



FOR THE RECORD

THE CITY OF NEW YORK
OFFICE OF THE PRESIDENT
BOROUGH OF MANHATTAN

SCOTT M. STRINGER
BOROUGH PRESIDENT

**Testimony of Manhattan Borough President
Scott M. Stringer**

Before the Transportation Committee of the New York City Council

Regarding **Resolution 916-A** calling on the New York State Legislature to pass and the Governor to sign into law A.4327, which would permit the City of New York to set up a demonstration project involving speed camera enforcement

March 18, 2013

Thank you, Chair Vacca, for holding this important hearing today to urge the State Legislature to permit a pilot program of speed cameras in the City of New York.

Let me start by saying something that New Yorkers know all too well: **speeding is a City-wide scourge.**

In 2009, I joined *Transportation Alternatives* to release a study showing that speeding was the norm on our City's streets – and I see no evidence to suggest the situation has improved since then. The report—*Terminal Velocity: NYC's Speeding Epidemic*—showed that 39 percent of drivers were in excess of the 30 mph speed limit, with fatal speeds of 60 mph and higher in school zones and other high-traffic pedestrian areas.¹

Not only do we know that speeding is routine; we know that **speeding kills.**

Statistics show that a pedestrian struck by a car going 40 mph has a 70 percent chance of dying, while a pedestrian struck by a car going 20 mph has a 95 percent chance of surviving.²

Recent events—from the death of a six-year old boy in East Harlem on his way to school to the loss of a young family in Brooklyn on their way to the hospital and many others—have only reinforced the ongoing need for improved enforcement of our traffic laws.

Speed cameras are an essential tool in that effort, especially at a time when NYPD resources are spread thin.

¹ http://www.mbpo.org/release_details.asp?id=144.

² If a driver strikes a pedestrian at the speed limit of 30 mph, there is a 60% chance the pedestrian will survive.

Today, twelve states and more than 120 municipalities across the United States use speed cameras.³ Studies have shown that after cameras are introduced, the proportion of drivers exceeding speed limits by more than 10 mph declines by over 70 percent.⁴

I have long been a supporter of speed cameras and other traffic-calming devices that promise to make our city safer. In 2011, I spearheaded a Borough Board resolution in favor of broader camera enforcement—a clear indication that New Yorkers from every corner of our borough supported cracking down on the dangers of speeding.

And just last year, I was proud to join the Park Terrace North Block Association’s successful effort to designate parts of Inwood as Manhattan’s first “Neighborhood Slow Zone.” Slow Zones lower the speed limit to 20 mph and provide a range of traffic-calming devices in neighborhoods with high concentrations of schools, parks, libraries, and senior centers.

Slow Zones and speed cameras not only save lives and improve safety within their boundaries, they also have a spillover effect in surrounding communities. A study of London’s slow zones showed that serious traffic injuries and deaths within the zone fell 42 percent, with children sustaining 50 percent fewer casualties. Even outside the zones, traffic injuries and deaths fell by eight percent.

But the truth is that as successful as DOT has been in reducing traffic-related injuries and fatalities, much more needs to be done in communities throughout our City.

While traffic fatalities are down 35 percent since 2001, the fact remains that in the past ten years, more people were killed in traffic than by gun-violence in New York City, and New Yorkers remain twice as likely to be killed in a car crash as in Berlin, Tokyo, or Paris.⁵

Speed cameras are not a panacea, but they are a practical, proven solution that will save lives and prevent the kind of heartbreaking tragedies that are all-too-common on our city’s streets.

Thank you for the opportunity to testify and thank you to all the members of this Committee for your work in keeping New Yorkers safe.

³ http://www.iihs.org/laws/auto_enforce_cities.aspx.

⁴ http://www.iihs.org/research/qanda/speed_lawenf.aspx.

⁵ http://www.transalt.org/files/newsroom/reports/2011/Vision_Zero.pdf.

March 17, 2013

City Council Testimony
Transportation Committee

Dear Chair Vacca and Committee members,

The Clinton Hell's Kitchen Coalition for Pedestrian Safety (CHEKPEDS), is an organization dedicated to obtaining crucial traffic relief and pedestrian safety measures on the West side of Manhattan.

CHEKPEDS is very grateful for your leadership on pedestrian safety. We applaud your successes in getting all agencies including NYPD to make safety a priority.

Intro 916 –A to allow speed cameras in NYC is another opportunity to bring more safety to the road with our limited resources. In France, speed cameras contributed to reducing road fatalities by 50 % over 10 years.

Speed is particularly insidious since an increase of only a few miles per hour – a change that is barely noticeable to a driver - will mean death instead of survival for the pedestrian.

In a world where health costs are spiraling out of control, it is critical we implement all preventative measures possible. As many US cities have already done, “More cameras, Less Speed ” is a prime example of a reasonable measure whose time has come. We ask you to call on the state legislature to pass this bill into law.

We also ask you to call on NY State to pass S3644/A2012, to remove the requirement that a police officer witness the actual collision in order to issue a violation to a driver.

Collision victims, their families and their elected officials are outraged to see, day after day, careless or dangerous drivers getting away with no fines or jail time when they kill with their automobile by failing to exercise due care.

In no other circumstances such a rule applies, policemen are usually not present when there is a botched elevator or crane inspection ... and still responsible individuals are punished on the strength of testimonies or other expertise.

It is time for this loophole to be closed and for justice be meted out with fairness. It is time for the families to get closure, and for the public to be safe, once these dangerous drivers are taken off the road.



