28:23 29:1</p>
--	---	---

<p>eliminate 99:6</p> <p>eliminating 98:19</p> <p>elisa 2:9</p> <p>else 77:17 98:22</p> <p>eluto 2:11 7:13,15,16 8:12,19 25:25 34:12 41:9 44:10 46:13 47:7 58:10 61:17 64:4 69:18 71:2 72:16 74:8,11 87:7 94:24 95:2 96:1 99:14 (25)</p> <p>emails 78:1</p> <p>emissions 9:5 11:10</p> <p>empower 53:5</p> <p>en 82:10</p> <p>enable 21:6 22:3</p> <p>enabling 21:22</p> <p>encourage 33:1 63:4,10</p> <p>encouraged 49:4</p> <p>encourages 52:4</p> <p>encouraging 57:7</p> <p>end 3:25 13:20 21:10 54:8 80:8 94:16 97:13 (7)</p> <p>endeavor 19:5</p> <p>ending 4:21 17:20</p> <p>ends 12:25 27:2 79:25</p> <p>enforce 15:24 23:22</p> <p>enforced 27:9 28:18</p> <p>enforcement 8:23 9:8,15 13:11 14:23 17:11 19:8,17 20:9,25 24:10 (11)</p> <p>engage 10:24 16:23 17:17 18:13 19:14 69:13 90:6,11</p>	<p>93:18 97:2 (10)</p> <p>engagement 22:19 52:8 94:17</p> <p>engaging 10:25 22:11 25:10 91:13 (4)</p> <p>enhance 51:25 54:1</p> <p>enjoy 73:12,14 75:11 95:14 (4)</p> <p>enjoyed 73:12</p> <p>enough 15:17 36:25 38:13</p> <p>ensure 7:4 9:9 24:22 54:10 57:16 100:13 (6)</p> <p>ensuring 24:19 50:13 52:1</p> <p>enter 39:13 49:25,25 80:24 92:18 (5)</p> <p>entered 80:4</p> <p>entering 16:3 82:6</p> <p>entertainment 45:13 69:3 84:8 91:24 (4)</p> <p>entire 51:16 65:8</p> <p>entirely 83:12</p> <p>entitled 39:22</p> <p>entrance 39:12</p> <p>entry 20:4 81:21 85:19</p> <p>envisioned 54:25</p> <p>equitable 42:15,16</p> <p>equivalent 77:11</p> <p>especially 48:10 63:12 68:15 70:6 71:16 99:8 (6)</p> <p>essentially 11:1 12:14 14:7 17:4 37:17 (5)</p>	<p>establishing 26:21</p> <p>et 40:24 90:13 93:16</p> <p>even 12:20,21 13:11 16:16 31:23 36:21 38:4 45:17 46:20 55:13 59:4,18 67:10 71:13 (14)</p> <p>evening 76:19</p> <p>events 22:20,21</p> <p>ever 29:3 70:9</p> <p>every 49:7 71:15,17 78:9 79:6 90:8 (6)</p> <p>everybody 58:16 73:6,11,13,14,25 95:4 (7)</p> <p>everyone 3:2,24 23:15 47:11 51:6 60:4 96:7 (7)</p> <p>everyone's 100:6</p> <p>everything 36:8 45:1,4 71:20 73:23,24 (6)</p> <p>everywhere 17:8,9</p> <p>exact 97:7</p> <p>exactly 33:24</p> <p>example 29:15 35:7 36:3</p> <p>excited 34:23 57:20</p> <p>excluded 6:7</p> <p>excuse 6:11 7:10,15 17:2 22:16 29:19 (6)</p> <p>existing 4:9</p> <p>exit 42:23</p> <p>exorbitant 12:18</p> <p>expand 21:4</p> <p>expensive 45:2 66:16 91:17</p>
--	--	--

<p>experience 52:1 54:2 56:6 74:18 75:25 79:21 80:7 81:3 87:21 88:25 89:10 95:7 (12)</p> <p>experienced 52:5</p> <p>expired 31:15 38:22 68:9</p> <p>expressed 67:25</p> <p>extent 68:21</p> <p>exterior 96:19</p> <p>extra 72:24 73:2 95:21</p> <p>extremely 12:10</p> <p>eyes 56:5</p> <p>f 16 101:1</p> <p>fabian 2:14 8:2,7</p> <p>facilitate 40:2</p> <p>facility 9:7</p> <p>fact 12:12 13:16 15:7 33:1 35:7 42:2 91:1 (7)</p> <p>fails 17:16</p> <p>fair 28:14 42:14,16 50:14 (4)</p> <p>fairly 17:20 82:20</p> <p>fall 5:12</p> <p>family 30:12 45:25 47:21 63:25 68:15 71:15,18,18 73:12 76:2 (10)</p> <p>far 20:21 43:17</p> <p>fare 5:17,22 6:3,13,16,19,23 11:2 26:3 32:10 41:24 (11)</p> <p>fares 34:1 78:8</p> <p>farias 28:1 34:18 51:5,18 58:7,20 62:16 (7)</p>	<p>fault 46:20</p> <p>favor 7:21 8:15 26:14 60:18 (4)</p> <p>fear 12:19</p> <p>fee 36:23,23 37:7,23 (4)</p> <p>feel 35:5</p> <p>feels 38:9</p> <p>fees 7:6 17:12 36:24 37:1,2 39:4 (6)</p> <p>few 4:2 50:22</p> <p>fhv 42:4 67:21 96:18 97:16,17,24 98:2 (7)</p> <p>field 23:22 48:18 98:7</p> <p>fight 29:4 50:18</p> <p>fighting 41:19 50:13</p> <p>figuring 34:21</p> <p>fill 21:10</p> <p>final 26:7</p> <p>finally 45:23 54:3 67:23 97:12 (4)</p> <p>find 43:22 54:4 56:25</p> <p>fine 18:8,10,17,20 34:1 58:21 (6)</p> <p>finer 18:12</p> <p>finish 46:17 99:1</p> <p>finished 46:14 98:25</p> <p>first 5:24 7:17 16:4 18:7,16 24:7 27:13,15,25 51:8 57:20 65:10 (12)</p> <p>firsthand 88:25</p>	<p>five 47:17 49:11,20,23 70:2 90:1,8 (7)</p> <p>fix 29:8 31:7 95:17,18 (4)</p> <p>fixed 28:21 65:21</p> <p>fixing 73:1 91:14 92:12</p> <p>flag 16:20</p> <p>flat 11:2</p> <p>fleet 35:14 36:6</p> <p>fleets 40:7</p> <p>flex 5:17,22 6:2,13,16,19,23 26:3 (8)</p> <p>flexibility 87:20</p> <p>focal 13:4</p> <p>focus 9:17 10:24 11:3 15:13 16:23 43:9 60:19,21 98:23 (9)</p> <p>focused 22:21</p> <p>folks 57:22</p> <p>follow 85:23</p> <p>followed 90:7</p> <p>following 21:2</p> <p>fondeur 47:8</p> <p>food 82:9,12</p> <p>force 84:5</p> <p>forced 46:10,23</p> <p>forces 20:5 92:14</p> <p>forcing 46:21</p> <p>forfeiture 18:21</p> <p>forget 30:5 39:2</p>
--	---	---

<p>forgot 58:18</p> <p>forhire 4:3 9:6,18 10:8 11:4,12,22 12:1 16:14 18:14 19:3,15 20:2,22 22:9,14 23:4 24:10,13 41:17 44:23 51:22 55:8 65:5 83:17 88:22 96:14 (27)</p> <p>form 7:9,10 33:5</p> <p>formal 27:21 32:10</p> <p>forth 52:18 54:19</p> <p>forward 51:15 57:14 58:8 87:22 (4)</p> <p>forwardlooking 55:7</p> <p>foster 57:8</p> <p>fought 41:18 50:11</p> <p>found 60:12</p> <p>foundation 83:1</p> <p>founder 87:12</p> <p>four 9:17</p> <p>fraction 92:25</p> <p>framework 57:10</p> <p>frankly 4:16 57:19</p> <p>free 24:9 75:21</p> <p>freed 21:3</p> <p>french 48:10</p> <p>fresh 91:19</p> <p>friendly 71:18 76:2</p> <p>friends 38:5</p> <p>front 10:3 19:18 57:21 73:10 (4)</p>	<p>frontage 20:5</p> <p>frustrated 13:13</p> <p>frustrating 79:6</p> <p>full 70:18</p> <p>fully 37:13 88:13</p> <p>function 56:7,14</p> <p>functionality 55:1 66:11 88:4</p> <p>further 20:25 23:23 78:13 101:13 (4)</p> <p>furthermore 7:2</p> <p>future 78:25 80:5 82:22 83:4 96:18 100:11 (6)</p> <p>gaining 20:3</p> <p>gallon 45:2,3</p> <p>game 4:8 60:2</p> <p>games 70:11 75:11</p> <p>garages 10:4 19:20 20:4</p> <p>garcia 71:3,4,6,24 72:3,6,13,17,19 (9)</p> <p>gas 45:3</p> <p>gather 55:15</p> <p>general 2:11 7:12</p> <p>generate 37:20 66:23</p> <p>generating 96:16</p> <p>get 12:22 13:13 16:15 17:14 19:21 20:8 28:13 29:5,16,17 30:19 34:21 36:22 38:1,11,13,17 39:16,19,21 41:24 44:3 50:14 55:10 59:6 63:18 70:12 74:22 77:24 78:5 80:2,11 90:7 95:16 96:2 (35)</p>	<p>gets 57:11</p> <p>getting 15:15 22:1 33:9 39:17 40:3 59:3 85:5 91:18 94:8 (9)</p> <p>girlfriend 45:17,25 59:5</p> <p>give 3:24 8:22 30:2 43:3 46:21 48:23,24 50:2 62:12,25 63:6 70:10 72:20 (13)</p> <p>given 42:5</p> <p>giving 13:18 42:21 64:7</p> <p>glad 3:19 34:18 76:7</p> <p>glen 50,23</p> <p>global 34:14</p> <p>go 7:12 12:23 24:22 26:20 32:11 36:1 49:13 50:4 55:9 58:3 62:20 (11)</p> <p>goal 4:21 57:5 63:5</p> <p>goes 32:15</p> <p>going 19:23 26:20 29:23 37:14,15,17,20 40:23 51:10,11 61:19 62:9 78:7 79:2 80:13 81:14 82:24 87:22 94:9 97:24 (20)</p> <p>goldapper 2:16 8:20,25 9:1 24:18 25:18 (6)</p> <p>good 3:1 8:4,5,25 27:17 28:9 37:24 41:11,12 44:7,13 45:18 47:4,10,11 58:15 61:21,22 64:6 69:21 70:5,14 71:4 72:18 74:14 87:9 95:8 96:6,7 (29)</p> <p>got 33:12,13 50:18 59:13 99:23 (5)</p> <p>gotten 91:6</p> <p>govern 65:13</p> <p>government 44:18 47:1</p>
---	--	---

