



THE CITY OF NEW YORK  
OFFICE OF THE COMPTROLLER  
BRAD LANDER

September 30, 2024

Taxi and Limousine Commission  
Attn: Commissioner & Chair David Do  
33 Beaver Street  
New York, NY 10004

Dear Chair Do:

I am writing to formally request data from the New York City Taxi and Limousine Commission (“TLC”) regarding the utilization rates for Uber and Lyft drivers (“the Companies”), specifically focusing on the instances of driver lockouts by the Companies. Driver lockouts occur when a driver’s access to these apps and prospective riders is restricted for hours or even days at a time. This request is made in response to reports of the manipulation of utilization data through previous and ongoing lockouts by the Companies.

There are serious concerns that Uber and Lyft may be using driver lockouts to artificially inflate utilization rates ahead of the 2024 average utilization rate review, which would impact their compliance with the City’s minimum pay requirements for drivers. If true, this practice could have significant implications for the livelihoods of drivers who rely on these platforms to support their families.

To better understand the scope and impact of these lockouts, I am requesting the following documents and data:

1. **Monthly Utilization Rates:** All data that the TLC uses to calculate monthly utilization rates, including, but not limited to, the individualized raw trip data reported by Uber and Lyft for the period of January 2023 to present, including the percentage of time drivers are engaged in trips versus idle time.
2. **Lockout Communications:** Any communications between TLC and the Companies relating to the agreement between TLC and the Companies referenced in the July 31, 2024 press release: *Mayor Adams Secures Agreement With Uber, Lyft to put Money Back Into Drivers’ Pockets by Drastically Reducing Lockouts.*<sup>1</sup> This includes, but is not limited to, emails, letters, memoranda, and other correspondence between TLC and the Companies related to the Companies’ driver lockout practices from June 2024 to present that were addressed or intended to be addressed by the agreement.
3. **Driver Income Data:** Driver income data for June, July, and August of 2024.
4. **Compliance Measures:** Information on any measures taken by the TLC to ensure that reported utilization rates are accurate and reflect the actual experiences of drivers as it relates to the ratio of their time available to work and their on-duty time with a passenger in their vehicle. This should include any documents and communications concerning standards, measures, policies or practices implemented by the TLC to ensure that utilization rates published by the TLC are accurate.

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<sup>1</sup>Available at: <https://www.nyc.gov/office-of-the-mayor/news/604-24/mayor-adams-secures-agreement-uber-lyft-put-money-back-drivers-pockets-by>

The purpose of this request is to facilitate a transparent review of these practices and to ensure that the City's pay formula accurately reflects the true utilization rates of drivers. The TLC must use accurate data to recalibrate driver pay rates if the current system is found to be flawed.

**The economic well-being of thousands of drivers and their families is at stake, and I would therefore appreciate a response to this request within 30 days.**

Thank you for your attention to this urgent matter. I look forward to your prompt response.

Sincerely,

A handwritten signature in black ink, appearing to read "Brad Lander".

Brad Lander  
New York City Comptroller

CC: Deputy Mayor Meera Joshi