C. Berthet, co-founder,

CHEKPEDS is a coalition of over 1,500 businesses, individuals, and institutions dedicated to pedestrian safety in Clinton and Hell's Kitchen, on the West side of Manhattan and the sponsor of the 9th Avenue Renaissance project. excom@chekped.com

Clinton/Hell's Kitchen Coalition for Pedestrian Safety | 348 west 38th Street, New York, NY 10018 | (646) 623 2689 |



CHEKPEDS

OUR MEMBERS • 9th

Avenue Association • 43rd Street Block Association • 44SW • 44th Street Block Association • 45th Street Block Association • 46th Street Block Association • 47/48th Street Block Association • 55th Street Block Association • 344-348 West 38th Street Tenants Corp. • Actors Temple Theater • American Home Hardware & More. • Baryshnikov Arts Center • Basilica • Brazil Brazil • Candlewood Suites Times Square • Chimichurri Grill • Clinton Housing Development Corp • Costa del Sol • Cupcake Café • Delphinium Home • Domus • Econoldodge • Empire Tailors & Cleaners • Times Square • Galaxy Diner • Hampton Inn Times Square South • Harley House • Hell's Kitchen Neighborhood Association • HK5051 Block Association • Holiday Inn Times Square • Housing Conservation Coordinators • Hudson Crossing Tenants Association • International Foods • J. Seffens Studio • L'Allegria • Larissa Designs • Manganaro's Food • Manhattan Plaza • Metro Bicycle Stores • New Dramatists • Nice N Natural • Orion Condominium • Piccinini Brothers • Il Punto • PetsNYC.com Poseidon Bakery • Project FIND • R/GA • Revolution Rickshaws • Rockrose Development • Sea Breeze • Sunnyside Records • Smiley's • Sonja Wagner Gallery • Costa del Sol • St. Lukes Theater • Studio LLC • Tagine • Tartare • The Ritz • The Piano Factory • Thrift & New Shoppe • Trattoria Pesce Pasta • Vintner Wine Market

www.chekped.com

Law Offices of Casey W. Raskob, Esq.

34 Lounsbury Road
Croton on Hudson, NY 10520

914-271-5383
info@speedlaw.net

914-271-4548 Fax
www.speedlaw.net

Monday, March 18, 2013

Good Afternoon: I am here as a representative of the National Motorist's Association. My day job, however, is as an attorney. Part of my practice is defense of traffic tickets, so every day I see the "output" of law enforcement, both in the Suburbs east and north of the city, and in the city itself. I see who writes which violations and where they are written.

I understand the outrage of many when they state that there isn't much local enforcement of traffic laws in the residential districts.

They are correct.

Put simply, no one enforces any speed limits in residential areas in NYC. I don't know why, as I understand that the Highway Precinct is someplace officers work to be assigned to, but for whatever reason, that means they only write tickets ON highways.

Reviewing Traffic Summonses from Police Agencies outside NYC, you will see speeding tickets on all roads, not just highways. I see a lot of cell phones, lane violations, written in NYC, but almost never do I see speeding tickets that are NOT written by Highway, and are on anything other than an expressway.

Where are the radar teams on Queens Boulevard ? When do you write speeding tickets on the Grand Concourse ? The short answer is you don't, and there is zero visible enforcement.....I don't know why each precinct cannot just hand the radar or laser gun to one guy each shift, and assign him or her speed enforcement-just like every single Police Department outside the City. only NYC Traffic Violations Bureau tickets.

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Croton on Hudson, NY 10520

914-271-5383
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In short, you are telling all the concerned people here that you know they have a problem, but that problem is not worth a live police presence. Cameras send bills, they don't enforce laws.

Words have meaning, and if you thought that Republicans had the monopoly on deceptively named laws, I suggest the following. "Temporary Demonstration Project"

Camera enforcement in NY is a "Temporary Demonstration Project" under Vehicle and Traffic Law 1111-a. It was enacted in 1988, and re-authorized several times to the present date. This project is supposed to result in a study, showing revenues, accidents by location before and after, and overall results.

Temporary means for a limited period of time, and Demonstration Project means that there is a research component. This means that there is a report at the end. This is how the Red Light Camera project was sold. **(Ask: Where is the report)**

We are again told this is a limited project, "for the children", with small fines and a very limited number of cameras, but to sell this to us as a Temporary Demonstration project is to say, "really"? And "really", is anywhere you want !!!! Let us read the legislation proposed.....

40 Cameras, 20 of which will be Mobile.

SUCH SPEED LIMIT PHOTO DEVICES SHALL BE PLACED AT LOCATIONS BASED ON CRITERIA, INCLUDING BUT NOT LIMITED TO WHETHER THE LOCATION IS WITHIN A QUARTER MILE OF A SCHOOL, SPEEDING DATA, ACCIDENT HISTORY, PROXIMITY TO NATURALLY OCCURRING RETIREMENT COMMUNITIES OR FACILITIES FOR SENIOR CITIZENS OR DISABLED PERSONS AND ROADWAY GEOMETRY.

I think we've covered the entire city here.

Law Offices of Casey W. Raskob, Esq.

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Croton on Hudson, NY 10520

914-271-5383
info@speedlaw.net

914-271-4548 Fax
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Each time the “Temporary Demonstration Project” is re-authorized, the report is kicked down the road. Meanwhile, the supposed purpose for this legislation, to determine the real outcomes, the research, is conveniently ignored.

As they say in the military, the mission creep is relentless. My math shows we are now 25 years into this temporary demonstration project.

So, Temporary is Perpetual. While today you are attempting to justify a small project “for the children”, the actual legislation is different.