<p>granular 67:17</p> <p>gratitude 28:6</p> <p>gratuity 88:12</p> <p>great 19:6 25:8 26:17 50:7 75:22,25 82:16 (7)</p> <p>greater 22:19 24:9 30:18 67:14 (4)</p> <p>greatly 95:20</p> <p>greenblatt 27:16,17,19 30:22 31:16 32:3,20 33:23 34:10 84:18 (10)</p> <p>grid 11:2 12:15 14:7 17:5 (4)</p> <p>groceries 45:24</p> <p>gross 28:14 35:2 37:22</p> <p>grossly 12:6</p> <p>ground 18:3 56:25</p> <p>groups 9:24</p> <p>growth 89:8</p> <p>guess 90:16 93:12</p> <p>guest 3:10</p> <p>guild 27:20 41:15 44:20 47:15 62:5 96:11 (6)</p> <p>guillermo 47:7,8</p> <p>guy 59:4 78:4</p> <p>guys 41:8 81:17</p> <p>hack 15:3</p> <p>hail 10:17 42:14 63:17</p> <p>hailin 22:20</p> <p>hailing 10:8 52:6</p>	<p>hails 10:7 13:23 15:12 17:2,3 19:13 20:23 (7)</p> <p>half 94:12,13</p> <p>hand 8:15 26:16 35:21 38:10 65:23 101:18 (6)</p> <p>handles 91:25</p> <p>hands 7:23 38:12,18</p> <p>happen 28:3 37:15 73:2</p> <p>happening 45:5</p> <p>happens 83:9</p> <p>hard 56:25 57:4 59:18 74:13 84:22 (5)</p> <p>hardearned 42:8</p> <p>hardware 66:10 82:24</p> <p>hardworking 4:7</p> <p>harm 15:8 63:8</p> <p>harmful 4:16</p> <p>has 16:18 19:4,16 20:12 21:3,11 22:25 30:11 31:14 36:15 38:21 50:10,12 62:9 64:13 68:8 82:17 86:9 92:4 98:17,18 (21)</p> <p>haven't 14:9 30:15</p> <p>having 59:1 62:8,11 63:14,23 70:4 84:2 (7)</p> <p>he 84:19,20</p> <p>he's 3:18 74:10 85:1</p> <p>head 30:11 43:14 61:1 64:9 (4)</p> <p>headquartered 87:14</p> <p>headrest 36:5,6</p>	<p>healthy 61:13</p> <p>hear 85:13 100:12</p> <p>heard 4:5 58:14 78:15 80:16 (4)</p> <p>hearing 5:18 26:6,11,20 57:22 60:22 78:19 83:25 100:6,9,11 (11)</p> <p>heartless 4:16</p> <p>hectic 15:17</p> <p>held 11 5:18 26:6</p> <p>hello 95:4</p> <p>help 22:9 40:2 42:4 47:25 62:14 72:23 73:3 99:9 (8)</p> <p>helped 71:12 72:7</p> <p>helpful 77:14</p> <p>helping 49:4</p> <p>her 27:15 28:5 34:18 58:25 59:10 (5)</p> <p>here 3:19 9:13 41:16 44:21,22 47:21 51:1 52:20 57:22 61:25 62:6 69:23 71:7 72:20 74:10,16 81:14 83:21 95:5 96:12 99:23 (21)</p> <p>here's 48:11</p> <p>hereby 101:8</p> <p>hereunto 101:17</p> <p>hey 42:22</p> <p>hi 27:17 34:15,16 47:10 68:14 (5)</p> <p>hidden 48:25</p> <p>high 5:13 31:22 53:7 66:24 (4)</p>
--	---	--

<p>higher 6:17</p> <p>highly 91:16</p> <p>him 3:19</p> <p>hires 21:15</p> <p>hiring 21:12 98:18</p> <p>his 59:5 85:14</p> <p>history 60:13</p> <p>hold 16:3,8 23:12 24:1 47:16 (5)</p> <p>holding 14:11 94:8</p> <p>holidays 50:1</p> <p>honored 50:25</p> <p>hope 96:18</p> <p>hopefully 25:11 43:16</p> <p>hotels 99:7</p> <p>hour 6:1 7:1 71:17</p> <p>hourly 6:12,16,18,20 67:19 (5)</p> <p>hours 53:20 76:16,21 98:12,13,13,14 (7)</p> <p>how 5:9 22:14 31:24 33:11,13 34:21 38:15,15 40:2 43:22 47:20 48:19 61:12 63:2 74:13,23,24 75:5 77:1,2,8 79:18 80:14 (23)</p> <p>however 40:4</p> <p>huge 37:11 95:11</p> <p>hulu 45:10</p> <p>hundred 21:12 64:15</p> <p>hurdles 54:8</p>	<p>hustled 24:21</p> <p>hustlers 13:5,7 19:1,20 20:16 (5)</p> <p>hustling 9:19</p> <p>hyper 91:4,9 94:18</p> <p>hypothetical 86:2</p> <p>hypothetically 83:5</p> <p>i'd 3:15,23 4:4 42:17 46:3 (5)</p> <p>i'll 27:23 61:15 99:1</p> <p>i'm 3:2,5,19 8:7 9:1,13 25:4 27:19 36:24 37:3 41:14,16 44:20,21,22 46:13 47:14,19 52:12,20 57:19,21 58:18,22 62:1,2,3,6,9,18 69:23 70:7 71:7,10 74:12,16 76:7 83:25 89:20 95:1 96:10,10,12 98:24 99:16 (45)</p> <p>i've 47:15 48:17 63:2,2 68:14 70:1,2 71:6,8 74:19 (10)</p> <p>iconic 17:17</p> <p>idea 94:9</p> <p>ideas 38:4</p> <p>identifiable 55:16</p> <p>identify 12:9 14:15 22:14 23:15 24:2 (5)</p> <p>idg 27:16 38:5,8 41:10,15 44:11,12 58:12,17 59:21 61:10,18 95:3 96:12 (14)</p> <p>idg's 60:7</p> <p>ie 88:17 91:12</p> <p>illegal 10:7 13:23 17:2,3 19:13 20:22 22:9,13 23:4 98:19 99:7 (11)</p> <p>illegally 11:25 13:19</p>	<p>immediate 5:4</p> <p>immediately 90:5</p> <p>impactful 51:11</p> <p>imperative 16:14</p> <p>implement 48:2</p> <p>implementation 54:5 78:18 89:5</p> <p>implemented 57:2 77:21</p> <p>implementing 59:22 95:16</p> <p>implying 37:6</p> <p>important 17:14,21,24 29:11 35:11 46:5 51:13 54:23 64:23 69:1 (10)</p> <p>importantly 66:17</p> <p>impose 65:3</p> <p>impossible 35:23 84:1</p> <p>impractical 66:16</p> <p>improved 89:9</p> <p>improvement 17:13</p> <p>inc 22</p> <p>incar 65:7</p> <p>incentivize 53:6</p> <p>incidents 42:20 46:4</p> <p>include 22:24 65:18 88:2</p> <p>included 47:25</p> <p>including 12:17 17:13 96:23</p> <p>income 4:7 42:3,9 45:6,8 62:12 63:6 64:24 65:6 67:14 95:9,21 96:16 (13)</p>
---	--	--

<p>incomes 59:16</p> <p>incorporate 38:25 80:15</p> <p>increase 21:18 22:16,19 30:14,17 96:25 (6)</p> <p>increased 20:13,17 23:1,16 (4)</p> <p>incredibly 14:14 15:4 100:19</p> <p>independent 27:20 41:15 44:20 47:14 62:5 89:2 96:11 (7)</p> <p>indicative 17:18</p> <p>individual 12:9</p> <p>individuals 9:21 12:11 13:2</p> <p>industries 51:25</p> <p>industry 11:6 13:6,25 15:9 18:1 24:14,14 34:20 35:12 37:12 47:19 49:7 52:19 60:5 61:11 63:3,13,22 67:24 68:4 100:22 (21)</p> <p>inequity 63:13</p> <p>inflations 44:25</p> <p>informally 27:23</p> <p>information 23:12 28:17 31:9,12 32:8 52:7 55:15,17 56:9,13,18 62:19,22 65:25 68:21 80:25 81:9 83:14 (18)</p> <p>informed 30:15,17</p> <p>infraction 18:6</p> <p>inheadrest 40:22</p> <p>initial 82:19</p> <p>initiated 88:19</p> <p>injeshi 94:25 95:1</p>	<p>injured 12:2</p> <p>injuries 11:24</p> <p>inner 69:8</p> <p>innovation 57:8 87:21 89:9</p> <p>innovative 88:14</p> <p>input 93:11</p> <p>inquiries 81:15</p> <p>inside 19:22 20:13 33:22 44:23 65:21 69:25 (6)</p> <p>inspected 11:9</p> <p>inspection 9:7</p> <p>inspections 14:3</p> <p>inspects 9:6 11:11</p> <p>installed 23:13 56:5</p> <p>instance 90:22</p> <p>instead 10:18 30:10</p> <p>instructors 21:22 22:7</p> <p>insulting 59:9</p> <p>insurance 11:22,24 13:10 24:23 43:4 46:7,8,10,22,25 47:3 (11)</p> <p>integrated 80:6</p> <p>integration 82:19 86:24</p> <p>intended 5:16 28:10 53:3</p> <p>intent 31:1 52:14 58:1 87:23 (4)</p> <p>intention 52:16 56:22</p> <p>interact 68:22</p> <p>interactive 64:11 68:19</p>	<p>interagency 14:23</p> <p>interest 57:17</p> <p>interested 101:15</p> <p>interior 26:21 32:17 41:16 43:9,17 46:14 51:21 54:24 64:14 65:1,16,23 66:6,14,22 69:24 81:7 83:8 96:13 (19)</p> <p>international 25:10</p> <p>interpret 38:15,16</p> <p>intimidation 12:19</p> <p>into 10:3,4 12:23 16:8 19:24 20:4 26:20 29:19,20 31:11 32:8,13,22 34:24 36:5 38:2,11 39:9,12,13 50:17 77:7 80:2,4,6,15,25 82:6 83:24 85:12 90:15 92:12,18 (33)</p> <p>introduce 34:18 50:10 81:3</p> <p>introducing 34:24</p> <p>invehicle 60:19 98:22,23</p> <p>invested 42:9 100:18</p> <p>involved 89:8</p> <p>ipad 89:1</p> <p>ira 2:16 8:20 9:1</p> <p>irresponsible 43:6</p> <p>is 3:11 4:15 5:3,16 7:3,11,24 8:7 12:8,14 14:4,14 15:7 16:5,7,10,14 17:14,18,21 18:5,7,9,16,18,19 20:6,11 21:8 22:7 23:7 25:7,13 26:17 27:12,14,16,18 28:20,21 29:10,12,16,20 30:17,18 31:3,12,22 33:11,12,19 34:13 35:3,4,18,18 36:4 37:4 38:8 40:15,15 41:13 42:18 43:5 44:10,16 45:1,3,5,7,11,14,16 46:4,16 47:13,24,25 48:4,13,22,25 49:6,10,16,18</p>
---	--	--

