

Taxi & Limousine Comm'n v. Singh

OATH Index No. 619/26 (Feb. 9, 2026), *adopted*, Comm'r Dec (Feb. 24, 2026), **appended**

Petitioner suspended respondent's TLC driver license following his arrest for driving while intoxicated and leaving the scene of an accident. At a post-suspension hearing, petitioner established that respondent poses a continuing direct and substantial threat to public health or safety. Respondent's TLC driver license should remain suspended pending the outcome of his criminal case.

NEW YORK CITY OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

In the Matter of
TAXI AND LIMOUSINE COMMISSION
Petitioner
- against -
LOVEPREET SINGH
Respondent

REPORT AND RECOMMENDATION

JONATHAN FOGEL, *Administrative Law Judge*

Petitioner, the Taxi and Limousine Commission ("TLC"), brought this summary suspension proceeding against respondent, Lovepreet Singh, holder of a TLC driver license. 35 RCNY § 68-15(d) (Lexis 2026). On September 22, 2025, petitioner suspended respondent's TLC driver license after receiving notice that he had been arrested on the same date for driving while intoxicated, driving while ability impaired by the consumption of alcohol, and leaving the scene of a personal injury accident (Pet. Ex. 3). Veh. & Traf. Law §§ 1192.3, 1192.2, 1192.1, 600.2 (Lexis 2025). Petitioner contends that respondent's suspension should be continued pending the outcome of his criminal case because permitting him to drive as a TLC licensee would pose a direct and substantial threat to public health or safety (Pet. Ex. 1). Respondent opposes continued suspension of his license and asserts that he does not pose a direct and substantial danger to the public.

At a post-suspension hearing on January 26, 2026, held remotely by videoconference, petitioner and respondent relied solely upon documentary evidence. For the reasons below, I find that petitioner proved that respondent poses a continuing direct and substantial threat to public health or safety and recommend that respondent's TLC driver license remain suspended pending the outcome of his criminal case.

ANALYSIS

Petitioner may suspend a TLC driver license before a hearing “based upon criminal charges pending against a Licensee if the [TLC] Chairperson believes that the charges, if true, would demonstrate that continued licensure would constitute a direct and substantial threat to public health or safety.” 35 RCNY § 68-15(d)(1). If a license is suspended based solely on an arrest, the licensee may challenge that suspension at a post-suspension hearing, where the issue is whether “the charges pending against the Respondent, if true, demonstrate that the continuation of the Respondent’s License during the pendency of criminal charges would pose a direct and substantial threat to public health or safety.” 35 RCNY § 68-15(d)(5). Factors relevant to this issue include the facts and circumstances underlying the charges; any nexus between the alleged offense and the duties of a TLC licensed driver; the respondent’s driving record; the respondent’s previous criminal record, “or lack thereof;” and the respondent’s “character and standing in the community.” *Id.*

In order to maintain a license suspension, petitioner must establish that the driver poses a continuing threat to the public that is both “direct” and “substantial.” *Nnebe v. Daus*, 931 F.3d 66, 82 (2d Cir. 2019). As the Second Circuit has noted, “in the majority of cases, the further removed the crime is from the driver’s job, the less ‘direct’ the threat,” and “[d]epending on the surrounding circumstances and the driver’s history, the threat may also be more or less ‘substantial.’” *Id.* Other considerations include whether the charged crime is the “sole infraction in an otherwise spotless record” and whether the underlying conduct, even if it satisfies the elements of a crime, “was technical or mitigated, such that continuation of the driver’s license [does] not pose the kind of threat conjured by the general nature of the crime charged.” *Id.*

This tribunal has applied the *Nnebe* factors in analyzing whether petitioner has proven that a TLC driver’s continued licensure during the pendency of the criminal case would pose the type of risk to the public that necessitates continuing the suspension. *See, e.g., Taxi & Limousine Comm’n v. Bah*, OATH Index No. 1927/20 at 6-7 (June 1, 2020), *adopted*, Comm’r Dec. (June 9, 2020) (lifting suspension of driver arrested for criminal possession of a weapon and menacing where driver presented “compelling evidence” of his “admirable” work history, good character, favorable driving record, and absence of criminal history and the allegations in the arrest documents did not constitute “persuasive proof of an assaultive nature” but rather showed “an isolated circumstance”); *cf. Taxi & Limousine Comm’n v. Frimpong-Manson*, OATH Index No. 1841/20 at 4 (May 5, 2020), *adopted*, Comm’r Dec. (May 26, 2020) (continuation of suspension for long-term driver charged with assault, harassment, and attempted criminal obstruction of breathing

where the complainant, his wife, alleged injury and was taken to the hospital, and the driver offered no mitigating testimony or explanation); *see also Taxi & Limousine Comm'n v. Singh*, OATH Index No. 1913/20 at 3-5 (Apr. 24, 2020), *adopted*, Comm'r Dec. (May, 1, 2020) (suspension lifted for driver charged with menacing, criminal obstruction of breathing, and harassment where credible testimony of driver and two other witnesses showed that he “reacted to extraordinary provocation” and he presented unrefuted evidence of an unblemished TLC record).