We will see, every year, a request for “just a few more speed cameras”, “in a few more locations”, first “work zones”, and then in “high violation sections”. There will be, as there has been, quiet reauthorization of the temporary project, with grudging allowance, as a political chip, of a “few more cameras”. Over time, NYC will be just like London and Australia, with photo enforcement everywhere. This is what you are eventually proposing, not “save the children”. At least be honest in what you intend.

Speed cameras, if authorized, will eventually end up on wide open parts of the main highways, where a small technical violation has no safety ramification but the ability to snap “send us a check” photos will be very, very lucrative. This is like how red light cameras have become “right turn on red cameras” outside New York City, snapping violators who don’t come to a complete stop before the legal right turn on red. Not a danger, but a technical violation. Send Check.

On a different note, I am also a Village Trustee in my Hudson Valley Community, and I too have to balance a public budget.

The general public has little idea how tough budget it is...you have endless demand, and limited income.

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Croton on Hudson, NY 10520

914-271-5383
info@speedlaw.net

914-271-4548 Fax
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Now, having lived in NYC in Parkchester, and on the Upper West Side, I get how cars are inconvenient in the City. Into this comes the “Motorist, an endlessly abuseable resource”. This justifies over \$10 bridge tolls, the vast majority of which goes nowhere near roads. This justifies huge taxes on parking, and the removal of parking spaces, notably on Columbus Avenue on the West side and in other places like Park Slope.

Alternate Side of the Street ? I suffered that one too, and know the only thing the City can do timely is to get me a \$135.00 ticket at 7:50 am.

Cars are bad, car drivers are bad, and anything we can do to inconvenience them is good. If we can make money, even better. There is no fee or surcharge a driver should not have to pay.

Since over half the cars in the City are from Outside the city, then any money raised is from outsiders...bad outsiders...bad outsiders breaking the law. (add “in school zones” and you have a trifecta !)

Enter the automated camera. I recently attended a Legislator’s meeting in Saratoga. While there, one of the vendors was the Redflex company, Automated Enforcement from Australia. I spoke to the rep about cameras, and he told me something interesting. He said “the real money isn’t in red light cameras...the real money is in speed cameras”. He also pointed out the second part of successful enforcement for profit was a high traffic density. He did use those words.

He’s right. Set up automated enforcement on a few roads, with underposted limits, and millions of dollars will flow. Free money. I balance a municipal budget too, and I fully understand the allure of “free money” .

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Croton on Hudson, NY 10520

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If it cost money, no one would ever propose this technology. Likewise, Speed and Red Light cameras have come down in dozens of places after a popular outcry, and often, expensive litigation.

A police officer stopping an errant motorist has an immediate effect. He discovers drunks, unlicensed drivers, uninsured drivers, and criminals with a Warrant for Arrest. A camera sends a bill.

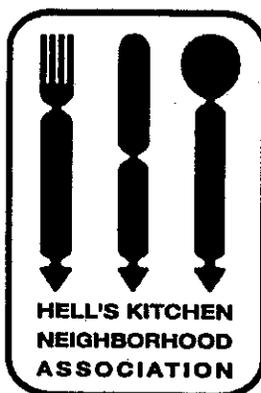
If we don't want to hire and pay police, that is a different issue, but if speeding is a problem, stop the driver, give him a ticket, and points on the license...not "send an invoice". The folks in the residential areas deserve no less, and pointing them to speed cameras as a panacea is both dishonest and disingenuous. Selling them to the People and State Legislature as a "limited and temporary demonstration project" is also dishonest and disingenuous.

Why is it so hard to just hand out a few radar guns to the local precincts and let them do some visible enforcement-you know, cop cars, lights flashing, maybe even one guy running radar and calling violators to chase cars.

I applaud Assemblyman Gantt, and Sheldon Silver, for their protection of motorists. I would like to ask them, on behalf of the millions of folks outside NYC, who come here regularly for business or pleasure, but always to spend money, to stand up for the other residents of New York State and not report this bill out of committee.

Very Truly Yours,

Casey W. Raskob, Esq.



TO: The New York City Council
RE: Resolution 916

March 18, 2013

We want to thank the Council today on initiatives that will make pedestrians safer on the streets of our City. Joining forces with the New York State Assembly on the installation of more speed cameras and making vehicle collisions with walkers and bicyclists a police investigative priority will prevent injury and save lives. We look forward to hundreds of speed monitoring cameras for vehicular control. Commissioner Kelly should immediately boost the NYPD traffic investigation unit and search for the causes and fault of crashes with the priority they deserve. Measures should immediately be taken to mitigate dangerous conditions at the sites of collisions that involve pedestrians and cyclists. We commend the Speaker, the City Council and its committees for their excellent work in passing this vital new initiative and Resolution 916.

Respectfully submitted,

Kathleen McGee Treat, Chair

Martin Treat, Member of the Board

Hell's Kitchen Neighborhood Association
454 West 35th Street, New York, New York 10001
212-501-2704 - www.hknanyc.org

TRI-STATE TRANSPORTATION CAMPAIGN



Mobilizing the Region

New York City Council Hearing
Testimony of Vincent Pellecchia
on Behalf of
Tri-State Transportation Campaign
March 18th, 2013

Thank you for this opportunity to testify today. My name is Vincent Pellecchia, and I am the General Counsel for Tri-State Transportation Campaign. Tri-State is a non-profit policy and advocacy organization working for a more sustainable transportation network in New York, New Jersey, and Connecticut. I'd like to address the proposed speed camera demonstration program in New York City.

