

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON TRANSPORTATION,  
JOINTLY WITH COMMITTEE ON PUBLIC SAFETY

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B E F O R E:

YDANIS A. RODRIGUEZ

Chairperson

Vanessa L. Gibson

Co-Chairperson

COUNCIL MEMBERS:

James Vacca

Margaret S. Chin

Stephen T. Levin

Deborah L. Rose

Mark S. Weprin

David G. Greenfield

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Carlos Menchaca

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Antonio Reynoso

A P P E A R A N C E S (CONTINUED)

Gale Brewer  
Manhattan Borough President

Polly Trottenberg  
Commissioner  
New York City Department of Transportation

Thomas Chan  
Chief of Transportation  
New York City Police Department

Conan Freud  
Chief Operating Officer  
New York City Taxi & Limousine Commission

Amy Cohen  
Parent

Kenneth Bandes  
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Amy Tam-Liao  
Parent

Lizi Rahman  
Parent

Dana Lerner  
Parent

Debbie Kahn  
Parent

Ellen Foote  
Parent

Janice Fellegara  
Aunt

Belkys Rivera  
Parent

A P P E A R A N C E S (CONTINUED)

Steve Vaccaro  
Advocate, Attorney

Veronica Vanterpool  
Executive Director  
Tri-State Transportation Campaign

Eric McClure  
Advocate

Paul Steely White  
Executive Director  
Transportation Alternatives

Barron Lerner  
Family Member, Advocate

Karen Friedman Agnifilo  
Chief Assistant District Attorney

Lester Marks  
Lighthouse Guild

Analynn Courtney Barbia [phonetic]  
Visions/Services for the Blind

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2 CHAIRPERSON RODRIGUEZ: Good morning and  
3 welcome to this joint hearing of the City Council  
4 Transportation and Public Safety Committees. My name  
5 is Ydanis Rodriguez and I'm the chair of the  
6 Transportation Committee. Before we begin today I  
7 would like to acknowledge my colleagues here today,  
8 Council Member Torres, Council Member Vacca and my  
9 co-chair of this hearing, Vanessa Gibson.

10 We find ourselves at a unique moment in  
11 our city history, never before have we seen such  
12 broad recognition than New York City faces an  
13 epidemic when it comes to traffic-related injury and  
14 death. Last year more people were killed in traffic  
15 crashes than from gun violence and shockingly,  
16 crashes remain the number one cause of injury-related  
17 death for children under 14 years old. Imagine how I  
18 felt when I had two daughters, 7 years and 1 years  
19 old. While we have seen steady drops in traffic-  
20 related deaths in the past decade, our city top  
21 officials have for the first time developed a  
22 comprehensive and dedicated prescription to the  
23 glaring issues of traffic-related injuries.  
24 Mirroring an approach first implemented in Sweden,  
25 our Mayor, Bill de Blasio, has demonstrated his

1  
2 willingness to listen to street safety advocating  
3 families across victims in developing Vision Zero for  
4 New York City. This vision relies on the notion that  
5 all traffic deaths are preventable and I am glad to  
6 see that many thoughtful proposals have been put  
7 forward to this end.

8           The Vision Zero Action Plan released by  
9 the administration is an impressive document which  
10 outlines a comprehensive array of strategies aimed at  
11 preventing traffic deaths, particularly those  
12 involving pedestrians; many agencies have a role to  
13 play. The police department is tasked with stepping  
14 up meaningful enforcement in enhancing crash  
15 investigations, DOT will figure out how best to  
16 redesign critical streets and intersections that have  
17 posed a danger to cyclists and pedestrians alike.  
18 TLC will determine how best to support their drivers  
19 to ensure they drive with care at all times. And all  
20 of the city government is responsible for driving  
21 home the message across our city that safety is a  
22 critical priority and one that we all need to take  
23 responsibility for. That's why one of the most  
24 important aspects of Vision Zero is public education.  
25 It is truly going to take everyone -- motorists, taxi

drivers, bus drivers, truck drivers, pedestrians; cyclists -- everyone to take a little more responsibility for making the extra effort to navigate our streets more safely.

Some of the Vision Zero proposals involve cracking down on those who break the law and drive recklessly, putting all of their fellow road users at risk and all too often ending an innocent life, and holding those individuals responsible is not only appropriate but necessary. At the same time, the goal of Vision Zero should be about how we can work together to prevent this horrific event with our broad generalizations. Like any industry, Vision Zero will be more successful the more people buy in and the more people feel respected and empowered to take ownership of the role in making this a safer city for themselves, their families and their neighbors.

It is important to remember that Vision Zero is not just about a statistic; it is about real people, faces, names, lives cut too short; names like Cooper Stock, like Simon Cohen Epstein, like Angela Hortado, Samantha Lee, Pedro Santiago, Joel Rivera and the too many others. It is about the loved ones

1 left behind struggling to make sense of themselves  
2 and figuring out how to possibly move forward. I  
3 talked with many of these families yesterday and as a  
4 father of two daughters I am very grateful to have  
5 them with us today; we will hear from them in just a  
6 few moments. If any of us ever needs a reminder of  
7 the critical importance of the work of Vision Zero,  
8 we need only remember these innocent lives lost and  
9 their brave families so that many of whom have the  
10 remarkable courage to stand up and speak up and take  
11 action to try to prevent another family from going  
12 through similar pain and loss.

14 Of course, we will have questions about  
15 how to envision Vision Zero plans to become reality  
16 and that's one of the main reasons we are here today.  
17 I am interested to hear more specifics about many of  
18 the proposals in the Vision Zero Action Plan,  
19 including more details about how these initiatives  
20 will be paid for, what the timeline looks like for  
21 full implementation of the Vision Zero agenda and  
22 specifics about how the administration will seek to  
23 work with the council members, other elected  
24 officials and community leaders to make Vision Zero  
25 the success it needs to be.



2 We in government certainly do not have  
3 all the answers. We need the public's help and  
4 that's another important reason we are here today, to  
5 gather your ideas for how together we can achieve the  
6 gravely necessary goal we all with the leadership our  
7 Mayor has set for ourselves. That effort does not  
8 end today, it only begins and I am committed to  
9 working with the Mayor, our great Speaker, Melissa  
10 Mark-Viverito and all of our partners inside and  
11 outside government to make sure we go out into our  
12 community to educate New Yorkers about Vision Zero  
13 and solicit their ideas for making our streets safer.

14 I would like to thank the staff of the  
15 Transportation Committee, Counsel, Lyle Frank and  
16 Policy Analysts, Jonathan Masserano and Gafar  
17 Zaaloff, as well as my staff, Carmen De La Rosa,  
18 Russell Murphy and Noquel Matos.

19 Now I would like to turn to the Chair of  
20 the Public Safety Committee, Council Member Vanessa  
21 Gibson, for her opening statement.

22 CO-CHAIR GIBSON: Thank you very much,  
23 Chairman Rodriguez and good morning to each and every  
24 one of you, as well as my colleagues in government;  
25 we have been joined by Councilman Menchaca, Council

Member Lancman, Council Member Matteo, Council Member Weprin, Council Member Miller, Council Member Reynoso, Council Member Johnson, Council Member Ferreras, and Council Member Lander, thank you and welcome to the Joint Hearing on the Committees of Public Safety and Transportation; I'm delighted to be here as the chair of the City Council Committee on Public Safety; I'm Council Member Vanessa Gibson and I'm honored to join with my colleague, Chairman Rodriguez, to discuss this very important critical issue, preventing traffic fatalities, examining the Vision Zero working group's report.

Before we get started, being that this is my very first Oversight Hearing as chair of the Committee on Public Safety, I'd like to share quick goals on my role as chair. I'm very excited to have been appointed by our Speaker, Melissa Mark-Viverito, to chair this very important committee and I certainly understand that with the responsibility of ensuring the safety of our great city also comes the responsibility of allowing all voices to be heard; for that reason, it is my goal and intention through this committee to be inclusive, to consider all sides of every issue and to work in partnership with all of

1  
2 my colleagues, our constituencies, advocacy groups  
3 across our city, all of our unions and Mayor Bill de  
4 Blasio's administration. Being presented with the  
5 complete picture of any matter is truly the best way  
6 to ensure that myself as chair and the City Council  
7 as a whole will make educated decisions about how  
8 best to focus on issues of relevance, enhance the  
9 relationship between the NYPD and the communities it  
10 serves, protect the civil rights and liberties of all  
11 New Yorkers and keep our great city safe.

12           Today's hearing is a perfect example of  
13 inclusiveness and a collaborative approach to  
14 tackling an important issue and I commend our Mayor,  
15 Bill de Blasio, for taking the initiative with the  
16 release of his Vision Zero Action Plan. Today we  
17 will be hearing testimony from a wide array of  
18 members of the public and the Mayor's administration  
19 and we are all working towards one common goal --  
20 reducing traffic fatalities and accidents in our  
21 great city. Our city has made significant strides in  
22 reducing traffic fatalities in the past 20 years.  
23 For instance, in 1990 there were 701 traffic-related  
24 fatalities compared to 286 in 2013. It is clear then  
25 that this is an issue that we have had success in

1  
2 addressing; however, there are still far too many  
3 people seriously and unfortunately fatally injured  
4 each and every day by motor vehicles and we must do  
5 more to ensure that these horrific accidents no  
6 longer happen across our streets.

7 I am excited to hear from all of the  
8 members of the administration before us today and in  
9 particular, Chief Chan of the NYPD's Transportation  
10 Bureau. I know that these committees and the Public  
11 Safety Committee have worked closely with the NYPD's  
12 Transportation Bureau in the past to discuss and  
13 address many enforcement and investigation concerns  
14 and I hope that we will continue to have a strong  
15 working relationship and a true partnership as we  
16 embark on this Vision Zero journey together.

17 I am truly delighted to serve as chair of  
18 this committee and am committed to making sure that  
19 my colleagues and I listen to each and every one of  
20 our constituencies and make sure that collectively we  
21 address the growing safety across our city. And with  
22 that I thank our guests for being here today and I'd  
23 like to turn it back over to my colleague, Chairman  
24 Rodriguez.

2 CHAIRPERSON RODRIGUEZ: Thank you.

3 Before we get into the testimony from now Manhattan  
4 Borough President, Gale Brewer and the  
5 administration, I wanna show like a 20- or 30-second  
6 clip that shows how the city still has to do better  
7 to go after irresponsible drivers. This is the case  
8 of a young person, Joel Rivera, who was killed on  
9 Mosholu Parkway, the driver, who the DA and the NYPD  
10 already know, he was the one who committed a hit and  
11 run; he put the car on fire to get rid of the  
12 evidence and we will hear from the mother today,  
13 letting you know that still today, after 2011, there  
14 is no justice and the driver is still outside in New  
15 York City. As you can see that the driver, he parked  
16 the car... sorry for the technical difficulty.  
17 [background comments] This is about a college,  
18 recent grad student, so this is not about a  
19 troublemaker, this is about someone raised by a  
20 mother who lost her husband before and he was like  
21 the one... the role model for a younger brother who  
22 also you will see him later on. So this is what the  
23 driver did, and there were pieces of the car in the  
24 scene of the hit and run and they know that he's the  
25 one that committed it, but the law is not strong

1  
2 enough to go after that driver. [background comment]  
3 That driver has a suspended license; he has a record  
4 from Worcester and everyone knows that he's the one;  
5 the question right now is, will the DA go and  
6 prosecute him just for getting rid of all the  
7 evidence or will they go after him because he took  
8 away the life of Joel Rivera, a young person, recent  
9 college grad who was the one supporting the family.

10 So I just wanted to let everyone know  
11 that we're talking about a real story and we would  
12 like to see how we work with the leadership with the  
13 Mayor to make sure that the Rivera family and other  
14 families that lost such beautiful children and  
15 academic and young person waiting to get into Ph.D.  
16 at Columbia, working class, middle class, that we  
17 send a message that enough is enough.

18 So now with that, I would like to call  
19 our former colleague and now Manhattan Borough  
20 President, Gale Brewer.

21 GALE BREWER: Thank you very much Chair  
22 Rodriguez and Chair Gibson, it's an honor to be here  
23 to talk about preventing traffic fatalities and  
24 injuries in our city and talk about the excellent  
25 Vision Zero Task Force Report and I also wanna thank,

1  
2 as Chairman Rodriguez did, the families; we stood  
3 with them, he and I yesterday and it was very  
4 emotional; unfortunately I've had some of these  
5 experiences in my family, so I'm only too familiar  
6 with the horror that continues.

7           Following several traffic-related  
8 tragedies last month and even before the report was  
9 released, I reached out to Manhattan's community  
10 boards, the planning agencies on the local level, and  
11 I requested that each district manager compile a list  
12 of hot spots within their community board that would  
13 benefit from further attention and analysis and I'm  
14 delighted that in the report it talks about this  
15 outreach collaboration -- senior centers, schools,  
16 community boards -- that's what I think is one of the  
17 highlights of the report and I look forward to  
18 working with the administration on that and all the  
19 members of the City Council.

20           Each community board used its own  
21 criteria to develop its list and so the reasons for  
22 the concern are varied. Reasons given by community  
23 boards for studying locations on their lists include  
24 but are not limited to -- sites of pedestrian  
25 fatality or injury, unsafe conditions due to lighting

1  
2 signage, sit obstructions and construction detours,  
3 signal timing issues, excessive speeding, lax  
4 enforcement, pedestrian crossing times, and vehicle  
5 turns. This list is not to be exhaustive or  
6 definitive and it wasn't voted on by the community  
7 board, but it's a good start.

8           The hot spot list was submitted to the  
9 task force, these wonderful people from the  
10 administration, the agencies, on January 30th of this  
11 year and an updated version with 90 identified  
12 intersections and corridors was sent on February 20th  
13 and I think you have copies. So my office is  
14 continuing to work with the community boards as a  
15 follow-up to map hot spots and provide technical  
16 experts to train staff to create overlays that map  
17 existing conditions and help plan solutions to local  
18 traffic conditions.

19           An example would be that on the West Side  
20 we have actually had two studies; one unfortunately  
21 was on 96th and Broadway before the three horrific  
22 fatalities and another in the 50s and 60s, all the  
23 way up to the 80s. Those traffic studies in the 50s,  
24 60s, 70s and 80s were implemented in some cases and  
25 guess what; the fact of the matter is that where a



1 school exists and cars were speeding, but humps were  
2 put in and painted lines, or another example,  
3 planters; the reduction in speed and the ability to  
4 cross safely was dramatically improved. Those are  
5 some of the examples that we'd like to be able to map  
6 for the seniors, the local community boards and  
7 others to see so that we can show that where the  
8 wonderful suggestions are implemented the fatalities  
9 go away completely.

11 One challenge, however, is the data that  
12 city agencies provide. NYPD lists accidents by  
13 intersection, such as 155th Street and Broadway; this  
14 does not accurately reflect accidents that occur mid-  
15 block, which leads to inaccurate data. Furthermore,  
16 it's my understanding that certain advocacy groups  
17 are also collecting and publishing accident data  
18 received from the New York State Department of  
19 Transportation. Because this data also includes  
20 incidents where police were not called, such as minor  
21 fender benders, there are often discrepancies in  
22 comparing these two data sources.

23 We have met with NYPD to improve  
24 reporting methods and more easily identify dangerous  
25 intersections and I'm hopeful and I'm sure that under

Chief Thomas Chan that we can resolve these challenges.

It's also my understanding that the Community Assistance Unit has hired a mapper -- I don't know if that's the correct term, but that's I call it -- to support these efforts, a new term.

The task force report stresses the importance of data-driven analysis, planning and enforcement and improving the availability and uniformity of DOT and NYP traffic and crash data; that's essential. Many district managers, civic technologists and safety advocates have expressed frustration, as I indicated, with the way NYPD has historically published datasets in static PDF format. As the sponsor of our city's open data law, I would urge NYPD and all city agencies to publish real-time data in open, machine-readable format, such as CSV or Excel.

I was just at a weekend-long event with dozens and dozens of techies who are eager to work on these issues. Publishing data in these open formats will allow New York's civic technology community to more easily compile and analyze this data, complimenting the administrators' excellent efforts.

As emphasized in the report, it's essential that the public be fully engaged in Vision Zero, involving community boards and all the other local agencies early and frequently in the discussion and planning taps into localized knowledge and creates a critical constituency to make Vision Zero outcomes sustainable. You can then show the difference when you map and you show the difference in terms of what is built and installed makes a difference in terms of the, god helps us, no fatalities is what we want.

I wholeheartedly support the task force efforts to seek municipal control over speed and red light cameras, as well speed limits and to lower the citywide limit to 25 miles per hour. Among other proven and effective traffic-calming measures, these measures will immediately save lives and reduce serious injury and I know some parents want it to be 20 miles an hour; that will all be discussed, but even the mapping of where 20 miles an hour exists, does that make a difference; local communities need that information.

Additionally, we must ensure the safety of people with disabilities and include them in

Vision Zero planning. My Local Law 21 of 2012 requires the Department of Transportation to install 25 accessible pedestrian signals, known as APS', each year, and DOT did 28 APS' in 2012 and 26 in 2013. In Manhattan there are now a total of 24 APS', but not a single one, as I understand it, above 65th Street. Coverage needs to be expanded. The blind and visually challenged individuals travel all of our streets, not just at the most crowded intersections, where I think DOT is currently installing some of the signals.

Expansion of leading pedestrian interval signals, known as LPI, is another task force recommendation. LPIs provide pedestrians with important lead time, but they can also be confusing for people with impaired vision. An APS should be installed at each location where there is an LPI. According to the DOT website, there are 145 LPI signals operating in Manhattan, but only three sites have an APS; four additional APS' are located mid-block. With the support of advocates, and I know they're here today, I am introducing legislation with Council Member Levine to increase the number of LPS

installations and require an APS at each intersection with an LPI signal.

And I know another topic that has come up is school crossing guards and they're key to achieving our Vision Zero goals, but currently many school intersections are not covered by guards. Not only do we need funding for more guards, but also a uniform assignment system. School crossing guards know the local traffic patterns and families and provide a calming presence. While coverage is inadequate, police officers from local precincts are sometimes assigned to assist, but this is not a sustainable or optimum approach to student safety.

It is my understanding that as of January 2014 there are 2,112 school crossing guards, but because several guards may be placed in particularly difficult intersections, not all of the 1,700 Department of Education school buildings are covered. For example, three guards may be needed to assist families crossing Atlantic Avenue where there are no guards assisting students across the West Side Highway near PS 276 in Lower Manhattan. Because of staff shortages before the mid-winter school break, I was constantly in contact with the Commanding Officer

1 of the 24 Precinct to assign crossing guards to West  
2 97th Street for PS 163 and the wonderful commander  
3 did. But as school communities demand increased  
4 coverage, it's essential that we have enough guards.  
5 The need for more crossing guards tops the district  
6 service needs statement of community boards year in  
7 and year out, but since 2005 the number of crossing  
8 guards seems to have stayed at approximately 2,100,  
9 so we must do more to address retention and  
10 recruitment. School crossing guards receive \$9-12 an  
11 hour; they're on duty for a minimum of 4 hours a day  
12 in split shifts. While the schedule is flexible,  
13 health benefits and role in ensuring student safety  
14 is attractive for New Yorkers, particularly New  
15 Yorkers on fixed incomes and older individuals, the  
16 requirement to pay 10 percent of the healthcare costs  
17 over the summer, because a lot of buildings are  
18 closed and a steady stream of verbal abuse, I'm  
19 afraid, and sometimes even physical abuse from  
20 drivers creates low morale, making retention  
21 difficult, so we need to work on that.

22 As for recruitment, these efforts must  
23 expand beyond the walls of the local precinct and  
24 NYPD, as you can imagine; maybe we could do the same  
25

1  
2 kind of outreach that we do for lifeguards, which is  
3 very extensive.

4           Finally, Vision Zero will require smart  
5 implementation of traffic-calming measures and  
6 enhanced enforcement. However, to achieve lasting  
7 behavioral change we must also include an educational  
8 component to create awareness and help improve daily  
9 decision-making by all who share and navigate across  
10 New York City's iconic, fast-paced streets. I look  
11 forward to working with the Mayor and the city  
12 agencies, the Council, community boards,  
13 constituents, workers, employers, principals,  
14 parents, union, and advocacy groups in a  
15 comprehensive and coordinated education and an  
16 enforcement effort to attain Vision Zero. Thank you  
17 very much.

18           CHAIRPERSON RODRIGUEZ: Thank you Borough  
19 President Brewer. I would now like to invite the  
20 representative administration who are here today to  
21 start their testimony; first, please identify  
22 yourself. And before we move, I'd also like to  
23 recognize Council Members Rose, Espinal, Levin, and  
24 Cornegy who are here with us.

2 POLLY TROTTERBERG: All set? [background  
3 comment] Okay. Good morning Chairman Rodriguez,  
4 Chairwoman Gibson and distinguished members of the  
5 Transportation and Public Safety Committees; my name  
6 is Polly Trottenberg and I am the Commissioner of New  
7 York City Department of Transportation. I'm honored  
8 to testify before you for the first time today on  
9 Vision Zero on behalf of Mayor Bill de Blasio.

10 It's been a pleasure getting to talk to  
11 the members of the Transportation Committee and I  
12 look forward to getting to know the members of the  
13 Public Safety Committee as well and the rest of the  
14 Council in the coming weeks. I'm grateful for the  
15 support many of you have already expressed for Vision  
16 Zero. I've also enjoyed learning about some of the  
17 particular programs and policies that you would like  
18 to see in some of your districts, like more slow  
19 zones at schools, countdown clocks, complete streets  
20 and better truck enforcement.

21 I also wanna take a moment to recognize  
22 my agency colleagues, Chief Thomas Chan of the NYPD,  
23 Conan Freud of the Taxi and Limousine Commission and  
24 Nancy Clark of the Department of Health and Mental  
25 Hygiene.



Last Tuesday Police Commissioner Bratton and I stood with Mayor de Blasio and other agency leaders to release the Vision Zero Report and lay out the City's Action Plan for dramatically reducing traffic deaths and injuries. The report calls for Vision Zero Task Force with five city agencies assigned to pursue the report's 63 recommendations in enforcement, engineering and education. DOT is honored to be one of these agencies and will play a critical role going forward and we've already hit the ground running -- the very next day after the Mayor's announcement, I convened the first DOT Vision Zero internal working group to begin execution of our traffic planning and outreach plans. Our borough commissioners have started to meet with some of your council colleagues to review pedestrian safety measures; our traffic engineers have met with the NYPD... [background comments] woops... to plan our next steps and tomorrow I look forward to attending a Vision Zero town hall, sponsored by Senator Brad Hoylman, with many of your Manhattan colleagues.

At DOT we have shown that pedestrian-oriented projects save lives. Over the past few years our street safety projects throughout the five

1  
2 boroughs have reduced fatalities at specific streets  
3 and intersection anywhere from 20 to 88 percent;  
4 that's why DOT's traffic safety engineers are  
5 nationally recognized as leading innovators in safe  
6 street designs. Our safety projects and educational  
7 outreach have helped transform transportation culture  
8 in the city, as Chairwoman Gibson noted in her  
9 opening remarks. But today through Vision Zero we're  
10 gonna challenge ourselves to do much more, to take  
11 our safety efforts to the next level by working  
12 closely with our partners throughout the city. DOT  
13 will now implement safety improvements at 50  
14 corridors and intersections per year, while upgrading  
15 its street design toolbox to significantly reduce  
16 fatalities. Our new strategies will include signal  
17 timing to reduce speeding and intersection conflicts,  
18 new street lining and a more robust speed hump  
19 program, which has proved very popular all over the  
20 city.

21 In addition, the agency will pursue  
22 innovative and aggressive new strategies to reduce  
23 speeds on 25 large arterial roadways throughout the  
24 city. These broad busy streets, which were designed  
25 for the fast movement of cars and trucks, not

1  
2 pedestrians and cyclists, have always presented the  
3 greatest safety design challenges. The Vision Zero  
4 plan is not only about safety for pedestrians and  
5 cyclists, I just wanna note; it is also for motorists  
6 and passengers as well. Our educational initiatives  
7 and safe street designs will make our roadways safer  
8 for everyone.

