HAILING DANGER: A special report.;

Behind the Wheel: Long Hours and Hard Feelings

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Body

Like generations of poor immigrants before him, the Bangladeshi Mamun Masud sought to fulfill the sunny promise of America ***behind*** the ***wheel*** of a yellow taxi. Each day spent amid Manhattan's potholes and gridlock was a gift to his young daughters, whose lives, he said, "should be better than mine."

Mr. Masud and a friend had teamed up in a common arrangement. They leased a taxi medallion from a broker for $685 a week, adding an extra $250 toward the purchase of the cab itself. One man worked a 5 P.M. to 5 A.M. shift, the other 5 A.M. to 5 P.M. Taking but a single day off, they each made about $800 a week, though repair bills for the overburdened vehicle often gnawed into the profit.

Then, late last year, the friend moved away. Mr. Masud, 40, either had to quickly find another driver for the second shift or default on his car loan. Anxious weeks passed until, one afternoon, someone gave him the address of Naeem Akhter, a Pakistani cabby who lived in the North Bronx.

Mr. Akhter, 27, comes from a reverent Islamic family. Mr. Masud asked him if he had driven for a ***long*** time, and Mr. Akhter assured him that he had. More questioning would only have been an embarrassment, Mr. Masud said, so he did not learn of his new partner's 11 license suspensions and 6 moving violations until after the accident.

On Jan. 15, Mr. Akhter was at the ***wheel*** when the taxi jumped a curb on the Upper East Side, pinning Sachiko Kiyabu against a light pole and tearing off her right leg. Scattered about were the items she had just purchased at lunch time, among them a pair of sneakers still swathed in white tissue. Nearby, a baby stroller lay crumpled. A little boy with broken legs wailed in pain.

Something has gone wrong with taxi safety, and many New Yorkers, most prominently Mayor Rudolph W. Giuliani, believe the solution rests with getting tougher on cabbies. His proposals for harsh new penalties against drivers this week caused cabbies to stay home on Wednesday and left the Mayor to counter: who needs you, anyway?

But the gloomy tale of Mr. Masud and Mr. Akhter speaks of deeply embedded problems in a complicated $1.5 billion industry: unforgiving arithmetic in the leasing of taxis and medallions; inadequate scrutiny in the hiring of drivers; grueling 12-***hour*** shifts, and high turnover in what is now largely an entry-level immigrant industry, likened by some to a sweatshop on ***wheels***.

"What the city has created is a system with demeaned, poorly paid drivers who work under conditions of maximum stress," said Edward G. Rogoff, a professor of management at Baruch College who has studied the taxi industry.

"There are already so many rules and regulations, that any taxi stopped at any time can be found to have something wrong that can lead to a fine. The ***long***-term solution is not more nit-picking with more rules, but reducing the pressures that cause some drivers to drive like madmen."

The leasing system -- and its underlying economics -- is often thought to be the pathogen for much of what ails the business. Before 1979, when leasing became legal, most cabbies were simply employees, driving for large fleets and sharing a percentage of their day's receipts with the company. Many drivers had health insurance and a retirement plan.

But as powers within the industry favored leasing, most cabbies, out of necessity, became small-business operators bedeviled by big overhead. Typically, they pay lease fees up front, starting each 12-***hour*** shift about $90 to $135 in the hole. What sometimes follows is a frantic quest for fares. "It's a different mind-set," said Mike Snaky, a cabby. "Drivers get a little crazy until they break even."

Whatever the causes of taxi accidents, the numbers have been climbing alarmingly. Between 1990 and 1996, accidents involving "taxis" -- yellow cabs, car services and other liveries -- shot up 41 percent, according to police statistics.

But, oddly, the city's Taxi and Limousine Commission does not keep track of accidents. It does not know which of its drivers were involved in the 12,557 accidents that occurred in 1996, how serious each one was or whether a cabby was at fault.