<p>51:20 52:7 53:9,11,16,17 54:3 56:14 57:6,20 58:21 60:1,13,13,14 61:6,25 62:24 63:6 64:4,9,24 69:4,6,22 70:6,14 71:2,5,15 72:19 73:4,19,20 74:8 75:4,10,18,20 76:15,19 77:10,16,19 78:3,7,14,21,21 79:21 80:20 82:2 83:25 84:11,21 85:8 86:2,11 87:11 88:20,24 90:17,19,20 91:16,20 92:8,9,16 93:8,13,14,17,24 94:9,24 96:4,9,22 97:20,23 98:5,15,21 99:21 100:23 101:11 (174)</p> <p>island 8:9 77:18,23 78:5,19 (5)</p> <p>isn't 32:9</p> <p>issue 15:1 16:4 28:4 40:15 42:13,17 43:15 48:13 (8)</p> <p>issued 20:20 24:8</p> <p>issues 16:1 17:24</p> <p>item 7:17 26:1</p> <p>itemized 7:9 67:17</p> <p>itself 12:14 16:5 66:24 85:20 (4)</p> <p>ivan 72:17,19</p> <p>jackie 44:11</p> <p>jams 76:5</p> <p>january 59:11,12</p> <p>jeremy 34:13 38:23 41:7</p> <p>jfk 13:3 21:4,8 71:16 (4)</p> <p>job 28:9 45:1</p> <p>jobs 42:5 63:15 99:9</p> <p>join 10:19</p> <p>joined 3:5</p>	<p>joining 3:16,22</p> <p>joint 18:24</p> <p>jose 95:3,24</p> <p>joseph 74:8</p> <p>july 4:19 26:25</p> <p>jumping 42:20</p> <p>june 7:18,22</p> <p>junior 99:15,17,21</p> <p>jurisdictions 82:2</p> <p>just 25:6,8 28:24 30:10 31:11 32:7,11 33:10 37:14 40:10,25 43:15 48:23,24 50:22 51:7 53:19 56:4 60:25 61:20 62:22 70:3,10,16 75:13 79:5,13 81:6,10,11 82:18 84:18,19,24 85:2,15 86:7 92:12,22 93:1 94:7,8 95:6 99:23 (44)</p> <p>justice 22:2 62:4</p> <p>justify 66:24</p> <p>kaufman 2:5 3:7 31:14 38:21 68:14,18 69:14 73:19 74:5 82:5 (10)</p> <p>keep 92:1 97:24,25</p> <p>keeps 95:11</p> <p>kenneth 2:7,10</p> <p>kept 31:13</p> <p>kickbacks 23:19</p> <p>kid's 73:5</p> <p>kidding 61:20</p> <p>kids 70:6 71:19 76:1</p> <p>killing 45:1,6</p>	<p>kind 25:13 63:1 69:11 82:8,18 (5)</p> <p>know 12:24 30:12 32:10 38:5,14 39:6 40:20 41:24 42:3 43:1 44:24 46:5 47:20 49:13 51:10 54:13 59:7 62:24 63:22 69:12 70:3,11,12,17 73:24 76:12 78:15 79:24 86:1 90:5,12 91:6 92:14 95:10,13,19 (36)</p> <p>known 4:1</p> <p>labor 4:22</p> <p>lack 11:21 12:4 16:25</p> <p>lama 44:12,13,16 46:16 49:12,22 (6)</p> <p>language 27:5 54:17</p> <p>languages 25:12</p> <p>larbi 47:8,13 50:5</p> <p>large 28:11</p> <p>largest 35:9</p> <p>last 4:2 13:17 61:6 77:21 99:2,15,21 (7)</p> <p>late 99:24</p> <p>later 36:13</p> <p>latter 93:20</p> <p>law 9:12 18:5 35:3 51:20 (4)</p> <p>laws 26:23 87:24</p> <p>lead 89:6</p> <p>leader 51:18 62:3</p> <p>leadership 50:18</p> <p>leading 67:3</p> <p>learning 34:20</p>
--	---	---

<p>least 4:24 88:8</p> <p>leave 73:10</p> <p>leaves 93:21</p> <p>left 60:17</p> <p>legacy 88:16</p> <p>legal 24:10 86:23</p> <p>legislated 35:6 38:10</p> <p>legislation 35:5 50:15 51:2 52:3,12,15,16 53:3 54:25 55:6 56:22,23 89:6 (13)</p> <p>legislators 30:24,25</p> <p>lengthy 5:6</p> <p>less 59:17</p> <p>lessor 35:8 36:20,21</p> <p>lessors 39:4</p> <p>let 33:2 46:17 91:12 99:1 (4)</p> <p>let's 27:13 32:1,21 59:5,25 60:1 61:9 76:20 77:4 78:4 79:17 86:1 98:22 (13)</p> <p>letting 92:14 93:25</p> <p>leveled 98:6</p> <p>leverage 37:25</p> <p>leveraging 91:8</p> <p>lh 22</p> <p>license 8:3 10:7 11:19 13:10,12 14:16,21,22 15:3 16:6,18 47:18 65:1 66:8 (14)</p> <p>licensed 10:5,6 11:7,11,13 13:6,18 14:1,4,20 15:2,7,7 22:15 24:22 88:1 (16)</p> <p>licenses 13:19 26:22 47:2</p>	<p>licensing 11:15 65:13</p> <p>like 3:15,23 4:4 11:7 30:7,11 31:11 33:11,18 36:5 38:3,4,9 40:15 42:17 43:7 44:17 45:9,11,20 46:3,6,16 47:1 59:5,7 60:24 73:4,5 75:1,7 76:1,4,20 78:9 82:9 83:3 85:9 86:1 90:25 95:12,19 96:19 98:3 (44)</p> <p>likely 88:12 100:8</p> <p>limit 27:9 52:24 53:25 65:4 96:22 (5)</p> <p>limited 82:14</p> <p>limiting 12:1 97:16</p> <p>limousine 3 2:16 44:15 52:11 56:19 96:8 (6)</p> <p>lin 44:11</p> <p>line 10:16 15:13 19:13 23:15,17,20,22 24:4 39:2 92:8 (10)</p> <p>linear 88:18</p> <p>lines 15:18</p> <p>link 90:25 92:23</p> <p>linked 91:2</p> <p>linknyc 90:22 92:24</p> <p>listening 57:23</p> <p>little 37:2 50:16 53:11 63:1 72:23 79:15 89:24 99:24 (8)</p> <p>live 52:9 77:18</p> <p>living 98:14</p> <p>lobbying 30:20,23</p> <p>local 26:23 51:20 87:23 91:1,5 92:23 94:18 (7)</p>	<p>locally 91:9</p> <p>location 68:1 70:13</p> <p>locations 5:25</p> <p>lock 4:15 59:18</p> <p>lockout 45:5 61:4 97:18,24 98:2,9,16 99:11 (8)</p> <p>lockouts 4:1 42:8 59:25 60:23 63:10 97:13 (6)</p> <p>log 75:5 77:7</p> <p>logistically 35:23</p> <p>long 5:2 8:8 40:2 63:2 74:21 80:20 85:6,17 97:25 (9)</p> <p>longer 5:8 50:16 68:16 88:21 (4)</p> <p>look 5:9 42:22 54:21 57:14 58:8 63:24 90:21 93:4 94:21 (9)</p> <p>looking 10:13,22 22:23</p> <p>loop 79:22 80:1 88:18</p> <p>loopholes 60:12</p> <p>los 29:15 43:21</p> <p>losing 21:24</p> <p>loss 13:21</p> <p>lost 61:5</p> <p>lot 16:9 23:12 25:9 33:15 38:14 54:14 59:7 62:9 71:12 72:8,25 76:4 78:1 80:11 82:7 90:23 97:6 100:7 (18)</p> <p>lots 10:18 16:3 24:1 86:21 (4)</p> <p>love 35:2 50:23,24 71:14,18,19 76:1 (7)</p> <p>low 67:11 73:13 97:17 98:1</p>
---	--	--

<p>(4)</p> <p>lucrative 37:18</p> <p>lyft 4:11,19,20,23 5:9 29:22 32:2,19,24 42:5 44:18 48:18 56:3 62:1 79:18,23 80:13,22 81:14,16 85:7 86:4,12,21 98:17 (25)</p> <p>lyft's 3:25 85:22</p> <p>machines 65:19</p> <p>made 25:8 43:22 70:2</p> <p>madjed 96:4,9</p> <p>main 9:17 35:4 38:19 39:1 63:5 (5)</p> <p>mainly 55:10</p> <p>maintain 36:3 53:7</p> <p>maintaining 90:13</p> <p>maintains 4:23</p> <p>major 100:8</p> <p>majority 51:18</p> <p>make 5:16 15:19 21:15 23:3,14 28:15,17 29:1 31:1,7 32:14 42:16 45:16 47:2 51:13 52:15 53:5 55:19 58:4 60:24 64:19 66:14,18 67:8 74:2,3 98:13 100:8 (28)</p> <p>makes 28:13 33:15 35:22 72:9 80:1 83:18 (6)</p> <p>making 4:5 12:10 13:3 17:5 28:3 67:6 83:16 92:8 93:1 (9)</p> <p>malik 58:11,13,22 60:21 61:8 (5)</p> <p>manage 4:11,17 5:10 37:9 39:8 75:4 (6)</p> <p>managed 92:3</p>	<p>management 75:20</p> <p>mandated 22:4 35:3</p> <p>mandating 53:10 92:8 93:2</p> <p>manhattan 87:14</p> <p>many 34:19 65:10 77:8 80:16 96:23 100:14 (6)</p> <p>march 74:20</p> <p>mark 94:25</p> <p>market 32:22 39:12,14 45:1 47:24 57:7 92:14,18 (8)</p> <p>marketplace 87:25 94:1</p> <p>markets 84:6</p> <p>marriage 101:15</p> <p>matched 5:23 6:11</p> <p>matter 54:22 76:21 101:10,16 (4)</p> <p>maximize 93:19</p> <p>may 5:18 7:7 10:10 12:2 13:12,15 14:3 16:1,4,17 18:20 23:12 26:7,13 65:22 99:18 (16)</p> <p>maybe 25:16 39:18,19 43:21 76:11 80:14 (6)</p> <p>mayor 4:19 21:11</p> <p>mayor's 91:23</p> <p>me 6:11 7:10,15 17:2 22:16 29:19 45:11 46:17 53:15 60:18 64:7 70:6 71:12 72:8 78:2 (15)</p> <p>mean 94:14 97:15</p> <p>meaningful 51:12</p> <p>measures 54:5</p> <p>mechanism 80:23 81:21</p>	<p>83:14 84:11 85:9,19 (6)</p> <p>mechanisms 81:18</p> <p>medallion 23:9</p> <p>media 22:23 64:10 87:15 89:2 90:2,3 91:24 (7)</p> <p>median 6:18,20</p> <p>meet 54:16</p> <p>meeting 4 3:2 4:13 7:19 61:10 100:24 (6)</p> <p>member 15:5 28:1 34:17 38:8 44:19 47:12 51:4 62:3,3 74:10 87:14 96:8,11 99:18,22 100:2 (16)</p> <p>members 44:15 61:23,24 87:10 (4)</p> <p>mention 36:19</p> <p>mentioned 40:11 51:17</p> <p>message 68:3</p> <p>messaging 23:1</p> <p>metal 60:16</p> <p>meter 16:9 17:17 19:14 88:20 (4)</p> <p>metered 5:23 6:3,15,18,20 17:18 (6)</p> <p>meters 10:24,25 16:24 88:17 (4)</p> <p>method 76:14</p> <p>michael 87:8,11</p> <p>michele 43:9 44:6 60:24</p> <p>michelle 41:10,13</p> <p>microphone 27:5</p>
--	---	--