9           A key element to Vision Zero will be to  
10 create borough-wide safety plans and we will seek  
11 broad public participation through workshops and town  
12 hall meetings, working closely with elected  
13 officials, community boards, advocacy groups and  
14 members of the public, and for these we certainly  
15 look to the Council for your help and partnership;  
16 we're hoping we can sponsor events with you and we'll  
17 work through our borough commissioners to set them up  
18 in all five boroughs. These public discussions in  
19 neighborhoods across the city will build momentum for  
20 legislative changes in Albany. A lower citywide  
21 speed limit and local control over our camera  
22 programs are essential to achieving Vision Zero and  
23 New York City should have the ability to deploy them  
24 as necessary.  
25

At city intersections with red light cameras, we've seen a staggering 64 percent decrease in cyclist injuries and a 31 percent decrease in pedestrian injuries. We expect similar safety gains through our speed camera program, through which we've already issued 4,800 violations. But right now, as many of you know, we can only use red light cameras at 150 intersections and speed cameras at 20 locations near schools. With 12,000 signalized intersections in New York City, imagine the safety benefits from expanding the use of these important tools. We look forward to working with the Council and partnering with our colleagues in Albany, whose past leadership on cameras has been invaluable.

Before I conclude my testimony today I wanna convey my deepest sympathies to the New Yorkers who've lost loved ones in terrible crashes. I especially extend my gratitude to those of you who are here today, your advocacy is gonna make a big difference in the Vision Zero effort. I also wanna thank Mayor de Blasio for his leadership and passion for making our streets safer and I wanna thank the talented and hardworking traffic engineers, safety educators and other DOT staff who will help make the

goals of Vision Zero a reality. Finally, I wanna thank the Chairman, the Chairwoman and members of these committees and their council colleagues for their longstanding efforts to keep New York City's streets safe. I look forward to working with each of you and visiting your districts in the coming months. Thank and I'm happy to take questions at the end of the testimony. You're next.

CHIEF CHAN: Good morning Chair Rodriguez, Chairman Gibson; members of the Council. I am Thomas Chan, Chief of Transportation of the New York City Police Department. On behalf of the Police Commissioner, William J. Bratton, I am please to be here today to discuss the Police Department's participation in the Vision Zero initiative. We are proud to play a crucial role in this ambitious undertaking in partnership with the Department of Transportation, Taxi and Limousine Commission and other city agencies, as well as with elected officials, community boards, advocacy organizations and most important, members of the public. Our mutual goal is to make traffic safety a universal constant on the streets of the city and the Vision Zero plan represents the beginning of this journey.

As you will observe, the document sets forth a number of action steps specific to the NYPD; they include: increased enforcement against the most dangerous violations, such as speeding and failure to yield; ramping up speeding enforcement at the precinct level with better equipment and increased training; expansion of the highway district to allow for greater enforcement and the intensive investigation of all collisions resulting in critical injury; revision of precinct traffic safety plans to increase the emphasis on pedestrian safety; better technology to capture, analyze and share collision data, and more training for police officers responding to collisions.

However, the Action Plan also sets forth a series of concrete steps that will frame the efforts of the NYPD and our sister agencies to work with everyone with a stake in traffic safety; that is every New Yorker. The public outreach and the education we contemplate will raise the level of awareness with all the users of the city streets so that pedestrians, cyclists; motorists understand their respective responsibilities as they move about

the city, and consequently, we share in the Vision Zero effort.

The NYPD will participate in targeted outreach in locations where collisions have been more likely to occur and we'll visit schools, senior centers and other community groups. We will work closely with local elected officials, community boards and precinct community councils to ensure that we have the knowledgeable input of these working on the ground with us. We will enlist the help of other agencies and public officials to broaden the effort to recruit school crossing guards who, as you know, are very difficult to hire because of the unique tours they work and need to live near their posts.

The powerful education component of the Action Plan will be combined with its enforcement and engineering initiative to create a comprehensive and detailed roadmap which will make the vision real. We are building on the techniques and strategies that have brought some success in reducing traffic fatalities, but with a new sense of urgency, focus, a fresh look at innovative ideas and a deep commitment in creating lasting citywide partnerships we look forward to what promises to be an exciting time for

the City as we pursue a cause we know will save lives. We appreciate the opportunity to discuss Vision Zero with you today and we will be pleased to answer your questions. Thank you.

CONAN FREUD: Good morning. Good morning. Good morning Chairman Rodriguez and Chairwoman Gibson and members of the City Council Transportation and Public Safety Committees. I am Conan Freud, Chief Operating Officer of the New York City Taxi and Limousine Commission. Thank you for the opportunity to talk to you today about what the TLC can do to support Mayor de Blasio's Vision Zero Action Plan.

As we all know, the streets are shared spaces used by pedestrians, bicyclists, drivers of private cars and trucks, buses and taxis; we at the TLC can do more to make the street safer for all users by improving policies that affect taxis and other for-hire vehicles who often set the tone and pace for all the drivers on our streets.

Existing TLC policies and regulations were developed to ensure we license safe drivers and that TLC's license vehicles meet strict safety standards. We currently require drivers to complete



1  
2 a New York State DMV Defensive Driving Course and we  
3 are partnering with the City University of New York  
4 to revamp the taxi school curriculum to teach drivers  
5 how to navigate thoroughly complicated intersections,  
6 since many roads now include lanes for buses,  
7 bicyclists and automobiles. We will also pursue  
8 additional training for those who have been in  
9 crashes. In addition, all drivers must pass an  
10 annual drug test, but make no mistake; we can and  
11 must do more. Under Mayor de Blasio's leadership we  
12 have partnered with the Police Department, the  
13 Department of Transportation and the Department of  
14 Health and Mental Hygiene and other agencies and  
15 outside partners to develop the Vision Zero Action  
16 Plan. In the next few months the Taxi and Limousine  
17 Commission will focus on passenger education,  
18 improved driver training and education materials,  
19 institute stricter enforcement and explore new  
20 technologies.

21 Under an existing partnership with New  
22 York City DOT, many taxis already feature LOOK  
23 stickers on passengers' doors to remind passengers to  
24 be aware of passing bicyclists and other vehicles  
25 when they exit the taxi. We will expand this program

1 and create street safety public service announcements  
2 to run on taxi TV screens. Our drivers by and large  
3 are safe drivers; according to the last published  
4 report to analyze crash data, taxi drivers and livery  
5 drivers were found to have been involved in fewer  
6 collisions per mile travelled compared to drivers of  
7 other vehicles; we want to commend those of our  
8 licensees who already drive safely for their safe  
9 driving and we plan to create a driver honor roll  
10 that will be available to the public on our website  
11 and on the taxi TV screens. The logic being that  
12 passengers will reward safer drivers and drivers will  
13 have an added incentive to drive safely.  
14

15           Using existing in-taxi technology, TLC  
16 can send messages to drivers to driver-facing  
17 information monitors. We already use these monitors  
18 to communicate traffic advisories and fare  
19 opportunities and going forward -- well actually,  
20 it's already happened -- we will use them as a tool  
21 to send safety reminders as well.

22           In addition, feedback from our  
23 stakeholders suggests that crashes are often caused  
24 by left-turning vehicles; as a result, we will design  
25 left-turn reminder stickers that can be placed in all

vehicles in a location that is easily seen by drivers.

The TLC will also create a dedicated safety enforcement squad to carry out the goals of Vision Zero. This team will be quipped with new tools, such as radar equipment, to summons licensees for speeding; we can play a role in reducing the number of speeding drivers without using resources from the NYPD. In addition, the TLC will step up its enforcement against drivers offering for-hire vehicle service without a TLC license.

We are also developing policy initiatives that require the longer-term planning and approval by the TLC Board of Commissioners before moving forward. We plan to pilot two new programs. First, TLC wants to explore the use of black box recorders which are similar to data recorders on airplanes and can provide valuable information on vehicle movement and speed in the event of a crash. Second, the TLC would like to explore technology that warns drivers and passengers that they are traveling over the speed limit in hopes of preventing crashes. These are ideas to think about as we embark on a path to make our streets safer for everyone.

The TLC will seek to implement these policies and initiatives within its existing authority; however, the next couple initiatives and policy proposals will need the Council's support and the support of the State Legislature.

We would like to work with the City Council to increase penalties for so-called runners, or drivers who flee TLC enforcement officers who are attempting to question them or issue a summons to them. Those who flee our enforcement officers pose a serious safety hazard for our officers, other drivers and pedestrians. The existence of criminal penalties would allow TLC inspectors to report the runner's license plate number to the NYPD, who could then make an arrest.

Another initiative that TLC would like to implement would require the State Legislature to change the speed and bus lane camera laws to allow us at the TLC to issue tickets to TLC licensed drivers caught by cameras exceeding the speed limit or blocking a bus lane. Today the State Law prohibits the TLC from using the images collected by the cameras in our tribunals; issuing a summons to drivers for this infraction would result in penalty

points which could be counted towards the driver's potential suspension and revocation.

The next item we will seek your assistance with relates to consequences for drivers who commit safety-related violations, particularly those resulting in serious injury or death. Under the current rules TLC drivers involved in deadly collisions, involving dangerous driver behavior, can remain licensed and on the road, a reality that we would like to see changed. In order to more expeditiously remove unsafe drivers from the road, the TLC will pursue rule changes to increase the number of TLC points accrued for safety-related violations, including failure to exercise due care in circumstances resulting in a serious injury or death of a pedestrian or cyclist.

In addition, we will seek City Council legislation to increase the number of DMV critical driver points associated with safety-related violations for TLC drivers. We will pursue adding that failure to exercise due care to a list of offenses for which a pre-hearing suspension can be issued, taking drivers off the road while potential charges are pending.

The final initiative would require the Council's approval to restructure the critical driver and persistent violator programs. These programs allow the TLC to remove drivers from the road who have accumulated either 6 or 10 points on their DMV or TLC license within 15 months. Today local law does not allow us to combine DMV and TLC points in order to suspend drivers with poor driving records, even though points are often issued for the same infraction. The type of point issued is determined by who is writing the ticket at the time. Drivers accrue DMV points if found guilty for summonses issued by NYPD officers and they accrue TLC points if found guilty for summonses issued by TLC officers. This means a driver could accrue 3 DMV points and 3 TLC points, which if combined would meet the 6-point threshold of either program and be subject to suspension. However, because we cannot combine the points of the two different programs issued for the same infraction, possibly, the driver would not trigger the suspension threshold until he or she accrued 6 points under only one of the programs. We ask for your help to remove unsafe drivers sooner by changing the local law.

2 This concludes my testimony regarding the  
3 TLC initiatives for meeting the goals of Vision Zero.  
4 We look forward to updating and working with the  
5 Council on our proposed safety policy and changes.  
6 Thank you for inviting me today to speak.

7 CHAIRPERSON RODRIGUEZ: Thank you. And  
8 for your information, as you know, like after we have  
9 all those questions to the administration first  
10 started by the Co-Chair of this hearing, Vanessa  
11 Gibson and Corey Johnson, who also chaired the Health  
12 Committee and as you know, that's gonna be part of  
13 Vision Zero initiative, but first my co-chair will  
14 have some questions and then Corey Johnson and then  
15 she will call to the other colleagues who also want  
16 to ask some questions. After we end this panel, then  
17 the next panel's gonna be families that have lost  
18 members. [background comment] Okay. Thank you.

19 CO-CHAIR GIBSON: Thank you very much.  
20 Thank you Mr. Freud, thank you Commissioner  
21 Trottenberg and Chief Chan for your testimony today.  
22 For the sake of time and to allow us to maximize our  
23 hours here, I have one question for each of you and  
24 then I'm going to offer the opportunity for my  
25 colleagues to ask questions as well and I would just

1  
2 like to remind my distinguished colleagues, we have a  
3 3-minute time limit for each of our questions; we are  
4 going to do a first round of questions, followed by a  
5 subsequent round, so if you have multiple questions,  
6 please allow the timeframe at hand.

7 My first question is for Chief Chan. So  
8 Vision Zero proposed for a stronger NYPD street  
9 presence in our community as well as a street-level  
10 enforcement against dangerous driving; my question  
11 is; what types of traffic offenses will the NYPD  
12 focus on? And I say that because in the past there  
13 have been many instances of drivers that were pulled  
14 over for tinted windows and other, what we deem as  
15 minor infractions, so what will your agency do to  
16 enforce traffic offenses that are more serious in  
17 nature?

18 CHIEF CHAN: Thank you Councilwoman.  
19 Clearly, in the Action Plan it identified speeding  
20 and failure to yield to a pedestrian as main factors  
21 in causing pedestrian fatalities; in terms of  
22 hazardous violations, the NYPD will be targeting  
23 those areas, including speeding, failure to yield to  
24 pedestrians, signal light violations, improper turns,  
25 disobeying signage, phoning and texting while you're



1 driving; those are specific areas that we're going to  
2 zero in immediately on, and currently it's being  
3 targeted by our patrol personnel.

4  
5 CO-CHAIR GIBSON: Okay. Thank you very  
6 much. And now Commissioner Trottenberg -- the  
7 interaction between DOT and other agencies in Vision  
8 Zero -- my specific question is; what is going to be  
9 the role of DOT in terms of; will you be the lead  
10 agency or will there be subordinates under the agency  
11 that will implement some of the Vision Zero  
12 initiatives? And I say that because I know that  
13 there are challenges within resources and every  
14 borough, to me, does not always get the attention it  
15 needs. In terms of some of the street initiatives  
16 like countdown crosswalks and speed reducers, do you  
17 see an increase in the level of staff that you will  
18 have for each of the boroughs?

19 POLLY TROTTEMBERG: Yes, Chairwoman  
20 Gibson, let me sort of answer that question in two  
21 parts. In terms of the interagency work, I mean we  
22 really view this initiative as a partnership; you  
23 know, clearly there's certain areas where each agency  
24 will take the lead; for DOT, obviously in street  
25 design and some of the things you've just referenced,

1 we'll take the lead, but in terms of targeting areas  
2 of the city, thinking about how enforcement and  
3 street design can work together, it's gonna be a very  
4 close partnership between DOT and NYPD. The resource  
5 question you ask is a good one and a lot of your  
6 colleagues are asking as well; as you've seen, we're  
7 committing to do a lot of new things in the coming  
8 year and obviously we're gonna take a look at our  
9 resources and make sure that we have the personnel  
10 and the resources we need to do the things we promise  
11 to accomplish in this report and you know, we are  
12 very sensitive to making sure that we are on the  
13 ground in every borough and getting the most  
14 important safety priorities all over the city.

16 CO-CHAIR GIBSON: Okay. Thank you. And  
17 Mr. Freud, from TLC.

18 CONAN FREUD: Uhm-hm.

19 CO-CHAIR GIBSON: Twofold question -- the  
20 investigations of individual drivers who have  
21 multiple accidents that are returning to our  
22 roadways, are there investigations that take place  
23 and will the TLC enhance any driver education  
24 programs for new taxi drivers and also, what happens  
25 in terms of consequences of drivers who are in

multiple vehicular accidents; is there something done from the taxi base or is it done through the TLC agency where we're getting these dangerous, repetitive drivers that are in multiple accidents off of our roads?

CONAN FREUD: Well... okay, couple... couple questions there.

CO-CHAIR GIBSON: Sorry.

CONAN FREUD: In terms of the education component; it's the middle question, I mean we are... we've just registered a contract with the City University of New York for the taxi school program. So that is gonna have a enhanced taxi school for all yellow and green SHL drivers, which we hope to be rolling that out sometime in the early summer. So it's a much more enhanced program that we're gonna have as we have as of today. In terms of... think you had a question on driver...

CO-CHAIR GIBSON: Individual... independent investigations of drivers that are in multiple accidents.

CONAN FREUD: Well... you know, we're not an investigatory agency like the Police Department... [interpose]

2 CO-CHAIR GIBSON: Right.

3 CONAN FREUD: what we do is, you know, if  
4 a driver is in a crash and that crash results in the  
5 driver getting DMV points, we get information from  
6 the DMV and keep a record of those points; if those  
7 points are sufficient enough, in other words, they  
8 have to have at least 6 DMV points or potentially 10  
9 DMV points, we will suspend the driver for 30 days or  
10 if they get 10 or more points we will revoke that  
11 driver's license. So that is our sort of ways... our  
12 rules and that is our... what the law allows us to do.

13 CO-CHAIR GIBSON: Now in order for the  
14 driver to get his or her license back, would they  
15 have to go through a series of programs or education  
16 in order to return to driving?

17 CONAN FREUD: Right now, no, but one of  
18 the proposals that we're looking at is changing our  
19 rules, which we have to do, to require if a driver is  
20 in a serious crash, that they would have to go back  
21 for a hands-on driver education course. What we do  
22 now is we... 'cause taxi school is not a hands-on  
23 program, it's an in-class program; we assume that  
24 you've already gotten the hands-on training to get  
25 your New York State DMV license; you have to take a

1 driver's test like everybody else, enjoy that  
2 experience, or not enjoy that experience, so what  
3 we've thought about is that if somebody did get into  
4 a crash, we thought maybe what we should do is look  
5 at how well that person is driving; not only how well  
6 did they pass the class, but how well are they  
7 driving; they would have... the driver would obviously  
8 have to pay for that class, take the person on the  
9 road and give them an education, on-the-road  
10 education about what they're doing right and what  
11 they're doing wrong and if they were able to, you  
12 know pass that experience, then they would let them  
13 back on the road. But that will require a rule  
14 change and that is something we are committing to do.

16 CO-CHAIR GIBSON: Right. Well let me  
17 just say that I am certainly committed to working  
18 with you, it's been quite a challenge; I know many of  
19 my colleagues and I have working relationships with  
20 our livery bases in our districts and I know that I  
21 have ongoing conversations; if I see things in my  
22 community or constituents come and make a complaint  
23 or a concern, you know we have those conversations,  
24 because sadly, you know we all have to live and work  
25 together and the best way we can do this is by having

that partnership and the dialogue so if there are things that you know this Council do to help make that education component a priority, in particular for what I call the repeat offenders, the drivers that are getting into multiple accidents, I'm truly concerned about them returning to the road once their license is suspended or revoked; I wanna make sure that we have in place a comprehensive plan that allows them better safety initiatives so that we can reduce and prevent those numbers. So... [interpose]

CONAN FREUD: Okay.

CO-CHAIR GIBSON: I think you for answering my questions. [interpose]

CONAN FREUD: Yeah, okay. Also, just to understand, I mean some of our... in the livery world, I know of in... at least for the black car fund, they actually pay their drivers to go to defensive driving. So there's some of the... you know it's... there's obviously... [background comments] and we have over 50,000 livery drivers... 115,000 licensees, so depending on the industry they're in and the company that they're working for, they're working with, everyone does have some tailor, you know, made sort of training programs, but what we wanna do at the TLC

2 is kind of raise the bar for everybody so that  
3 everyone is getting a better education.

4 CO-CHAIR GIBSON: Right. Okay. And with  
5 that, let me turn it over to my colleagues that have  
6 questions, starting with Council Member Corey  
7 Johnson.

8 COUNCIL MEMBER JOHNSON: Thank you very  
9 much Chair Gibson and Chair Rodriguez and thank you  
10 all for being her today, Mr. Freud, Commissioner  
11 Chatagrin [phonetic] and Chief Chan. I have a few  
12 questions, but I'm gonna try to be quick, 'cause I  
13 know my colleagues who are on the committee and other  
14 members have a lot of questions and the public's here  
15 as well.

16 Commissioner, I wanted to... Trottenberg, I  
17 meant... I wanted to just hear a little bit more about  
18 the interagency effort and how exactly that's gonna  
19 work; I know from my experience in working with the  
20 borough commissioner, who is fantastic in Manhattan,  
21 Margaret Forgione, and through the local police  
22 precinct commanders in my district, we have a great  
23 relationship and we talk whenever anything comes up  
24 and I think community boards have a similar  
25 relationship to city agencies and to local police

precincts; how exactly will this interagency effort work; is it going to be just city agencies talking with each other; how is it gonna actually involve local communities in a meaningful and real way where most of the information and the concerns are coming up on a daily basis?

POLLY TROTTERBERG: Thank you; that's a very good question and I wanna say that NYPD and DOT, we have been working together all along; I don't wanna imply that we haven't been and we meet monthly and our borough commissioners, again who... we have terrific ones in all our boroughs... meet pretty regularly with precinct commanders and even in the time that the Mayor has started talking about Vision Zero, we're really stepped up that collaboration. But you're absolutely right the effort is also gonna have to come with a lot of work at the local community level and you know, one of the things I mentioned in my testimony; we are gonna start doing joint town hall meetings, meeting with community boards, you name it, and having agency representatives at all of them and we know a lot of the good ideas are gonna come from the local community and from elected officials as well.



2 COUNCIL MEMBER JOHNSON: I understand of  
3 course that the TLC, DOT and the NYPD are probably  
4 the lead agencies involved in this, but as we know,  
5 this is both a public safety issue and a public  
6 health issues, so I'm happy to hear that DOHMH is  
7 involved and onboard and I've seen some of the  
8 recommendations with regard to DOHMH in the report  
9 and I look forward to talking to the leadership at  
10 DOHMH more about getting data on crashes, on  
11 hospitalizations and to use that data in a real way.  
12 I just have two more quick questions; one for Chief  
13 Chan. What is gonna be the proportion between the  
14 number of highway safety patrol officers on highways  
15 versus arterial roads? So what's gonna be the split;  
16 I know right now there have been reports in the press  
17 that the NYPD was looking for an increase in highway  
18 safety patrol agents doing this type of work, but  
19 what do we think the actual numbers are?

20 CHIEF CHAN: Currently we're looking to  
21 increase the number of personnel assigned to highway  
22 patrol itself; we have approximately 200 officers and  
23 we're looking to increase it at least up to 270  
24 officers in that particular command. They're  
25 dedicated to patrol the highways -- FDR Drive, Henry

1  
2 Hudson Parkway -- and roadways of that nature where  
3 they're doing enforcement and also monitoring traffic  
4 and expediting traffic. In terms of the enforcement  
5 on the street, it's gonna be on a precinct level.

6 COUNCIL MEMBER JOHNSON: And another  
7 question for you and then I'm done. With regard to  
8 the recent reports on jaywalking and the increased  
9 summonses with regard to that, not just on the Upper  
10 West Side, but in other areas of the city as well;  
11 what is the NYPD's plan; is it a case by case blitz  
12 basis, which I think has shown in the past that  
13 hasn't worked in a real sustained way in changing  
14 behavior in communities; I mean my opinion is that  
15 most of these issues are stemming from reckless  
16 drivers and I know that the Police Commissioner has  
17 said, a few weeks ago, that he believed that... I'm  
18 gonna paraphrase him and I apologize if I'm not  
19 saying it correctly... that most of these incidents... a  
20 majority of these incidents were not the driver's  
21 fault, which is hard for me to believe actually; that  
22 the pedestrian was involved in some way and crossing  
23 in a strange way, but you know, we're seeing these  
24 blitzes on pedestrians and I've seen them; I haven't  
25 seen a similar blitz in really difficult spots in my

district on officers sitting there and ticketing drivers who continually at intersections are breaking the law.

CHIEF CHAN: Ultimately the plan that's put into effect is to educate the public and certainly compliance in terms of pedestrian and individuals not jaywalking will make the plan work and that's part of the strategy, the public education -- commercials, videos, outreach to the schools and senior citizens centers -- and things of that nature where we find those children of young age and also seniors have a higher number in terms of injuries and fatalities. But again, our target is not to go after the pedestrians and the public to attack them at the jaywalking for those violations and the point of it is to educate and to reach out to the public, but again, it will take us time to do that and also, with the assistance of the elected officials, agencies and cooperation and collaboratively, we can do that job and not necessarily targeting the pedestrian.

COUNCIL MEMBER JOHNSON: Thank you. I'd just like to stress that... I mean I do think the education effort is key and it must be sustained in a real way and targeted to communities and places and

1  
2 populations that will need to understand traffic  
3 safety laws and crossing in a safe way, but I would  
4 just say that I think randomly blitzing neighborhoods  
5 without any sustained or educational effort preceding  
6 it, going after pedestrians, doesn't seem to be, to  
7 me, the most forward thinking, smart or strategic  
8 initiative that the NYPD should be embarking on and I  
9 appreciate you all being here today and thank you, to  
10 both Chair Gibson and Chair Rodriguez for allowing me  
11 to speak first.