Edward McGettigan Jr., head underwriter for the industry's largest insurer, thinks the T.L.C.'s emphasis has been cockeyed: "If I'm driving 40,000 miles a year, does that mean I'll get a lot of tickets? Probably. Does it mean I'm a bad driver? No. If I get into six accidents a year, does it mean I'm a bad driver? Probably."

To discipline cabbies, the commission has relied on its own judicial system of summonses and hearings. Hack licenses can be taken away after a combination of violations, big and small, such as reckless driving, discourtesy to a passenger or the improper operation of a roof light.

The Mayor's new proposals call for higher fines by the commission, more insurance coverage, mandatory drug testing and other measures. The plan would also make mandatory the ***reporting*** of taxi accidents to the T.L.C.

Cabbies approve of some of these measures, though they regard the plan as something out of kilter, a proposed overhaul that involves profound overkill.

For instance, taxi drivers would be suspended for 30 days if they compiled six penalty points on their driver's licenses during an 18-month period, something achievable with only two illegal turns and the obstruction of one intersection.

Would that take good cabbies off the road as well as bad? they ask.

"To pull out a few weeds, they are mowing down everything," said Vijay Bali, a leader of the United Yellow Cab Drivers Association, one of the few cabby groups in an industry that is ***hard*** to organize.

"Thousands will lose their licenses, and who will replace them? I ask you: Is this being done because the driver today is basically a minority person? Is this because of bad publicity and politics and a city that has a bull's eye on the driver's back? Has the taxi driver been made an object of hate?"

The Accidents

An Injury Unleashes Anger and Blame

Sachiko Kiyabu, 51, a buyer for a cable TV station, was once a nimble woman who easily skipped up the 35 steps to her office. Now, a wrap of bandages covers the stump where her knee ought to be. She mostly stays at home in a wheelchair.

"She's like an injured animal, afraid to go out in the world," her husband, Jim Ward, whispered when his wife was ***wheeled*** out of earshot.

The couple had agreed to speak of their personal calamity. Two cabbies were involved in the accident on the Upper East Side, and the police have concluded that both were at fault. To Ms. Kiyabu, these men -- Naeem Akhter and another Pakistani, Jillani Ghulam -- are nothing more than "assailants."

Mr. Ward, an airline pilot, was reserved as his wife talked in their apartment, but then he suddenly detonated with wrath. "Take their money, take their livelihood or, better yet, throw them in jail," he said of the drivers.

"These taxis go careening about the city. Running people down. Killing them. Gaggles of cars careening down the streets, a horde of kamikazes!"

His wife corrected him. "Kamikazes also kill themselves," she said softly. "These people just kill other people."

Given their hurt, it may be understandable for Ms. Kiyabu and Mr. Ward to demonize the two cabbies, to say they never want to meet them or to know of their lives. Their rancor is also a concession to a New York myth: the rude, half-mad cabby darting for openings in a frenzied hopscotch through Manhattan.

The facts of the accident, however, are too ambiguous to reek of malice or recklessness. And the drivers involved, flaws and all, are hardly demons.

Jillani Ghulam came to America 12 years ago from the historic city of Lahore. He was 27, and wanted to go to college. Back home, he had worked in animal husbandry, on livestock farms. That job paid $150 a month, he said. Here, mopping tables was paying $60 a day. He forgot about college.

In the late 80's, Mr. Ghulam, like many Pakistanis, acquired a hack license. But without knowing the city, he found the work too stressful and quit after a few days. When he began again in 1993, he was more comfortable at the ***wheel***, if still unhappy with the wages. The fleets charged $100 a day to lease a car, but he often took home only $70 in profit after a 12-***hour*** shift.

His younger brother was also a cabby, and the two decided to get a stake of their own. With what they could save and borrow, they made a $40,000 down payment on a medallion, that vital piece of tin whose price had already hyper-inflated past $170,000. Their math was sound. What they saved from paying the usual lease fees was enough to get them through the inevitable calamities: the engine breakdowns and the torn upholstery and the occasional summonses.

At the time of the Jan. 15 accident, Mr. Ghulam had a son just starting to walk and a pregnant wife. He lives in a small home in ***Long*** Island City, Queens. A polite, earnest man, he seems to have surrendered himself to oncoming doom.