New York City's streets are not speedways, but the way people drive on them would suggest they are. Every day, countless drivers are exceeding the 30 mph speed limit on New York City's streets. Our streets are used by children, seniors, the disabled, motorists and bicyclists who put their lives in the hands of reckless drivers the minute their feet touch New York City pavement. Sidewalks, crosswalks or pedestrian islands will not stop a car that loses control at 60 mph. But speed cameras are a strong deterrent to putting the foot to the floor in the first place throughout our city.

As you know, the New York City Department of Transportation has embarked on significant initiatives to reduce speeding in the City, including reduced speed zones around schools and neighborhoods, traffic calming projects, a LOOK! campaign encouraging pedestrians to use infrastructure safely, an ad campaign highlighting the importance of motorists obeying the 30 mph speed limit.

Unfortunately, drivers continue to break the law—each year over 70,000 summonses are issued for speeding violations. Given that one in four traffic deaths in New York City is caused by speeding, the number of summonses issued is a fraction of the incidences occurring.

Speeding kills. When a person is hit by a car traveling 30 mph, there is a 20% chance that they'll be killed. If they are hit by a car traveling 40 mph, there is a 70% chance they'll be killed. Motor vehicles are the leading cause of death due to injury amongst children in NYC, and child pedestrians account for three quarters of these victims. In 2010, pedestrians accounted for 55% of traffic fatalities; speeding claimed two times as many lives as distracted driving and is the number one cause of fatalities in New York City.

These are avoidable deaths and it is crucial that speed cameras be included in New York City's safety toolkit. Speed enforcement cameras are now in use in over 100 communities, in 13 states across the country. Research shows that speed enforcement cameras reduce injuries and fatalities by 40-45%, and reduce speeding by 71%. Their proven success is the reason why NYC Police Commissioner Ray Kelly issued his support for speed cameras this weekend. New York City needs streets that are safer—for pedestrians, bicyclists and drivers. Every day speed cameras are absent from New York City streets is another day needless and preventable deaths could occur.

We would like to thank Speaker Quinn, Transportation Chair James Vacca, and Councilmembers James Van Bramer and Stephen Levin who publicly spoke out last week in favor of the demonstration program that is currently being debated in Albany. We urge you to pass Resolution 0916-2011, introduced by Councilmember Van Bramer, which calls on the NYS Legislature and the Governor to sign into law the Assembly version (A.4327) of the pilot speed camera demonstration program. Thank you.

**STATEMENT OF AAA NEW YORK, INC.,
BEFORE THE NEW YORK CITY COUNCIL
COMMITTEE ON TRANSPORTATION
NEW YORK, NY
March 18, 2013**

My name is Jeffrey Frediani, I am a legislative analyst with AAA New York. AAA New York serves more than 1.6 million members residing in the City of New York and adjacent counties of New York State. We appreciate the opportunity to testify on proposed Resolution 916-A, which would call on the New York State Legislature to authorize the City of New York to establish a speed camera violation program.

AAA has always held the view that visible law enforcement officers are the most effective means of deterring traffic violations. At the same time, however, AAA recognizes the role automated enforcement can play in improving safety for motorists, pedestrians, and other road users by improving compliance with red lights, speed limits, and other traffic control devices. Indeed, AAA was one of the first groups to advocate for red light cameras in the City of New York, the first such program implemented in the United States. The goal of Assembly Bill 4327, to enhance traffic safety, is a goal everyone here shares. Indeed, the reduction of traffic-related injuries, crashes and lives saved is a universal goal and one that AAA works hard to achieve through our numerous traffic safety programs, driver training workshops, and advocacy efforts in Albany and Washington.

However, because we believe this legislation, as drafted, is too broad and because of the City's failure to be transparent with the existing automated red light camera enforcement program, we cannot support this resolution.

Automated enforcement programs have come under intense scrutiny in recent years and, in fact, many communities have suspended or reformed their programs because of such scrutiny. AAA believes such scrutiny is warranted given the potential to misuse automated enforcement systems to generate revenue as opposed to enhancing safety. Accordingly, if a state or locality implements an automated speed enforcement program, AAA believes the following safeguards must be in place to protect the integrity of automated enforcement:

- automated enforcement must be used as part of a comprehensive traffic safety strategy that involves engineering, education, and officer enforcement;
- automated enforcement programs must focus on roadways with a demonstrated pattern of violations and crashes or other distinct safety concerns, such as designated school zones, that can be reduced through use of automated enforcement;
- speed limits on roadways where automated enforcement is employed must be set in accordance with Institute of Transportation Engineers standards and include adequate posting of speed limits;
- strict evidentiary standards must be in place to assure the fairness of procedures for issuing automated enforcement citations;
- reasonable enforcement tolerances must be provided so that flagrant, rather than nominal or marginal infractions are targeted; and

- finally, but perhaps most importantly, thorough and transparent analysis of the program's effectiveness should be conducted on a recurring basis and disclosed to the public.

While this legislation addresses many of the aforementioned concerns, it falls short in some respects. Assembly Bill 4327 suggests characteristics of locations where speed cameras could be placed, however it does not limit the program to locations with demonstrated safety problems. In fact, there are numerous roadways in the City of New York, such as the Clearview Expressway and the New York Thruway/I-95, that were designed to accommodate higher speeds, though they are posted at the uniform 50mph limit. As such, this legislation opens the door to mobile speed cameras on roads where, in fact, speeds may be unrealistically set. Secondly, there has been a lack of independent oversight and in-depth analysis of the safety impact of the current red light camera program. In short, the city has failed to operate the current red-light camera program in a transparent manner, leading many to believe the city's goal is to raise money, not enhance safety.