12 CHAIRPERSON RODRIGUEZ: Thank you. And I  
13 have a few questions before we continue calling other  
14 colleagues. And have it in mind that we would like  
15 to get some feedback from you on timeline and money.  
16 When it comes to... we know that Vision Zero is  
17 something that we have to continue starting implement  
18 step by step; probably some of those measures taking  
19 place right now; others will take place; in the next  
20 couple of weeks, in the next couple of months we will  
21 be holding town hall meetings, listening to people  
22 getting our New Yorkers feedback, but I know that we  
23 are not gonna be waiting for those feedback to start  
24 implementing the necessary measures so they create  
25 the number of crash by car. So when can we say that

New York City will be fully implementing Vision Zero?

Can we say three months from now; six months from now; what is the timeline that you as an agency see, or what is the Mayor's idea on when can we announce the whole city that we are fully implementing Vision Zero?

POLLY TROTTERBERG: I'll take a crack at the, Mr. Chairman. And I think... I wanna say about Vision Zero, since we're really viewing it as an educational and culture change that involves drivers, pedestrians, cyclists all over the city, as well as legislative efforts we're gonna make in Albany, I can't tell you exactly when we're gonna have it all accomplished, 'cause not all of it is in our immediate control, but I can tell you for New York City DOT, and we've already convened our task force internally, we're starting town hall meetings tomorrow night; we'll be doing one in Manhattan, and we've committed to a certain number of items that we're gonna get done this year, including safety improvements in 50 different intersections and corridors, 25 arterial slow zones, installing 250 speed humps, enhancing street lighting at 1,000 intersections, so we have, if you look in the report,

1 a pretty specific list of things we're going to  
2 accomplish this year. But the overall goal of Vision  
3 Zero is I think one that's pretty enduring; you know,  
4 we will sort of need to be eternally working together  
5 to improve the transportation culture in the city to  
6 drive that fatality number down.

8 CHAIRPERSON RODRIGUEZ: What is the plan  
9 to create a data system where all agencies share  
10 information?

11 POLLY TROTTERBERG: Yeah, we are... all the  
12 agencies collect a certain amount of data and  
13 certainly some of it is available on all our  
14 websites; the Mayor's Office of Operations is going  
15 to coordinate a multi-agency effort and we have a  
16 Vision Zero website that you can already access and  
17 we're gonna really try and come up with as real-time  
18 transparent data as we possibly can and we'll be  
19 rolling that out in the coming weeks.

20 CHAIRPERSON RODRIGUEZ: We should have it  
21 in mind that... I know that one of the interesting  
22 efforts that the administration has to see how we  
23 centralize those information. We recognize that DOT,  
24 TLC, ACA, DOE, all of them have a good data-gathering  
25 information, but there's not something centralized,

that especially on Vision Zero we can say Dagman [phonetic] and Broadway, 97 and West End; this is where all the information related to DOT, to TLC or to other agencies are here for all to look at it, analyze and plan. So is there any real effort to create that centralized database?

POLLY TROTTERBERG: Yes. Again, we are gonna try and centralize a lot of our data and again, it will go through the Mayor's Office of Operations. You know, one thing, when you do bring data together from a lot of different agencies, and I think you've already heard some discussion of that, it can take some work to harmonize it and make sure that we're using, for example, the same terminology as the NYPD, but we're very energetic and excited about trying to get a really good comprehensive dataset that's available to the public.

CHAIRPERSON RODRIGUEZ: But we recognize that the city doesn't have a centralized database right now.

POLLY TROTTERBERG: I think it does; I mean, we have the Mayor's management council, which tracks some of the things centrally, but yes, I think

some of the data you're talking about is not centralized; it's agency by agency... [crosstalk]

CHAIRPERSON RODRIGUEZ: Centralized. And I know that that's something that the Mayor is interested in and I know that that's part of his agenda, but I just want to be sure that, you know in these few months in this administration that's one of the areas where Mayor de Blasio is looking to make improvement, is how do we centralize our information to all agencies can go in and pull their information so we can.

My next question is about what roles does the Mayor's Office of persons with disabilities play in deciding on different traffic patterns in orders such as safety reforms?

POLLY TROTTERBERG: Yeah, as we're putting together our street safety... our borough-wide plans, our street safety measures, we're trying to reach out and work with a variety of communities and city hall offices and obviously the City Council plays an important role of that working with the Department of Education, working with NYPD, working with disability groups, working with senior groups; clearly we're gonna need everybody's input as we go



forward with the intersections and the treatments we're gonna do around the city.

CHAIRPERSON RODRIGUEZ: What about... there has been concern by visually impaired community about the lack of APS and as you know, we... well I understand that you've only been here now for a few days, weeks, but there have been so many concerns about the previous administration that come to the DOT are not listening on the need to increase more APS, so what is your plan; what is your vision?

POLLY TROTTERBERG: Yes. Well I've obviously heard your concern and the concern from Borough President Brewer and certainly that's something I'm gonna take a look at right away.

CHAIRPERSON RODRIGUEZ: Great. Thank you.

CO-CHAIR GIBSON: Thank you. We have been joined by Council Members Williams, Council Member Rosenthal and Council Member Constantinides. And our next question is by Council Member Jimmy Vacca.

COUNCIL MEMBER VACCA: I thank you, Madame Chair and Mr. Chair. I thank you all. You know, so much of what our committees have done over

1 the years, and I talk as former chair of the  
2 Transportation Committee, we're starting to see come  
3 to realization and I think you. I have to tell you,  
4 I've seen a difference on the streets; I've seen more  
5 of a police presence insomuch as enforcement is  
6 concerned than I've ever seen before. So I do know  
7 that there is an effort, but I do wanna talk about  
8 several issues.

10           Regardless of whatever we do there has to  
11 be an enforcement commitment. We have to enforce  
12 what we do and that will rest largely on the  
13 shoulders of the New York City Police Department. I  
14 know that we've had increases in the highway unit  
15 enforcement since this administration took over,  
16 which I'm thrilled to see an increase, but I want you  
17 to know, since 2001 the highway unit was cut by 50  
18 percent; we've had some increases, but we are going  
19 to have to get that highway unit back to at least  
20 where it was at 9/11. That unit and those  
21 responsibilities of that unit, when the cut was made,  
22 the 50 percent cut, were assigned to local precincts,  
23 but when they were assigned to local precincts, those  
24 local precincts were also coping with a 7,000  
25 citywide reduction in police manpower. So I'm

1           speculating, but I can tell you what I see on the  
2           streets, that during that period the local precincts  
3           did not pick up the flack from the cut in the highway  
4           unit because the local precincts had their resources  
5           stretched. So I come back to the point that we have  
6           to look at commitment to manpower. Even when it  
7           comes to reducing the speed limit there has to be an  
8           enforcement commitment because that speed limit  
9           reduction, just by posting a 25 mile per hour sign,  
10          will probably be obeyed as the 30 mile an hour speed  
11          limit in our city is obeyed right now; it's not  
12          obeyed by many, many people in the city. So I do say  
13          that we have to... and I support Vision Action Plan, as  
14          you have indicated, but I support it with the  
15          provision that we realize that this involves a  
16          commitment of manpower in order to make it  
17          successful. I notice, Commissioner, you mentioned  
18          DOT will quicken up on speed bump installation; we  
19          have a backlog of speed bumps that are requested,  
20          sitting there for more than a year, a year-and-a-  
21          half, waiting installation; this has been going on  
22          for two to three years, so I support your commitment;  
23          I'm glad you're making that commitment, but we have  
24          to clear up that backlog. Now these speed bumps that  
25

2 are going to be installed, hopefully, and the backlog  
3 will be cleared up; do you have a timetable on  
4 clearing up that backlog, number one, and then I  
5 wanna follow through with the Police Department; what  
6 further manpower commitments are you willing to make,  
7 as per my discussion? [bell]

8 POLLY TROTTERBERG: Yeah. Councilman  
9 Vacca, thank you for the question, and we are taking  
10 a look at the backlog and what we're gonna be doing  
11 going forward. I don't wanna give you the final  
12 timeline just yet, 'cause we're sitting down with the  
13 traffic engineers and working through a timetable  
14 there, but we will get back to you with a good answer  
15 on that. I'm hearing from many of your colleagues  
16 about how important it is to work through the backlog  
17 and install more of those as quickly as we can.

18 CHIEF CHAN: Councilman, partly... as we  
19 mentioned before, the Commissioner has made a  
20 commitment to increase the number of highway officers  
21 and highway district working speeds. But also in  
22 conjunction with that, we are increasing the number  
23 of personnel that are gonna be trained, who will be  
24 able to do speed enforcement on city streets. The  
25 equipment normally highway officers may utilize will...

1 radar equipment, may be zone or laser-guided, where  
2 laser, they will point that laser at that vehicle and  
3 is very specific. Radar equipment that's used as a  
4 zone is not as useful on city streets because of the  
5 numerous vehicles there. So we are in the process of  
6 training additional officers and getting additional  
7 LIDAR guns so that officers can do speed enforcements  
8 on the street. The overall program itself, the  
9 beauty of this program, is that it's not only going  
10 to be highway, we have precinct personnel and part of  
11 it, when we have officers from each borough and  
12 precinct come to our traffic stat meeting, which is  
13 once a week, on Wednesday, we will stress these areas  
14 that we want additional enforcement in. Now  
15 collectively, not only are we going to have the  
16 precinct officers doing enforcement, working with  
17 counterparts in other agencies we will also involve  
18 our Community Affairs, they would be going out there  
19 and assisting us in terms of educating the public,  
20 reaching out to the schools, Department of Education.  
21 Also, we will also work with citywide task force,  
22 which is part of the Transportation Bureau; we will  
23 supplement and augment the additional resources that  
24 are out there -- boroughs will take a look and we'll  
25

1  
2 coordinate an effort at one particular location, so  
3 you'll see traffic agents there, possibly tow trucks  
4 there, Community Affairs people out there, working on  
5 one location collectively so the public will  
6 definitely know that we're there.

7 COUNCIL MEMBER VACCA: I quickly just  
8 wanna summarize other concerns I have. You mentioned  
9 crossing guards and I have to get in a plug for  
10 crossing guards, I have to tell you that we have  
11 locations in the city where the crossing guard  
12 location is rated A, B or C. If a location is rated  
13 C, oftentimes, or even B, the crossing guard who's  
14 out for the day for whatever reason is often not  
15 replaced and locations are left uncovered. Your  
16 priority, I understand, are the A locations, based on  
17 whatever criteria you have, but we have too many  
18 locations where crossing guards are out for the day  
19 that do not see a crossing guard being assigned there  
20 and there's no replacement, number one. Number two,  
21 crosswalks, I'm worried about crosswalks; people say  
22 that you should go to the crosswalk in order to  
23 cross, but I have to tell you, I think crosswalks are  
24 often the most unsafe place to cross and they're  
25 often unsafe because of people and the way they turn

1  
2 their cars and the way they approach crosswalks when  
3 they drive, and many people who jaywalk should not  
4 jaywalk, but I don't want people to think that they  
5 are totally safe in a crosswalk; we have to do  
6 something about making people feel that the crosswalk  
7 is a sanctuary of safety for them and right now in  
8 many cases throughout our city that is not the case,  
9 the crosswalk is not clearly delineated, the  
10 crosswalk is not respected by those who drive quickly  
11 and make turns; cars are often in intersections,  
12 blocking the box, so to speak, blocking the  
13 crosswalk; it becomes an absolute problem in  
14 neighborhoods throughout the city and we have to have  
15 a strategy to address that as well.

16 POLLY TROTTERBERG: Okay, I... Council  
17 Member Vacca, I agree with you and unfortunately, one  
18 thing we've discovered is some of the fatalities that  
19 have happened in the city have been exactly as you  
20 said, they've been pedestrians who should've been...  
21 they were crossing safely in the crosswalks and  
22 clearly that is gonna be one of the big efforts we're  
23 gonna have with Vision Zero, which is to do exactly  
24 what you say, which is figure out how to continue to  
25 make these intersections safer, better marking,

1  
2 better line of vision and obviously education and  
3 enforcement, so drivers are going the right speed and  
4 yielding to pedestrians in the crosswalk; that's all  
5 gonna be an important piece of this.

6 CO-CHAIR GIBSON: Okay. Thank you.

7 We've also been joined by Council Members Deutsch and  
8 Gentile, and our next question comes from Council  
9 Member Brad Lander.

10 COUNCIL MEMBER LANDER: Thank you to both  
11 of the Chairs and to the panel and I wanna say a  
12 thank you especially to the advocates and some of the  
13 family members who are in the room; this has been a  
14 long effort; there's been great progress and I wanna  
15 give real credit to the Mayor for moving forward so  
16 quickly on this, but the effort to bring us here and  
17 call attention to the policy change needed for street  
18 safety, as some folks in the audience especially and  
19 around the city have been pushing for a long, long  
20 time, so thank you and thank you very much; the plan  
21 is a great one; we really appreciate it. Obviously  
22 at DOT, in my opinion, there has been very strong  
23 leadership in this direction for some time now and  
24 it's great to have a new commissioner and see some of  
25 the same staff in the audience who have been pushing



1  
2 on street safety; it is now great to see that  
3 enforcement in the NYPD and collaboration will be a  
4 bigger part of the effort and I really do believe  
5 that that's what's needed and what is going to drive  
6 those traffic deaths down; we won't have to keep  
7 having the press conferences like the ones we've had  
8 and the pain and the grief that goes along with it.  
9 So I wanna focus mostly on enforcement and  
10 collaboration.

11 Chief Chan, congratulations; we miss you  
12 in Brooklyn, but it's great to have you in this new  
13 job and I think you're gonna do a great job there.  
14 But I think we should be honest; this is a big change  
15 in NYPD culture and structure; recruits don't sign up  
16 for the Police Academy in their minds to write speed  
17 tickets and you have a big job and that's not, you  
18 know, how are you gonna get it done, it's just  
19 speaking honest and plainly. CompStat is what's  
20 taken seriously and how commanders think they're  
21 going to be reviewed and evaluated and changing the  
22 culture of how officers are thinking about what  
23 safety is and how they're going to achieve it and the  
24 structure so that commanding officers can do it is  
25 hard work. Now I'm lucky in the 78th Precinct, you

1 know Inspector Ameri has been extraordinary in  
2 working with the community, designing this failure to  
3 yield operation to try to protect our crosswalks, but  
4 I guess I wanna ask a little more; what do you  
5 think's gonna be necessary, either in terms of  
6 changing how precincts are evaluated and held... I'd  
7 love just to give them more resources; if we would  
8 just give them more resources, then we can say, keep  
9 doing everything you're doing in CompStat and focus  
10 more on safety, and maybe we can find some ways to do  
11 that together in the budget, but assuming that we  
12 have to shift priorities and culture and structure,  
13 how do you see... are you gonna pick pilot precincts;  
14 are you going to... what are you gonna shift about sort  
15 of command... you know, accountability structure and  
16 culture, these are great words and I know you want to  
17 achieve them, but I just know it's a big hard job and  
18 I'd like to hear a little about how you think about  
19 approaching it.  
20

21 CHIEF CHAN: I have a little experience  
22 and one of my prior assignments... I did work in  
23 highway before, so I think we can get the job done  
24 and the officers can do that. Now I mentioned  
25 earlier, with the traffic stat; this is a weekly

1 meeting where we have a designated borough, perhaps  
2 it's patrol borough of Manhattan South that'll come  
3 to this traffic stat and we will go through the  
4 statistics in terms of taking a look at the  
5 accidents, the injuries, pedestrian fatalities,  
6 motorist collisions; injuries, and also their summons  
7 activity and intelligence reports and we go across a  
8 whole gamut of areas that we look at to see how the  
9 health of that particular precinct is, the health of  
10 that particular borough. Now having the executive  
11 officers that are present, the second in command of  
12 the precincts who are gonna be present there and also  
13 the traffic safety squads are gonna be present at  
14 that traffic stat. Overall we will also have the  
15 executive officer of that particular patrol borough  
16 present there; they will give us their plan and what  
17 their vision and what areas they're gonna be  
18 concentrated on. So we do have a mechanism to hold  
19 them accountable; I think that ultimately working and  
20 targeting these hazardous violations, a public  
21 campaign, seeing that the officers are out there  
22 doing the enforcement, we will eventually get the  
23 public to comply and it's self-interest for officers,  
24 including for myself, that I live and work in the

city that if we reduce some of these poor behaviors by motorists out there, we'll make it safer not only for the motorists and the pedestrians out there, but it's also safer for the officers to be able to travel and to work in the city, so it's a mutual.

COUNCIL MEMBER LANDER: I guess... that's good to hear, Chief, but I wanna push a little more, because I think everything you just said about the traffic stat meetings has been going on previously, the EXOs have had that responsibility that traffic stat meetings take place and I just know from talking to my commanding officers, if they're gonna put more here, they do have to put less... either they need more or they have to put less somewhere else; it is that simple; we don't like to say it out loud, but it... and so how are we going to make sure that we're getting more to this; not just some burst of... I agree with you, everyone's starting to pay attention and you know, look, if you write a few failure to yield tickets and you do a big social media campaign about it, then hopefully other drivers in the neighborhood are starting to change their behavior, but unless we can keep sustained resources and unless traffic stat comes to have essentially a comparable standing to

CompStat, how are we gonna be able to hold that effort up over time?

CHIEF CHAN: The results that we're looking for are going to rely on the individual officers in the precincts and not only initiatives that are gonna go on out there; officers out there driving in routine traffic have to pick up on these violations and occurrences to make these changes. And again, part of that change is that we hold officers accountable for those changes, to make sure that they are addressing those conditions. If they had accidents in their particular sector, then I will want to see what they're doing; tell me what you're doing and what have you done to address that problem? You have a parking condition that's causing people to go around this area and difficult for pedestrians to cross, or there's accidents in your sector at that intersection; what have you done for me today; what are you doing to correct that problem? And that requires them to issue summonses.

COUNCIL MEMBER LANDER: But isn't it hard... I mean you mentioned rightly, and I was so encouraged... [interpose, background comment]

2 CHAIRPERSON RODRIGUEZ: Council member,  
3 let's be...

4 COUNCIL MEMBER LANDER: Can I just ask  
5 one last question? [crosstalk]

6 CHAIRPERSON RODRIGUEZ: Yes, one more.

7 COUNCIL MEMBER LANDER: You rightly  
8 identified and I was so encouraged to hear you  
9 identify speeding and failure to yield as the two  
10 dangerous driving behaviors that cause the most risk,  
11 but those are both very difficult for an officer in a  
12 car to be able to write a summons for; I mean if you  
13 wanna catch speeding you've gotta have a speed gun  
14 and you've gotta be set to write it, which you can't  
15 do from your car, and if you wanna catch failure to  
16 yield, it's really difficult to do from the car and  
17 so you know, the 78th has done this sting operation  
18 and so this is where I feel like, if you wanna  
19 increase effective speeding and failure to yield  
20 enforcement, you have to be able to commit the  
21 resources to do it and that may mean actually pulling  
22 some people from their cars into the places where  
23 they are able to write those summonses, which you  
24 rightly have pointed out as really at the linchpin of  
25 changing enforcement and changing behavior.

2 CHIEF CHAN: My goal is to change the  
3 mindset of the individual officers who are on daily  
4 patrol in the precinct; they are the ones who are  
5 gonna make a difference out there. While they're on  
6 routine patrol, if they're going toward an  
7 intersection and the vehicle in front of them fails  
8 to yield to a pedestrian, as he observes the vehicle  
9 in front of him, he can pull that vehicle over for  
10 failure to yield that pedestrian; we don't need to  
11 set up an operation for that, they can do that on  
12 routine patrol and again, we will hold them  
13 accountable and we will ask them to do so, because it  
14 will... in the long run, the officers out there need to  
15 focus on it, because I cannot rely on specialty units  
16 to carry and to achieve this particular goal, it  
17 requires all the officers out there collectively.

18 COUNCIL MEMBER LANDER: My time's up; I'd  
19 love to continue this conversation, because I wish I  
20 thought that was gonna get the job done, but I'm just  
21 gonna be honest; I really think making that the key  
22 enforcement change is either not gonna get it done or  
23 is gonna be much, much harder than you think and I  
24 hope that we can continue this conversation, 'cause I  
25 know we share the same goals, but I really wanna make

sure we can make the big, heavy changes that we need to make here, so thank you very much. Thank you.

CHAIRPERSON RODRIGUEZ: Great. So I know that... you know, we have so many questions and that's why we say, this is only a beginning and we will continue having more conversations with all the departments and also with the town hall meeting that we will put together. And we'd also like to invite our colleagues to please stay within three minutes, since we have 9 council members that also would like to ask questions; as you know, there's like two other hearings going on at the same time, so there's some council members that even though they're not here, they will be back and we also have 30 individuals ready to testify, including family members who are the next panel, so the next council member is Council Member Julissa Ferreras.

COUNCIL MEMBER FERRERAS: Thank you, Chairs; I will be brief. My questions specifically come into speed bumps near our schools; it seems in particular I am having six new schools built in my district, which I'm really excited about; when I've asked about the DOT plan in the past, they open the schools and then figure out where the traffic



1 problems are and I think that that is reactive and  
2 not proactive and I'd love to hear how we can include  
3 in this plan visioning how we plan out the safety  
4 around our schools. So I'm just gonna ask the  
5 questions so that we can kinda get them out of the  
6 way and if you can just answer them right after I ask  
7 them would be great. The other thing is, I have  
8 constituents that write to me, come to the office,  
9 come to our town hall meetings asking for traffic  
10 lights, asking for a stop sign and it seems that it  
11 takes forever to get a traffic light or a stop sign  
12 and oftentimes it's more no than yes. We are  
13 actually... it seems that you have to have -- you  
14 haven't had enough car accidents or there hasn't been  
15 enough incidents in a particular corner that warrants  
16 a stop sign or a speed bump or a traffic light, yet  
17 you know, constituents that live there can account  
18 for and remember since they moved there all the  
19 accidents that have happened on a particular corner.  
20 So I'd like to know if in any ways this new plan will  
21 help you review what triggers a traffic light or some  
22 type of traffic mitigation on our street corners.  
23 And then, I guess this is for NYPD, in my district,  
24 the 110 and 115 precincts are really trying to do  
25

1  
2 their very best with the limited resources that we do  
3 have in enforcement, so I would love to see some of  
4 the resources go there and I'm sure throughout the  
5 entire city, but in particular Roosevelt Avenue, very  
6 pedestrian travelled, I also have 300 state liquor  
7 licenses issued in this corridor, so it is no  
8 surprise that in 2010 we were number one number two  
9 precincts in DUI arrests, so is there an overlay in  
10 the conversations as we talk about traffic  
11 enforcement and mitigation that we look at the  
12 environment of our neighborhoods where certain  
13 neighborhoods may trigger a different approach, where  
14 obviously I would probably have more of the... I'm  
15 sorry; I forgot the term, but where you... there is  
16 more traffic stops, police traffic stops in my area;  
17 would that be triggered and be part of this package?  
18 We have a lot of families especially with young  
19 children that the school crossing guards I believe  
20 should be part of that conversation also, because no  
21 one better than them can tell you which are the  
22 issues that they're trying to overcome, and one thing  
23 that I'd like to see part of the conversation is the  
24 yellow school bus drivers and speaking to them,  
25 [bell] they also have, in many ways, form a part of

1  
2 blind spots when our children are coming out of  
3 schools and the buses are parked all over the place,  
4 helping organize what that could look like in the  
5 future. And thank you, thank you Chairs.

6 POLLY TROTTERBERG: Well I'll take a  
7 crack at the first two of those questions, and thanks  
8 for your comments about the schools, certainly we  
9 wanna make sure that as new schools are coming up we  
10 have a very good safety plan in place and although we  
11 haven't really mentioned it here, one of the partners  
12 in this whole effort is gonna be the Department of  
13 Education and we can also work with the School  
14 Construction Authority and obviously I think we'd  
15 like to talk to you specifically about what's  
16 happening with the new schools in your area; I mean  
17 it is essential as we're putting new schools in place  
18 and for existing schools, that we have a  
19 comprehensive approach to safety around the schools.

20 On the question of the frustrations  
21 people are feeling about how quickly potentially  
22 we're doing stop signs or signals or speed humps,  
23 there are different requirements for each and  
24 certainly one thing we're gonna do in, you know the  
25 process of borough-wide safety plans, is take a look

at the needs all over the city; in some places that may be the thing that constituents want, but it may be that it's actually a more complicated question; it involves enforcement or other things, but certainly I hear the frustration that people want us to move faster and we're really gonna try and move faster.