<p>might 80:2 91:5</p> <p>mile 7:1</p> <p>mind 73:20</p> <p>mine 96:24</p> <p>minimum 4:9 37:23</p> <p>minutes 7:17,20,22 27:8 58:13 90:1,8 100:3 (8)</p> <p>misunderstand 67:3,23</p> <p>mittell 2:7 3:7</p> <p>mobility 87:16</p> <p>model 65:9 67:4,22</p> <p>money 30:19 31:2,5 34:22 36:1 37:21 38:11,17 39:22 40:4 45:15,23,24 59:3,8 72:24,25 74:2,23 (19)</p> <p>monitors 23:14</p> <p>monopoly 46:9</p> <p>month 36:16 71:11,23,25 72:2,4,5 73:21 (8)</p> <p>months 4:2 18:9,19 35:19 57:4 59:14 (6)</p> <p>more 6:10 15:19 16:9 17:15 21:3,8,20 24:14,14 25:6,19 29:11 34:20,21 35:12 37:18 38:11,17 40:22 42:16 43:4 55:6 56:21 59:3,8 60:11 62:12 63:6,24 67:9,12 73:25 74:3,3,3,22,23 82:22 86:11 90:4 97:2 98:12 99:9 (43)</p> <p>morning 3:1,5 8:4,5,25 27:18 41:11,12 44:13 47:10,11 51:7 58:15 61:21,22 64:6 69:21 71:4 72:18 74:14 77:5 87:9 96:6,7 (24)</p> <p>moskowitz 34:13,15 39:1,15,23 40:1,18 41:2,8 (9)</p>	<p>most 25:16 37:20 38:1 48:8 51:24 91:13 100:8 (7)</p> <p>mount 75:14</p> <p>mounting 73:11</p> <p>move 20:7 26:13 70:8</p> <p>moving 19:15 52:11</p> <p>ms 7:16 8:12,19 25:3,25 30:21 31:14 33:18 34:12 38:21 40:10,25 41:4,9,11 43:11,13,25 44:1,9,10 46:13 47:7 58:10 61:7,17,21 64:4 67:13 68:8,14,18 69:14,18 71:2 72:16 73:19 74:5,8,11 82:5 87:7 89:18 94:24 95:1,2 96:1 98:10 99:14 (49)</p> <p>mta 14:24 37:2</p> <p>much 3:21 24:17 25:24 29:10 31:17 33:12,13,16 34:8 43:8 44:5 46:18 48:19 50:8,20 51:6 57:25 61:14 64:2 67:8 69:16 70:23 72:2,10 73:16 74:7 75:5 77:2 78:12 79:9 84:3 93:9 94:22,23 95:25 99:12 100:5 (37)</p> <p>mukhtaruly 74:12,14,15 76:17 77:4,15 79:5,10 (8)</p> <p>multi 96:24 97:4</p> <p>multiple 65:22 66:3</p> <p>must 52:18 53:10 55:23,25 83:7 88:5,5,11 91:14 97:5 98:5 (11)</p> <p>mute 70:17 75:19</p> <p>my 3:16 5:12 8:6 25:17 27:18 41:13 44:16 45:17,19,24,25 46:3,25 47:13,21 48:11,13 52:3,14,16 56:5,6,8,13,23 61:25 64:8 66:12 68:15 69:22 70:4 71:5,12,14 72:18,20 75:11,24 76:1 77:24 81:12,13 87:11 96:9 101:12,18 (46)</p>	<p>myself 47:21 62:13</p> <p>n 2:1</p> <p>name 8:6 27:3,6,18 41:13 44:16 47:13 58:19 61:25 64:8 69:22 71:5 72:19 87:11 96:9 (15)</p> <p>nassau 101:5</p> <p>natural 91:11</p> <p>near 100:11</p> <p>necessarily 54:15 86:13</p> <p>necessary 15:4 94:10</p> <p>need 27:11 29:3 37:17 42:15 43:19 60:11 73:7 86:14,18 95:18 99:6 (11)</p> <p>needed 51:14 75:24</p> <p>needs 54:16 60:5</p> <p>negotiations 57:4</p> <p>netflix 45:10 71:13</p> <p>network 89:2</p> <p>never 59:24</p> <p>new 2,13,13,23 4:25 5:11 9:11 18:4,15 21:5,12 22:1 24:12 31:9 32:21 35:1,13 39:11 48:9 49:5,6 51:18,23 60:10 62:22 64:17,19 77:19,20 79:24 83:11 90:24 91:3 92:5 101:3,8 (36)</p> <p>newest 35:14</p> <p>next 12:24 34:13 41:9 44:10 53:8 58:11 61:17 64:4 69:18 71:2 72:16 74:9 87:7 94:24 96:1,4 (16)</p> <p>nice 37:2 72:13 95:12</p> <p>no 11:15,16 13:25 14:7 25:22 32:20 34:3,7 35:10 40:18</p>
--	--	--

<p>41:2,6 44:11 47:8 48:9,11,11 49:2,18 50:6 56:10 70:25 72:3,3,12 82:2 84:6 88:13,20 94:4 95:24 99:16 101:15 (33)</p> <p>noncore 87:19 88:24</p> <p>nonstarter 83:19</p> <p>norm 90:19</p> <p>norms 67:24</p> <p>notary 101:7</p> <p>note 54:23 69:1</p> <p>noted 100:25</p> <p>nothing 31:10 60:13</p> <p>november 77:22</p> <p>now 7:12,19 8:1,20 25:4 26:1,19 41:19 42:1 43:5,15 48:3 51:20 59:14,18 60:14 70:2 (17)</p> <p>number 14:17 23:9 39:2 69:4,6 (5)</p> <p>numerous 65:3</p> <p>nyc 87:13</p> <p>nypd 14:24</p> <p>o 16</p> <p>objective 93:14</p> <p>observation 25:6</p> <p>observations 19:9</p> <p>obtaining 64:25</p> <p>occurring 6:1 13:12</p> <p>octopus 64:10,13 68:15 70:1 71:8 72:21 74:16,17,20 75:21 76:15 77:7 79:17,21 95:7 (15)</p>	<p>octopustmobile 64:5</p> <p>off 10:11 11:2 12:14 14:7 16:15 17:4 30:5 31:5 45:12 46:5 51:8 70:16 75:3 (13)</p> <p>offenders' 18:20</p> <p>offense 18:16,18</p> <p>offer 6:23 22:4 35:24</p> <p>offers 75:21</p> <p>office 21:6,8,11 91:24 92:3 (5)</p> <p>officer 22:5</p> <p>officers 15:1 17:8 21:7,13,21 23:21 24:9 (7)</p> <p>officers' 19:8</p> <p>often 10:9 13:2 16:9 19:20 67:8 74:24,24 84:10 (8)</p> <p>oftentimes 9:23 11:17 12:13 13:13 14:15 (5)</p> <p>oh 72:5 95:12</p> <p>older 60:4</p> <p>olowoyeye 69:19,21,23</p> <p>onboarding 4:12,14,25</p> <p>once 12:20 16:4 17:9</p> <p>one 6:2 14:25 28:11,11,20 29:10,25 35:21 38:9 45:15 47:4 51:24 60:9 69:4 70:16 75:18 77:20 88:5 89:25 90:8 93:6 96:4,21 97:19 98:24 (25)</p> <p>onerous 66:13</p> <p>ones 40:22</p> <p>online 46:1 85:12</p> <p>only 4:14 15:19,24 17:21 23:17 24:24 25:17 36:16</p>	<p>37:22,24 40:17 60:7 66:22 73:7 81:23 85:20 (16)</p> <p>onto 33:10</p> <p>open 63:23</p> <p>operate 13:19 55:23 88:14</p> <p>operating 11:9,18,25 64:17 66:14 68:4 89:1 (7)</p> <p>operation 83:15</p> <p>operations 8:8 9:15 13:14 18:24 19:10 67:21 75:13 (7)</p> <p>operators 19:3,16 87:16</p> <p>opportunities 97:16</p> <p>opportunity 4:8 30:3 64:8 70:11 (4)</p> <p>optimize 92:11 94:16</p> <p>option 48:2,15,25 62:25 70:15 82:11 86:10 98:3 (8)</p> <p>optional 92:9 93:1</p> <p>options 86:6</p> <p>oral 7:3</p> <p>order 3:3 82:9,12</p> <p>organizations 93:16</p> <p>original 52:14</p> <p>other 10:24 20:15 22:10,21 25:20 29:14 33:17 34:5 38:4 40:7 41:5 42:1,17 56:9 61:24 64:22 65:23 69:12 72:10 82:1,4,12 86:20,22,23 93:5 (26)</p> <p>others 14:24</p> <p>otherwise 31:24</p> <p>our 3:24 4:8 7:12 8:20 9:7,15</p>
--	--	--

<p>11:10,15 13:14 15:1 17:7 19:7,8 20:25 21:8,9,17,18 22:4 24:9,20 26:9,20 27:13,15 34:13,17,19 35:4,22,25 36:7,9 37:10 38:5,19 40:6 41:9 42:6 44:10 45:21 50:12 51:24 52:9,18 54:20 55:7 57:5,12,17 58:11 61:17 67:9 72:16 74:8 78:19,24 79:25 80:6,25 83:15 85:12 87:7 88:23 89:1,12 91:9 92:20 94:24 96:1 99:14 100:19 (72)</p> <p>out 4:15 11:9 13:16 15:16 16:17 19:12 25:13 31:10 34:21 35:22 37:11,18 38:10 42:21 43:22 45:17 58:25 65:12 75:6,8 77:11,25 84:5 89:25 90:8,19 95:17 (27)</p> <p>outcome 89:7 101:16</p> <p>outs 59:18</p> <p>outside 19:3 81:21 84:13</p> <p>over 20:20 21:7 29:4 35:6 38:10 53:17 64:14,16 76:20 90:11 (10)</p> <p>overall 90:3</p> <p>overcharge 12:6</p> <p>overcharging 16:25</p> <p>overly 35:7 66:15 88:3 96:22 (4)</p> <p>overreach 53:12</p> <p>overseas 13:3</p> <p>overwhelming 54:11</p> <p>owe 28:5</p> <p>own 19:7 22:4 35:16,16,17 37:8 42:24 56:5,6 (9)</p> <p>owned 32:24</p> <p>owners 15:11</p>	<p>owning 35:17</p> <p>p 2:1,1</p> <p>page 55:18,21</p> <p>pages 93:3</p> <p>paid 6:6 36:10,13 40:5 77:24 78:6 (6)</p> <p>paradigm 88:15</p> <p>parallel 33:19 34:2</p> <p>parents 60:3</p> <p>park 19:18</p> <p>parking 10:4 19:20,22,23 20:4 (5)</p> <p>part 13:1 20:1 32:10 36:18 37:11 50:14 77:19,20 86:4 93:3 (10)</p> <p>participated 73:15</p> <p>particular 65:20 66:1</p> <p>particularly 14:22</p> <p>parties 101:14</p> <p>partner 19:4</p> <p>partner's 10:2</p> <p>partners 38:3 64:16 89:3</p> <p>partnership 38:6 80:4 81:23 82:6 (4)</p> <p>parts 35:5,6</p> <p>pass 31:6</p> <p>passed 59:13</p> <p>passenger 10:11,14 12:7,7 17:22 20:8,10 29:23 54:1 55:24 56:1 62:21 70:15 78:7 84:7 87:15,21 89:1,10 (19)</p>	<p>passenger's 17:7</p> <p>passengerfacing 88:9</p> <p>passengers 9:22 10:1,2,22 12:2,8,16,18 14:16 17:19 19:11 23:5 24:20,25 30:1 31:8 41:23 48:16 53:6 54:7 57:18 63:4 68:22 69:4,9,11 75:1 90:5,10 92:10 97:2 (31)</p> <p>passively 69:11</p> <p>past 70:2</p> <p>pastored 50:11</p> <p>path 64:25</p> <p>patience 5:13</p> <p>patrols 9:9</p> <p>pause 60:10</p> <p>pauses 4:25</p> <p>pay 4:9 15:11 36:15,25 45:9,19 46:1 48:22 59:19 64:20 71:12 75:6,8 77:25 78:9 79:6 95:13 (17)</p> <p>payday 6:4</p> <p>payerodiarra 62:1</p> <p>paying 13:9 43:2</p> <p>payment 32:7 33:6 55:15,24 56:1 65:19,25 66:19 80:24 83:13 85:19 86:6 88:12 (13)</p> <p>payments 67:19 75:4</p> <p>peace 22:4 60:3</p> <p>pedestrian 42:20</p> <p>pedestrians 43:7</p> <p>penalties 18:7</p> <p>pending 18:21</p>
---	--	--