"Fate has seized my neck," Mr. Ghulam said, subduing sobs. "There will be lawsuits, and I will lose the medallion and my life will be a ruin."

He mentioned pity for Ms. Kiyabu, but that concern seemed outweighed by his own lamentations about a livelihood in jeopardy.

"People think all taxi drivers are animals," he said, first angrily, then defensively. "I am always a clean-shaven man in clean clothes."

For four months, the hack licenses of Mr. Ghulam and Mr. Akhter have been under suspension. A hearing was held on April 1, and the two men are awaiting the decision of an administrative law judge. Diane McGrath-McKechnie, the T.L.C. Commissioner, will have final say about whether the two will drive a cab again.

Blame has been ***hard*** to apportion. Neither was speeding, investigators say. Mr. Ghulam initiated the tragedy when he improperly strayed from his lane and grazed the other cab, which then veered into the sidewalk. But Mr. Akhter was at fault as well, detectives concluded. Though his side mirror was sheared off, the bumping of his taxi was deemed far too slight for him to lose control.

"I am the latest taxi trophy for someone," Mr. Akhter said bitterly, suggesting that high-profile accidents require a cabby as sacrifice.

He is an affable man with bushy eyebrows that hang like archways above his eyes. He lives among a large extended family in the Westchester Square area of the Bronx. His sister married a lawyer and she was the first to emigrate from the small town of Gujarkhan. One by one, 10 other siblings followed.

Mr. Akhter arrived at age 17. He would become a vendor, selling fruit at 44th Street and the Avenue of the Americas and later hot dogs in Battery Park.

"I am not skillful," he said. "My best skill is driving."

There are managers at taxi garages who assess applicants before leasing them a cab. By their standards, Mr. Akhter would have been considered a high risk.

Some drivers who are in debt take more chances on the road, and Mr. Akhter, divorced, was $2,700 ***behind*** in his child support payments. Though licensed since 1993, he was still a novice cabby, having driven for less than six months. In December, 1997, he received two tickets, one for stopping in a bus lane, the other for a hasty dash across four lanes of traffic.

Recently, at home, Mr. Akhter talked about himself as some members of his family listened. When asked if he felt badly for Ms. Kiyabu, he said yes, but added: "I think I am just as much a victim as she is."

Others agreed, though several in the family said Ms. Kiyabu's tragedy was to them an ongoing torment.

"We have been praying for that woman who was hurt," said Mohammad N. Rahim, a taxi driver and Mr. Akhter's brother. "We wanted to visit her and tell her about us and tell her that we are not criminal people. This was an accident.

"We discussed it and then asked the man at the taxi broker's office. He said, 'They'll just be more upset and probably take a swing at you.' "

The Drivers

Facing an Exam, And Then Passengers

Most every New Yorker has a cabby horror story, and these usually involve ***long*** journeys to short destinations, and the screech and blur of a wild ride.

But life from the front seat, while no less forbidding, has a transposed view of good and bad. Cabbies say this high-strung, thin-skinned city is abundant with riders who malign immigrant drivers, stiff them on fares and leave ***behind*** keepsakes of spilled cappuccino, muffin crumbs and masticated gum. At night come the drunks, moodily wading out of their scotch and water.

For every breakneck cabby, there are a dozen ***behind***-schedule big shots who demand to go faster, like cowboys whipping a stallion into a gallop. People like to flag a taxi in a crosswalk, where picking up passengers is illegal. They like to be dropped off exactly at their door, whether this requires double parking or not.

New Yorkers grumble about cabbies who scoot across the avenue to vie for a fare, and yet cabbies complain about people who, without fail, get into those same taxis, seemingly glad to get a bold driver who can out-run the lights.

"It's a disgusting job," said one cabby, Mehmood Khan, 32. "People curse you, don't pay you, call you a damned Paki and tell you to go back home."