Accordingly, to protect the program's integrity and to better gauge the performance of the pilot program, this legislation, at a minimum, would need more precise language with respect to the report that must be submitted to the legislature as detailed in section 1180-b (14) of the bill. As A.4327 currently reads, the report must include data on the number of violations issued, the number of fines paid, the amount of revenue generated, among others. That language mirrors the existing red light camera report guidelines which, we believe, fall very short of what's needed to

honestly assess the performance of the program. In our opinion, there needs to be specific language mandating a follow-up analysis with respect to reductions or increases in crash rates, average travel speeds where cameras have been placed, and the percentage of vehicles speeding on a particular section of roadway both "before" and "after" speed camera deployment.

For the public to accept automated enforcement programs as an effective traffic safety tool as opposed to a revenue generator, we don't think it is too much to ask for a more comprehensive analysis of such programs and for that analysis to be fully disclosed, perhaps annually on the Department of Transportation's website. Automated enforcement can certainly have a place in improving safety. However, given the DOT's failure to be transparent with the existing automated red light camera program and the steady stream of complaints that we receive from our members, we cannot support expansion of automated enforcement proposals at this time.

Thank you for the opportunity to comment.

Testimony to New York City Council Committee on Transportation
March 18, 2013
Eric McClure
Park Slope Neighbors
eric@parkslopeneighbors.org
(718) 369-9771

My name is Eric McClure, and I'm a co-founder of Park Slope Neighbors, a grassroots community-advocacy organization active in the Park Slope neighborhood of Brooklyn.

I am here to offer the vociferous support of our organization for Proposed Resolution No. 916-A. Dangerous and illegal speeding is a serious and deadly problem throughout New York City. In a March 2010 radar survey of Prospect Park West, which serves as the gateway to Prospect Park for thousands of residents and countless other visitors, we found that a shocking 85% of drivers were speeding, a figure confirmed by the Department of Transportation's own study. Worse, we clocked nearly 30% of drivers at 40 miles per hour or faster, a full 10 miles per hour above the speed limit. Fortunately, Prospect Park West was redesigned not long after our study, but the wide, three-lane set-up of the pre-redesign Prospect Park West is replicated on many of the city's busiest – and most deadly – streets.

In another speed survey we conducted in February of 2012, inside Prospect Park on the park's West Drive, we found that 99% of drivers – 193 out of 195 – were driving over the speed limit, with more than 45% traveling 40 miles per hour or faster. The top speed we recorded was a highway-like 53 MPH.

And last March, we joined Council Member Stephen Levin outside of his district office on Atlantic Avenue to conduct a radar survey that found that 88% of drivers were speeding, many by more than 10 miles per hour above the speed limit. In fact, every time we've aimed our radar gun at the streets of New York City, we've found a startlingly high proportion of drivers speeding. It appears that speeding is almost the rule on city streets, rather than the exception, and that is why we need to be able to deploy speed cameras.

The legislation which the proposed resolution at issue today calls for would only target the most egregious of speeders, those drivers traveling at least 10 miles per hour above the speed limit. The fine for such an offense would be just \$50. One might think that the knowledge that a human being struck at that speed has only about a 20% chance of survival would be enough to dissuade people from

such dangerous driving, but sadly, it's clear that the threat of a hit to the pocket book is necessary to alter that behavior.

We urge the Council to pass Proposed Resolution No. 916-A without delay.

In addition, we want to lend our voice to those others calling for the passage of Proposed Resolution No. 1332-A. There is no good reason why a police officer should have had to personally witness a traffic infraction that has caused injury to a pedestrian or cyclist in order to arrest that driver if the driver's failure to exercise due care is clear and obvious. We allow our police officers to act on reasonable cause in all kinds of situations, and the same leeway should be granted in cases of dangerous driving.

We urge the Council to pass Proposed Resolution No. 1332-A without delay.



TRANSPORTATION
ALTERNATIVES

SUPPORTS

127 West 26th Street
Suite 1002
New York, NY 10001
Tel 212 629-8080
Fax 212 629-8334
transalt.org

S. 3644 (Squadron) / A.2012 (Kavanagh)

The Issue

Allows officers to issue traffic violations, based upon reliable evidence, for careless driving which causes a crash that results in injury or death.

The Problem

An analysis of DMV crash records reveals that, in New York City alone, drivers talking on cell phones, running red lights, speeding, or otherwise disregarding the safety of others injure more than 9,000 pedestrians each year. In response to this crisis, in 2010 the Legislature passed and the Governor enacted Hayley and Diego's Law, which established fines and other penalties for drivers who kill or injure pedestrians and bicyclists because they were driving without "due care" (VTL §1146).

Implementation of the law is hampered by a law enforcement policy in some jurisdictions which requires officers to disregard the testimony of eye witnesses, or even admissions of the driver, when determining the cause of a crash. In these jurisdictions, the officer may not write a traffic violation unless they directly witnessed the crash or have performed a forensic investigation. Because very few injury crashes are eye-witnessed by an officer or receive a forensic investigation, very few drivers who have injured a pedestrian while driving without due care have been punished.

The Solution

This bill closes the loophole by enabling officers to write a ticket for a violation of due care upon reasonable cause that the driver committed the offense. Reasonable cause, according to CPL § 70.10, means the officer has enough reliable evidence to be convinced that the offense was committed.