<p>people 25:9,15 32:7 33:2 35:15 37:7 40:20 42:24 48:6,8,18 49:3,24 60:4 73:25 74:2 93:18 94:5 95:13 (19)</p> <p>per 7:1,1,1 53:11,16,22 96:22 97:4 (8)</p> <p>percent 4:24 6:17 32:14 33:10 35:2 39:20 43:18 53:14,22 59:17 67:7 69:1 88:8 89:21 90:4 91:14 92:13,24 93:8 94:12 98:8 (21)</p> <p>percentage 29:18 48:24 49:12,14 93:10 (5)</p> <p>performance 93:23</p> <p>period 27:1 53:18,18,19 (4)</p> <p>permanent 5:17</p> <p>permits 51:21</p> <p>permitted 16:8</p> <p>perseverance 5:14</p> <p>person 12:25 30:10,11</p> <p>personal 42:24 56:9 75:25 76:6 (4)</p> <p>personally 55:16</p> <p>perspective 89:12</p> <p>phone 45:19 46:1 56:8,13 71:12 73:5 (6)</p> <p>phones 76:6</p> <p>phrase 28:25</p> <p>pick 10:14,22 77:23 78:8 82:10 (5)</p> <p>picked 12:20</p> <p>picking 10:8 12:21 78:3</p> <p>picks 12:25</p>	<p>pickup 5:25 98:3</p> <p>pickups 98:20 99:7</p> <p>piece 31:5 50:15 51:1</p> <p>pilot 5:17</p> <p>place 16:4 83:3</p> <p>plain 13:15 19:9</p> <p>plainly 9:20</p> <p>plan 59:23 60:8</p> <p>plant 61:1</p> <p>plate 14:17 60:16</p> <p>plates 46:24</p> <p>platform 53:1 63:14 76:15 80:13 83:25 91:10 97:19,20 (8)</p> <p>play 17:10 35:11 70:11 76:3,5 (5)</p> <p>played 67:7</p> <p>playing 46:9 76:22 97:23 98:6 (4)</p> <p>please 8:15 26:15 47:2 63:20 66:12 85:1 (6)</p> <p>plug 73:8</p> <p>plus 49:11,21 61:11</p> <p>pm 77:6</p> <p>pocket 77:25</p> <p>pockets 34:22</p> <p>podium 27:24 85:11</p> <p>point 13:4 16:12 50:19 55:13 58:25 80:5 92:20 (7)</p> <p>points 44:7 75:5 76:16,25 77:8,10 (6)</p>	<p>poles 5:10</p> <p>police 18:25 24:19</p> <p>policy 27:19</p> <p>popup 82:8</p> <p>port 18:24 19:3 20:12 21:2 22:25 23:7,25 24:4 (8)</p> <p>portion 66:18</p> <p>pose 19:11</p> <p>poses 11:4</p> <p>position 84:4</p> <p>possible 86:16</p> <p>posted 26:9</p> <p>potential 6:24 16:24 53:1,24 (4)</p> <p>potentially 81:16</p> <p>power 46:11</p> <p>practical 54:5</p> <p>practice 67:8 98:5</p> <p>prearranged 10:9 20:15</p> <p>preclude 89:22</p> <p>precludes 83:14</p> <p>premium 15:11</p> <p>present 8:3 61:24</p> <p>presentation 8:23</p> <p>presented 53:15</p> <p>presenters 2:13</p> <p>preserve 64:23 87:20</p> <p>president 62:2</p>
---	---	---

<p>pretty 28:21</p> <p>prevent 16:2</p> <p>prevented 20:3</p> <p>previous 48:1 76:1</p> <p>previously 48:23</p> <p>prey 13:2</p> <p>price 43:2 49:18 66:25</p> <p>primary 58:2</p> <p>prime 45:10 51:19</p> <p>prior 7:7 89:3</p> <p>prioritize 97:14</p> <p>probably 32:6 36:4</p> <p>problem 14:5 75:3</p> <p>proceedings 18:22 101:9,11</p> <p>process 5:7 21:5,25 33:3,19 51:16 84:16 86:5 (8)</p> <p>processing 66:20</p> <p>produce 45:22 91:17</p> <p>program 21:14,14</p> <p>programmatically 88:19</p> <p>programs 90:23,25</p> <p>progressive 18:6</p> <p>prohibit 29:12</p> <p>prohibited 98:4</p> <p>prohibition 52:22 55:20</p> <p>prologue 88:6 90:7</p> <p>promote 91:2</p>	<p>promoting 89:8 90:25</p> <p>proper 11:23 13:9 14:2 24:23 (4)</p> <p>properly 4:11 13:9 15:21 22:15 23:11 (5)</p> <p>proposal 5:16 7:4 26:3</p> <p>propose 54:14</p> <p>proposed 26:3,8,21,24 28:8 52:13,22,23 55:3,8,11 56:20 65:2,11 66:25 67:2,16 88:2 96:13 (19)</p> <p>prosecution 24:5</p> <p>prospective 67:5</p> <p>protect 24:24 54:6</p> <p>protecting 28:9</p> <p>protection 17:22</p> <p>proud 44:19 47:19</p> <p>provide 5:5 9:13 30:8 46:7 48:15 53:4 68:20,20 69:3,7 82:23 88:5 93:15 (13)</p> <p>provided 4:22 27:10 29:21 51:3 53:14,23 64:13 88:6,10 (9)</p> <p>provider 7:7 26:22 65:1 87:15 93:22 (5)</p> <p>providers 54:6,12 65:15 66:18 88:13 92:11 93:1 (7)</p> <p>providing 87:25 93:17</p> <p>provision 68:6</p> <p>prudent 89:5</p> <p>psa's 90:19</p> <p>psas 92:2</p>	<p>public 4 5:20 11:5 13:22,24 14:13 15:5 17:25 20:11,18 22:12,13,20 25:7 26:5,6,20 27:1 90:17 92:17 93:15 94:10 98:16 100:11 101:7 (25)</p> <p>published 26:4,25</p> <p>pull 94:18</p> <p>pulled 65:11</p> <p>purpose 55:9</p> <p>pushed 19:19</p> <p>put 31:8 32:7 37:10 39:8 43:13 48:4 51:14 57:5 60:15,25 62:21 73:8 75:14 81:12 (14)</p> <p>putting 37:12 40:14 63:7</p> <p>quality 21:24</p> <p>quarter 5:24 91:8</p> <p>question 25:5 31:20 71:21 73:18 76:10,13 77:16 82:17 85:14 86:12 89:19 93:7 (12)</p> <p>questions 25:2,20 31:19 33:17 34:5 41:5 50:4 53:15 68:13 70:24 72:11 73:17 76:9 82:4 89:17 95:24 100:14 (17)</p> <p>quick 31:20 49:9 71:21 77:16,17 79:14 (6)</p> <p>quickly 44:3 75:19,19</p> <p>quinonez 72:17,18 73:23 74:6 (4)</p> <p>quite 57:19</p> <p>r 16 2:1 101:1</p> <p>raise 7:22 8:15 16:20 26:15 (4)</p> <p>raises 60:23</p>
--	---	---

<p>rare 78:6</p> <p>rate 4:23 6:12,19,20 16:20 42:12 46:11 97:22 99:10 (9)</p> <p>rates 4:14</p> <p>rather 23:21 30:4 66:3</p> <p>reach 25:13</p> <p>reaching 25:15</p> <p>reading 53:16</p> <p>real 13:4 42:18 49:9 79:14 94:4 100:3 (6)</p> <p>reality 56:17</p> <p>realize 82:5 91:18</p> <p>really 28:2 49:2 57:20 60:14,23 61:2 76:7 85:21 (8)</p> <p>realtime 91:19</p> <p>reason 69:5</p> <p>reasonable 94:6</p> <p>reasons 15:1</p> <p>receipts 67:17</p> <p>receive 39:4 52:6,25</p> <p>received 5:21 12:15 26:12</p> <p>receiving 97:7</p> <p>recognize 3:9 29:25</p> <p>recommend 97:3</p> <p>recommendations 8:14</p> <p>reconsider 63:20</p> <p>record 13:25 14:8 17:1 26:4,25 52:21 101:11 (7)</p> <p>records 12:5</p>	<p>recourse 12:2</p> <p>recruiting 21:13,14</p> <p>red 16:20</p> <p>reduce 53:23 67:4</p> <p>reduces 90:3</p> <p>reducing 53:1</p> <p>refer 66:12</p> <p>reference 67:18</p> <p>refine 57:16</p> <p>reflect 56:16 58:5</p> <p>reflected 56:12 66:7</p> <p>refusal 19:14</p> <p>refusals 16:23</p> <p>refusing 10:23</p> <p>regarding 9:14,14 78:1</p> <p>registration 66:8</p> <p>regulate 24:13 33:24 42:23 53:9 (4)</p> <p>regulates 33:25</p> <p>regulation 96:13</p> <p>regulations 28:8 29:12 31:4,6 32:13,25 52:17 56:15 81:5 (9)</p> <p>regulatory 57:10</p> <p>related 66:7 101:13</p> <p>relation 48:11</p> <p>relationship 32:18 58:9</p> <p>relative 66:5</p> <p>relevant 88:21</p>	<p>reliable 67:12</p> <p>relief 5:5</p> <p>rely 49:5</p> <p>relying 23:21</p> <p>remain 24:20</p> <p>reminder 62:23 88:11</p> <p>removable 66:1</p> <p>removing 88:23</p> <p>renovating 21:5</p> <p>rent 36:11 37:16,17 59:19 (4)</p> <p>rental 35:9 40:7,8</p> <p>rented 36:16</p> <p>renter 35:10 36:22</p> <p>renting 16:17,22 36:22</p> <p>repeat 18:20</p> <p>repeating 60:13</p> <p>replace 55:1</p> <p>replacement 75:23</p> <p>reported 101:9</p> <p>reporting 22 54:10 67:18</p> <p>request 46:25 59:22</p> <p>require 31:8 67:25 85:2,18 86:1,2,14,15,19 87:2 (10)</p> <p>required 83:7 86:18</p> <p>requirement 89:21</p> <p>requirements 53:13 54:10,15,18,21 66:9,11 87:20 88:24 (9)</p>
---	--	--