At the post-suspension hearing, petitioner primarily relied on the hearsay statements made by the complainant and Police Officer Jake Saronka, which are contained in the criminal complaint (Pet. Ex. 4). According to the criminal complaint, the complainant informed Officer Saronka that between 10:50 p.m. on September 21, 2025, and 12:32 a.m. on September 22, 2025, at the intersection of Cross Island Parkway and Jamaica Avenue in Queens, respondent “side swiped” the complainant’s motor vehicle (*Id.*). The complainant followed respondent in his motor vehicle to the intersection of 249th Street and Hillside Avenue, where respondent sideswiped the passenger side of the complainant’s motor vehicle again, causing the door of the complainant’s vehicle to “slam” into a 12-year-old child’s leg (*Id.*). The criminal complaint apparently erroneously refers to the child as Officer Saronka’s son rather than the complainant’s son (*Id.*). Officer Saronka observed respondent to have “bloodshot watery eyes, a strong odor of an alcoholic beverage on his breath, slurred speech, a flushed face, and to be swaying on his feet” (*Id.*). According to the officer, respondent told him “I had three drinks” (*Id.*).

Respondent was arraigned on charges of driving while intoxicated, a misdemeanor, driving while under the influence of alcohol, a violation, and leaving the scene of a property damage accident, a violation (Pet. Exs. 4, 5).¹ The criminal court issued a temporary order of protection and released respondent on his own recognizance (Pet. Ex. 5). He is due to return to court on March 16, 2026 (*Id.*).

Respondent’s Department of Motor Vehicles abstract indicates that his driver’s license was suspended in August 2022 for failure to answer a summons, but he cleared the suspension one day later (Pet. Ex. 8). The abstract also reflects four convictions for traffic infractions (*Id.*). Respondent’s TLC license was briefly revoked for two days in February 2023, although petitioner’s records do not indicate the reason for the revocation (Pet. Ex. 7). Respondent’s TLC driving record reflects that he accepted settlements, pled guilty, or was found guilty for six violations of TLC rules (Pet.

¹ Leaving the scene of a property damage accident is not one of the offenses enumerated in petitioner’s rules upon which it may summarily suspend a TLC license. 35 RCNY § 68-15(d)(1)(ii).

Exs. 6, 6A). Petitioner presented no evidence that respondent has previously been convicted of a crime.

Respondent is 27 years old and has been a TLC licensee since 2022 (Pet. Ex. 2). Respondent introduced two exhibits, a screenshot of his Lyft profile and a handwritten character letter (Resp. Exs. A, B; Tr. 16-17). The Lyft profile indicates that respondent has completed approximately 3,650 trips and has a 4.6 rating (Resp. Ex. B). The character letter asserted that the writer has known respondent for six years but did not clarify the nature of their relationship (Resp. Ex. A). The writer asserted that respondent is a “responsible, honest, and respectful” person who follows traffic rules and is a careful driver who prioritizes the safety of passengers and others on the road (*Id.*). The writer also noted that respondent is a good person with a “strong” character and is hardworking (*Id.*).

The issue to be determined is whether, assuming the pending criminal charges against respondent to be true, petitioner has established that respondent’s continued licensure would pose a direct and substantial danger to public health or safety. The analysis focuses on “whether the conduct underlying the arrest, and the overall record and character of the driver confirms or disproves the arrest’s relation to public health or safety.” *Nnebe*, 931 F.3d at 82. *Nnebe* makes clear that in evaluating whether a driver’s suspension should be continued, the analysis is “focused not on the threat posed by the *charges*, but rather on the threat posed to the public by *the driver’s licensure*.” *Id.* (emphasis in the original).