Senator Squadron's bill is a targeted, simple fix which will enable officers to issue the citation the law calls for. This bill will prevent dangerous drivers from evading justice, which is why Transportation Alternatives **strongly supports** passage of this bill.

T.A. and its 8,500+ members urge the passage of this bill.



TRANSPORTATION ALTERNATIVES

127 West 26th Street
Suite 1002
New York NY 10001
Tel 212 629-8080
Fax 212 629-8334
transalt.org

From: Transportation Alternatives
Re: Reso. 916

Speeding drivers are dangerous

- Speeding drivers cause a quarter of all fatal traffic crashes in New York City.
- Speeding drivers kill more New Yorkers than drunk drivers & drivers distracted by cell phones *combined*.
- Speeding drivers are more likely to cause crashes, of course, because it takes them longer to slow down. And crashes where the drivers exceed the speed limit are more severe because of the physics involved. If a pedestrian is hit by a car at the 30 mph speed limit, there is a 70% chance the pedestrian will survive, but if the driver strikes a pedestrian at 40 mph (10 mph over the speed limit), there is a 70% chance the pedestrian will be killed.

The NYPD has not sufficiently enforced the speed limit on neighborhood streets-- and cannot do it alone

- The NYPD wrote 71,305 speeding tickets in 2012 – but only about one quarter of those violations were issued on neighborhood streets (19,119), where pedestrians are at risk. The NYPD issued the remainder on highways.
- Those violations on neighborhood streets are not evenly distributed throughout the city. Within the city's 76 police precincts:
 - The typical precinct writes 10 speeding tickets a month.
 - Only 10 precincts wrote more than one speeding ticket a day.
 - The precinct that issued the most tickets, the 110th in Corona, issued 4,130 tickets – more than were issued by Bronx precincts, Brooklyn precincts, Staten Island precincts or Manhattan precincts.
- Adding more officers is simply not the answer by itself. The NYPD is projected to lose a quarter of its officers to retirement over the next few years. Will the NYPD be able to focus its attention on traffic safety in the face of this pressure? If the NYPD adds more officers, will they be focused on speeding enforcement?

Speeding drivers are prevalent in New York City

In the last year, we have documented speeding on streets in East Elmhurst, Canarsie, Midwood, and Cambria Heights.

- Canarsie:
 - 88% of drivers exceeded the speed limit,
 - 32% of drivers exceeded the speed limit by more than 10 mph
 - The fastest driver surveyed hit 59 mph in a 30 mph zone
 - The local precinct, the 69th, wrote 163 speeding tickets in all of 2012. We found 194 drivers speeders exceeding the speed limit by 10mph+ in about eight hours.
- East Elmhurst:
 - 80% of drivers surveyed exceeded the speed limit
 - 24% of drivers exceeded the speed limit by more than 10 mph

- The fastest driver surveyed hit 58 mph in a 30 mph zone
 - The local precinct, the 115th, issued 177 speeding tickets in 2012. We found 237 drivers exceeding the speed limit by 10+mph in about eight hours.
- Midwood:
 - 84% of drivers exceeded the speed limit
 - 13% of drivers exceeded the speed limit by more than 10 mph
 - The fastest driver surveyed hit 51 mph in a 30 mph zone
 - The local precinct, the 70th, wrote 129 speeding tickets in all of 2012. We found 30 drivers exceeding the speed limit by 10+mph at one intersection in two hours.
- Cambria Heights:
 - 80% of drivers exceeded the speed limit
 - 19% of drivers exceeded the speed limit by more than 10 mph
 - The fastest driver surveyed hit 60 mph in a 30 mph zone.
 - The local precinct, the 105th, wrote 226 speeding tickets in all of 2012. We found 192 speeders exceeding the speed limit by 10mph+ in about eight hours.

Speed Cameras are part of the solution

- Automatic enforcement provides predictable, consistent, citywide enforcement. If drivers expect the speed limit to be enforced, drivers slow down.
- Speed camera programs free up police officers to do other police work – in Washington DC, the Chief estimates that about 100 officers were freed up to pursue criminals instead of enforcing the speed limit.
- Speed cameras are used by more than 120 police departments across the United States, and are widespread internationally. American cities include: Washington DC, Chicago (brand new program), Phoenix, Montgomery, Cleveland, Seattle, Portland, Chattanooga, Santa Fe, Baltimore, New Orleans, Des Moines.
- On camera monitored roadways in Washington DC, the aggressive speeding rate decreased from 17% to 1.9% since the program was implemented.

The Bill – a prudent pilot program

- The bill would authorize the City to initiate a five year pilot program, with an automatic sunset. The city could install at most forty cameras, and would place them near schools and senior centers, based on crash history.
- The cameras would not be placed on highways. The priority is protecting vulnerable pedestrians.
- Drivers would be granted 10 mph of leeway –the ticket wouldn't be issued until a driver hits 40 mph in a 30 mph zone.
- The proposed fines are exceedingly mild - \$50, unless the driver exceeds the speed limit by 30 mph, in which case the fine would be \$100. The ticket would not carry points or have any insurance consequences. A traditional speeding ticket, in comparison, is hundreds of dollars, and costs a driver much more in terms of increased insurance premiums.
- The City's program is not projected to raise very much money, basically because the fines are very mild and people will stop excessively speeding. Essentially, the program may break even, or make a tiny profit.
- The City will save money however, because there will be fewer EMS trips, hospital costs, court costs, etc.



The Neighborhood Speeds For Neighborhood Streets Act
A.4327 (Glick)

The Bill

This law allows the City of New York to test a speed camera demonstration program.