<p>requires 28:25</p> <p>requiring 53:21 83:18 86:5</p> <p>response 25:22 34:7 41:6 50:6 70:25 72:12 (6)</p> <p>restates 55:22</p> <p>restaurant 49:13</p> <p>restriction 4:1</p> <p>restrictions 4:6,22 44:25 63:7 65:4 88:3 (6)</p> <p>restrictive 96:23</p> <p>result 16:10 46:22 81:15 88:13 (4)</p> <p>results 67:12</p> <p>return 36:12</p> <p>returns 75:22</p> <p>reusing 91:10</p> <p>revenue 28:14 29:18 33:9,12,13 35:2,3 37:23 38:1 39:6,8,17 51:23 53:24 55:11 61:3,5 64:19 66:19,23 67:15,17 76:15 84:7 97:1 (25)</p> <p>revenues 67:11</p> <p>reversal 89:4</p> <p>review 8:10</p> <p>reviewed 5:19</p> <p>reviews 66:10</p> <p>revisit 56:20</p> <p>ride 17:19 53:11,17,22 56:12 71:15 73:13 77:23 79:24 82:8 97:15 (11)</p> <p>rider 11:12 51:25 81:10</p>	<p>rider's 44:2</p> <p>riders 42:20 43:6 48:16 75:11 (4)</p> <p>rides 76:24 97:25</p> <p>rideshare 44:17 55:2 64:10,15 93:24 (5)</p> <p>riding 13:22 17:25</p> <p>right 15:12 25:23 30:4 32:8 33:14,23 36:14 41:23,25 43:15 48:3,17,20,24 49:14,19,23 50:3 60:25 61:16 71:1 72:1,2 75:17 76:8 77:11,12 78:16 79:4 80:12 83:21 84:11,14 85:5 86:5 90:18,22 91:13,17,21 92:1,2,12 93:13,14 94:15 95:23 99:3 100:4,5 (50)</p> <p>road 16:15 17:15</p> <p>robust 54:4 59:23</p> <p>rode 56:3</p> <p>role 17:10 35:12 97:23</p> <p>rooted 88:25</p> <p>round 100:12</p> <p>route 74:1 82:10</p> <p>rule 5:15,18 26:3,4,8,17 28:18 37:4 39:2 46:23 78:3 83:6 (12)</p> <p>rulemaking 5:7 51:2 84:16 86:4 92:16 (5)</p> <p>rules 5:11 9:11 26:15,21,24 31:25 35:20 36:19 38:9,15,16,20 50:17 51:10 52:13,24 53:16 55:4,8,11,18 56:15,21 57:2,16 65:2,11,13,14 66:7,13,21 67:1,2,6,16,23 79:2 83:1 85:16 88:2 (41)</p> <p>run 29:17 68:25 74:4</p> <p>running 30:5 74:1 79:22</p>	<p>82:25 90:23 (5)</p> <p>s 2:1</p> <p>safe 17:18 24:20</p> <p>safely 9:10</p> <p>safety 9:5 11:10,12,17 14:3 15:15 17:25 22:12,22 52:1 70:8 96:24 98:16 (13)</p> <p>said 11:7 46:6 58:16,17 59:1 60:9,25 62:9 63:1 71:22 76:2 84:19,19,20,24 (15)</p> <p>salami 96:2</p> <p>sale 55:13</p> <p>same 5:25 6:1,2 14:10 17:1 19:12 21:23 33:25 38:12 84:20 (10)</p> <p>sarah 2:5</p> <p>satisfy 21:19</p> <p>saw 56:5</p> <p>say 3:13 32:1,21 42:22 45:14 48:19 55:22 59:20,23 61:8 62:24 69:2 70:21 74:13 76:20 77:4 78:4 79:17 86:1 89:20 92:1 93:10 94:7 95:6 (24)</p> <p>saying 47:24 49:17 51:8 62:17 79:1 85:1 92:15 (7)</p> <p>sayler 64:5,6,9 67:14 68:11,17,24 69:15 79:13,20 80:19 81:25 82:3,16 83:10,22 84:3 85:6,15 86:11,17 87:6 (22)</p> <p>says 39:3</p> <p>sbs 90:24</p> <p>scheme 13:1</p> <p>scope 56:17</p>
---	--	---

<p>screen 49:3</p> <p>screens 64:14</p> <p>second 18:8,17 29:10 67:2 69:6 81:11 89:3 98:3 (8)</p> <p>seconds 30:21 43:25 46:17 60:17 61:7 67:13 98:10 (7)</p> <p>security 54:4 66:9</p> <p>see 7:5 13:13,17 41:23 50:24 54:19 59:24 75:5 76:18 77:1,8,13 78:7 83:20 91:20 (15)</p> <p>seed 61:1</p> <p>seek 24:12 54:9</p> <p>seen 10:10 30:15 80:3 90:10 (4)</p> <p>seized 18:21</p> <p>select 93:25</p> <p>senior 3:16</p> <p>sense 33:15 72:10 80:1 83:18 (4)</p> <p>sent 29:2</p> <p>sentence 98:24 99:2</p> <p>separate 33:21 80:23 81:20 83:13 85:9,18 (6)</p> <p>seriously 58:1 100:17,20</p> <p>serve 57:17 64:9</p> <p>service 8:22 20:15 52:6 53:7 75:16 90:18 (6)</p> <p>services 22 2:14 8:2 9:3,4 22:3 46:2 90:25 (8)</p> <p>set 51:10 52:18 101:17</p> <p>seven 53:19 94:12</p>	<p>severely 65:4</p> <p>share 28:14 31:3 50:14 67:15,18 (5)</p> <p>sharing 73:20</p> <p>she 34:19</p> <p>she's 28:3</p> <p>sherryl 2:11 7:13,15</p> <p>shift 67:19</p> <p>ship 75:23</p> <p>shipments 75:24</p> <p>shop 35:19</p> <p>shortly 24:8</p> <p>shortterm 5:3</p> <p>should 5:2 12:5 20:9 41:22 42:10 43:1 48:14 49:19,20,23 53:12 56:16 60:10 66:6 76:12 85:16 92:16 (17)</p> <p>shouldn't 4:12 42:12 43:2</p> <p>show 23:9 64:19</p> <p>showing 81:13</p> <p>shows 6:15,22</p> <p>shut 16:10 75:2</p> <p>sides 42:15</p> <p>sign 100:1</p> <p>signage 20:13,17</p> <p>signature 101:21</p> <p>signed 29:6</p> <p>significant 6:23 66:18</p> <p>similar 14:5 16:13 17:1,3</p>	<p>23:3 68:5 73:19 81:24 91:22 (9)</p> <p>similarly 13:23 23:13 73:21</p> <p>simple 73:4 83:6</p> <p>simpler 53:5</p> <p>simplicity 66:5</p> <p>simplification 54:18 87:19</p> <p>simplifying 54:9 66:7</p> <p>simply 81:6</p> <p>since 31:2 32:9 47:16 60:9 64:13 70:9 71:9,22 72:6 74:20 96:10 97:6 98:8 (13)</p> <p>single 49:7 71:15,17 88:18 (4)</p> <p>sitting 84:11</p> <p>six 6:17 26:2 35:19 76:21 90:8 (5)</p> <p>skin 42:13</p> <p>skip 10:17 27:14</p> <p>sleep 60:3</p> <p>slimmeddown 55:4</p> <p>slow 45:4</p> <p>small 28:11,12 45:9,16 46:17 80:14 90:24 (7)</p> <p>smaller 92:25</p> <p>so 3:12,19,19,21 11:3 13:15 16:19 20:21 24:17 25:11,14,15,24 27:23 28:7,18 29:2,14 30:5,9,20,24 31:21 32:3,16,20,21 33:6,9,11,15,20 34:1,8 35:25 37:15 38:2,19,24 39:10,21 42:11,14 43:7,8,22 44:2,5 45:16 46:18,25 49:3,9,15,19,24 50:8,20,24,25 51:6,17 54:8,19,19,20 57:23,25</p>
---	--	---

<p>59:6,23 60:2,24 61:14 62:9,14 63:20 64:2 68:24 69:16 70:20,23 72:2,7,10 73:6,12,25 74:2,16,20,22,23 76:7,14,23 77:1,18,20,25 78:7,8,10,12,21 79:9,20,25 80:5,7,10,11,12,14 81:14,19,22 82:1 83:5 84:1,9,12,24 85:12,14,15,17,25 86:24 89:25 90:1,16,18 91:4 92:1,12,22 93:8,20 94:11,19,22,23 95:15,25 97:8,20,20 99:12 100:5,11 (150)</p> <p>social 22:23</p> <p>software 66:10 82:25 87:15</p> <p>solicit 18:2 19:25</p> <p>solicitation 9:20</p> <p>solicitations 20:23</p> <p>soliciting 9:22,25</p> <p>solicitor 9:24 19:22</p> <p>solution 5:3 59:21 88:1</p> <p>solutions 64:12 87:16 88:16 94:2 (4)</p> <p>some 16:16 33:5,5 58:4,5 73:24 74:2 76:5 80:5 81:4 85:3 91:1,25 94:10 (14)</p> <p>somebody 50:1</p> <p>someone 36:15 50:12 80:24</p> <p>something 3:17 5:1,5 40:14 41:22 45:12 47:3 73:2 77:17 78:14,21,22 79:3 80:17 82:10,21 83:3 (17)</p> <p>sometimes 48:6 54:13 71:13</p> <p>sonam 44:12,16 47:5 59:1 (4)</p> <p>soon 5:11 75:7 76:23 77:9 (4)</p> <p>sorrentino 2:6 3:7,14,16 93:6</p>	<p>94:3 (6)</p> <p>sorrentino's 3:12</p> <p>sorry 27:4 40:18 46:13 58:18 74:12 85:10 99:16,25 (8)</p> <p>sort 35:21 79:25 80:1 81:1,18 (5)</p> <p>source 45:8 91:15 95:8</p> <p>space 21:3,6,11</p> <p>speak 27:8,23 51:1 64:8 85:11 87:1 99:18,23 100:18,20 (10)</p> <p>speaker 27:7,14,15 34:13 41:10 44:10 58:11 61:17 64:4 69:19 71:2 72:16 74:9 87:7 94:24 96:2 99:15,21 (18)</p> <p>speaking 9:20 28:7,12 95:1,2 (5)</p> <p>special 3:10</p> <p>specific 39:3 55:14 66:2,13 88:3 (5)</p> <p>specifically 19:1 36:18 38:24 88:5 93:2 (5)</p> <p>spend 72:25 76:5 86:21</p> <p>spoke 81:5</p> <p>spoken 40:20</p> <p>sponsor 51:20 58:2</p> <p>spot 20:7</p> <p>spotter 9:24</p> <p>ss 101:4</p> <p>stakeholders 57:11 89:7</p> <p>standard 53:19 93:23</p> <p>standardization 52:4</p>	<p>standards 4:9 53:7</p> <p>start 3:23 27:14 49:23 51:8 59:22 77:5 80:8 88:7 (8)</p> <p>started 21:25 22:17 24:6 72:6 78:19 98:9 (6)</p> <p>starting 49:14 88:20</p> <p>starts 79:24</p> <p>startup 87:13</p> <p>state 18:4 22:2,4 101:3,8 (5)</p> <p>stated 77:18,23 78:5,19 (4)</p> <p>stay 61:13</p> <p>step 27:6 29:19,20 86:19 (4)</p> <p>steps 21:2,18 56:11</p> <p>still 42:8 47:16 59:15 76:22 (4)</p> <p>stop 98:17,18</p> <p>stops 12:24</p> <p>storage 43:4</p> <p>straight 75:8</p> <p>stray 52:14</p> <p>stream 51:23 55:11 64:23 67:15 (4)</p> <p>street 12,50 10:7 13:23 15:12 17:2,3 19:13 20:23 42:13 63:16 (11)</p> <p>streets 98:4</p> <p>strictly 27:9 82:13</p> <p>strike 39:11</p> <p>strings 35:10</p> <p>strongly 87:18</p>
---	---	--