To drive a cab, a person must be at least 19, hold a chauffeur's license, possess "good moral character," be a United States citizen or a legal resident and pass two tests, the first of which demands a minimum ability to read -- though not necessarily to speak -- English. Passing that exam leads to 40 to 80 ***hours*** of class work in etiquette, map-reading, geography and defensive driving: What is a blind spot? Where is Yankee Stadium?

About 70 percent of the students pass the final exam.

The city-licensed Master Cabbie Taxi Academy is a grim, three-story walk-up in a warehouse district of Queens. Twenty-three men were recently in attendance, almost all of them immigrants who, during break time, spoke of the usual trapdoors into joblessness. To them, a yellow cab seemed a vehicle of financial rescue, though few knew much more about the cars than their color.

At one point, the instructor asked: "How many of you have been -- and I didn't say drive -- I ask, how many of you have been inside a taxi?"

Only 11 raised their hands.

As the lesson went on, only two items dominated students' concerns: fares and tips. This prompted the teacher to ask another revealing question: How much of what you make off the meter is taxable?

"Zero," one man answered as the others nodded agreeably.

The Incentives

Pushing the Limits To Make a Profit

Drivers don't like the job. The backaches, the worry, the lip. They are bouncing down city streets, needing to use the bathroom. Some passenger orders them into a traffic jam, then says, "Driver, I'll just get out right here."

Money is the magnet that keeps a cabby in a car, though the earnings of a typical driver are ***hard*** to determine. Winters pay more than summers, night shifts more than days. Some cabbies vastly out-hustle others.

These days, most cabbies talk of averaging $70 to $90 a day, and blame lean earnings for the rise in accidents, favoring the theory that unpaid bills can tempt a driver into unsafe turns. Fleet owners put the numbers at $100 to $200 a day, and wonder why there is a shortage in so lucrative an occupation.

A total of 45,266 cabbies have up-to-date hack licenses for the city's 12,187 medallion taxis, but owners always say they are short of drivers.

Most cabbies begin their careers leasing on a daily or weekly basis from one of the larger fleets, which have 100 or so cabs. These operations are self-insured, and, consequently, their owners claim to have a greater stake in safe driving. Managers give applicants a road test before leasing them one of their precious taxis, and, alarmingly, ***report*** that 35 to 50 percent are turned away.

Parked cabs earn no money, of course, and some fleet owners ***report*** that 15 percent of their shifts are idle in any given week. How often, then, do they let their standards slide and let a greenhorn have a go at it? Brokers have the same economic pressures. Do they let medallions sit unused in a drawer?

"No matter what they say, nobody's that picky when they really need the drivers," said Fidel F. Del Valle, the T.L.C. Commissioner from 1991 to 1995. "It's a balance of the finances against the risk. Some owners couldn't give a damn about who they put on the street."

Joseph C. Hennessy, in the taxi business for 34 years, gives the road tests at the Team System Corporation, one of the bigger fleets. He tests plenty of people who can't even make it off the lot without bending a fender. Still, Mr. Hennessy cannot be too picky. Since leasing took root, a cabby who wants to drive for a fleet is as much a customer as a job applicant. Fleet owners or brokers: they are a lot like Hertz. They need people to lease their cars.

One morning, a tall Albanian immigrant, laid off from a construction job, walked into Team System. Mr. Hennessy entrusted him with a taxi, and the man could handle a car superbly. But he also one-handed the ***wheel***, rolled through stop signs and jackknifed ahead of oncoming traffic to complete left turns.

The derring-do made Mr. Hennessy flunk him.

"But in a taxi, you need to make money, you go fast," the Albanian man said crossly.

He walked off angrily, and as Mr. Hennessy watched him go, he knew some other fleet would lease the man a car.

"Drive for someone else for three or four months," Mr. Hennessy called after him hopefully. "Then come see me again."

The Penalties

Cabbies Say Scrutiny Feels Like Persecution

Fines, suspensions, revocations: these always have been the ways to punish rule-breaking drivers. The Giuliani administration turned up the heat.