The program would place a maximum of 40 cameras throughout the five boroughs. The cameras will be sited where speeding and speed-related crashes, injuries, and fatalities are prevalent. **The city will prioritize intersections according to community input, and proximity to schools, parks and residential areas.**

A Pilot Program

This program will sunset 5 years after enactment.

A Proven Law Enforcement Tool

Speed cameras are a low-cost and proven technology that saves lives. Speed cameras are now in place in over 125 American cities and towns including Washington D.C., Chicago, Seattle, New Orleans, Baltimore, Denver, Phoenix, and Cleveland.

Speed cameras work: in Washington D.C., Scottsdale, Arizona, and Montgomery County, Maryland, **the number of drivers who drove at dangerous speeds fell by up to 88% after speed cameras were activated.**ⁱ In Scottsdale, speeding jumped 1,047% after the city temporarily shut off its cameras.ⁱⁱ

There are simply too many drivers speeding and not enough enforcement resources. Speed cameras are a police force multiplier. Washington, D.C.'s Chief of Police, Cathy L. Lanier, estimates that their automated enforcement programs freed 100 officers to enforce against other crimes.ⁱⁱⁱ

Reasonable Fines

Drivers would be allowed 10 mph of leeway over the speed limit. Drivers would **not be subject to points on their license or insurance penalties.** Violations will be administered under the Parking Violations Bureau and treated like parking tickets. Individuals will still have the right to contest their tickets. Photos are only taken of license plates and not of the driver.

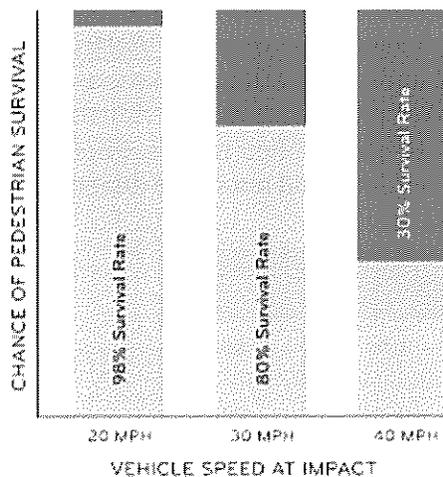
MPH OVER SPEED LIMIT	PILOT PROGRAM
1-9	\$0
10-29	\$50
30 mph+	\$100

NYC's Deadly Speeding Epidemic

Speeding is the number one cause of fatal crashes in NYC. 1 in 4 people who are killed in traffic crashes are killed by speeding drivers. Speeding kills more New York City residents than alcohol, drug, and cell-phone involved crashes combined.^{iv}

	FATAL	TOTAL CRASHES
Speeding Crashes	55	3508
Alcohol & Drug & Cell Phone Crashes Combined	18	1241

Speeding Deaths are Preventable Deaths
 Speeding crashes are the most dangerous crashes: if a pedestrian is hit by a car at the 30 mph speed limit, there is a 20% chance the pedestrian will be killed, but if the driver strikes a pedestrian 10 mph over the speed limit the chances the pedestrian will be killed increase to 70%.^v



Speeding Across the Boroughs: Five Snapshots of Local Streets^{vi}

- Manhattan: 70% of drivers on East Houston Street speed through a school zone.
- Brooklyn: 88% of drivers on Rogers Avenue in Prospect Lefferts Gardens speed. In Greenpoint, 66% of drivers on McGuinness Blvd speed.
- Queens: 80% of drivers on 23rd Ave in East Elmhurst speed.
- Bronx: 32% of drivers on Webster Avenue speed past a school as fast as 66mph.
- Staten Island: on Hylan Boulevard, 39% of drivers exceed the speed limit.

Assemblymembers Glick, Boyland, Brennan, Brook-Krasny, Clark, Cook, Crespo, Cymbrowitz, DenDekker, Dinowitz, Gottfried, Hevesi, Lupardo, Maisel, Markey, Millman, Moya, O'Donnell, Ortiz, Robinson, Rosenthal, Schimel, Stevenson, Thiele, Titone, Weisenberg, Weprin

Tri-State Transportation Campaign, NYS Transportation Equity Alliance, Center for Working Families, Make the Road

NYC Police Department, NYC Department of Transportation, NYC Department of Health

American Academy of Pediatrics, New York Academy of Medicine, New York City Strategic Alliance for Health, New York State Academy of Family Physicians, Public Health Assn. of New York City, American Academy of Pediatrics

Clinton Hell's Kitchen Coalition for Pedestrian Safety, Park Slope Neighbors, Park Slope Civic Council, Boerum Hill Assn., Prospect Heights Neighborhood Development Council, Lenox Road Block Assn., Atlantic Avenue Betterment Assn, Myrtle Avenue Restoration Project, Community Boards: M1, SI 1, SI 2, M3, M4, BX4, M5, M6, BK7, M7, BK 8, M8, Q8, M11, M12

NY Times, Staten Island Advance

^v Fields, M. (2010). *Speeding and Speed Enforcement*. Retrieved from 'Transportation Alternatives' website: <http://www.transalt.org/files/events/summit/fields.pdf>

^{vi} Petrozza, J. (2010). *Road Safety Camera Programs*. Retrieved from 'Transportation Alternatives' website: <http://www.transalt.org/files/events/summit/petrozza.pdf>

^{vii} Halsey, A. (2011, February 1). Red-light cameras save lives, study says. *The Washington Post*. Retrieved from <http://www.washingtonpost.com>

^{viii} New York State Department of Motor Vehicles, *Summary of New York City Motor Vehicle Accidents*.