CHIEF CHAN: The issue... you mentioned school crossing guards, we certainly are looking to hire additional persons in that role; we are short approximately 200 school crossing guards at this point; it is a difficult hire, but we're going to be working collaboratively together; matter of fact, the Deputy Commission of Collaborative Policing, Sue Herman, we've sat down with her in terms of discussing a strategy; how we can get additional hires, whether we use social media and applications through the Department of Personnel. Currently those applications, and I actually brought some applications with me here today, is that we passed them out... that's done a precinct level, but certainly, that's an area that we can increase.

Now in respect to the DWI, again, different neighborhoods, different culture, different groups, different businesses; again, local precincts

1 will look at those areas and identify and come up  
2 with a particular plan that addresses that particular  
3 area. Now there are bars and things of that nature;  
4 I know that the boroughs meet on a regular basis,  
5 quarterly meetings, with the business and bar owners  
6 and things of that nature to discuss certain issues  
7 and certainly that's one of the topics that's  
8 discussed in reference to serving alcohol to  
9 individuals and things of that nature. So again,  
10 these plans developed on a precinct by precinct basis  
11 will encompass the businesses and also the groups and  
12 the neighbors and with that in consideration.

14 CO-CHAIR GIBSON: Thank you very much.

15 And also, let me just add, Council Member Vacca spoke  
16 about our crosswalks and I do wanna emphasize that,  
17 you know they're supposed to be a sanctuary of safety  
18 and many of them are not across our city, so I would  
19 urge the agency to make sure that we can keep that as  
20 a priority. And also for Chief Chan, crossing guards  
21 are major components of safety and while I served as  
22 a member of the assembly for four years, I voted on  
23 the bill that authorized the 20 speed cameras near  
24 our schools and while I would like to see that  
25 expand, that's just one component; we have to have

bodies in our streets, and many of us represent many schools that are multi-dwelling for multiple schools; we have co-locations; I represent the Grand Concourse, Boston; Webster Road, so these are major thoroughfares with schools in commercial areas that do not necessarily have enough crossing guards and so that is an important part of this conversation. So I know and I share, Chairman Rodriguez... this is just the first step; we will have many conversations, many more questions coming from the Council as we continue to focus on Vision Zero. Our next question or comment comes from Council Member Daneek Miller.

COUNCIL MEMBER MILLER: Good morning. Chairs Gibson; Rodriguez, thank you so much for your leadership on this important public safety issue. To the panel, thank you so much for coming out and to the transportation and safety advocates, many of which I have worked with over the past 30 years in my transportation capacity; thank you for your continued due diligence.

So obviously I applaud you and I have this affinity for transportation and public safety and how it impacts our community. But in Southeast Queens, as in many outer borough communities, we have

1           been inundated by an unsafe, unregulated and often  
2           untrained, underground industries better known as  
3           dollar vans. It seems that they have gone  
4           unregulated for a number of years, whether it's TLC,  
5           DOT and fact of the matter is, I attended a public  
6           hearing last Friday where they were petitioning DOT  
7           to put a number 25 on the road. So my question  
8           really is to TLC as to if in fact there has been  
9           little, if any enforcement in this area in the past  
10          with such an ambitious plan being moved forward; how  
11          do you intend to address this issue at the same time  
12          addressing the new issues that you intend to  
13          undertake? And you also mentioned, as it pertains to  
14          taxi and limousine, or the cabs, that there were  
15          going to be some additional training and  
16          reinstruction, as well as drug testing; does this in  
17          fact pertain to those van drivers as well?

19                   CONAN FREUD: The licensed van drivers...  
20          just to answer the last question... the license van  
21          drivers get drug-tested every year; that's... that's...  
22          any license TLC driver gets drug-tested every year;  
23          that's our rules; that's what happens. What you're  
24          describing is mostly people who are unlicensed and  
25          we, every day, go out to look for unlicensed van

operators and we seize their vans. In the past we did not have the capacity once we seized the van to hold the van, because we did not have a tow pound. In the past... we've been doing this for almost a year-and-a-half... we have a dedicated tow pound now so that when we go out in our operations we will be able to seize those vans and bring them to the tow pound and people have to pay a fine, a significant fine, starting at like \$600, before they get their van released. So that is what we are doing; those operations are gonna continue, they started more than two years ago and they will continue. We don't see Vision Zero sort of crowding out that. And actually, one of the components of our Vision Zero plan for TLC [bell] is to continue to strengthen our enforcement, because many of the times we take somebody off the road who's unlicensed, unless it's by the TLC, they also don't have the right insurance, if they have any insurance, they're not trained, they're unsafe, the cars are not very good, so we have sort of built the foundation of our Vision Zero plan on a lot of the enforcement work that we've done. We use to seize about 1,500 cars a year, three years ago; today we're gonna seize almost 10,000 cars; that's cars and vans.



2 COUNCIL MEMBER MILLER: Okay, because you  
3 seem to be concentrating on the cars, where there is  
4 an unacceptable underground industry of these vans,  
5 which are an unacceptable alternative to public  
6 transportation; they don't address our senior, nor do  
7 they address those who are ADA compliant, so that  
8 would be an issue.

9 To Commissioner and thanks for our  
10 conversation that we had last week, it was really  
11 great and your vision, it was mentioned quite often  
12 that the weight time on some of the projects, whether  
13 it be speed bumps and other things that's goin' on; I  
14 know that we in the past, in my other capacity, that  
15 we dealt with some safety initiatives, whether it was  
16 signage or turn signs and so forth or lights; often  
17 when they were reviewed, if they were found not to be  
18 in compliance or not necessary, it could not be  
19 readdressed for another 18 months, which has been  
20 very problematic, considering the different changes  
21 in traffic patterns and have not been able to keep up  
22 with the demand; are there any plans to adjust that  
23 policy as we move forward?

24 POLLY TROTTERBERG: That is certainly  
25 something we're gonna take a look at; I've heard that

from you and from some of your colleagues; I know that's been a source of frustration, so we will be taking a look at that.

CO-CHAIR GIBSON: Thank you.

COUNCIL MEMBER MILLER: Thank you.

CO-CHAIR GIBSON: Thank you very much Council Member. Next question, Council Member Rory Lancman.

COUNCIL MEMBER LANCMAN: Good morning. I wanna zero in on the issue of schools. As I've gone to the couple of dozen schools in the district that I represent to get a sense of their priorities and talk about the year to come and what they'd like me to work on, the number one issue that has come up has not been the common core or teacher evaluations or class size; it's been traffic safety around the schools, which is really not a surprise to me, from my work in the district, but nonetheless, it's something that I feel is not really being addressed properly in the Vision Zero plan that you've laid out and Councilwoman Ferreras touched on it... and I'd like to see if we can get some more definitive responses from you. You know as I look through the Vision Zero book that the Mayor's Office handed out, I see City

Hall, the TLC, NYPD, DCAS, DOT, Department of Health and Mental Health, but the one agency that I see missing in any kind of formal way is the Department of Education. So I'd like to know whether or not you will include the Department of Education as a full and equal partner with equal responsibilities to come up with a plan for making the environment, or participating in plans to making the environment around schools safe. What exactly you plan on doing to analyze each of the schools and their traffic safety needs, the same way that you are presumably gonna go through that process analyzing intersections and other hot spots, as you put it, and what your plans are for increasing the number of school crossing guards. And it's insufficient to say that, well it's difficult to recruit them because of their hours or their tours or whatever without telling us what your plan is for either changing the nature of the position or making it more attractive or making it easier to recruit folks. So are you gonna include the DOE; is the next version of this booklet gonna have the Department of Education; what are their responsibilities gonna be; are you gonna do a survey of all the schools in the City of New York or require

1  
2 the DOE to do the same, and what exactly are you  
3 gonna do to make it possible to hire the crossing  
4 guards that we acknowledge need to be hired?

5 POLLY TROTTEBERG: I'm happy to take a  
6 crack at the first part of your question. Yes,  
7 Department of Education is gonna become a partner in  
8 this effort and we've already started to talk to them  
9 and that's... you know what you say is very powerful,  
10 that when you go around your district and talk to  
11 schools that the number one thing on their list is  
12 safety around the schools. In New York City, DOT,  
13 we've already done a lot of work trying to improve  
14 intersections, traffic safety, et cetera [bell]  
15 around a bunch of schools, but as part of these  
16 borough-wide safety plans that we're gonna be  
17 creating, school safety is gonna be a huge component  
18 and we will be on the ground with school districts  
19 and Chancellor Farina and I can promise you, there's  
20 gonna be a very strong partnership; I mean, I think  
21 safety around schools is one of the biggest  
22 motivators behind Vision Zero.

23 CHIEF CHAN: We take a look at it,  
24 Department of Education, school safety, Mark Rappison  
25 [phonetic] was at the meetings at the Mayor's Office

1 in reference to this; they've been part of the  
2 conversation. A counterpart in School Safety  
3 Division in NYPD, they deal with the School Safety  
4 Division; we also have Elana Constant [phonetic] we  
5 deal with all the time. And again, with the 1,600  
6 different facilities throughout the city itself, we  
7 are gonna be working with Department of Education and  
8 I think partly is that we will make outreaches  
9 through DOT and NYPD, but again, we will target by  
10 age group, elementary schools, intermediate and also  
11 high school, because again, it's a large audience,  
12 1.1 million students out there, so as DOE becomes  
13 involved and they have a program, they could  
14 formalize it; it will certainly make our job that  
15 much easier, because they can track to make sure that  
16 all 1.1 million students out there get some type of  
17 video or training in reference to traffic safety.

18 School crossing guards, again, certainly  
19 we're not doing enough; we will be doing more and  
20 again, working with the new Deputy Commissioner of  
21 Collaborative Policing and finding different ways to  
22 put it out there to get more candidates and  
23 applicants in there and we're gonna try public,  
24 whether it be PTAs, the schools and all areas, so  
25

2 we're not going to stop until we get enough school  
3 crossing guards.

4 COUNCIL MEMBER LANCMAN: But can I just  
5 follow up on that. As you've identified in your  
6 testimony and your remarks, the problem with  
7 recruiting school crossing guards, it seems to be  
8 structural, there's something the way that the  
9 position is structured in terms of the hours, the  
10 tours; is there something that can be done to make  
11 the job more attractive or make it feasible for  
12 people to do this kind of work, because otherwise  
13 you're likely just banging your head against the  
14 wall?

15 CHIEF CHAN: We will take a look at that,  
16 currently the school crossing guards only work 5  
17 hours each day and it maybe 2-and-a-half hours or 2  
18 hours up front and then an hour for lunch and then  
19 again, 2 hours at dismissal time, but it's certainly  
20 an area that we're going to take a look at to see if  
21 we can increase it and I think we can. I think we  
22 can.

23 COUNCIL MEMBER LANCMAN: And is it  
24 possible... [crosstalk]

25 CO-CHAIR GIBSON: Council member, uh...

2 COUNCIL MEMBER LANCMAN: to require that  
3 each school produce a traffic safety analysis which  
4 says or tells us what needs to be done at each school  
5 to improve traffic safety around the school; is that  
6 something we can ask or look forward to?

7 POLLY TROTTERBERG: Yeah, I think that's  
8 a great idea and I... one other thing I... I just wanted  
9 to mention, something else we're committing to in  
10 Vision Zero; we already do extensive education in the  
11 schools, working with the kids there to talk to them  
12 about how to cross safely and travel around the city  
13 safely and we're also gonna step up our efforts there  
14 a lot as well.

15 COUNCIL MEMBER LANCMAN: 'Kay, thank...  
16 [interpose]

17 CO-CHAIR GIBSON: Thank you. Thank you  
18 council member. Next, Council Member Steve Levin.

19 COUNCIL MEMBER LEVIN: Thank you very  
20 much Madame Chair, Mr. Chair, Commissioner, Chief;  
21 Mr. Freud, thank you. Chief, I wanted to take my  
22 time to ask questions about speed enforcement. So I  
23 am very pleased that through Vision Zero there is  
24 going to be a plan to increase speed enforcement, but  
25 I think it's important to look at what's been the

rule and the status quo up to this point. I live a block away from McGuinness Boulevard; my office is on Atlantic Avenue; at any time during the day or night I can go outside to either of those streets and see people going well in excess of 40 miles an hour, all the time and while I admire and respect the work of the police officers in the precincts that I represent and I admire and respect the commanding officers and their administrative teams, there has never really been a significant amount of real enforcement of speed in any precincts that I've ever really looked at; I mean there's... and if it does happen, it's the highway patrol that's doing it, but in my experience I've really never seen precinct level speed enforcement and I've often heard that it's resources, that not enough precincts have speed guns; I've actually a couple years ago heard that two precincts shared a single speed gun; that's an unacceptable reality, and how can we ever expect that there is adequate enforcement if we don't have the tools? So one thing I'd like to know is, is there going to be a significant purchase of speed guns and training for precinct level police officers to do this, because I've seen precincts that... and I mean, they've...



1  
2 there's zero speeding tickets written in a single  
3 month or in two months, zero; I mean it's impossible;  
4 these are precincts with major thoroughfares. And in  
5 addition to that, I see speeding... I mean I'm a  
6 pedestrian, I'm a driver, I'm a cyclist; I see  
7 speeding everywhere, I see it on the arteries, I see  
8 it on the tertiary's; I see it in Park Slope, I see  
9 it in Boerum Hill, I see it on Clinton Street in  
10 Brooklyn Heights; speeding is ubiquitous and so I  
11 mean, are we gonna be ramping up the purchase of  
12 equipment and are we gonna be really doing additional  
13 training on a significant level that is going to show  
14 that real impact?

15 CHIEF CHAN: Currently we talked about  
16 the laser type of radar gun that we utilize; we have  
17 approximately 56 [bell] of those guns and it's  
18 distributed throughout 32 precincts throughout the  
19 city itself and we are in the process of ordering an  
20 additional... I believe it's 200 additional guns that  
21 are to be utilized for that purpose. Officers who  
22 are trained... it requires a... I believe it's a four-day  
23 course for training, you know, speed estimations and  
24 also the proper use of the equipment. So we are in  
25 the process of doing that, training, and also getting

the equipment for that purpose. Again, sometimes the highway unit certainly is very obvious when they're out there doing enforcement; we do require and need the precincts to do the enforcement; again, the precincts will work on certain locations, as you mentioned, McGuinness Boulevard, certainly that's an area that we can do some more work on, but again, there are more... they're identified by the individual precincts and when we can supplement them with highway, we certainly can, but I see that you're saying that we need a more sustained effort on that and again... [interpose]

COUNCIL MEMBER LEVIN: We need..

CHIEF CHAN: we are getting more equipment, more people trained and to do their job.

COUNCIL MEMBER LEVIN: And we need the equipment. I'll share with you; when... I grew up in the suburbs and when I was 17 and 18, when I first got my license, I got a number of speeding tickets and because out in the suburbs they do it, they give out speeding tickets and it changed my behavior and I don't speed anymore. And that's the way in which... you modify the behavior is when people are getting points on their license and their insurance rates go

up and they're payin' \$100 and whatever for each ticket or more; that's the way in which you modify the behavior, but if we're not giving out the speeding tickets, we're not modifying anybody's behavior. So I'm hopeful that now that is going to change, but the precincts need the support... we have great police officers, we have great precinct commanders throughout our city; they need the support, real support, real actual resources to make sure that that mission is carried out. Thank you very much. [interpose]

CO-CHAIR GIBSON: Thank you council member. Just a friendly reminder to my colleagues, we do have a time limit, we want to move this hearing along; we have a number of other testimony from family members impacted, by some of the traffic issues we've had across the city, so if each of my colleagues could please get their questions through on the three-minute timeframe. Thank you very much. Next we will hear from Council Member Carlos Menchaca, three minutes.

COUNCIL MEMBER MENCHACA: Thank you Chair Gibson, thank you Chair Rodriguez, thank you panel. My question I'll direct to DOT Commissioner

1 Trottenberg. The success of this incredibly bold  
2 vision is gonna depend, as we've spoken about  
3 already, on really understanding that the  
4 stakeholders, all of us -- City Council, city  
5 administration, advocates, local community residents,  
6 small businesses, everyone -- feel a part of the  
7 creation of this. In Red Hook, Sinser [phonetic]  
8 Park in Red Hook, in Red Hook where I live, in my  
9 district, we have a very vibrant industrial business  
10 zone; we're also dealing still with the affects of  
11 Sandy and are rebuilding; as you focus on specific  
12 physical improvements, how does Vision Zero, DOT,  
13 focus on leveraging the billions of dollars that are  
14 coming down from the federal government to address  
15 these issues in tandem, and specific, for example,  
16 storm water infrastructure; how do you plan to do  
17 that?  
18

19 POLLY TROTTEBERG: Yeah, that's a good  
20 question. And I think, again, is sort of our  
21 message here today is Vision Zero is supposed to be  
22 about partnership throughout the city administration  
23 and agencies working together and obviously some of  
24 the things you're talking about, some of the  
25 infrastructure improvements, Hurricane Sandy funds,

1 will involve not only coordination among city  
2 agencies, but working with our partners at the state  
3 and federal level as well and I think, you know  
4 that's an excellent suggestion; we... one thing, having  
5 been sort of in the infrastructure field for a long  
6 time, the smartest thing you can do is coordinate  
7 these kind of investments; you can often get so much  
8 more bang for the buck, so much more efficiency and  
9 much better results. So that's certainly an area  
10 we're gonna take a good look at, because I think we  
11 can get some fantastic results there. Thank you.

12 CO-CHAIR GIBSON: Thank you very much.  
13 Next, Council Member Helen Rosenthal. She's gone.  
14 Okay. Moving forward, Council Member Mark Weprin.

15 COUNCIL MEMBER WEPRIN: Thanks Madame  
16 Chair. So I hate to see this turn into a gripe  
17 session for all of us, so because I think it's great  
18 that we're here today and that we're having this  
19 hearing so early in the new administration and with a  
20 new Council and I think that's new wonderful,  
21 especially... I gotta give a lot of credit to the  
22 advocates who've been working on these issues for so  
23 many years, because for them at one point they were  
24 looked at as some crazy idea that could never happen  
25

1  
2 and now it's front and center and something that we  
3 all really wanna see happen and try to make it a  
4 safer city to walk, to drive and to ride a bike, so  
5 we're all very happy about that.

6           Just a couple of... obviously this is a  
7 very big project and it has a lot of aspects that are  
8 hard to solve; look no further than the idea every  
9 time I'm a pedestrian and I'm crossing a street I'm  
10 amazed and angry at just how reckless and dangerous  
11 drivers are and when I'm driving I'm always amazed  
12 and angry at how reckless and dangerous the  
13 pedestrians are and that is just the nature of this  
14 city and changing those habits are gonna come very  
15 slowly, it's not something we're gonna be able to  
16 solve in a couple of months. But one issue that has  
17 come up a lot, and ever since I've been watching it  
18 I've been amazed at how reckless drivers who end up  
19 on curbs, who end up, you know driving into stores  
20 and all kind of crazy things happen, invariably, when  
21 I read the stories about this there's a line that  
22 says no charges were filed or there's no activity  
23 that was found wrong; people say their brakes failed  
24 and other things; that happens, I understand, but if  
25 you end up on a curb, something went wrong, somebody

1  
2 did something wrong and if you can prove that it was  
3 something, you know, God forbid you had a health  
4 emergency or something, that's one thing, but there  
5 needs to be more a presumption that when that happens  
6 the person is guilty of a crime, and how serious a  
7 crime we can discuss; I know there was some  
8 discussion about putting points on license, I'd like  
9 to see that happen more often, if you're caught  
10 texting and driving or talking on a cell phone, you  
11 can get points on your license; you should get that  
12 immediately if you drive onto a sidewalk you should  
13 get points on your license. And even if it's not  
14 your fault, I'll take the few people who innocently  
15 had something go wrong to try to catch the people who  
16 obviously were driving too fast or not paying  
17 attention or doing something wrong. So I don't if  
18 Chief Chan, I don't know who the person is,  
19 congratulations by the way; what could we do as a  
20 City Council for the city in itself legislatively and  
21 not have to go to Albany and indeed, if we have to go  
22 to Albany, what specifically can we pursue in order  
23 to try to get tougher with these reckless drivers?

24 CHIEF CHAN: I think, again, when we have  
25 a situation where a person possibly mounts a sidewalk

1 [bell] and things of that nature, unless we can  
2 determine all the factors where this individual might  
3 have a suspended license or he's intoxicated and  
4 things of other nature, it is difficult; we do have a  
5 collision investigation squad that will possibly take  
6 a look at those situations, but overall there... I  
7 believe the legislation can be passed by Albany  
8 that'll help where situations might be a violation  
9 and they increase the penalty to a misdemeanor; that  
10 certainly would help deter some of the actions when  
11 we seen that there is some type of intent or probable  
12 cause in those situations. But again, it would be a  
13 case to case basis on those situations.

15 COUNCIL MEMBER WEPRIN: Alright, I'm done  
16 now, but I just wanna... I'd like to get around the  
17 intent and probable... I wanna be able to say,  
18 obviously something was done wrong here and there  
19 should be a rebuttable presumption on them that you  
20 did something wrong; that's why we got to this  
21 situation; I'd like to figure out a way to get to  
22 that.

23 CO-CHAIR GIBSON: Thank you. Before I  
24 get to the next colleague, I also want to add, while  
25 I know that it's not specific in Vision Zero, but I



1 do wanna bring it up as an important component of  
2 traffic -- truck traffic across our city --  
3 specifically large tractor trailers that are in  
4 residential communities; I think it's important for  
5 this council and this administration to take a look,  
6 another analysis at truck traffic across our city.  
7 While we know that our local stores and all of our  
8 businesses across the city need deliveries, that's  
9 important, but I have a concern where you have a lot  
10 of truck traffic that is in residential communities.  
11 I live in the Bronx, on the west side of the Bronx in  
12 Morris Heights and there have been a number of  
13 accidents with trucks hitting pedestrians and we had  
14 one fatality two years ago and just recently there  
15 was a cement truck that exited off of the Major  
16 Deegan at 179th Street that ran into a home and  
17 unfortunately the truck driver passed away and the  
18 homeowner's house, thank goodness she wasn't home at  
19 the time; she was food shopping, preparing for the  
20 storm, but if she was home, who knows if she would've  
21 survived and so not just in that part of the Bronx,  
22 but across our city I think we need to relook at some  
23 of our truck traffic going through residential  
24 communities; it has been an issue that has been  
25

1                   COMMITTEE ON TRANSPORTATION, JOINTLY WITH COMMITTEE ON PUBLIC SAFETY     98  
2   talked about, but we have not done anything about it,  
3   so if we could, I wanna add that to Vision Zero,  
4   because I think truck traffic is a huge component of  
5   our safety in our city. And with that I will return  
6   to Council Member Rosenthal.

7                   COUNCIL MEMBER ROSENTHAL: Thank you  
8   council members, Chairs for holding this hearing and  
9   thank you, Commissioners for being here and your  
10  forthrightness; I really appreciate it. I have three  
11  quick comments. First is for the TLC, I'm interested  
12  in the TLC's response to changing the administrative  
13  code, something the city could do immediately, so  
14  that if a TLC driver hit and killed a pedestrian or  
15  seriously injured a pedestrian or a bike rider, their  
16  TLC license would be immediately suspended, there  
17  would be an immediate investigation and within a very  
18  short period of time; a week; however long this  
19  takes, if it was found that there was failure to  
20  yield they would lose their TLC license immediately.  
21  I'm curious to know if you've looked into that and  
22  what your thoughts are on that and only because I  
23  don't wanna lose my three minutes, I just wanna  
24  mention the school crossing guards; I appreciate my  
25  colleague, Rory Lancman, bringing this up. In the 24

1 we've had a situation and it's just inexcusable,  
2 where we have a very small number of crossing guards,  
3 some of whom, god bless them, are out on maternity  
4 leave, but it means that at one school we literally  
5 have no one working there, PS 75, which is one block  
6 away from where, everyone knows, we had some horrible  
7 traffic accidents recently; I'd be remiss if I didn't  
8 just give a shout-out to the Chair of Community Board  
9 7, Elizabeth Caputo, Community Board 7 has been  
10 phenomenal in working on the three pedestrian  
11 tragedies in my district and to the transportation  
12 alternatives have been just wonderful advocates; I  
13 can't... it would be... I would be remiss if I didn't  
14 mention that Steve Vaccaro, who's a great advocate,  
15 did have a biker clash this weekend with a car, so  
16 none of us are immune from this. So if we could  
17 start with the TLC.