<p>structure 78:17 79:25</p> <p>struggling 63:9</p> <p>students 60:4</p> <p>submit 89:13</p> <p>submitted 8:9 27:21</p> <p>subsequent 18:11,18</p> <p>such 16:4 68:2,19 101:11 (4)</p> <p>suffering 42:7</p> <p>suggestion 28:12 52:17</p> <p>suite 50</p> <p>summarize 62:10</p> <p>summons 63:18</p> <p>summonses 15:1 20:21 24:7</p> <p>super 51:12</p> <p>supplemental 6:24</p> <p>support 41:16 44:22 47:21 52:18 53:21 54:9 69:23 71:8 75:23 88:23 96:15 (11)</p> <p>supporting 57:6</p> <p>supportive 80:19 81:20 91:4</p> <p>supports 66:20</p> <p>supposed 53:4</p> <p>surcharge 17:14</p> <p>surcharges 6:8</p> <p>sure 28:13,15,17 31:1,7 32:14 51:13 68:24 83:16 (9)</p> <p>surrender 46:23</p> <p>surveys 68:25</p>	<p>suspended 16:6,7,19</p> <p>suspension 16:11</p> <p>swaps 75:22</p> <p>system 31:12 32:12 34:2 64:22 66:6,15,17 84:25 89:22 90:15 (10)</p> <p>systems 54:24 55:12 65:14,15,17,18,20,24 66:22 81:7 85:23 88:14 91:22,23 (14)</p> <p>t 101:1,1</p> <p>table 31:5</p> <p>tablet 29:20,24 32:8 38:2 45:16,20 55:24 56:2,4,7,11 62:17,20,24 66:11 68:19 69:24 70:4,5,9 71:9,13,14 72:21,22 73:4,6,7,11,15 74:25 75:10,20 79:17 80:16 81:1 85:20 90:6 96:22 97:4,6 (41)</p> <p>tablet's 56:17 75:12</p> <p>tablets 29:14,17 33:3 36:3 37:8 38:7 39:8 40:12,19 41:21 45:22 52:23 53:4 55:21 57:11 59:1,4,6 62:8,11 68:15,22 69:2,5 70:19,21 74:17 82:13 96:25 (29)</p> <p>take 5:4 7:13 17:5 30:3 31:4,10 45:17 46:10 56:11 58:1 83:3 86:18 90:21 93:4 94:20 97:21 100:16,17 (18)</p> <p>taken 12:16 21:18 42:3</p> <p>taking 5:9 13:6,7 15:10,20 21:1 23:19 63:15 81:8 82:18 97:25 (11)</p> <p>talk 42:2,18 61:4,11 62:6 78:23 79:15 (7)</p> <p>talking 36:24 37:4 61:3</p> <p>targeting 19:1 68:2 91:9</p>	<p>taveras 95:3,4</p> <p>taxes 6:8 17:12</p> <p>taxi 3 2:16 6:25 10:17,20,23 15:9,10,23,25 16:3,8 17:13,23 23:11,18 24:2,3 29:19 44:14 47:1 52:10 55:5 56:19 65:18,22 68:7 88:17 96:8,20 97:21,23 (32)</p> <p>taxicab 10:16 16:5,7 17:18 20:14 97:15 (6)</p> <p>taxicabs 15:17 16:2 23:25</p> <p>taxis 5:17 9:6 11:11 16:17 23:10 92:5 (6)</p> <p>team 51:7 56:23 75:23</p> <p>tech 87:13</p> <p>technical 86:24 88:3,24</p> <p>technicalities 48:4</p> <p>technically 31:25</p> <p>technological 89:9</p> <p>technologies 87:13,17</p> <p>technology 23:24 24:13 65:14,15,18 66:17 87:8 91:23 (8)</p> <p>tell 61:12</p> <p>temporary 59:21</p> <p>ten 61:7</p> <p>term 5:8</p> <p>terminal 9:25 10:3,20 19:24 99:8,8 (6)</p> <p>terminals 9:22 10:13,19,21 15:18 19:2,12,16,19 20:6,13,17 23:2 (13)</p> <p>terms 54:17 69:8 79:16 80:22</p>
---	---	---

<p>90:2 (5)</p> <p>terrific 19:4</p> <p>test 56:3</p> <p>testify 52:20</p> <p>testifying 57:21</p> <p>testimonials 22:24</p> <p>testimony 5:20 27:12,21 68:10 71:14 72:20 (6)</p> <p>testing 11:16</p> <p>tethered 88:16</p> <p>than 6:10,17 16:9 21:9 23:21 30:4,18 33:21 35:12 50:16 59:17 66:3 67:15 82:23 84:24 86:13 (16)</p> <p>thank 3:14,20,21 7:25 8:16,18 19:5 24:16,17,18 25:23 26:18 28:1 30:22 31:15,16 33:15 34:8,10,12,15 38:22,23 41:7,8 43:8,12 44:5,8,9 46:18 47:4,5 49:8 50:4,7,19,20 51:5,8 57:13,23,25 58:7,10,22 61:13,14 64:1,2,7 68:9,11,12 69:14,16,18 70:22 71:19 72:2,10,14 73:16 74:5,7 76:11 77:14 78:12 79:8 87:4,6 89:11,16 94:21,23 95:5,23,25 96:1 99:3,5,11,12 100:4,21 (85)</p> <p>thanks 5:12 34:17 70:23</p> <p>their 4:5,11 5:10,13 10:14 12:9,23 13:19 15:3 19:6 23:5 24:1 29:5,25 30:25 31:10 32:7 33:3 35:16,17 42:9,24 53:1 63:25 66:19,20 69:3 70:8,13 74:18 76:6 80:24 84:12 85:23 91:6 (35)</p> <p>them 4:4,15 11:16 16:2 19:6 20:5,7,7 23:20 32:1 37:10 40:4 42:11 43:3,5 46:11 48:16 55:3 56:21 70:10,13 86:15 (22)</p>	<p>themselves 13:20 19:24 30:9</p> <p>there's 11:15,16,21 12:4 13:25 14:7 15:8 20:16 35:4 36:18 39:1,3 40:8,21 42:3 55:19 77:20 79:17 81:10,17 94:4 (21)</p> <p>therefore 12:1 45:20 56:15 98:11,16 (5)</p> <p>these 4:2 9:20 10:4 11:13,18,22 12:11 13:2,4,7 14:1,8,11 15:9,22 16:15 17:4,23 22:10 30:12 31:3 35:20,25 38:9,20 39:8 54:18,21 55:12 56:14 57:2,9,11,16 59:24 67:20 83:1 86:20 (38)</p> <p>they'll 12:22 30:7 90:7</p> <p>they're 4:10 10:6 11:8,8 30:12 33:8 38:2 39:22 40:6,23 65:21 80:12 (12)</p> <p>thing 12:24 13:17 42:1 46:18 61:6 70:5,14 77:21 84:20 (9)</p> <p>things 30:7,13 53:5 63:21 82:12 (5)</p> <p>think 25:6 28:7 29:7 32:5 36:20 37:10 40:7 47:17,22 49:22 62:11,25 63:5,12 68:25 78:11 82:20,25 83:15 84:9,15,18 86:17,25 91:17 92:7,12,22,25 93:20 94:14,15 95:8,15,19,21 (36)</p> <p>thinking 23:18 59:2,15 80:18 (4)</p> <p>third 18:10 69:9,10,12 (4)</p> <p>thirty 30:21 43:25 67:13</p> <p>thomas 2:6</p> <p>those 7:20 10:1,23 12:17 13:8 14:6 15:19 18:2,13 21:15 23:10,14 24:2 25:14 26:14 32:4,15 34:3 37:9,16 42:5,8,10</p>	<p>60:11 63:20 87:2 91:25 94:14 97:21 (29)</p> <p>though 28:13 29:10 36:21 55:13 (4)</p> <p>thought 40:13</p> <p>thousand 64:15</p> <p>thousands 92:5</p> <p>three 8:10 27:8 47:17 49:10,20 55:18 58:13 88:11 100:3 (9)</p> <p>through 7:14 12:19 29:14,23 30:1 32:11 33:3 34:2 41:20 42:6 50:11,17 52:25 56:1,6 65:7 84:22 85:7,25 86:3 92:3 96:17 97:5,9 (24)</p> <p>throughout 51:16 52:9 84:15 92:5 (4)</p> <p>thursdays 36:12</p> <p>thus 85:20</p> <p>ties 31:11</p> <p>tiktok 91:7</p> <p>time 5:2 21:23 25:1 27:8 29:7 31:14 38:13,21,22 43:4 45:6,12 47:6 49:8 50:9 51:14 57:13,21 60:1,14 64:3 66:15 68:8 69:17 72:15 73:25 74:4,21 75:7,15,24 76:3,6 86:21 87:5 90:2,11 91:19 94:22 99:13,20 100:1,6,17,23,25 (46)</p> <p>timeline 27:12</p> <p>timely 51:9</p> <p>times 14:19 15:22 82:7</p> <p>tip 30:3,18 32:9,9,11,14 33:11,13 47:25 48:2,5,7,10,16,19 49:1,5,7,22 56:6 62:20 63:4 70:16 81:12</p>
---	--	---

<p>82:2 84:12 (26)</p> <p>tipping 29:13 33:21 52:22 62:7,24 63:8 79:14,16 80:11,15,20 81:17,19,21,22 83:7,16,24 84:10,21,25 85:1,6,9,17,23 86:10 97:5,8,9 (30)</p> <p>tips 6:7 30:14 33:3,25 41:19 52:25 72:24 95:19 97:8 (9)</p> <p>tlc 2:3 3:4 5:23 7:3 8:9 9:10 10:5,6 11:7 13:9,12,18 14:1,3,4,20,21 15:6,8 24:19 26:6 28:17 32:25 33:24 34:24 35:1,11 47:1,2,12 51:7 52:18 53:12,14,23 56:24 61:23 71:6 77:22 88:6,10 89:21 90:7,9,10,17 92:1 (47)</p> <p>tlc's 22:18 24:5 65:11,13 67:2 97:12 (6)</p> <p>tmobile 64:11</p> <p>today 3:17 5:15 27:2,14,15,23 44:22 48:12,13 50:25 51:1,3 52:13,20 57:14,23 58:6 62:6 64:8 79:1 80:17 82:15 94:22 96:12 100:6,10,18 (27)</p> <p>together 94:5</p> <p>tolls 77:25 78:13 79:7</p> <p>tom 3:16</p> <p>ton 81:3</p> <p>too 45:19,25 46:4 47:3 93:8 96:19 (6)</p> <p>took 50:15 51:13</p> <p>tool 20:12</p> <p>top 45:4 59:16</p> <p>topic 46:5,15</p> <p>total 83:19</p>	<p>totally 39:23 41:21 80:23</p> <p>touch 69:10 75:18</p> <p>tpep 88:16 91:22</p> <p>track 55:14 65:20,25</p> <p>traditional 67:15</p> <p>traffic 9:11 18:5,6 76:4 (4)</p> <p>training 21:17,19,20,21 22:6 (5)</p> <p>trainings 22:5</p> <p>transactions 55:21</p> <p>transcript 26:11 101:11</p> <p>transparency 23:16 54:11 97:10</p> <p>transportation 18:3</p> <p>travel 25:11</p> <p>travelers 13:3 20:14</p> <p>treated 17:20</p> <p>tremendous 13:21</p> <p>tried 74:13</p> <p>triggers 97:18</p> <p>trip 6:2,3,4,9 7:1,8,11 10:14 12:5,13,23 14:1,8 17:1 23:24 30:2 49:19 62:18 80:9 88:7 (20)</p> <p>trips 5:23,23 6:11,12,13,15,17,18,21,23 9:23 14:5,8 17:4 24:2,22 37:3 42:10 55:14 65:21 66:1 68:16 88:20 97:19,21 (25)</p> <p>trouble 4:13 38:14 61:20 85:3 (4)</p> <p>true 45:15,18 101:11</p>	<p>trying 15:24 38:16</p> <p>tunnels 14:25</p> <p>turn 26:1 50:17 70:16 75:2 (4)</p> <p>tv 55:5</p> <p>twice 78:6</p> <p>two 21:22 28:11,20 36:12,17 49:10,20 55:18 58:14 59:1,3,6 62:8,11 69:6 71:10,10 88:8 (18)</p> <p>type 43:23</p> <p>types 53:9</p> <p>typically 91:22 92:4</p> <p>uber 3:25 4:11,18,20,21 5:9 29:22 32:2,18,25 42:5,6 44:17 47:23 48:18,23 62:1,18,18 80:4,13,22 81:13,16,24 82:7,8,23 85:7,22 86:3,12,20 96:10 97:13,20 98:17 (37)</p> <p>ultimately 93:23</p> <p>un 27:4</p> <p>unable 83:10</p> <p>unacceptable 4:6</p> <p>unanimous 7:24</p> <p>unanimously 8:16 26:18</p> <p>unauthorized 11:1</p> <p>unaware 16:17</p> <p>undercover 19:10</p> <p>undergoing 5:6</p> <p>undergone 11:14 14:2</p> <p>underlying 16:1 55:9</p>
--	---	--