Petitioner met its burden of proving that respondent’s continued licensure poses a direct and substantial threat to public safety. Driving while intoxicated “goes to the very heart of respondent’s responsibilities to the public to provide safe transport” and “raises serious concerns about the safety of passengers, motorists, and other members of the public such as pedestrians, and demonstrates poor judgement, whether on or off-duty.” *Taxi & Limousine Comm’n v. Singh*, OATH Index No. 1704/08 at 9 (Mar. 5, 2008), *adopted*, Comm’r Dec. (Mar. 18, 2008). This tribunal has repeatedly recommended continuing TLC license suspensions for charges involving driving under the influence of alcohol. *See id.* at 9-10 (suspension continued for DWI charge notwithstanding driver’s long record of good driving and evidence of exemplary service in the past); *see also Taxi & Limousine Comm’n v. M. R.*, OATH Index No. 1255/24 at 6-7 (Nov. 29, 2023), *adopted*, Comm’r Dec. (Dec. 13, 2023) (recommending continued suspension for a licensee charged with driving while intoxicated who hit a parked vehicle); *Taxi & Limousine Comm’n v. James*, OATH Index No. 2164/22 at 3, 5 (Apr. 28, 2022) (recommending continued suspension

for a licensee charged with driving while intoxicated off-duty who had a good driving record for almost a decade); *Taxi & Limousine Comm' n v. Choukri*, OATH Index No. 1058/14 at 3-4 (Nov. 22, 2013) (continued suspension recommended based on driving while intoxicated charge; suspension lifted upon settlement after ALJ's recommendation); *Taxi & Limousine Comm' n v. Karunan*, OATH Index No. 1834/08 at 2-3 (Mar. 14, 2008), *adopted*, Comm'r Dec. (Apr. 3, 2008) (suspension continued against driver arrested and charged with misdemeanor aggravated driving while intoxicated); *Taxi & Limousine Comm' n v. Murphy*, OATH Index No. 2055/08 at 4-5 (Apr. 15, 2008) (continued suspension recommended against driver whose arrest charges included driving while intoxicated and driving under the influence of alcohol).

Respondent's argument that petitioner failed to meet its burden because the criminal complaint contains uncorroborated hearsay from the complainant and an apparent factual error concerning the 12-year-old child is not convincing. The hearsay statements of Officer Saronka support the driving while intoxicated charge and were sufficiently reliable as they were based on the officer's first-hand observations of respondent and respondent's admission that he had three drinks. Moreover, the TLC summary suspension rule requires that the pending criminal charges be taken as "true." *See Nnebe*, 931 F.3d at 90 ("[W]e see no constitutional infirmity in a process that allows for context-specific findings but does not open the question of a driver's factual guilt of the criminal charges."). Taken as true, the pending criminal charges are serious and bear a direct nexus to a licensee's duties to safely transport members of the public.

I have considered the evidence in support of mitigation but found it insufficient to overcome the public safety risk, based on the severity of the pending driving while intoxicated and driving while under the influence of alcohol charges. Under these circumstances, petitioner demonstrated respondent's continued licensure poses a direct and substantial danger to the public.

FINDINGS AND CONCLUSIONS

1. Respondent is charged with driving while intoxicated, driving while under the influence of alcohol, and leaving the scene of an accident.
2. Petitioner established that respondent's continued licensure during the pendency of his criminal case poses a direct and substantial threat to public safety.

RECOMMENDATION

I recommend continuing the suspension of respondent's TLC driver license until the criminal charges are resolved.

Jonathan Fogel
Administrative Law Judge

February 9, 2026

SUBMITTED TO:

EVAN HINES
Acting Commissioner/Chair

APPEARANCES:

SHIVAJEET CHAKRABORTY
Representative for Petitioner

MAHMOUD RABAH, ESQ.
Attorney for Respondent

February 24, 2026

Lovepreet Singh
[REDACTED]
[REDACTED]

Re: TLC License No. 5957312

Licensee Singh:

Pursuant to TLC Rule 68-15, a summary suspension hearing was held on January 26, 2026, as a result of your September 22, 2025 arrest for driving while ability impaired by the consumption of alcohol, and leaving the scene of a personal injury accident.

After hearing the evidence presented, the presiding Administrative Law Judge (“ALJ”), Jonathan Fogel, found that your suspension should remain in place until the criminal charges are resolved.

On February 10, 2026, you were mailed a copy of the ALJ’s decision and a letter advising you of the right to submit a written response within ten (10) days to the Chairperson of the Commission. More than ten days have passed, and you have failed to submit any written comments.

I accept the ALJ’s recommendation and will keep the suspension of your TLC license in place.

Sincerely,

/s/ Sherryl A. Eluto

Sherryl A. Eluto
General Counsel

cc: Jonathan Fogel, *Administrative Law Judge*
Daniel Williamson, *Supervising Attorney, OATH Trials (TLC)*
Mahmoud Rabah, *Attorney for Respondent*