19 CONAN FREUD: We are obviously aware of  
20 your bill, we're looking at it, we're considering it,  
21 we're considering that along with other things that  
22 we've talked about in terms of looking at how DMV  
23 points that are today... when you get DMV points on  
24 your TLC license, how we classify those and can we  
25 add existing, you know, doubling or modifying the

number of points that someone gets on their DMV license to how that would affect their TLC license. So we are definitely considering all those things. [interpose]

COUNCIL MEMBER ROSENTHAL: Right, although that's not what I'm asking for. I'm not asking for additional points, I'm asking for just simply to be suspended immediately and then revoked. Is there a technical reason why we can't do that or is it a matter of policymaking?

CONAN FREUD: Well, we can only suspend or revoke someone if they have points on their license. So in other words, they have to have... [crosstalk]

COUNCIL MEMBER ROSENTHAL: Okay, so...

CONAN FREUD: a police officer has to have written [bell] a summons that said this is what happened.

COUNCIL MEMBER ROSENTHAL: So if the summons said you've got 20 points, it would be immediately revoked?

CONAN FREUD: Yes.

COUNCIL MEMBER ROSENTHAL: So what... is there a policy reason or a procedural reason for why

1 we can't make the number of points that number that  
2 would... what would follow was immediate revocation,  
3 number one; and number two, you haven't spoken to the  
4 suspension piece. Currently if a driver, as in the  
5 case in my district, you know, driver killed a young  
6 boy, allowed to be back on the street the next day;  
7 god bless this particular driver, who's very  
8 honorable, who has not gotten back on the street, but  
9 he got away with a \$300 summons; he killed a boy.

11 CONAN FREUD: Well... and that was a  
12 terrible, terrible tragedy, let's not... [background  
13 comments]

14 CO-CHAIR GIBSON: Wait, wait, wait.

15 CONAN FREUD: There... there... there's no  
16 doubt that was a terrible tragedy and the City and  
17 the TLC sent our condolences to that family; that was  
18 a terrible thing that happened; however... [background  
19 comments] Okay.

20 CO-CHAIR GIBSON: Thank you.

21 CONAN FREUD: that was a terrible tragedy  
22 that happened, but when someone gets into a crash  
23 there has to be a ticket written that has to be  
24 adjudicated; when that gets adjudicated, we can  
25 suspend and revoke licenses. Currently, depending on

the violation, some would allow us today immediately to suspend people and some would not... [interpose]

COUNCIL MEMBER ROSENTHAL: If somebody kills a child, is it immediately suspended?

CONAN FREUD: I... it depends on what the police do at... [interpose]

COUNCIL MEMBER ROSENTHAL: Failure to yield; a summons was given for \$300.

CONAN FREUD: But it wa... couple things happened: one, the points and failure to yield I believe are 2 points, okay? [interpose]

COUNCIL MEMBER ROSENTHAL: Including... despite the ramifications of a failure... [interpose]

CONAN FREUD: I... I am not... not disagreeing with you, Councilwoman...

COUNCIL MEMBER ROSENTHAL: No, I'm asking; it's really just a point of clarification; I'm not... [crosstalk]

CONAN FREUD: That... that's what was written... that's what the law says today... [crosstalk]

COUNCIL MEMBER ROSENTHAL: And so in order to change that law, is it a matter of public policy or is there some technical reason, like case law or precedent that we can't change the law?

2 CONAN FREUD: You need to change the law.

3 COUNCIL MEMBER ROSENTHAL: And that's...

4 but it could be a matter of public policy, so the  
5 City Council could do it, its administrative code or  
6 the Mayor could do it; that's all I'm asking?

7 CONAN FREUD: It would have to be  
8 administrative code or... well there's two things,  
9 remember there's the State Law that has to change,  
10 that could have to change...

11 COUNCIL MEMBER ROSENTHAL: Why... why is  
12 the State Law involved for a TLC license?

13 CONAN FREUD: Well let's just talk about...  
14 for TLC licenses it does not have to be State Law...  
15 [interpose]

16 COUNCIL MEMBER ROSENTHAL: That's all I'm  
17 asking for.

18 CONAN FREUD: but except... except we are  
19 here today to talk about all drivers... [crosstalk]

20 COUNCIL MEMBER ROSENTHAL: I'm... all I'm  
21 asking is... [crosstalk]

22 CONAN FREUD: Okay, that's fine. For...

23 COUNCIL MEMBER ROSENTHAL: preface facing  
24 is just TLC, so... [interpose]

25

CONAN FREUD: TLC drivers, the administrative code would have to be changed to count how we value what points are placed on a license after a crash. [interpose]

COUNCIL MEMBER ROSENTHAL: So if we changed... Okay, so if we change the point system this could in fact happen; we could automatically suspend... [crosstalk]

CONAN FREUD: Yes, half... half... no, no... well...

COUNCIL MEMBER ROSENTHAL: and automatically investigate and then with the appropriate number of points revoke the license. It's such a simple question, I think.

CONAN FREUD: It's a simple question; it's a complicated answer. Just understand what we do today; if you get points on your license, after you've been adjudicated, then we can suspend and/or revoke. Okay, that's what happens. But that's after an adjudicatory process, alright?

COUNCIL MEMBER ROSENTHAL: So...

CO-CHAIR GIBSON: Great.

COUNCIL MEMBER ROSENTHAL: Oh, so thank you very much... [crosstalk]



CONAN FREUD: So it... it can't be... it  
can't be...

COUNCIL MEMBER ROSENTHAL: I get it;  
thank you... [crosstalk]

CONAN FREUD: Okay.

COUNCIL MEMBER ROSENTHAL: I really  
appreciate the time.

CO-CHAIR GIBSON: Okay and it's a  
conversation that we will continue, 'cause I know  
many other colleagues share the same concerns...  
[interpose]

COUNCIL MEMBER ROSENTHAL: Thank you,  
[crosstalk]

CO-CHAIR GIBSON: I do wanna acknowledge  
we've been joined by our New York City Public  
Advocate, Letitia James; thank you for being here,  
and we have next, Council Member Constantinides.

COUNCIL MEMBER CONSTANTINIDES: Thank you  
Madame Chair and Chair Rodriguez for having such an  
important hearing and thank you to the panel for  
being here; it's very heartening to see that the de  
Blasio administration is dealing with this important  
safety issue so early in their administration. I  
particularly am very excited about the borough by

1  
2     borough safety plans, 'cause I know in my community  
3     I've been rallying with my neighbors and my  
4     colleagues, Jimmy Van Bramer, on 21st Street, which  
5     really has functioned more like a highway than a  
6     street for way too long; you know, seven deaths and  
7     over 100 injuries over the last 10 years, so we're  
8     definitely looking forward to seeing safety brought  
9     to 21st Street.

10             My questions revolve around the task  
11     force that's being put together that's gonna be, you  
12     know, establishing the primary Vision Zero Task Force  
13     in the Mayor's Office of Operations; just wondering  
14     who will be on this task force, you know, what  
15     staffing will they have, the funding that will go to  
16     make sure that they continue their good work, what  
17     responsibilities they will have, their daily jobs and  
18     what sort of monthly goals will we look to see from  
19     this task force as we move forward?

20             POLLY TROTTEBERG: I think the Vision  
21     Zero Action Report that you've seen obviously is a  
22     product that we put together, we started in Queens  
23     only a month ago and this is the product we've put  
24     together; in the coming weeks... we've put up a website  
25     and you are gonna see a lot more detail, and as

1  
2 you've heard, some other agencies are gonna be  
3 joining the partnership, obviously Department of  
4 Education, very important in our efforts, and we'll  
5 be announcing I think metrics, milestones. In terms  
6 of funding and resource questions, the Mayor has  
7 tasked all the agencies to take a look at what we  
8 have on the ground and how we can most efficiently  
9 and best deploy our existing resources, but also to  
10 see where there may be gaps and come back and take a  
11 look if we need more resources to achieve some of the  
12 things we're talking about. Thank you.

13 CO-CHAIR GIBSON: Thank you. Next,  
14 Council Member Vincent Gentile.

15 COUNCIL MEMBER GENTILE: Thank you. Back  
16 to NYPD and DOE, lack of communication or therefore.  
17 In my district there are four schools in the last  
18 three years built and the crossing guards now have to  
19 be spread out over those extra four schools, I have  
20 both precincts with lists of people, waiting list of  
21 people who want to be crossing guards; we have the  
22 people and yet there are caps on each precinct as to  
23 the number of crossing guards they can have, so my  
24 question is; there must be some lack of communication  
25 with the extra schools that Board of... that DOE has

built and the fact that NYPD has not increased or lifted the caps. Could you address that issue?

CHIEF CHAN: Councilman, I'm gonna have to take a look at that issue in terms of the caps and if you give me the names of the schools I will definitely follow up on that.

COUNCIL MEMBER GENTILE: I will do so. Thank you. Thank you, 'cause it's a continuing problem getting worse; we have now... precinct commanders are telling principals to put cones in the street because they don't have crossing guards. It's really a dangerous situation.

Also, again, now DOT and NYPD; I worked with DOT in the past year to put up some slow zones around schools and DOT still has to put the flashing lights in, it hasn't been done yet, but I don't see any enforcement; the signs are up, 20 mile an hour slow zones around the school, but have you followed... is there any kind of follow-up with NYPD once DOT puts up the signs there is a slow zone with enforcement? I don't see any.

CHIEF CHAN: If that has not taken place, then we will definitely make sure that does take place in terms of the signage and the signs and the

speeds in the vicinity of the schools there. But again, we go back to the precinct and I will touch base with those precinct commanders concern... I believe it includes the 68, Captain DiBlasio, good man, and we'll make sure that is taken care of.

COUNCIL MEMBER GENTILE: Yeah. And it could be 'cause the lights are not there and that's up to DOT to put the flashing lights up, but I guess that's coming, I would hope, soon. Commissioner, I just have a question for you. Are you now under this new Vision Zero rethinking the DOT's strict adherence to the Federal warrant requirements for traffic controls?

POLLY TROTTERBERG: Okay. Well we can't rethink Federal requirements, they exist, but we're certainly gonna try and take a look at what we can do that's creative that speeds things up; I mean we're gonna sort of review the whole program top to bottom, but we can't skirt Federal requirements, but we're gonna see if there's any way we can be creative here.

COUNCIL MEMBER GENTILE: But there has to be some consideration for the particularities of a large urban center versus some other Federal warrant requirements for something that is not New York City,

there's no other place like New York City and there are a lot of places in this city [bell] that are dangerous but don't meet the Federal requirements.

POLLY TROTTERBERG: We are gonna take a look at that; I certainly know that's an issue. Having myself recently come from the Federal side, you know that's sort of a constant challenge, that sort of the one size fits all Federal regulations, how they play out in localities can often be a real difficult area to sort through, but we're certainly gonna work on it.

COUNCIL MEMBER GENTILE: Good. Just a shout-out to my former staff members, Nell Coggin [phonetic], your... big Coggin, your operation, and Scott Gastel [phonetic].

POLLY TROTTERBERG: He's fantastic; looking at his Blackberry. [interpose]

CO-CHAIR GIBSON: Thank you. And in addition, Chief Chan, while I know the council member talked specifically about his district in Brooklyn as it relates to any caps on crossing guards at the local precinct level, I would like you to report back to the Full Council, because I know that that's something we have all talked about, obviously are

1  
2 very concerned, we have schools that are overflowing  
3 with 900, over 1,000 children in one school building,  
4 so it's something to me that begs the question of a  
5 bigger issue that we may have a possible cap on any  
6 school safety agents at the precinct level.

7           And in addition for our DOT commissioner,  
8 I know the council member spoke about signage, school  
9 crossing, the pavement markings that are constantly  
10 fading across the city, that's also something that I  
11 would like us to look into; the school crossing signs  
12 that are not always visible; with new school  
13 construction, that doesn't always happen in the  
14 timeframe, but to me with the growing population of a  
15 lot of our schools, it's something that has not  
16 always gotten the attention that it needs, so I would  
17 ask you to look into that as well.

18           Our final council member is Council  
19 Member Deutsch.

20           COUNCIL MEMBER DEUTSCH: Thank you Madame  
21 Chair. Thank you Chair Rodriguez [bell], thank you  
22 very much; I'm always last. My first question is to  
23 commissioner regarding... in my district I have a  
24 blinking yellow light and people are very confused  
25 what a blinking yellow light is, I believe it's a

1  
2 caution, prepare to stop; many people don't know  
3 this, and like Council Member Gentile mentioned,  
4 certain areas don't pass the Federal guidelines. But  
5 having a blinking yellow light, like in my district  
6 on Shore Boulevard, you had two fatalities at that  
7 location in the past and I support Vision Zero and  
8 Vision Zero is zero fatalities and we would like to  
9 try to look at... take another look at the blinking  
10 yellow light, which people don't understand what it  
11 is, and to have it switched to a regular traffic  
12 light, and I have at least two in my district and  
13 this is something that's very important to the  
14 community and it's also right near a college,  
15 Kingsborough College and we have hundreds of vehicles  
16 and especially during the summer you have thousands  
17 of vehicles going to the beaches, so I would like to  
18 ask the commissioner if you could please look into  
19 that.

20 POLLY TROTTEBERG: I'm happy to take a  
21 look at that. And yes, the yellow flashing light is  
22 proceed with caution, but obviously if in a  
23 particular location people are confused by it and  
24 it's not helping, then we should certainly take a  
25 look and try and find a better solution.



COUNCIL MEMBER DEUTSCH: Great. Thank you commissioner. And also, I just wanted to mention first, Chief Chan, you're a great asset to the Borough of Brooklyn and now to the City of New York and I look forward to continue our working relationship for many years to come and on Vision Zero; I am sure you'll do an outstanding job on behalf of the City of New York. But I just wanted to mention that when we talk about Vision Zero and we talk about enforcement, we'll, you know, be putting a lot of pressure on the police officers to go out there and write summonses and what my concern is; enforcement is great, but I just want to make sure that the enforcement is not unwarranted; I have many constituents in my district, according to religion they wear, the females wear wigs, so when they fix their wigs sometimes an officer pulls them over thinking they're using the cell phones, so I think we need a little more oversight on the officers who are writing the summonses to make sure that the summonses are being enforced properly and so that's just a recommendation I'd like to make to the chief.

On a second note, we have... throughout the city we have small restaurant establishments that

1 have motorized scooters; these motorized scooters  
 2 drive on the sidewalks, many times they almost took  
 3 my driver's door off and they just drive the wrong  
 4 way, passing red lights and I haven't seen any  
 5 enforcement being done in my district and I'd like to  
 6 ask for more enforcement on these motorized scooters  
 7 throughout not only my district, but throughout the  
 8 city of New York. And [bell] I think I'm done.  
 9 Thank you very much.

11 CO-CHAIR GIBSON: Thank you very much.  
 12 Before we get to our final speaker, I have a quick  
 13 question; I notice that in Vision Zero there's no  
 14 mention of the MTA and I know across the city we've  
 15 had a number of accidents with bus operators, bus  
 16 accidents; do you see the MTA playing any role in  
 17 Vision Zero as it relates on the larger component of  
 18 safety across our city?

19 POLLY TROTTERBERG: Absolutely. It's a  
 20 good point you make and yes, we are trying to work in  
 21 partnership with MTA, we've been spending a lot of  
 22 time with them on account of all the snow storms the  
 23 city has experienced and we've started to have some  
 24 of those safety discussions; you're absolutely right.  
 25 You know, work they do around subway stations has a

2 huge affect, as well as bus drivers, et cetera, so  
3 they will be a big part of this.

4 CO-CHAIR GIBSON: Okay, great. So now  
5 we've added the New York City Department of Education  
6 and the MTA. Okay. We will now hear from our New  
7 York City Public Advocate, Tish James.

8 PUBLIC ADVOCATE JAMES: Thank you. So  
9 Commissioner, obviously I support Vision Zero; as you  
10 know, yesterday in Crown Heights we had a terrible  
11 fatality, young man lost his life while he was  
12 crossing the street at the corner of Carroll and  
13 Kingston, a New York sanitation truck was attempting  
14 to make a right turn and unfortunately this young man  
15 died under the wheel of the truck and so I know that  
16 there is a proposal as part of Vision Zero that would  
17 require large trucks operated within the city to be  
18 equipped with rear wheel guards and side guards; the  
19 truck yesterday was a sanitation truck; would this  
20 also apply to all agency vehicles?

21 POLLY TROTTERBERG: Clearly I wanna say  
22 that was a terrible tragedy that happened..  
23 [crosstalk]

24 PUBLIC ADVOCATE JAMES: Yes.  
25

2 POLLY TROTTERBERG: yesterday; we're all  
3 grieving about it and taking a look at all the  
4 details of exactly what happened and figuring out,  
5 you know what might be done at that locality. And  
6 you know, hearing what Chairwoman Gibson has said,  
7 clearly truck safety is a huge issue and something I  
8 think... I agree with the Chairwoman's suggestion, we  
9 ought to actually have a special sort of truck safety  
10 and truck enforcement working group, so to speak, as  
11 part of Vision Zero to take a look at sort of the  
12 technological issues around trucks, enforcement, you  
13 name it; clearly this should be a big priority for  
14 us.

15 PUBLIC ADVOCATE JAMES: I would hope that  
16 this would be a priority in the aftermath of this  
17 young man's death...

18 POLLY TROTTERBERG: Yeah.

19 PUBLIC ADVOCATE JAMES: too. As you  
20 know, when I was a City Council Member representing  
21 Fort Greene and Clinton Hill, Prospect Heights and  
22 Crown Heights, we had the distinction of being the  
23 number one district with the most fatalities of  
24 cyclists and obviously as someone who has supported  
25 engineering our streets, bike safety, more pedestrian

1  
2 plazas; I think I have more reengineering anywhere in  
3 the City of New York and was in the forefront of  
4 pedestrian safety and cyclist safety in the City of  
5 New York going forward, because clearly, the loss of  
6 innocent lives in these incidents, particularly due  
7 to speeding, has affected too many New Yorkers and  
8 today 1 in 4 New Yorkers who are killed in traffic  
9 are killed by a speeding driver, and that also  
10 relates to cyclists. So I do know that I love City  
11 Bike and so the question is; are we going to expand  
12 bicycle lanes in the City of New York? In Brooklyn,  
13 as you know, they only go up to a certain part of  
14 Brooklyn and in the rest of Brooklyn they fall off  
15 the map and it's unfortunate that we only have bikes  
16 in one part of the city and not throughout the entire  
17 city and the network, unfortunately, is not  
18 connected. What is your position on expanding the  
19 City Bike program?

20 POLLY TROTTERBERG: Yeah. Well first of  
21 all, thank you your leadership on these issues and I  
22 know in the district you represented, you know, a lot  
23 of terrific work has been done there to improve  
24 safety for cyclists. As you know, the Mayor, as part  
25 of his platform, committed to both expanding the City

Bikes program and expanding bicycle usage and bike lanes throughout the city and DOT is certainly looking at both. Right now in terms of Bike Share, what we've heard from elected officials all over the city that they're anxious to have the program expand, come to other parts of Brooklyn, come to other boroughs, you know we're taking a look at the whole... at City Bikes operations, their financial picture and I'm hoping in the coming months we're gonna have an announcement of where we go from here in terms of expansion.

PUBLIC ADVOCATE JAMES: Expanding lanes - some of the more treacherous lanes happen to have been in my former district, Flatbush Avenue, Atlantic Avenue; what are we... what can we do to widen or I should say, not widen, widen the sidewalks, create more pedestrian islands, and slow down the traffic along these... what I describe as speedways, particularly Flatbush Avenue and Atlantic Avenue?

POLLY TROTTERBERG: Yeah. That's gonna be one of the main things we're gonna look at this year, getting at some of these arterials, and you know, there is no one size fits all, you have to look at the street design, the width of the street, the

1 traffic flow, the pedestrian patterns, but some of  
2 the things you mentioned are in the toolkit to use as  
3 needed -- pedestrian islands, looking for ways to  
4 slow traffic down; other things that will make  
5 intersections more visible, make it easier for  
6 pedestrians, give them a head start, give them more  
7 time to cross the street, so we ill be looking at all  
8 those potentials tools.

10 PUBLIC ADVOCATE JAMES: And countdown  
11 clocks and left-turn phases?

12 POLLY TROTTERBERG: Yeah. Yeah, all  
13 those things will be on offer and again, it's gonna  
14 be working with all of you and community boards and  
15 other folks in local neighborhoods to figure out  
16 what's the best combination of treatments on a given...  
17 you know, in a given intersection or street.

18 PUBLIC ADVOCATE JAMES: And my last  
19 question is; we've had troubles in the past with  
20 Albany; it would be wonderful if New York City could  
21 basically dictate the traffic safety policies  
22 affecting our streets as opposed to someone from, you  
23 know, Utica let's say, that would be wonderful, but  
24 that notwithstanding, what can we do on a pilot basis  
25 which would get around any approval from Albany?

2 POLLY TROTTERBERG: Yeah. And I would  
3 say, as part of Vision Zero and you've heard the  
4 Mayor say this, we are gonna make an energetic push  
5 in Albany and I know we have many allies in this room  
6 who are gonna help us on giving the city more of an  
7 ability in terms of setting its own policies on speed  
8 limits and cameras. I would also say we have had  
9 some help in Albany; as you know, you know right now  
10 at least we do have some ability to deploy speed  
11 cameras and red light cameras; we are gonna try, as  
12 part of this effort, to look at every creative thing  
13 we can do, but there are certain things where we are,  
14 you know, essentially we are bound by State Law and  
15 we're gonna need to make a push up in Albany in some  
16 cases to sort of take those things back into our own  
17 hands here in the city.

18 PUBLIC ADVOCATE JAMES: I look forward to  
19 joining you. And lastly, let me congratulate Chief  
20 Chan who we're going to miss in Brooklyn; make sure  
21 you come and visit us. But now that we're citywide,  
22 I join with you in getting all of these... getting  
23 Vision Zero passed in the State Legislature. Thank  
24 you.

25 POLLY TROTTERBERG: Thank you.



2 CO-CHAIR GIBSON: Thank you very much  
3 Madame Public Advocate. Before I turn it over to my  
4 colleague, Chairman Rodriguez, I just have two quick  
5 questions. The administration's position on the  
6 proposal of 25 mile per hour versus the 20 mile per  
7 hour speed limit, I know there have been studies done  
8 in the past by the Department of Health and Mental  
9 Hygiene that really shows the fact that if you lower  
10 the speed limit you can essentially save many lives,  
11 so this position in Vision Zero of 25 versus 20, do  
12 you know why that came about?

13 POLLY TROTTERBERG: It's a very good  
14 question and I wanna say at the outset, I think all  
15 of us in this room agree that we wanna lower the  
16 speed limits around the city and I think we'd like  
17 the city to be able to make those decisions itself.  
18 The administration at the moment is proposing to go  
19 to 25 and it's a little bit of a complicated question  
20 about 20 versus 25; you have to look at the full  
21 inventory of streets, figure out where you would need  
22 to sign; what the appropriate traffic speed is, and I  
23 think in that area we're very anxious to work with  
24 you all, work with the advocate community; I don't  
25 think the answer is necessarily written in stone.

1  
2 Talking to our experts, we thought in terms of the  
3 best combination of enforcement, engineering and  
4 signage 25 made sense but again, I think we're  
5 looking to work with all the advocates and you all on  
6 this question.

7 CO-CHAIR GIBSON: Okay. And I guess just  
8 for my own personal experience, working in Albany,  
9 it's always a challenge getting a lot of our  
10 legislative priorities done; it's an election year  
11 for State legislators and I have to put that out  
12 there because it does change the conversation so to  
13 speak. Getting these initiatives passed on allowing  
14 New York City authority on reducing the speed limit,  
15 the conversations that have been ongoing with the  
16 legislative leaders, the so-called three men in a  
17 room that's always referenced, have there been  
18 conversations with Senator Klein, Senator Skelos,  
19 Assembly Speaker Silver and if so, do we see any  
20 progress happening by the end of the legislative  
21 session in Albany?