<p>undermining 53:2</p> <p>understand 48:7 49:6</p> <p>understandable 53:10</p> <p>understood 92:7,19</p> <p>unfair 98:5</p> <p>uniformed 8:21 9:2,4</p> <p>unit 24:5 64:11</p> <p>unlawfully 18:2</p> <p>unless 79:22</p> <p>unlicensed 9:18 11:3,6 14:6 16:13 18:13 19:2,15 20:2,22 (10)</p> <p>unmute 27:4</p> <p>unnecessary 4:10 54:8 65:3 68:2 (4)</p> <p>unsafe 98:15</p> <p>until 59:25 60:11 70:13</p> <p>up 10:8,14,20,22 12:21,21,25 13:1,18 18:7,9,16,19 21:3,20 24:9 27:6,12 43:16 44:6 62:23 77:23 78:3,8 79:13 82:10,22 93:21 98:12 100:1 (30)</p> <p>update 3:24 9:14</p> <p>urge 54:20 56:19</p> <p>us 3:17,22 7:13 8:22 21:3,6,22 22:3 30:15,17 35:23 36:20 37:1,14 38:3 39:16,18 40:21 47:2 51:13,15 57:1 59:17 61:12 62:12 63:8,15 72:23 73:3 82:23 84:5,5 86:13,14 95:5,10,21 (37)</p> <p>usb 21:17</p> <p>use 3:25 20:14 45:12,24 64:22 65:22 69:5 74:24 (8)</p>	<p>used 6:4 20:1 48:23 66:3 68:14 84:10 (6)</p> <p>using 62:18 71:8 74:19 80:22 (4)</p> <p>usually 76:17</p> <p>utany 62:3</p> <p>utilization 4:14,23 42:12 97:22 99:10 (5)</p> <p>utilize 19:20 24:12</p> <p>utilizing 22:22 23:23</p> <p>vague 35:7 37:5 38:13</p> <p>valid 11:19 14:21</p> <p>vallone 69:20</p> <p>value 60:15</p> <p>van 22:20</p> <p>vehicle 9:11 11:18 12:10,14,20,23 14:17 15:7 16:6,14 18:4 35:16,17 62:12 65:5 79:18 96:22 97:4 (18)</p> <p>vehicle's 16:18</p> <p>vehicles 9:7 10:5,8 11:9,12 14:2,20 16:15,22 17:15 18:20 20:1 22:15,22 34:25 35:13,22 40:6 41:17 44:24 51:22 55:8 57:12 62:7 66:3 68:23 88:22 96:14,23 (29)</p> <p>velasquez 3:6</p> <p>velazquez 2:9 25:3 33:18 40:10,25 41:4 (6)</p> <p>version 26:8 55:5</p> <p>versus 91:13 92:8,13 93:2 (4)</p> <p>very 16:13 31:16 34:23 36:2 37:5 45:2,3 46:4 48:14,25 53:2 65:16 67:11 73:16 74:7,25</p>	<p>75:10,13,18,20 77:13,16,17 78:2,6 79:5 83:6 84:3,9,10,22 86:25 100:16 (33)</p> <p>via 81:17 88:20</p> <p>viability 65:8</p> <p>viable 89:22</p> <p>vibrant 87:25 94:1</p> <p>victimized 25:16</p> <p>victims 22:24 25:9</p> <p>video 75:12 88:18</p> <p>videos 69:12</p> <p>violation 18:4,7,11,14 (4)</p> <p>visit 48:8</p> <p>vital 17:10 20:12</p> <p>voices 4:5</p> <p>volume 5:13</p> <p>volumes 31:23</p> <p>vote 7:19,24 8:13 26:2,14 (5)</p> <p>voted 30:25</p> <p>voting 5:15</p> <p>voyager 34:14</p> <p>wait 59:25 81:11</p> <p>waiting 19:21</p> <p>walking 10:1 19:23</p> <p>want 3:9,12 19:5 27:25 31:7 32:13 34:16,25 35:16 37:16 39:10 40:5 43:13 46:12 48:7,21 49:2,25 50:1,9,19 51:7 52:15 58:25 59:20 60:7,17,21,25 61:8 63:18 70:17 76:3,5 80:10 90:11</p>
--	--	---

<p>92:10 93:18 95:6 (39)</p> <p>wanted 5:4 32:4,22,23 41:1 42:2 70:21 75:20 78:16 (9)</p> <p>wanting 3:18</p> <p>wants 13:17</p> <p>warning 20:15 27:10</p> <p>warnings 15:2</p> <p>wash 73:1</p> <p>wasn't 25:5</p> <p>watch 69:11 92:10</p> <p>watched 90:1</p> <p>water 45:2</p> <p>way 4:16 12:22 29:16 33:5,25 35:20 59:6 79:20 82:2,9 85:20 101:15 (12)</p> <p>ways 24:12 34:25 63:24</p> <p>we'd 45:20</p> <p>we'll 26:1 44:7 58:3 78:23 82:21 84:14,17 93:4 94:17,20 (10)</p> <p>we're 35:8,9 73:2 80:18 95:15 99:19 (6)</p> <p>we've 8:9 12:15 20:20 21:25 24:5 40:20 57:5 64:20 68:25 82:14 (10)</p> <p>website 26:9</p> <p>wednesday 36:12</p> <p>weekly 35:10 36:8 67:19</p> <p>weeks 36:17 50:23</p> <p>welcome 3:15 74:6</p> <p>well 7:8 11:5 18:1 19:2,10</p>	<p>20:18 22:5 44:24 63:22 65:20 67:18 73:22 75:21 86:20 (14)</p> <p>wellaccepted 67:22</p> <p>wellmaintained 35:13</p> <p>went 31:2 34:2 98:8</p> <p>what 28:10 30:14,16,20,23 32:20 38:24 39:6 47:24 49:9,16 51:20 52:4 53:10 58:15,17,25 59:13,15 61:12 62:15,15 63:1 68:18,21 70:20 76:21 82:14 83:8,25 84:19,19 90:19 92:15 93:9,13 94:6,11 95:18 (39)</p> <p>what's 81:14 94:6</p> <p>whatever 30:13 38:8 46:12 62:10 86:8 93:24 95:18 (7)</p> <p>when 10:16 12:21 14:22 16:5,21 17:16 27:3,5,12 30:4,25 45:14 47:23 49:12,17 52:6 53:16 55:5 56:3 67:11 70:6 73:2,13 74:1 76:19 77:7,22 78:3 79:24 82:7 84:10 90:6 (32)</p> <p>whenever 60:6 80:2</p> <p>where 6:2 20:6 31:12 38:13 45:22 78:7 (6)</p> <p>whereas 6:19 67:7</p> <p>wherein 19:11</p> <p>whereof 101:17</p> <p>wherever 60:7</p> <p>whether 6:25 15:6 35:14 80:22 87:1 (5)</p> <p>which 6:15 9:6,8 17:14,19 18:5 21:6,8 22:7 24:2,3 40:22 45:11 46:4 48:22,25 49:4 51:21 52:7 63:10,17 66:20 76:14 77:10,19 88:20 97:18,20 (28)</p>	<p>while 3:18 11:25 19:9 21:16 22:25 52:1,10 53:8 59:20 95:15 (10)</p> <p>who 11:13 12:16,25 13:8 14:20 15:2,11,21,24 18:2,13 25:10,16 35:15 37:7,16,17 42:4,9,24 50:10,12 56:4 74:17 (24)</p> <p>whole 17:24 52:19 84:25</p> <p>why 58:14 84:12 89:20</p> <p>will 5:8 7:5,12,19 8:1,20 10:21 16:7 17:4,19 21:6,13 22:3,11,22 23:9,17,23 24:1,8,8,11 27:7,9,10 29:24 30:2 46:7 53:23 57:3 60:8 62:12,14,19,22 63:3,8 65:4 66:24 70:10 78:10 79:3 80:6,7 81:15 82:13,20,22 83:1,10 84:9 88:9,12 89:6 90:5 92:11 97:9,22 98:1,12 99:9 100:8,10 (63)</p> <p>win 91:12</p> <p>windows 94:25</p> <p>winwin 89:7</p> <p>within 6:1 18:9,18 23:1 83:7 86:10 88:15 101:7,10 (9)</p> <p>withintitled 101:10</p> <p>without 5:6 11:19 21:24 42:21 43:23 46:25 54:7,11 76:6 (9)</p> <p>witness 101:17</p> <p>wonderful 68:17</p> <p>word 90:17</p> <p>work 9:23 13:6,8 15:10,20 19:6 35:24 36:14 37:14 38:3 43:22 44:16 53:19 57:4 59:4 60:3,6,8 63:11 73:25 77:3 79:19 90:15 98:12 100:7 (25)</p>
--	---	--

<p>worked 56:25 57:1 92:4</p> <p>workers 62:4</p> <p>working 22:18 23:2,8 24:4 43:21 51:15 53:18 57:3,12,15 58:8 59:2 70:1 73:3 93:12 (15)</p> <p>works 29:16 37:22,24 59:21 79:21 (5)</p> <p>worried 70:7</p> <p>worse 12:8 16:16</p> <p>would 13:21 28:24 31:24 32:5,5,12,16,17 33:1,4,7 34:1,3 36:20 39:21,24 40:12,13,17 43:7 44:4 48:19 52:24 55:4 66:13 67:4 68:3 80:15 81:3,22 83:19 84:1,5,6,12 85:21 86:14,18,19,25 89:22 90:10 91:11 92:23 93:9,10 94:6,7,11,12,13 96:25 (52)</p> <p>write 31:25 32:13,25 83:6 (4)</p> <p>writer 58:2</p> <p>written 5:19 7:3 26:11 27:21 35:21 51:23 62:10 65:3 66:12 89:14 94:21 (11)</p> <p>wrote 78:1</p> <p>x 1,5 32:2,16 (4)</p> <p>yeah 39:15 58:22 68:24 71:24 72:9 85:15 (6)</p> <p>year 20:24 77:21</p> <p>years 70:2 71:7,10,10 (4)</p> <p>yeldar 74:12,15 78:14</p> <p>yellow 42:13 63:14 88:17 97:14,21 (5)</p> <p>yes 33:20 44:6,12 48:5 76:17 79:5 87:6 89:15,25 96:5 99:15 (11)</p>	<p>yesterday 27:22</p> <p>yet 82:18 83:25</p> <p>yk 2:10</p> <p>york 2,13,13,23 9:11 18:15 22:1 35:1 48:9 49:5,6 51:19 64:17,20 77:19,20 83:11 90:24 91:3 92:5 101:3,8 (22)</p> <p>you'll 27:11 78:10</p> <p>you're 74:1</p> <p>you've 77:2</p> <p>your 7:22 8:10,11,15 26:15 27:3,5,6,11,12 30:3 31:14 35:18 38:21,22 39:24 43:14 47:6 49:8 50:17,18 51:1 54:9 57:13,25 58:5,18 61:1 64:3 68:8,9,23 69:17 72:14 74:25 75:8 77:7 79:18 80:15 82:12 83:24 87:4 94:21,22 99:13 100:9,16,22 (48)</p> <p>yup 69:15 83:22</p> <p>zegrar 96:4,6,9 98:11,24 99:2,5 (7)</p> <p>zoom 61:9</p> <p>316 50</p> <p>500 77:6</p> <p>600 77:6</p> <p>711 82:10</p> <p>1004 8 3:3</p> <p>1100 20:20</p> <p>1134 100:23,25</p> <p>1200 6:11</p> <p>2000 71:22</p> <p>2007 47:16</p>	<p>2017 96:10</p> <p>2018 64:13</p> <p>2019 89:4</p> <p>2021 74:20</p> <p>2022 71:9,22 72:23</p> <p>2024 7 5:24 7:18 26:5,24 27:1 101:18 (7)</p> <p>2500 77:10</p> <p>4000 35:13 36:7</p> <p>10000 64:16</p> <p>11542 23</p> <p>19506 18:16</p> <p>30000 40:8</p>
---	---	---