^{ix} Rosen, E., Sander, U. Pedestrian Fatality as a Function of Car Impact Speed. *Accident Analysis and Prevention*, 41: 531-542, 2009.

^x Transportation Alternatives, *Terminal Velocity: New York City's Speeding Epidemic*, February 2009.

T.A. and its 9,000+ members urge the passage of this bill.

COMMUNITY BOARD 7  Manhattan

March 22, 2013

Hon. Christine Quinn
Speaker
New York City Council
250 Broadway
New York, NY 10007

Hon. James Vacca
Chair, Transportation Committee
New York City Council
250 Broadway
New York, NY 10007

Hon. Gale A. Brewer
Council Member, 6th District
New York City Council
250 Broadway
New York, NY 10007

Hon. Melissa Mark-Viverito
Council Member, 8th District
New York City Council
250 Broadway
New York, NY 10007

Hon. Inez E. Dickens
Council Member, 9th District
New York City Council
250 Broadway
New York, NY 10007

Re: Resolution 916 – Speed Cameras

Dear Speaker Quinn, Chair Vacca, and Council Members Brewer, Mark-Viverito and Dickens:

On behalf of Community Board 7/Manhattan and our Upper West Side community, I write to urge the adoption of Resolution 916.

Our Board has on several occasions, most recently in April 2011, endorsed the expanded use of speed cameras to control dangerous use of our streets, and has called for these devices to be installed in our neighborhoods. I attach our most recent resolution.

The Council is well aware of the statistics that prove that speeding endangers all other street users, especially pedestrians and the mobility challenged, and is a leading cause of crashes as well as “near-misses” that threaten the security of our residents.

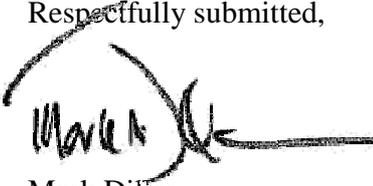
In our community, which is predominately residential but contains three avenues (Broadway, Amsterdam and Columbus) which serve as arteries connecting other regions to the Central Business District, the effects of speeding and other dangerous uses of our roads are multiplied. In addition, nearly every intersection along these avenues is less than a handful of blocks from a public or private school, a senior center, Head Start location or afterschool program, as well as medical facilities and houses of

250 West 87th Street New York, NY 10024-2706
Phone: (212) 362-4008 *Fax:* (212) 595-9317
Web site: nyc.gov/mcb7 e-mail address: office@cb7.org

worship – in short, proximate to locations that serve populations most vulnerable to irresponsible use of our streets.

We respectfully urge you to pass Resolution 916 and add a powerful voice to the call on our State government to provide our City with these important tools.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark Dillier", with a horizontal line extending to the right from the end of the signature.

Mark Dillier
Chair

Copies: Hon. Brad Hoylman, New York State Senate, 27th District
 Hon. Jose M. Serrano, New York State Senate, 29th District
 Hon. Linda B. Rosenthal, New York State Assembly, 67th District
 Hon. Daniel J. O'Donnell, New York State Assembly, 69th District
 Hon. Richard N. Gottfried, New York State Assembly, 75th District
 Hon. Scott M. Stringer, Manhattan Borough President
 Andrew Albert & Dan Zweig, Co-Chairs, CB7 Transportation Committee

COMMUNITY BOARD 7  Manhattan

Date: April 5, 2011

Committee of Origin: Transportation

Re: Speed Cams.

Full Board Vote: 37 In favor 6 Against 2 Abstentions 0 Present

BE IT RESOLVED THAT Community Board 7/Manhattan supports the establishment of a speed-cam pilot program, which would allow the City of New York to use camera technology to enforce existing speed limits and complement the efforts of the NYPD; and

BE IT FURTHER RESOLVED THAT Community Board 7/Manhattan urges both houses of the State Legislature to enact this program without delay.

Committee: 11-0-0-0. Board Member: 1-0-0-0.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. 916A

in favor in opposition

Date: 3/18/2013

(PLEASE PRINT)

Name: ERIC McLUKE

Address: 423 4TH ST., BROOKLYN, NY 11215

I represent: PARK SLOPE NEIGHBORS

Address: SAME

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: MARTIN TREAT

Address: _____

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: CAROLE ASHLEY

Address: 49 BEACH ST. #17 NYC 10013

I represent: MYSELF

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 9/6 Res. No. _____

in favor in opposition

Date: 2/18/13

(PLEASE PRINT)

Name: Juan Martinez

Address: 127 W 26 NYC NY 10001

I represent: Transportation Alternatives

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. 0916-2011

in favor in opposition

Date: 3/18/13

(PLEASE PRINT)

Name: Vincent Pellecchia

Address: 350 W 31st St. Rm 802 NY, NY

I represent: Tri-State Transportation Campaign

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. 9/6-A

in favor in opposition

Date: 3/18/13

(PLEASE PRINT)

Name: Jeff Friedman

Address: 1415 Kellum Pl., Garden City, NY 11530

I represent: AAA New York

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. 976

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: CASEY PLASTICS, CSR

Address: 34 LOUNSBURY RD., CROTON NY 10500

I represent: NATIONAL MOTORISTS ASSN

Address: 402 WEST 200 ST WAURATEL WA

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: March 18 63

(PLEASE PRINT)

Name: CHRISTINE BERTHET

Address: _____

I represent: CHEKPEDS

Address: 348 W 30TH ST, NY NY 10018

Please complete this card and return to the Sergeant-at-Arms