22 POLLY TROTTERBERG: Yeah, I think it's  
23 probably premature for me to comment on exactly  
24 [laughter] what conversations are happening, but I  
25 think as you all know, Mayor de Blasio has put this

1  
2 very high on his list of legislative priorities in  
3 Albany and we aim to try and get some action this  
4 year; we'll have to see how we do up there.

5 CO-CHAIR GIBSON: Gotcha. Okay, well you  
6 have some friends that will help in that effort.

7 POLLY TROTTERBERG: Thank you.

8 CO-CHAIR GIBSON: And then just one final  
9 point on enforcement and I know Chief,  
10 congratulations as well on your position; it's  
11 extremely challenging to enforce laws, we enact laws  
12 because we wanna change the dynamic, we wanna change  
13 behavior, we want people to operate better, everyone  
14 -- pedestrians, motorists, cabs, buses, subway,  
15 everyone -- the reality is, you know we're living in  
16 a time where we do have limited resources; my  
17 biggest, biggest argument will always be education.  
18 The reality is; many of our constituencies throughout  
19 the city do not know the current speed limit is 30  
20 miles per hour and so if we are to enact and lower it  
21 to 25, we have to embark on a major comprehensive  
22 education plan for everyone. I'm excited about the  
23 borough plans, because I think every borough is  
24 different; I represent the Bronx and we have a number  
25 of step streets that we don't have throughout the

1 city and so it's challenging when you look at some of  
2 these one size fits all approaches, because they  
3 don't necessarily speak to distinctive, unique  
4 characters of certain communities throughout our  
5 city. So I am concerned about the enforcement moving  
6 forward and I wanna make sure that we are constantly  
7 talking about resources and man and womanpower,  
8 because I think it's important, because while we have  
9 laws, they're absolutely nothing without enforcement,  
10 and the reality is people need to understand that the  
11 laws are and what the consequences are and that's,  
12 you know our job to make sure we implement them,  
13 they're in place and then we're enforcing those laws.  
14 So I appreciate this plan; I'm looking forward to  
15 working with all of you to make sure that this is a  
16 reality, but I have to emphasize that we have to  
17 include stakeholders, the folks that are on the  
18 ground, that are in the community, because we're  
19 making the decisions on their behalf and they have to  
20 be included. Families that have lost children and  
21 others, relatives, families devastated and impacted  
22 across the city, it's extremely challenging when you  
23 talk to a mother that's lost a child that was hit by  
24 a vehicle and it's really heartbreaking sometimes and  
25

1  
2 so we know that behind all these numbers are people  
3 and we have to constantly remember that in everything  
4 that we do. So I am truly grateful and thankful for  
5 your presence today and now I'll turn it over to  
6 Chairman Rodriguez.

7 CHAIRPERSON RODRIGUEZ: Thank you,  
8 Council Member Gibson. First of all, thank you for  
9 all your time; I just have a few questions, then we  
10 will move into the first panel of the families. And  
11 of course, like when the families start testifying we  
12 would like for the administration to leave someone  
13 here so that their story is heard by all of us.

14 My first question to the DOT; is the DOT  
15 going to do a similar PSA as the TLC says that they  
16 will be doing it?

17 POLLY TROTTERBERG: Yes, we're... in fact  
18 we're gonna... you know, as you may know, DOT does  
19 already some very good public education campaigns; we  
20 have a very good one going on on drunk driving right  
21 now, but yes, we're gonna... it's another area where we  
22 really wanna challenge ourselves and be creative and  
23 see what else we can do in terms of public education  
24 to get some better messages out there and that  
25

particularly resonate with the populations that are most likely to be engaged in reckless driving.

CHAIRPERSON RODRIGUEZ: Right. Do you have a... as you know, like Sumosa [phonetic], who run the bus charters in the other advertising venue in the city; they provide 22 percent of advertising free of charge to the city; do you have any idea or does the administration have any idea on what percentage of those 22 free-of-charge does Sumosa provide to the city; will the city be using to advertise this Vision Zero campaign or not? [interpose]

POLLY TROTTERBERG: Yeah. It's a good question; I don't have an answer for you today, but something we're gonna take a look at.

CHAIRPERSON RODRIGUEZ: Okay. What about the legal blind and vision impaired community; as you know, like for me this is a new day in the city with a new administration; it's a new administration that is more inclusive and even though I give credit to certain teams that the previous administration did it, I know that in your case, being the third one in the nation, running the Department of Transportation, I know that you come with a lot of ideas; a strong leadership, but one thing that I would like to see

with the DOT different from before is to be more inclusive than the previous one, and we have like a strong legal blind and vision impaired community that they've been very vocal on their needs, so how can we work together to be sure that their ideas, their recommendations are heard and implemented through DOT?

POLLY TROTTERBERG: Yeah, thank you. And we really do wanna be a very inclusive administration and an inclusive DOT and working with the disability community is a very, very high priority for us; Mr. Chairman, since you've offered, we'd love to work with you and use your leadership and obviously Borough President Brewer and others who care tremendously about this issue. You know again, as part of Vision Zero, we're going to be engaging in a lot of public and stakeholder outreach and really looking to hear from different groups around the city, community boards, et cetera; what they think we need and rolling up our sleeves and figuring out how we can address their concerns.

CHAIRPERSON RODRIGUEZ: I assume that we don't have the money yet, right? Like we cannot say that there's x amount of money that the

administration has decided to invest in Vision Zero; that this is part of the process to be decided; is that accurate?

POLLY TROTTERBERG: That's correct. I think as I said before, the Mayor's Office has tasked all the agencies at looking at how we're currently deploying our resources, seeing how we can do a better job, but I think, you know, in the coming months, if more resources are needed you will certainly hear from City Hall on that.

CHAIRPERSON RODRIGUEZ: Right. And will the Mayor's Office of Operation be the one putting together Vision Zero?

POLLY TROTTERBERG: They're gonna coordinate all the agency efforts, but I think in terms of, you know, again, a certain amount of what we'll be doing is collaborative, but then each agency will clearly have its own responsibilities and you know, in the case of DOT, the work we're gonna do on street safety, we'll be responsible for that, you know probably in very close collaboration with the NYPD.

CHAIRPERSON RODRIGUEZ: Great. So thank you for all your time and I know that we're gonna be



1  
2 working together and this is only a beginning. I'm  
3 gonna be working with my colleagues, holding as many  
4 town hall meetings as we have to; also working with  
5 the advocates groups so that we can get their ideas  
6 and suggestions on how to bring to zero the number of  
7 fatalities that we have in our city. Thank you and  
8 now we're gonna be calling... [crosstalk]

9 POLLY TROTTERBERG: Thank you. Thank  
10 you.

11 CHAIRPERSON RODRIGUEZ: the first panel  
12 composed by the family members.

13 CO-CHAIR GIBSON: The first person we're  
14 calling up is Miss Dana Lerner. [background  
15 comments] Amy Cohen-Eckstein, Debbie Kahn [phonetic]  
16 and Belkys Rivera. [background comments]

17 CHAIRPERSON RODRIGUEZ: This is gonna be  
18 a new panel.

19 CO-CHAIR GIBSON: There'll be a second  
20 panel of family members as well, so whoever was not  
21 called, you'll be called during the second round.

22 CHAIRPERSON RODRIGUEZ: Belkys.  
23 [background comments]

24 AMY COHEN: Is it on? Do I just start?  
25 [background comment]

2 CHAIRPERSON RODRIGUEZ: I would like to  
3 know who is here; is there anyone here from the  
4 administration?

5 CO-CHAIR GIBSON: That will stay.

6 [background comments]

7 CHAIRPERSON RODRIGUEZ: Anyone here that...  
8 [background comments] Okay. We just wanted to be  
9 sure that the families know that [background  
10 comments] there's a staff from the administration  
11 listening to their story so that we can... [interpose]

12 AMY COHEN: Thank you...

13 CHAIRPERSON RODRIGUEZ: Belkys, will you  
14 mind just take that chair, one to this corner?

15 [background comments]

16 AMY COHEN: We have eight that we were  
17 gonna do, but we can do as many as you would like.  
18 Do I go? [background comment] Thank you.

19 Good morning; thank you Chair Rodriguez,  
20 Chair Gibson and members of the committees for  
21 holding this hearing and giving us the opportunity to  
22 testify today. My name is Amy Cohen and I am here  
23 with others representing Families for Safe Streets.

24 As families whose loved ones have been  
25 killed or maimed by reckless behavior and dangerous

conditions on New York City streets, we demand an end to traffic violence. We are parents, children, partners and siblings and represent the full breadth of New York's diversity. As survivors we bear witness to our pain and suffering in order to press for the elimination of fatalities and injuries. We envision a city where pedestrians, bicyclists and vehicles safely coexist and children and adults can travel freely without risk of harm, where no loss of life in traffic is acceptable.

Two weeks ago we came together to turn our grief into action so that no one else has to endure the pain we suffered and yesterday we formally announced our creation as a force for change so that Vision Zero is rapidly implemented in New York City.

We want everyone to hear our stories so that swift action is taken. Several founding members of Families for Safe Streets will speak when I conclude and tell you more about their lost loved one, but remember, each story represents thousands, each one is just a sliver of the pain and loss many suffer, each one shows what the world has lost and the devastation it has caused to the family members who survived.

We are very thankful that Mayor de Blasio has proposed a detailed Vision Zero plan to end all deaths and serious injuries caused by car crashes. During his campaign Mayor de Blasio indicated it would take 10 years, but 10 years is too long. Over the weekend 8 more New Yorkers were struck in traffic crashes, 2 involved a driver striking multiple pedestrians, 2 have died and 1 is hospitalized with a severe traumatic brain injury.

Since I appeared before the Council on October 31st, approximately another 100 people were killed; that's about as many as in this room, and another 1,000 approximately, or 2,000 were injured. Within 10 years, if the current rate continues, that will be another 3,000 people like Alli and like Ella and like Asif and like Cooper and my son Sammy, who were killed in crosswalks and on our sidewalks and another 30,000, like Hutch Ganson, who suffered serious injuries from which he will never recover, as well as 100,000 people like us family members whose lives changed forever because of a loved one's devastating injury or death.

The report released by the working group is a good start, but it is just a start. The action

1  
2 plan does not have explicit annual goals or provide a  
3 timeline for implementation. What progress should we  
4 expect to see each year towards reducing the human  
5 toll; how will you keep the Mayor on his goal? We  
6 need the Council to provide that oversight and  
7 accountability. Also please ensure that the Police  
8 Department and the DOT have the funding they need to  
9 achieve the ambitious plans of the working group for  
10 additional enforcement and for traffic redesigns of  
11 dangerous roads like Queens Boulevard, known as the  
12 Boulevard of Death, where Asif Rahman was killed.

13           Even assuming there is adequate funding,  
14 many changes to the law will be necessary, from the  
15 way we police our streets to how we convict violators  
16 of the law. We urge the Council to make all  
17 legislative changes it can, including taking drivers  
18 off the road who kill or maim pedestrians, starting  
19 with the license New York City controls. If we must  
20 fight in Albany to control our streets with slower  
21 speed limits and enforcement cameras or change our  
22 laws on punishing reckless drivers, then we hope you  
23 will join us to make this happen.

24           While we are pleased the Mayor proposed a  
25 25 mile per hour default citywide speed limit, we

1  
2 urge you to demand 20 mile per hour, as it will save  
3 many more lives and is the standard in densely  
4 populated areas where Vision Zero is implemented  
5 around the world.

6           Some will oppose these changes, people  
7 will complain about the inconvenience, about the loss  
8 of parking spots, about the fact that it will take  
9 longer to get places, but we plead with you to say  
10 back to those who attempt to obstruct the changes we  
11 need that you know us, you know those who have lost  
12 everything because of streets that were not safe.  
13 For my son, for our sons, our daughters, our mothers,  
14 our loved ones, and you know that the only road ahead  
15 for New York City is a road where nobody has to die  
16 or be seriously injured in traffic. We know this road  
17 ahead will be long and hard; there will be people who  
18 say not now, not in this way, not on my block, but  
19 when they do, remember us, remember all those who  
20 were killed by preventable traffic crashes. Decide  
21 today you will lead New York City to achieve Vision  
22 Zero and mean it. Now one more Sammy, Cooper, Alli,  
23 Ella, Hutch; not one more Dan Fellegra, not one more  
24 Seth Kahn, Sam Hindy, Megan Charlop; not one more  
25 family like us left grief stricken. Today we ask you

1  
2 to commit to zero tolerance for unnecessary deaths  
3 and serious injuries in traffic; we ask you to commit  
4 to making the streets of New York City safe for every  
5 person who uses them. We ask you to commit to Vision  
6 Zero.

7 To help you remember, I am leaving you  
8 with a photo album of Sammy, and I'll just read the  
9 quote, "Where there's a will there's a way" and we  
10 urge you to make traffic safety enforcement a  
11 priority. And we also have bracelets with Sammy's  
12 name on the inside that say "Vision Zero Now."  
13 Behind me is a map of all the fatalities from 2005 to  
14 2013, with photos of only some of our founding  
15 members. And a few others are gonna share some words  
16 about their lost loved ones, starting with...

17 KENNETH BANDES: My name is Kenneth  
18 Bandes and we all think that it could never happen to  
19 us or someone we love; you hear the statistics, every  
20 33 hours someone is killed in traffic in New York  
21 City and feel momentary sadness for the victims and  
22 their families, but I'm here today to tell you that  
23 being killed or injured in traffic can happen to  
24 anyone, it could happen you no matter how careful you  
25 are.

A year ago our 23-year-old daughter, Ella Bandes, was struck by a city bus outside the Myrtle-Wyckoff Subway Station in Bushwick, Brooklyn, on the border and I thank the Councilwoman for bringing up the MTA, that's an important component.

Ella was not texting or talking on the phone, she was a dancer, sure-footed and self-aware; a bus driver was looking in her rear view mirror, trying to avoid a taxi at this complicated pedestrian, unfriendly intersection and ended our beautiful daughter's life in an instant. This is an intersection that is known to be dangerous, the scene of 14 crashes in the year before Ella died and another fatality a few years ago and yet nothing has been done to redesign the area for pedestrian safety.

Ella had great promise, a zest for life and was the light of our lives; she was an artist and a humanitarian and was applying to Ph.D. programs while working in a psychology lab at Columbia. She was loved and adored by her friends and family and has left a devastated mother, father and brother. We suffer every day without her and will do so forever.



Please help us support the Mayor's commitment to Vision Zero so that you and your loved ones can remain safe on the streets of New York City.

AMY TAM-LIAO: Good morning... good afternoon. My name is Amy Tam-Liao; I'm a member of the Families for Safe Streets and the mother of Allison Hope Liao. Allison is our happy angel, a sassy 3-year-old that brought a smile to strangers when she sang "The Wheels on the Bus" when we rode the 44 bus home. She brought endless excitement to our lives, some sleepless nights while she fought to go to bed using an upside down laundry basket as drums, while dancing with her big brother. This all abruptly came to an end four months ago when she was run over walking home with grandma; the driver forever changed our lives when he muscled his huge SUV onto Allison's path while making a left turn; she was in the crosswalk with the green light, holding grandma's hand.

As Families for Safe Streets, we are here to prevent others from the pain we have endured because no one should ever have to experience their child being resuscitated in the emergency room and later told we have to stop or understand what it's

1                   like when holding your child and feel the body  
2                   temperature drop.

3                   Nearly 30 years ago Bonnie Steinbock made  
4                   the made the following statement in reference to  
5                   drunk driving death: "It's not unreasonable to  
6                   require people to undergo great inconvenience to  
7                   avoid killing other people." We hope you remember  
8                   our stories and this quote when you experience  
9                   opposition. It is an moral imperative that you lead  
10                  New York City to have safe streets. No one should  
11                  ever experience our heartbreak, no one should bear  
12                  witness to these senseless deaths and no one should  
13                  ever die through traffic violence.

14                  LIZI RAHMAN: Hi. My name is Lizi Rahman  
15                  and I'm a mother of Asif, Asif Rahman; you can see  
16                  this is his most recent picture before he died; he  
17                  was 22 years old and he just died like that, a 22-  
18                  year-old had so many dreams and hopes for the future;  
19                  everything came to a stop when he was hit by a truck  
20                  driver, a freightliner, on Queens Boulevard. Asif  
21                  was riding his bicycle, he loved to ride his bikes  
22                  and Mayor Bloomberg encouraged people to ride their  
23                  bikes because of clean environment and many other  
24                  things, but the roads were not safer. I always worry  
25

1 for Asif, for his safety on the bike because it felt  
2 so vulnerable to me. But he always assured me; he  
3 said, "Mom, don't worry, there are bike lanes  
4 everywhere, there are bike route maps everywhere, so  
5 I'll be safe" and I thought he would be safe the day  
6 he left in the morning for work and that was his  
7 third day on his new full-time job as a  
8 paraprofessional. He left his job; we had plans for  
9 the evening, but he never came home; we couldn't make  
10 those plans and instead some police officers came and  
11 told me that he... he was hit by a truck driver. They  
12 didn't tell us if he was still alive, but we ran to  
13 the hospital and found out he was no more with us.  
14 That is a sad memory, but the thing is, I don't want  
15 you to feel sorry for me; I want you to do something  
16 for Asif. Asif was a very talented person, he wanted  
17 to be a music teacher, he was a hip hop artist, he  
18 wrote many poems and sad part is, he had plans to,  
19 you know, release his first music CD the next month;  
20 he couldn't do it; he wasn't there because somebody  
21 already murdered him, I call it a murder. And he  
22 wrote so many poems after his death; all I wanted to  
23 do is save his work, his art, his autographs that he  
24 took his poems and I ignored my whole family, I have  
25

1 a younger child and I had a older daughter; my  
2 younger son was in 3rd grade and my older child was  
3 finally at law school, but I ignored them, I ignored  
4 them, I was completely submerged into Asif's work; I  
5 was trying to save as much as I could and really  
6 publish his book and fight for a bike lane, because  
7 Asif felt safe on... because there were bike lanes, but  
8 after his death, when I went to visit Queens  
9 Boulevard I was surprised to find that there was no  
10 bike lane on Queens Boulevard and Queens Boulevard,  
11 you know that in some places it has six lanes, most  
12 places I must say, but I was surprised and after that  
13 I tried, I tried to contact all the elected  
14 officials, I tried to write letters; I wrote letters  
15 to Mayor Bloomberg, I wrote letters to the then DOT  
16 Commissioner, Sadik-Khan and many other people, I  
17 wrote emails, I held press conferences, I gave  
18 interviews; nothing happened, it's been six months...  
19 six... I'm sorry, six years; to me it feels like six  
20 months, but it's been actually six years and this  
21 month, 28 February, will be six... his sixth death  
22 anniversary, but so far nothing happened; still there  
23 is no bike lane. And I'm sure that speed contributed  
24 to his death, because when Asif tried to go around a  
25

double-parked truck, the truck driver was sitting in that truck; he made eye contact with that truck driver, and that truck driver witnessed the whole thing; he saw a freightliner make a turn into the service lane and hit my son's bike from the back; my son fell down and he ran over him. So speed contributed to his accident and there are many other things we found out later and I hope that we should Vision Zero will address all those things, because the police officers on the spot didn't really investigate or act properly, because the truck driver's wife was a cop and she showed up on the spot in her uniform and of course, the officers on duty, when they saw a fellow officer they backed down; they gave the driver some tickets, summonses, but they didn't show up at the court to pursue them, so those were dismissed; even they didn't report it to the reporters that write death report after his death in the newspapers; they mentioned no tickets were issued, but in fact there were summonses issued.

So all those things have to stop and I hope that Vision Zero will bring justice to all the dead people, our family members. Thank you.

2 AMY COHEN: We have a few others who are  
3 gonna speak; we'll just switch. [background  
4 comments]

5 CHAIRPERSON RODRIGUEZ: Sorry; is every  
6 family member sitting in the front? [background  
7 comment] No, I'm saying... stay there; it's okay.  
8 Stay there; I just want... if everyone is sitting in  
9 the front, just keep passing the microphone and then  
10 when we end it there, then we get back to Belkys, so  
11 we... no one has to move from the table or the arena.

12 DANA LERNER: My name is Dana Lerner; on  
13 January 10th, 2014 my husband, Dr. Richard Stock,  
14 held the hand of my 9-year-old son Cooper as they  
15 crossed West End Avenue at 97th Street. They were  
16 walking legally within the crosswalk with the light;  
17 a taxi driver struck them both and my son was killed.  
18 No charges have been brought up against the cab  
19 driver and under current law they likely will not be.  
20 The driver's license was not revoked and the TLC has  
21 not investigated the accident, nor contacted us at  
22 all. This driver is still legally allowed to drive a  
23 taxi; in fact, you could hail a cab right now and the  
24 driver could be the man who killed my son. Only 2  
25 percent of New York City vehicles are taxis or livery

1 cabs, but they are involved in 13 percent of serious  
2 injury and fatal automobile crashes. In the past 24  
3 months there have been at least 19 people killed in  
4 taxi crashes. There are 40,000 taxi and livery cab  
5 drivers in our city; they set the tone on our  
6 streets. We need these professional drivers to be  
7 the most law-abiding, safest drivers in the city. I  
8 believe that the license of taxi drivers who kill or  
9 seriously injury pedestrians should be immediately  
10 suspended and that the TLC should do a mandatory  
11 investigation of what happened. If the driver is at  
12 fault, at a minimum he or she should be permanently  
13 suspended. There is no incentive to abide the law if  
14 there is no punishment.

16 My son Cooper was a great joy, everyone  
17 who knew him loved him; when he was born the doctor  
18 marveled that he came out sunny side up, which most  
19 babies face down when they arrive and he arrived face  
20 up, sunny side up; he had such a sunny personality,  
21 he always had a smile on his face. He asked  
22 countless questions on every topic and found the  
23 world an extraordinary place to be. He felt things  
24 very deeply and was wise beyond his years; his great  
25 loves were the New York Knicks and classic rock

1  
2 music. He was an incredible friend to people of all  
3 ages and there could not have been a more loving son.

4 After Cooper's death his teacher sent me  
5 a poem he had recently written called "Believe."  
6 "Hold fast to dreams, you have to believe to succeed,  
7 so always believe and hold fast to dreams." Right  
8 now our dream is that Cooper's death will lead to a  
9 safer New York City for us all.

10 DEBBIE KAHN: Hi, my name is Debbie Kahn;  
11 this is my son Seth. On November 4th, 2009 Seth was  
12 struck down, not struck; knocked down, run over and  
13 killed by a New York City bus on 9th Avenue at 53rd  
14 Street in New York City. He was one of the most  
15 careful people you ever wanna meet. Seth was kind,  
16 generous and everybody loved him and now, our only  
17 child is gone forever and our life is in shambles.

18 The bus driver had just come off a one-  
19 week suspension for texting while driving, he was off  
20 route and failed to yield to a pedestrian in a  
21 crosswalk, making the left turn at an excessive  
22 speed. He was given a fail to yield ticket two weeks  
23 later that was thrown out of court and now he's on  
24 permanent disability because of his stress.



Seth brought color, humor and positive energy into the world wherever he went. Seth was studying toy design at the Fashion Institute of Technology and working for a company that designed holiday window displays for major department stores here in New York City and was put in charge of the Lincoln Center 50th anniversary display at the time; he was only 22 years old. We miss Seth every single day and no one from New York City or the MTA has ever, ever said I'm sorry.

As Seth was growing up, everyone always said to us that Seth would change the world. In this city that Seth loved, please, please support Vision Zero. No more deaths to traffic violence are acceptable [background comment]. Please don't let anybody else go through what we've been through; it's unbearable. Thank you.

ELLEN FOOTE: Good afternoon. My name is Ellen Foote and my son, Sam Hindy, a 27-year-old software engineer, returned from Boston to his hometown of Brooklyn in the summer of 2007 to start what was for him a dream job at DoubleClick, soon to be acquired by Google. Sam embodied the creativity and the energy of the Google community and he was

1  
2 also attracted by the bicycling culture that he found  
3 there. He sold his car right away and he commuted  
4 daily to his job in Chelsea. And I credit Sam with  
5 having taught his father and me to respect  
6 bicyclists' rights to safely share the road.

7           That summer Sam joined other activists in  
8 a memorial bike ride for victims of traffic violence.  
9 When he came home that evening he shared with me some  
10 of the stories of children who had been killed in  
11 traffic violence on their bicycles or in streets and  
12 he was incredibly moved and determined to fight on  
13 their behalf.

