



THE CITY OF NEW YORK
OFFICE OF THE COMPTROLLER
SCOTT M. STRINGER

February 19, 2015

Meera Joshi
Commissioner
New York City Taxi and Limousine Commission
33 Beaver Street
New York, New York 10004

Dear Commissioner Joshi,

In December 2014, the administration announced its decision to move forward with the Taxi of Tomorrow program. The disability and senior communities have raised serious concerns about the design of the selected vehicle, the Nissan NV200. As you know, we now have a contract before our office related to the Taxi of Tomorrow. We remain deeply troubled that the Taxi and Limousine Commission (TLC) has failed to fully live up to contract terms to engage the disability community and seniors with mobility issues in the design of the vehicle four times per year, and we call upon the TLC to rectify that situation before any further contracts are submitted to this office.

The Taxi of Tomorrow contract between the Department of Citywide Administrative Services (DCAS), on behalf of the Taxi and Limousine Commission (TLC), with Nissan Taxi Marketing N.A. includes a number of stakeholder consultation provisions related to the design of the NV200. For example, Appendix I contains a requirement that the TLC will schedule meetings four times per year that include taxicab passengers or potential taxicab passengers with an impairment or disability that would affect their ability to use a New York City taxi. It is my understanding that these meetings have not been taking place. Indeed, the disability community has not seen an accessible version of the NV200 since 2013, nor have the disability and senior communities been engaged by the TLC and Nissan in any substantive discussion about the use of a rear entry ramp and other critical design issues.

We have been informed that ambulatory individuals with mobility and balance issues, including many seniors, have encountered significant obstacles while attempting to enter and exit Nissan's NV200 that are currently in service. Some of the concerns include: the use of two steps, rather than a single step, at the entry; the height of the entry step; the placement of handgrips; the weight of the door and difficulty of use; and the location of the seat. It is our understanding that, in at least one instance, an older passenger was seriously injured and stated that the vehicle design was a contributing factor.

Furthermore, as my office has already noted, the rear-entry design in the retrofitted wheelchair-accessible NV200 taxi poses significant concerns for passengers who use wheelchairs or scooters.



Requiring the passenger to enter from the back of the vehicle exposes both the driver and the passenger to potential risks from oncoming traffic during boarding. Moreover, the height of the vehicle floor creates an extremely steep angle for the wheelchair ramp, making it difficult for users in manual wheelchairs to ascend without assistance. Finally, wheelchair users exiting the vehicle must back down the same steep ramp into oncoming traffic without being able to see where they are going.

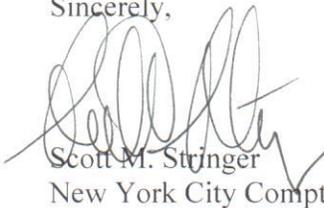
According to representatives from the disability and senior communities, they have had little, if any, opportunity to provide meaningful input on critical design issues. After a PowerPoint presentation for select members of the disability community in May 2012, a small group of individuals with disabilities was invited to travel to Randall's Island to try the vehicle in June 2013. Participants at the event noted that the community's major design concerns first raised in 2012—the rear entry ramp and the inability to transport more than one passenger—received little attention from the TLC, Nissan, and representatives from Braun, the subcontractor selected to make the vehicles accessible. Instead, the discussion focused on less significant items such as the placement of a cup holder, phone charger, and credit card machine.

At least 50 percent of the yellow taxi fleet, or over 7,000 accessible vehicles, must be on the road by 2020. In light of TLC's announcement that the NV200 will launch on April 20, 2015, there is an urgent need to ensure that a safe, accessible taxi vehicle is available for use by people with disabilities and seniors. Under Section 6.4 of the Taxi of Tomorrow contract, Mandate to Continually Provide a Competitive Accessible Vehicle, if the City identifies a superior competing accessible vehicle suitable for New York City taxi use, it has the right to notify Nissan no sooner than October 31, 2017 and to approve the vehicle no sooner than October 31, 2018. After the initial notification, the TLC is required to seek authorization to conduct a pilot to test up to ten superior accessible vehicles.

The Taxi of Tomorrow has been presented as an important component in the City's strategy for improving transportation in all neighborhoods and for all New Yorkers. Rather than waiting until 2017, I urge you to negotiate with Nissan the ability to immediately road test other accessible taxi designs that reflect the input of the disability and senior communities. If Nissan is unable to propose alterations or improvements that match or exceed the tested accessible vehicles and to satisfy other conditions established in the contract, the TLC should pursue all of its available options to select the best possible accessible vehicle for use at the earliest possible date.

Thank you for your assistance with this matter.

Sincerely,



Scott M. Stringer
New York City Comptroller

cc: First Deputy Mayor Anthony Shorris