In 1995, the Police Department was ordered to form a ***special*** unit to enforce the host of T.L.C. regulations for medallion taxis. These rules run the gamut: running a red light, giving incorrect change, tampering with a fare meter, refusing to pick up a passenger, not taking the shortest route.

Dozens of uniformed officers focus their attention on yellow cabs. By 1997, the total number of commission summonses against drivers had risen by 115 percent, according to city statistics.

Drivers have taken note. "War has been declared on the taxi driver," said Lesly Princival, 39, a cabby since 1982. "They have taxi inspections where they pull you over and harass you. The car is dirty -- a summons. This light is out -- a summons. There is a receipt hanging from the meter -- a summons."

Capt. Walter Smith, who runs the unit, said these inspections are needed to maintain credibility. "If a driver thought all he had to do was drive safely in order to never be pulled over, then he wouldn't have to take care of his cab, would he? He could put a zapper on the meter or take out the seat belts."

But taxi enforcement, important as it is, may well be having a perverse effect, cabbies say. It begins to seem like persecution.

"They make it too tough to make a living," said Balvinder Singh, a driver. "You pay on the medallion, the car, the repairs, the fines: it's too much."

It would be helpful to know how many summonses are being written for each particular violation. But, during a two-month period, Deputy Commissioner Allan J. Fromberg was unable to produce any such breakdown. He did, however, admit to a serious problem of overcrowding in the Taxi and Limousine Commission's court.

"The system really puts a lot of people through the wringer," Mr. Fromberg said. "I mean that in the context of an emotional situation. It's not a very nice thing to have to go through."

The main taxi court, in ***Long*** Island City, Queens, is a shabby old structure with a small elevator that inches its way up the three floors to the commission.

On busier days, lines begin forming at 5:30 A.M. for a 7 A.M. opening of the doors and an 8:30 start of proceedings. The line outside leads to the line to the elevator. Once upstairs, the line for registration then leads to the ***hours***-***long*** wait in a waiting room for a hearing, which is followed by another wait in the waiting room for the judge's decision, and then the line to pay the fines.

Only tempers seem short, as drivers strain to hear their names called in a hivelike atmosphere abuzz with mumbles and cursing. Guilty or not, a cabby is likely to lose a day's pay as he tarries. There are no pay phones -- no way to tell a boss that things are taking ***longer*** than expected or to check up on the child care situation at home. The paperwork befits Kafka, with several mind-boggled cabbies ***reporting*** only to pay fines for their "failure to appear" at hearings for which they have already appeared and paid earlier fines.

"This is torture, this is anti-human, this is anti to anything decent to humanity," groused Ali G. Darabi, 57, one recent day, well into his 10th ***hour*** of waiting. A cabby since 1971, he was wise enough to bring along a large volume of Persian poetry by the great Jalal ad-Din ar-Rumi, but even the spiritual couplets of a sufi mystic could not calm his soul for so ***long***.

"This is fascism to the extreme point," he said, vowing he had finally had enough. He would turn in his hack license as soon as he paid his $80 in fines for a burned-out bulb in his off-duty light, a receipt found hanging in his meter, a trip card that had his name written in pencil, not pen.

In court, he told the judge, "I am sick and tired. I want out. Here, please take my license."

She sympathized, but, obeying protocol, told him: "This is not where you submit your license. You know that. Go to the second floor and wait in line."

Graphic

Photos: "War has been declared on the taxi driver," said Lesly Princival, seen reflected in the mirror of his cab. He has been a cabby since 1982. (Michelle V. Agins/The New York Times)(pg. A1); REVERBERATIONS -- Jillani Ghulam, above, was the driver of one of two taxis involved in an accident on the Upper East Side on Jan. 15, right. (Michelle V. Agins/The New York Times); Sachiko Kiyabu, a pedestrian, was pinned against a wall and lost her right leg; a baby's stroller was crumpled and the child's legs were broken. (Fred R. Conrad/The New York Times); ***HARD*** TIMES -- The taxi business in New York has become largely an entry-level immigrant industry, likened to a sweatshop on ***wheels***. (Michelle V. Agins/The New York Times)(pg. B6)

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