14           A few months later in January of 2008 my  
15 husband, my daughter, relatives, and dozens of Sam's  
16 friends and I participated ourselves in a memorial  
17 bike ride. Sam wasn't able to ride with us that day;  
18 he had been killed riding his bike on the Manhattan  
19 Bridge on November 16th, 2007. It's been more than  
20 six years since that ride; it ended here at City Hall  
21 and I joined survivors of crash victims that year to  
22 speak about our losses; we raised our bikes at Sam's  
23 Ghost Bike Memorial at the base of the Manhattan  
24 Bridge. Our families who are here, we families, we  
25 hate that we have to be here today, but we must; the

work that we all have to do is so urgent and I appeal to you all to make Vision Zero your priority and I hope your legacy. We cannot wait another six years. Thank you.

JANICE FELLEGGARA: I'll speak very briefly. I just wanna say that my nephew was killed also by a cab and I was shocked to learn... [interpose]

CHAIRPERSON RODRIGUEZ: Can you please... can you please say your name for the... [interpose]

JANICE FELLEGGARA: My name is Janice Fellegara; his name is... was Dan Fellegara and I was shocked to learn that there are... there were no repercussions; that this cab driver could just kill my nephew, not a ticket was written, nobody contacted my brother or sister-in-law or my family and you know, as you said, I could have driven in a cab... driven by the man that killed my nephew and I would like to know that something will happen and that there will be some action taken; it seems like even the City Council is unclear on how the TLC is able or not able to sanction their own workers and I hope that we can clarify this issue and get to the bottom of what needs to be done so that there is accountability and I... we... that's what we all ask and

1  
2 thank you for your time; I'm a little... frankly, I've  
3 never done this before and I'm a little disappointed  
4 to see that as soon as the families come to testify  
5 everybody gets up and leaves... you didn't, but there...  
6 [background comment] okay, thank you. Thanks. Is  
7 the... [crosstalk]

8 CHAIRPERSON RODRIGUEZ: The DOT  
9 Commissioner is there and I was... [crosstalk]

10 JANICE FELLEGERA: and Taxi and  
11 Limousine?

12 FEMALE VOICE: And TLC.

13 CHAIRPERSON RODRIGUEZ: Yeah. TLC.

14 JANICE FELLEGERA: Oh, you are... oh, I'm  
15 sorry.

16 CO-CHAIR GIBSON: Yes.

17 JANICE FELLEGERA: Thank you. Thank you  
18 very much.

19 CO-CHAIR GIBSON: We thank you for  
20 staying.

21 JANICE FELLEGERA: Thank you; I really  
22 appreciate it. Thank you very much. [background  
23 comments]

24 CO-CHAIR GIBSON: Thank you. [background  
25 comments]

CHAIRPERSON RODRIGUEZ: We go back to... if there's... Belkys, who is another parent... a mother who lost her son. [background comments]

BELKYS RIVERA: [speaking Spanish] **03:05:**

INTERPRETER: Good afternoon, my name is Belkys Rivera and I'm here on behalf of my son, Josbel Rivera.

BELKYS RIVERA: [speaking Spanish]

INTERPRETER: The last day I saw my son alive was December 25th, 2011...

BELKYS RIVERA: [speaking Spanish]

INTERPRETER: and I received the news that no mother would like to hear.

BELKYS RIVERA: [speaking Spanish]

INTERPRETER: I remember my heart breaking by hearing the news.

BELKYS RIVERA: [speaking Spanish]

INTERPRETER: Words can't express the pain, the tremendous pain.

BELKYS RIVERA: [speaking Spanish]

INTERPRETER: Her son hadn't arrived all night and at dawn there was a knock at the door and she thought maybe her son had arrived at home.

BELKYS RIVERA: [speaking Spanish]

2 INTERPRETER: She hoped that perhaps her  
3 son had left his keys at home, but it wasn't her son,  
4 it was two detectives.

5 BELKYS RIVERA: [speaking Spanish]

6 INTERPRETER: She assumed that it must've  
7 been a mistake; they couldn't be at her house to talk  
8 to her.

9 BELKYS RIVERA: [speaking Spanish]

10 INTERPRETER: She's the mother of three  
11 wonderful children; she never would have anticipated  
12 to see the police at her doorstep.

13 BELKYS RIVERA: [speaking Spanish]

14 INTERPRETER: Why could they possibly be  
15 here at this hour?

16 BELKYS RIVERA: [speaking Spanish]

17 INTERPRETER: The police asked her to get  
18 her other children nearby and that's when she began  
19 to realize that something happened with Josbel.

20 BELKYS RIVERA: [speaking Spanish]

21 INTERPRETER: The detectives were  
22 heartbroken as well and they were explaining through  
23 her younger children what happened to Josbel.

24 BELKYS RIVERA: [speaking Spanish]  
25

INTERPRETER: She would've been prepared for any other news.

BELKYS RIVERA: [speaking Spanish]

INTERPRETER: Josbel had been out of school for a year-and-a-half, he was 23 years old and Josbel and his mother had an appointment to fix his office up at his new job.

BELKYS RIVERA: [speaking Spanish]

INTERPRETER: She's been waiting for this moment still and it has yet to arrive.

BELKYS RIVERA: [speaking Spanish]

INTERPRETER: The driver who struck Josbel left the scene and burned the car to eliminate the evidence involved. The police did find him within two yours though.

BELKYS RIVERA: [speaking Spanish]

INTERPRETER: I can't speak about the case in detail because it's still in process, but I'm here today to say that Vision Zero represents a light at the end of the tunnel for me.

BELKYS RIVERA: [speaking Spanish]

INTERPRETER: I did my job as a mother, I raised three wonderful children; Josbel had all the potential, all the aspirations in the world and

1 because of an atrocity committed by a man who should  
2 not have been driving, had a suspended license, who  
3 because of the laws will never feel the consequence  
4 that he has to feel. The world will be denied  
5 Josbel's contribution and that is unfair. She's done  
6 her work as a mother and she calls on the Council to  
7 do their work in order to fix the broken system.

8  
9 AMY COHEN: This is what the world has  
10 lost.

11 CHAIRPERSON RODRIGUEZ: So thank you for...  
12 [interpose]

13 BELKYS RIVERA: [speaking Spanish]

14 CHAIRPERSON RODRIGUEZ: all your powerful  
15 story, like you know, as I say, as a father of two  
16 daughters, there's no way that I can use to show my  
17 solidarity and commitment to this cause; we are not  
18 gonna be getting into questioning by any council  
19 member... [background comment] I know; I will. I'm not  
20 gonna... we're not gonna be getting into questioning,  
21 but if any council member has something specific to  
22 say, this is the moment to do it after my Co-Chair  
23 Gibson.

24 CO-CHAIR GIBSON: Okay. We've also been  
25 joined by Council Members Crowley and Council Member



Chin and to share the sentiments of my colleague, I certainly will continue to pray for each and every one of you and while we know your loss is tremendous, I applaud each and every one of you for your efforts to turn your pain into a plan, a plan to stand up for other families and other New Yorkers so that we can prevent these types of tragedies that are breaking apart at the fabrics of our families across this city. As someone said earlier, no more deaths to traffic violence, no more deaths to traffic violence. I heard the message loud and clear and each of your stories is a powerful story and I know, I was impacted by it because even in my own community I've had parents that have lost children, that have lost relatives and it's hard to say I am sorry for your loss, but what are you going to do about it? And as legislators, we have got to take this loss and turn it into an action plan and that is what Vision Zero will do. While we know it's a component, we know that it will not solve every problem, but it's a good start, it's a good start to move us in the right direction so that we don't have to hear these types of stories across our city. So again, I applaud each and every one of you; thank you, gracias, thank you

so much for being here because we hear you and we are going to work collectively so that we can implement Vision Zero in the City of New York.

We do have a couple of comments from Council Member Rosenthal.

COUNCIL MEMBER ROSENTHAL: You know, Chair Gibson, I'm not sure I could say it any better than you just did; I wanna thank you for saying that. You know, what struck me today was how thoughtful everyone's insights are about the specifics of what happened to their children and I hope that that can be instructive to solving some of these issues; you know the ins and outs of what exactly happened in the situation with your children. I too think it's incredibly brave of you to be here to tell about your kids and to advocate so it won't happen again; I'm sure there are other parents who just couldn't get out of bed this morning and you're here, so thank you. No parent should have to endure the death of their child and I wanna thank you for giving us an opportunity to try to do something about it.

CO-CHAIR GIBSON: Thank you. And before I get to the next colleague I do wanna make mention again and thank the TLC and New York City Department

of Transportation for being here, as well as the New York Police Department; it's extremely important that you're here and you listen to these stories, because we know while we certainly cannot bring any of their children and their relatives back, but certainly hearing their stories can help motivate us to prevent these types of stories from continuing, so again, I thank the agencies for their presence and being here this afternoon. Council Member Levin.

COUNCIL MEMBER LEVIN: Thank you Madame Chair. I wanna thank you all for being here today and for honoring your children and for letting the government of the City of New York know that you're here and that you are going to press for changes and you're not gonna let us off the hook, and to the extent that I'm able to, I want to say that we are sorry as a city and that we all share collective responsibility and that we have to do everything that's in our power to honor your children, to honor you and I'm very grateful that you are here today and that you have shown the fortitude and the dedication to make this your mission. Thank you.

CO-CHAIR GIBSON: Thank you council member. Council Member Liz Crowley.

2 COUNCIL MEMBER CROWLEY: I wanna thank  
3 both our chairs for having today's hearing; I  
4 apologize; I had another hearing, couldn't be here  
5 earlier, but I did hear the testimony downstairs in  
6 the members' lounge of the families who lost loved  
7 ones. I can't imagine the pain that you have been  
8 going through; unfortunately too many families have  
9 had similar experiences, not only in my district, but  
10 of course, through the City of New York and I just  
11 wanted to make sure that you knew as a council member  
12 you have my commitment to work with the chairs here,  
13 my colleagues and the Mayor to make our streets  
14 safer, to do our part with traffic safety measures to  
15 make sure that we educate and build more awareness so  
16 that drivers are cautious and to make sure that we  
17 stiffen the penalties for those who are driving  
18 without a license or those who leave the scene of a  
19 crime; there are a number of traffic laws that need  
20 improvement and I'm committed to fixing them as well.  
21 So thank you for being here today.

22 CO-CHAIR GIBSON: Thank you. Council  
23 Member Deutsch.

24 COUNCIL MEMBER DEUTSCH: Thank you Madame  
25 Chair. I just wanna say that... thanks for being here,

1           you all showed courage by standing here this  
2           afternoon and telling your stories, where you didn't  
3           have to be here; you could've left it for someone  
4           else, but you're all here giving your story and I  
5           just wanna say as a father of five and a grandfather,  
6           I understand what it feels to wait at home every  
7           night and just making sure that the children, your  
8           family members come home safe from school, from their  
9           shopping or wherever else they may be, but you know  
10          people don't realize that when they drive reckless or  
11          they speed or they pass that stop sign or they, you  
12          know, just walking to their car that when that  
13          accident happens how many lives it affects; it's not  
14          just that one person that gets killed, it's the  
15          family, the relatives, the neighbors and so many  
16          others that get affected by it and I think by not  
17          only supporting Vision Zero, but to reach out and  
18          educating people that drive, that step into vehicles  
19          of what it's like, but god forbid you hit someone; it  
20          doesn't have to be a fatal accident, it could be any  
21          accident, could be a person limping for the rest of  
22          his life or her life and we have to let people and  
23          educate them of what it's like when you step into  
24          your car and you just don't think as a person, as a

human being sometimes. So I just wanna say thank you for being here, once again and I'd like to thank our Madame Chair and Chair Rodriguez for, you know putting this thing together and it's important, it was important for the DOT commissioner and for the TLC and for the members that are here to be here and to listen to you and once again, thank you and we... you know, this really means a lot by you being here and telling us your stories.

CO-CHAIR GIBSON: Thank you. Council Member Chin.

COUNCIL MEMBER CHIN: Thank you Chair. I also wanted to really thank all the parents for coming here today and telling your story; I mean our hearts go out to you and really shows that there's so much more the city can do and every day in our community there are advocates out there, they're asking for stop lights, you know stop signs, traffic lights and I think the city can do more to make it happen quicker, 'cause a lot of time... it took us years to fight for a traffic light and somebody has to get hit before the city acts. So we've gotta really do something about that and I pledge to you that the City Council, we will work with you to make

1           sure that we get justice and to make sure that we  
2           prevent this to happen to other families, 'cause we  
3           can do this, and thank you for being here today.

4                       CO-CHAIR GIBSON: Thank you. And Council  
5           Member Chin said it so well; we need your help, we  
6           need you to be the voices of the community residents,  
7           to be the voices of the fact that we've lost so many  
8           New Yorkers to traffic violence at the end of the day  
9           there is light at the end of the tunnel and it will  
10          make a significant difference to ensure that you  
11          remain active because it's not just for you and your  
12          family, but it's for all of our families across the  
13          city. Council Member Brad Lander.

14                      COUNCIL MEMBER LANDER: Thank you. I  
15          just wanna add my voice in thanks for your courage  
16          and of course, especially to Amy and to Ellen, for  
17          whom Sammy and Sam were my constituents, but to all  
18          of you, the courage that it takes to be here is not  
19          lost on us; I wish every driver could be here to sit  
20          and listen, because they would slow down and they  
21          would yield to pedestrians in the crosswalk and they  
22          would be safer, and the work we have to do together  
23          with the administration, with DOT, with NYPD; with  
24          the TLC, we are gonna carry much more strongly  
25

1 because of your insistent demand that we do so. So  
2 thank you so much for your courage and for everything  
3 that you're doing.  
4

5 CHAIRPERSON RODRIGUEZ: Thank you. And  
6 you know, this is a moment where action has to be  
7 more powerful than words, so that's a commitment that  
8 we're making with you today; we're gonna be working  
9 together, we're gonna be working together to be sure  
10 that we make Vision Zero a reality and as we can see  
11 you know, this is something that, as some of you have  
12 said, we never know when it will happen to us and  
13 there's no ethnic background, socioeconomic where you  
14 can see who we are; talking about children of New  
15 York City and New Yorkers now from the upper, of  
16 middle class, working class, black, Asian, Latino,  
17 all of us together feeling the same pain, so we're  
18 gonna be working together and we will be sure that we  
19 continue like your step on whatever we have to do to  
20 be sure that there's not another child or young  
21 person ready to go to college or graduated from  
22 college or the person doing research or a hard-  
23 working person in our city that we lose anymore. So  
24 thank you very much and we will continue working  
25 together. **03:28:36 [Spanish]**. I invite the Mayor to



also include the DA on the Vision Zero initiative, as we also... the Council passed a resolution on the gun initiative that increased the penalty for any person engaged in gun activity, as we believe that we should also be working on legislation that increases the penalty and I hope that... the Manhattan DA, they had someone ready to testify, but I believe that they could not stay because of some other commitment; we also govern all DA to come together and especially in this case of the Rivera family; we hope that the Bronx DA really does the best job that they can to provide justice to this family. So thank you and now we're gonna be calling the... after the family, go back to the... the chairs, they're gonna stay; we're gonna be calling the advocate.

They are Steve Vaccaro, Paul White, [background comments], Veronica Vanterpool and Eric McClure. [background comments] And I have to recognize this is one of the few hearings where the commissioner such at the DOT has stayed so long to hear, in this case, the families. [background comments]

CO-CHAIR GIBSON: Okay, thank you for being here all of the advocacy groups; if each of you

could just identify yourself before you open with your remarks. I do apologize; I have to step out very briefly and then I'll be right back, but you have my esteemed colleague here, Chairman Rodriguez. But thank you again for waiting so patiently and thank you again for your presence today. You may begin.

STEVE VACCARO: Thank you. My name is Steve Vaccaro; I'm active with a number of the organizations at the table here, but I'm also an attorney who represents many of the families who just spoke, including Amy Cohen-Eckstein, Amy Liao and others who are pictured up here and could not be here, such as Matthew Lefay's [phonetic] family from Canada and to my left, Jake Stevens, whose wife was killed two-and-a-half years ago in Fort Greene. I happen to be injured; it was not the result of a motor vehicle crash, so I hope my appearance won't be distracting you from the substance of my statement.

Okay, I just wanna say how important it is that Vision Zero has been embraced as the policy of the city by the administration; there's a critical role that the City Council can play and I hope that you will share with all of your colleagues how

important it is for each of you to attend the community board meetings in your neighborhoods when these initiatives, such as reducing the speed limit to 20 or 25 are introduced or bringing speed bumps or perhaps day lighting an intersection and losing parking spaces. People don't understand, but we have been living in a city where the organizing principle is that the convenience of some outweigh the lives of others, hundreds of others; it's a barbaric way to organize our streets; we're in the middle of a paradigm shift and we're going to start thinking about our streets in a new way, but education is critical and you will hear, just as Amy Cohen told you, in your neighborhoods and communities why do we have to do that; why do we have to lose parking spaces? Well now you know the reason, you heard from the people who suffer these terrible losses. So please hold these hearings; you should hold them semi-annually; you'll find a whole new crop of families here talking to you if you do, and the please go to those meetings in your neighborhoods. Secondly, concerning information, I'm very glad, I think originating from Council Member Brad Lander's office, has been a Crash Victim's Access to

1  
2 Information bill; I've been in contact with Council  
3 for the committees about this and it's so important  
4 that [bell] crash victims get information. When  
5 they're lost their family member they... I am fighting  
6 against the NYPD to get videotapes in the Allison  
7 Liao case of what happened, to get evidence for use  
8 in representing these families, and NYPD does not  
9 follow its obligations under FOIL or it stretches  
10 them out so long with delay tactics that we never get  
11 anywhere. So this is an incredibly important thing  
12 that we need to have reformed, is access to  
13 information. The third thing, Council Member Weprin  
14 was talking about accountability for sober reckless  
15 drivers, okay; I know that he's made a reference to  
16 Council for the committee about a bill that would  
17 create a misdemeanor and I am sure that after you've  
18 fully evaluated the concept of this legislation you  
19 will see that the City Council has the legislative  
20 authority to enact a misdemeanor for sober reckless  
21 drivers without Albany giving its approval, okay, and  
22 Transportation Alternatives and my firm and the best  
23 legal minds we have available in the advocacy  
24 community are going to be providing Committee Council  
25 with a memorandum that shows the appellate division

1  
2 decisions, multiple decisions that uphold the City  
3 Council's authority to enact this legislation, so you  
4 don't need to wait for Albany to act, you can act and  
5 we will be calling upon you to do so. Thank you.

6 VERONICA VANTERPOOL: Good afternoon, my  
7 name is Veronica Vanterpool and I'm the Executive  
8 Director of Tri-State Transportation Campaign and I'm  
9 here to share my comments on behalf of my  
10 organization and Straphangers Campaign NYPIRG and the  
11 Riders Alliance and also with my colleagues at the  
12 table here on the panel and with everyone who's in  
13 the audience.

14 I do have prepared testimony, but there's  
15 just a few things that I think are important to take  
16 away from today's hearing and that is, number one --  
17 this is not an issue that is new, to the community,  
18 is not an issue that's new to the advocacy community  
19 and it's not an issue that's new and been brought  
20 forward recently to the New York City Council or  
21 Departments of Transportation or the New York Police  
22 Department or the Taxi and Limousine Commission, and  
23 I certainly am glad that the Commissioner of NYCDOT  
24 stayed behind, as have members of TLC, to listen to  
25 the testimonies and sentiments shared here today.

Council Member Chin said that things and actions only happen when there's a death -- actually, that's not true, since 2005 there's been over 1,200 deaths and these are preventable deaths, preventable fatalities; action happens when people come together to demand that action happens. Action happens when we have elected, enlightened leadership making decisions that reflect what voters want. Action happens when we make our voices loud and clear; that's when action happens and that is what you're seeing at this point moving forward. We're very pleased that we have an administration that has made this a priority; we're very please that we have new members of the Council and new leadership at New York City DOT and new members in our State Legislature that are making this a priority; this is what is making the change moving forward.

So just a few things -- we know what needs to be done, there's arterial roads that are host to a lot of these fatalities. Every year my organization does a report, "Most Dangerous Roads for Walking," where we identify the most dangerous roads in each borough. Over 30 pedestrians have been killed on five roads in each of the five boroughs

1  
2 over three years. We know this; we know what needs  
3 to be done; let's just move forward on that. Albany  
4 should not control... or our State Legislature should  
5 not control the decisions for safety and to protect  
6 lives that rest in the hands of New York City; it  
7 relates to speed cameras, it relates to red light  
8 cameras and it also relates to bus lane enforcement  
9 cameras, when buses are forced [bell] to move out of  
10 their lane it contributes to dangerous mobility  
11 patterns on the road.

12           Lastly, this is not an assault on any  
13 particular industry; this is a partnership moving  
14 forward; that's the key thing about this Vision Zero  
15 Action Plan, it shows an interagency commitment and  
16 effort. This is not meant to attack any one sector;  
17 this is meant to show that everyone shares  
18 responsibility and it should be seen that way, it  
19 should be perceived that way and it should be acted  
20 upon that way.

21           And lastly, improved data and  
22 transparency -- we understand that data is important,  
23 but it's not helpful if it's kept siloed, if it's not  
24 shared within the different agencies; the capability  
25 is there; we understand why it's important to share

1  
2 this, not just amongst the agencies, but with the  
3 public; let's work together and the data is a tool do  
4 that.

5 And then lastly, just to comment on some  
6 previous comments that were made by families -- we do  
7 need a timeline and we do need an implementation plan  
8 for Vision Zero moving forward; that is certainly  
9 what's lacking from this, and we need to see that  
10 moving forward. Thank you.

11 ERIC MCCLURE: Thank you. My name is  
12 Eric McClure; among other advocacy roles I currently  
13 serve as the chairperson of the Park Slope Street  
14 Safety Partnership, which is a coalition of community  
15 groups working together with our local precinct, the  
16 78, Council Member Brad Lander and other stakeholders  
17 to advocate for exactly the types of life-saving  
18 traffic safety measures called for in the Mayor's  
19 Vision Zero Action Plan.

20 I will dispense with prepared testimony,  
21 which you have for the record, in the interest of  
22 time, just to make two quick points -- one is that I  
23 want to assure the members of the committee that the  
24 Vision Zero Action Plan has tremendous support at the  
25 grassroots level; it cuts across all demographics, as



1  
2 you said before, Chairman Rodriguez, it's important  
3 to all communities, all people in all communities  
4 across the city.

5           And lastly, we all know that when we  
6 begin removing corner parking spaces in order to make  
7 intersections safer for children to cross or begin  
8 planning to replace a lane of traffic on a dangerous  
9 three-lane arterial with a protected bike path or  
10 begin deploying more life-saving speed cameras and  
11 red light cameras throughout New York City, there are  
12 going to be those who say, hey, wait a minute, that's  
13 not right. But it is right and we need to be  
14 steadfast in our commitment to safer streets.

15           In addition to your important oversight  
16 role here, you each have a critical role to play in  
17 your districts in leading this change. We know how  
18 to achieve Vision Zero; what we need is the will to  
19 achieve Vision Zero. I urge this committee and the  
20 Full City Council to do everything in its power to  
21 make that happen without delay. Thank you.

22           PAUL STEELY WHITE: I'm Paul Steely  
23 White, Executive Director of Transportation  
24 Alternatives. I am joined today by a number of  
25 members of TA, board members, and also our amazingly

1  
2 talented and dedicated staff here today, Juan  
3 Martinez, Lindsey Ganson, Caroline Samponaro, Alana  
4 Miller -- much of what you're seeing happen here  
5 today and in recent weeks and months is due to their  
6 work. I'll be very brief; I am also diverging from  
7 my prepared remarks.

8           Earlier today we heard Commissioner  
9 Trottenberg say that injuries and fatalities have  
10 been reduced by as much as 88 percent at  
11 intersections and streets that have been redesigned  
12 and reconstructed; that's amazing, but right now the  
13 current funding levels in the budget for street  
14 redesign and reconstruction is woefully inadequate.  
15 Unless new funding is made available for Vision Zero  
16 redesigns and reconstruction, it will be decades  
17 before the deadly intersections we have in New York  
18 City are fixed, and that's unacceptable and that's  
19 why we need you, the City Council, to ensure that  
20 dedicated Vision Zero reconstruction dollars are  
21 dedicated into the city budget; right now we have no  
22 dedicated Vision Zero money in the city budget.

23           Secondly and lastly, a few weeks ago  
24 there was a commanding officer of a patrol borough  
25 with 13 precincts under his command sitting in our

1 office and he told us what rank and file police  
2 officers are the city have told us on many occasions  
3 and that is that Vision Zero cannot be accomplished  
4 unless we have automatic speed enforcement cameras  
5 blanketing our city. Last year the Patrolmen's  
6 Benevolent Association, the PBA, took out a full-page  
7 ad in the Daily News against speed enforcement  
8 cameras. They assert that speed enforcement cameras  
9 are going to somehow cost police officers' jobs.  
10 This is ridiculous, it's untrue and it's standing in  
11 the way of safe streets. So we need you, council  
12 members to talk to your local precincts; please  
13 encourage them to be much more vocal on the safety  
14 improvements that they, as working officers know, our  
15 streets, schools, children; communities need. Thank  
16 you.  
17

18 BARRON LERNER: Hi; my name is Barron  
19 Lerner; my sister was sitting right in this seat I  
20 believe, Dana Lerner, so I'm Cooper Stock's uncle,  
21 the 9-year-old boy who was killed January 10th on the  
22 Upper West Side by the cab. But I'm not gonna tell  
23 you what my sister told you about Cooper, you've  
24 heard about that already; turns out that I am a  
25 historian and have written a book on drunk driving

1  
2 and I wanna spend just a couple minutes trying to  
3 anticipate some of the barriers... I feel like  
4 everyone's talked the talk incredibly well today and  
5 the challenge is gonna be to walk the walk, so let me  
6 just very briefly take us back to when drunk driving  
7 was not a crime and discuss how drunk driving became  
8 a crime and this is how we can make reckless driving  
9 a crime.

10           Before 1980 drivers with blood alcohol  
11 levels twice the current level rarely received  
12 criminal prosecutions, even if they killed other  
13 people; they generally were given traffic violations  
14 and sent back to the street. Victims walking or  
15 driving legally were said to have been in an  
16 "accident"; they were told they were "in the wrong  
17 place at the wrong time." Prosecutors and police  
18 told these broken families, "you need to get on with  
19 your lives."

20           Finally, beginning in the 1980s, angry  
21 parents and relatives... sound familiar... fought back,  
22 creating RID (Remove Intoxicated Drivers) and MADD  
23 (Mothers Against Drunk Driving). They pointed out  
24 the absurdity of a society that allowed drivers to  
25 make a selfish decision to drink and then maim and

1  
2 kill and then shrugged it shoulders at the resultant  
3 carnage. As a result, states passed over 700 new  
4 laws to make drunk driving the crime that it is.

5 In addition to the moms, the other heroes  
6 were lawmakers, like yourselves, who stood up to the  
7 political and financial forces that oppose reform,  
8 just like the policemen you just heard, you have to  
9 name names. Does drunk driving 50 years ago sound  
10 familiar? It should; currently in New York City  
11 drivers can make similarly selfish or careless  
12 decisions, crash into innocent victims and get off  
13 with a slap on the wrist; we've heard that all  
14 morning. It was a historical anomaly that drunk  
15 driving was tolerated for so long and a moral  
16 decision by society to rectify that problem.

17 My feeling is there's no moral difference  
18 between driving drunk and driving in an incompetent  
19 manner for another reason, whether you're smoking  
20 pot, using a cell phone, road rage, impatience or  
21 turning into a crosswalk without looking. In all  
22 these instances drivers in a multi-ton machine  
23 essentially treat law-abiding citizens as an  
24 inconvenience as they drive around in a distracted or  
25 impaired manner. Until we fix this situation we are

all morally culpable for the deaths of Cooper and all the others we've heard of today.

Let me close with a quote -- there's always smarter people that you can find -- here's a quote from a bioethicist that I quoted in my book, 'cause I thought it was so smart; her name is Bonnie Steinbock; she wrote an article about drunk driving many, many years ago and she wrote the following: "It is not unreasonable to require people to undergo great inconvenience to avoid killing other people." Think that says it all. Thank you so much for the opportunity to speak this afternoon; I pray you have the courage to act and prevent other needless deaths, both through your own efforts and working with legislators in Albany.

STEVE VACCARO: Jake... if I could just allow Mr. Stevens, who's been here since 9:30, to make a very brief statement.

MR. STEVENS: I will be brief; I'm one of the people represented by Steve; my wife Clara Heyworth was 28 years old and she was killed two-and-a-half years ago by a drunk, speeding driver on one of these arterial highways, Vanderbilt, in Brooklyn.

1  
2           You'd think that the fact that the driver  
3 had been driving without a license for 20 years and  
4 was drunk and was speeding would be enough to put  
5 together a case and prosecute the guy; he instead was  
6 given his car back that night and he walked; he paid  
7 a \$40 fine for driving without a license; that's the  
8 total extent of New York City sanction for killing my  
9 wife violently in front of me when she crossed the  
10 street as a pedestrian.

11           I think that it's gonna be really  
12 important with Vision Zero, which of course I welcome  
13 and de Blasio's entire political platform, which I  
14 welcome; which my wife would welcome, to hold NYPD  
15 accountable and to provide oversight on the way that  
16 NYPD investigate road traffic accidents and enforce  
17 the law. The Accident Investigation Service, now the  
18 Collision Investigation Service, did not bother  
19 showing up to the scene where my wife was killed,  
20 they didn't go to the scene to do the investigation.  
21 You cannot enforce New York State Law without  
22 investigating the scene of where someone is killed.  
23 They chose not to investigate because it took her a  
24 day to die in hospital and they thought they didn't  
25 have to respond to the scene of where she was killed.

It sounds like some of these policies and some of these regulations are gonna change under this new administration and due to the hard work of these advocacy groups and other family members and I just encourage you as council members to play whatever role you can in providing oversight of NYPD to ensure they play their part in this and respond to our demands, of constituents' demands and your demands as to how we want to enforce the law.

CHAIRPERSON RODRIGUEZ: First of all, thank you for the leadership that as the advocate groups you've been providing to our city, not only on Vision Zero, but on all the ideas on how to improve transportation. And since I know that many of you are not only doing your research based on what happened here, but also looking at other cities and worldwide on different initiatives. Have you... is there any... when you look at the Vision Zero in Denmark or in other places in Europe, is there any... or even on how transportation is organized - Medajim [pneonetic], Bogata, all those places -- is there anything that we are leaving out from this plan that you think that we should include on Vision Zero?



PAUL STEELY WHITE: I think the most important thing is political will to see the 63 initiatives that have been articulated brought to fruition. But to your point about international best practice, I think a great example is Paris, another pedestrian-rich city like New York, dense like New York; they cut fatalities in-half in six years. I think that's unprecedented in terms of big world class cities achieving progress towards this goal. They did it precisely how we are proposing to it, how you are proposing to do it, with 20 mile per hour speed limits, automatic enforcement and big redesigns of arterial streets, with pedestrian refuges, wider sidewalks, particularly at the intersections, and the rest of the menu of treatments that we know work. So really it's about applying the political will to implement what we already know works.

VERONICA VANTERPOOL: And I would also add that we need a shift in ideology and a shift in philosophy. When we listen to Enrique Penalosa talk about how our cities are designed and how streets are a symbol of democracy, and how that's implemented and manifested in the choices that we make for transportation and bicycling and pedestrian space and

public transit, we realize that we are woefully behind as a country and as a city in terms of this ideology. So coupling that with, you know political will and legislation and advocacy, you know, it becomes a trifecta of approaches to really make the kind of shift that we need to see.

CHAIRPERSON RODRIGUEZ: Thank you.  
Steve.

COUNCIL MEMBER LEVIN: Thank you very much, Mr. Chair and thank you to this panel. One thing I wanted to speak to regarding investigations is that AIS, or the former AIS, which is now the CIS, for Collision Investigation Squad, under Vision Zero they're proposing to expand Collision Investigation Squad cases to encompass all crashes with critical injuries. I would propose, and this I think is an important difference, is to include all crashes with serious injuries, as defined in the New York State Penal Code, because it's very different and as I'm sure that you're aware, that right now the standard is that they will not investigate a crash scene unless somebody is killed or is deemed likely to die, and while expanding it to critical injuries is important, I think that to make sure that all crashes

2 are investigated and prosecuted, if prosecution is  
3 merited, the standard should be expanded. But I  
4 wanna thank you very much for coming here today and  
5 for your courage in telling your story and for  
6 pushing us to do the right thing.

7 In addition... sorry...

8 STEVE VACCARO: Just on that point, you  
9 know Mr. Stevens is the named plaintiff in a suit  
10 against the City of New York to require the City of  
11 New York to meet that standard, which is pending in  
12 the Eastern District of New York right now. So yes,  
13 it's absolutely critical; we've heard that part of  
14 the Vision Zero program is to expand crashes to all  
15 serious investigations, but without the officers and  
16 without the funding it's not going to happen.

17 MR. STEVENS: I'd like to thank...

18 [crosstalk]

19 COUNCIL MEMBER LEVIN: And thank you...

20 MR. STEVENS: your recognition of that  
21 issue.

22 COUNCIL MEMBER LEVIN: And thank you for  
23 taking on the burden of a lawsuit and that is  
24 essential, so thank you.  
25

1  
2 In addition, I just wanted to speak about  
3 main thoroughfares that are particularly dangerous,  
4 and looking at the map of all traffic fatalities that  
5 Transportation Alternatives and Families for Safe  
6 Streets put together you can see... I mean I can  
7 identify... can identify the map of the city almost by  
8 where there's concentrations and one that sticks out  
9 to me is Atlantic Avenue, which goes the entire  
10 length of the avenue, as you can see very clearly on  
11 the map and there are numerous fatalities over the  
12 last 10 years, so I would encourage Department of  
13 Transportation to work with everybody who has a stake  
14 in it to improve traffic safety, particularly along  
15 Atlantic Avenue, but all of these major arterials.  
16 Thank you.

17 CHAIRPERSON RODRIGUEZ: Thank you  
18 everyone and you know, I'm looking to continue  
19 working together, not only on Vision Zero but on  
20 other initiatives related to transportation.

21 I would like to announce that the Rules  
22 Committee has been moved to the Red Room downstairs  
23 at 2:30 p.m. And now I would like to call the next  
24 panel -- Emily Barber... [background comment] Karen  
25

2 [background comment] Friedman and Lester Marks. You  
3 may begin.

4 KAREN FRIEDMAN AGNIFILO: Thank you.

5 Good afternoon Chairman Rodriguez and members of the  
6 Committee on Public Safety and Transportation. I am  
7 Chief Assistant District Attorney, Karen Friedman  
8 Agnifilo and I'm presenting testimony today on behalf  
9 of the New York County District Attorney, Cyrus  
10 Vance, Jr. Thank you on behalf of District Attorney  
11 Vance for holding today's hearing and affording me  
12 the opportunity to testify here today about  
13 potentially preventing traffic fatalities.

14 As all of you know, New York County has  
15 already experienced more than its share of vehicular-  
16 related tragedy this year; you've heard many sad  
17 stories today and first we wanna begin by just  
18 extending our condolences to all of the various  
19 people who have been affected by this. As saddened  
20 as we are when these cases come across our desks, we  
21 see how it's such a tragedy for everyone involved,  
22 the families, the survivors, et cetera. So I'm very  
23 happy to be here today to speak to you about our  
24 perspective.

1                   The Manhattan DA's Office investigates  
2  
3 all fatal and critical injury crashes that the NYPD's  
4 Collision Investigation Squad goes out on and even  
5 some that they do not. This was a policy put forth  
6 by DA Vance in 2010 when he took office. Despite the  
7 fact that we investigate these cases, it can be  
8 difficult for people to understand why a crash that  
9 seriously injures or kills someone is not always a  
10 crime; the reality is that often these cases do not  
11 meet the complicated and onerous legal requirements  
12 for criminal charges.

13                  Let me try to explain to you some of the  
14 legal framework that we prosecutors are bound by when  
15 charging vehicular crash cases. For example, we are  
16 often asked why a driver who's involved in a fatal  
17 collision is not guilty of criminally negligent  
18 homicide or vehicular manslaughter. To prove  
19 criminally negligent homicide an assistant DA must  
20 show that the defendant has engaged in some  
21 blameworthy conduct creating or contributing to a  
22 substantial and unjustifiable risk of death. In  
23 other words, crashing without some sort of additional  
24 culpable conduct, really outrageous conduct, does not  
25 establish the requisite state of mind for criminal

negligence and the law treats it as merely a traffic accident.

This precedent was established in a case where on a foggy night a driver failed to see the vehicle stopped in the lane ahead of that person and fatally struck the vehicle and the state trooper standing beside it. That scenario, our highest court, the Court of Appeals, determined did not constitute criminally negligent homicide. The Court held that an unexplained failure to perceive without more is not a crime and to be guilty of vehicular manslaughter, in addition to these other elements, the driver must also be intoxicated or impaired by drugs or alcohol.

So as prosecutors, we are bound by the law and the tools that are given to us by the legislators and by the courts, but this is what the law says and this is what we must evaluate in every case.

In another case, a driver mistakenly drove the wrong way onto a parkway exit ramp and upon realizing his mistake chose to make a u-turn across three lanes of traffic rather than backing up the ramp or turning around on the grassy shoulder of the

1 highway. This tragic decision led to the death of an  
2 oncoming motorcyclist when he crashed into the  
3 turning car. The Court held that the defendant's  
4 decision did not rise to a level of moral  
5 blameworthiness required to sustain a charge of  
6 criminally negligent homicide.  
7

8 Typically the courts have held that one  
9 traffic infraction, such as speeding, failure to  
10 yield or even driving the wrong way on a highway does  
11 not in and of itself establish criminal negligence,  
12 absent an additional aggravating factor, so they  
13 usually hold us to two factors, there has to be two  
14 things. The courts have generally held that an  
15 additional affirmative act by the driver must occur  
16 to transform speeding into dangerous criminal  
17 speeding.

18 However, some acts themselves are so  
19 egregious as to constitute not criminal negligence,  
20 but the lesser crime of criminal recklessness. For  
21 example, our office prosecuted a case in which the  
22 driver was clocked on the radar of driving in excess  
23 of 100 miles per hour on the Henry Hudson Parkway,  
24 thereby placing the lives of the other drivers on the  
25



roadway and their passengers at risk; we were able to prosecute that for reckless driving.

Some states, including Illinois, Washington and Florida, allow for vehicular homicide charges in cases of reckless driving; however, this is not the case in New York and unless the law changes or until the law changes our hands are tied.

I'm telling you all this so you understand the parameters that our vehicular crimes team must follow when assessing the criminal liability of the driver in a vehicular crash, bicycle strike or pedestrian strike. In each investigation we're bound by statutory and case law in our charging practices.

When it comes to misdemeanor vehicular crimes, crimes such as driving with a suspended or revoked license or driving while intoxicated, we've seen an uptick in cases. Between 2009 and 2013 the Manhattan DA's Office saw a 12.5 percent increase in misdemeanor cases of operating a vehicle with a suspended or revoked license; that's in violation of Vehicular and Traffic Law Section 511, we screened 7,272 in 2009 and 8,183 in 2013.

As for driving while intoxicated cases, commonly referred to as DWI cases, in 2009 we screened 2,161 misdemeanor DWI cases compared to 2,556 in 2013; that's an increase of more than 18 percent.

One thing is for sure; these are terrible crimes with potentially lethal consequences and in response to these critical public safety matters, District Attorney Vance has expanded our Vehicular Crimes Unit; he did that shortly after he assumed leadership in 2010, 'cause this was an issue that he felt very strongly about and he was saying that our traffic fatalities and pedestrian fatalities were almost equaling our murders and our homicides, and this was a serious issue for us in Manhattan and it's something that we wanted to be involved in and want to be involved in investing. So he added significant legal and investigative staff; we train assistant district attorneys every single year, we do week-long trainings of them to understand the complicated tools that you need to understand a vehicular crash scene, and we also forged stronger relationships with the NYPD's Collision Investigation Squad and now we go out on or consult on every single case they call us

on, every single one. We have someone on call 24/7; there's one person who's on call to respond to these cases; all we ask is that we get called.

Our office has conducted citywide crash investigation and reconstruction trainings, nearly training over 100 assistant district attorneys from the five boroughs and surrounding counties; we offer this training not to just our own assistants, but citywide so that everyone can benefit from it. And as a result of this training, more than 60 assistant DAs at our own office have been trained in crash investigation and reconstruction. Participants have learned how to investigate and evaluate vehicular collisions, pedestrian strikes and bicycle strikes so that our prosecutors are expert in both the science involved and the applicable criminal law.

[interpose]

CHAIRPERSON RODRIGUEZ: Can you please summarize just because of the time that we have?

KAREN FRIEDMAN AGNIFILO: Yes.

CHAIRPERSON RODRIGUEZ: Thank you.

KAREN FRIEDMAN AGNIFILO: I will... I will... I will... I'm getting to what we wanna do. What we would like to have more of and do more of is we would

1  
2 like to be called to more scenes where there are  
3 injuries. So as was pointed out earlier, we would  
4 like to be called out and have the NYPD go out on all  
5 cases where there's serious physical injury, not just  
6 critical injury, and we're willing to commit the  
7 resources to also go out and investigate those cases  
8 along with the NYPD. And that would be great so we  
9 could potentially bring more criminal charges.

10 We are also asking that the NYPD work  
11 with us by reviewing drivers' cell phone records,  
12 text message records, surveillance video recordings  
13 and where applicable, download information from the  
14 vehicle's data recorder to determine speed, throttle  
15 position, et cetera. These are labor-intensive  
16 cases, but the investigation is critical... [interpose]

17 CHAIRPERSON RODRIGUEZ: Fine; we have to  
18 summarize and then limit the other to two minutes  
19 because there's another hearing that we're trying to  
20 put together; sorry.

21 KAREN FRIEDMAN AGNIFILO: Okay. Okay, we  
22 are asking, number one, that we be included in Vision  
23 Zero; we were not invited to the table and we would  
24 like to be invited to the table; we think we are an  
25 important part of it, so that's number one. Number

two, we are asking that you lobby Albany to install more speed cameras. Number three, we would like more police resources to be devoted to these investigations; we're willing to devote and commit the resources. We're also asking that you lobby Albany to do two more things: number one, eliminate the 30/30 speedy trial requirement, like in any other homicide case, vehicular homicides still require a 30/30... the 180 days in order to bring the case, but other homicides don't, so we're asking you to give us the time to investigate and prosecute these cases; that's another law change that Albany can do. We also would ask that you lobby Albany to allow us to draw blood at the scene, because by the time we get a warrant and draw blood to see if someone's intoxicated, hours and hours and hours later half the time whatever was in their system is gone and so every minute that goes by they are... critical evidence is being lost and wasted. [interpose]

CHAIRPERSON RODRIGUEZ: Sorry; we have to leave it there. I appreciate... first of all, as I said before and I... having the Manhattan DA as the only one here and knowing that probably we did not invite officially the other DA, but we believe that

1 this is like the right step that you've taken to be  
2 here, testify, and we're looking to also get the  
3 administration... as we also invite the administration  
4 to invite the DOE, MTA and the DA as part of Vision  
5 Zero. So thank you. And we're gonna be limiting to  
6 two minutes because we have... [crosstalk]

8 LESTER MARKS: Sure.

9 CHAIRPERSON RODRIGUEZ: to move to  
10 another room.

11 LESTER MARKS: Good afternoon Chair  
12 Rodriguez, Chair Gibson; my name is Lester Marks; I'm  
13 from Lighthouse Guild. Lighthouse Guild is an agency  
14 that serves people who are blind and visually  
15 impaired throughout New York State. So I'm not gonna  
16 read my testimony. Lighthouse Guild is also a member  
17 of the Pedestrians for Accessible and Safe Streets  
18 Coalition, a coalition of agencies that serve people  
19 are blind or visually impaired and agencies that are  
20 run by people who are blind or visually impaired and  
21 we're here today... we were very, you know, happy to  
22 hear that the Manhattan Borough President, Gale  
23 Brewer, will be introducing a bill with Council  
24 Member Levine regarding accessible pedestrian  
25 signals; we feel that accessible pedestrian signals

are incredibly important and you know, many of the things that the city has instituted over the last 5 or so... 5 to 10 years and some of the things that are in the Vision Zero plan, while they do save lives, things like bike lanes and pedestrian plazas and things like traffic signaling changes, these are all things that are beneficial and are in the Vision Zero plan, but they must be accompanied by an accessible pedestrian signal and if they're not, it's to the peril of people who are blind and visually impaired in the city. So we ask that the Committee make sure that that is a part of Vision Zero going forward. We also ask that the Council also take into consideration detectable warning surfaces; these tools are also very important to somebody who is blind or visually impaired when traveling the city.

And the final thing I would just mention is... which is not in the report and probably something that hasn't been discussed, is the issue of temporary construction zones. Think about utilities who open up streets, you know they'll set up and they may have to rip up a street to dig for a water main break and these things happen throughout the city on a daily basis and unfortunately they are not properly

1 channeling pedestrians and they pop up anywhere, they  
2 pop up in the middle of crosswalks, they pop up  
3 unannounced and there are federal guidelines that are  
4 in place that properly channel all pedestrians, but  
5 this is particular important for somebody with a  
6 visual impairment around the zone and we would like  
7 to work with the Council and the Committee on that as  
8 well. So I thank you for your time. [bell]

10 ANALYNN COURTNEY BARBIA: Hi, my name is  
11 Analynn Courtney Barbia [phonetic]; I represent  
12 Visions/Services for the Blind and the past  
13 coalition. I just wanna very quickly point out there  
14 is a concern for money; where will the money come  
15 from to pay for all of these things? So when you're  
16 thinking about how many accessible pedestrian signals  
17 can we afford in this city, I'd like you to think  
18 about all the different things that were originally  
19 designed for a specific disability group that now  
20 help many people -- closed captioning was only for  
21 the deaf when it was instituted, but now we all sit  
22 in crowded noisy bars and we know exactly what the  
23 newscaster or the sportscaster is saying. Curb cuts  
24 were meant for wheelchair users, but now people with  
25



2 handcarts and strollers and shopping carts and  
3 walkers use them.

4           You are an educator, so you know what I  
5 mean when I say sometimes people are visually  
6 oriented and sometimes they are auditorily oriented.  
7 DOT only uses visual messages to communicate to  
8 pedestrians. The walk signal is visual, the look  
9 sign they paint on the crosswalk is visual; it's all  
10 visual. But an accessible pedestrian signal makes a  
11 noise and produces a vibration which will allow other  
12 people to hear and benefit from the information that  
13 this is where you stand when it's time to cross and  
14 now is when you start crossing.

15           And I'll just close by saying the  
16 gentleman from Transit Alternatives talked to you  
17 about Paris cutting their fatalities in-half in six  
18 years. The City of Paris has many more accessible  
19 [bell] pedestrian signals than New York City. Thank  
20 you. [crosstalk]

21           MALE VOICE: Thank you.

22           CHAIRPERSON RODRIGUEZ: Definitely we're  
23 gonna be... as we share, when we meet, we're gonna be  
24 continue working together and also with the DA, as I  
25 say, thank you for being here. We're gonna be moving

1  
2 now to the Red Room, which is at the 1st Floor; it  
3 seems there was another hearing scheduled for this  
4 place at 2 p.m., so please, those of us that already  
5 had your name to be [interpose, background comment] a  
6 panelist, let's now move to the Red Room at the 1st  
7 Floor. You can take... [interpose, background comment]  
8 this stair and go... it'll take you directly down to  
9 the 1st Floor.

10 COUNCIL MEMBER LANDER: Mr. Chairman,  
11 I'd... [interpose]

12 FEMALE VOICE: Thank you.

13 COUNCIL MEMBER LANDER: like to publicly  
14 say thank you to you and Chair Gibson and to the  
15 folks who are here for this hearing for your  
16 flexibility; it's a very important hearing and we  
17 really, really appreciate your flexibility in moving  
18 downstairs. [background comments] Alright. And  
19 individuals who are here to testify in front of the  
20 Rules Committee...

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1	COMMITTEE ON TRANSPORTATION, JOINTLY WITH COMMITTEE ON PUBLIC SAFETY	195
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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date        March 13, 2014