

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON GOVERNMENTAL OPERATIONS

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December 9, 2019

Start: 10:52 AM

Recess: 11:33 AM

HELD AT: 250 Broadway - Committee Rm.
16th Fl.

B E F O R E: FERNANDO Cabrera
Chairperson

COUNCIL MEMBERS: Ben Kallos
Alan N. Maisel
Bill Perkins
Keith Powers
Ydanis A. Rodriguez
Kalman Yeger

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

2 (sound check) (pause)

3 CHAIRPERSON CABRERA: Alright. (gavel)

4 Good morning and welcome to this second hearing and
5 vote of the City Council's Committee on Governmental
6 [coughs] Excuse me, Operations. I am Chair Fernando
7 Cabrera. Today the committee will vote on two bills
8 sponsored by myself. First Proposed Intro 1249-B
9 will streamline two overlapping TLC programs to make
10 them more effective and transparent as vital Vision
11 Zero enforcement tools. Second, Intro 1095 will
12 require a notification of expired special permits
13 granted by the Board of Standards and Appeals. TLC
14 maintains two enforcement programs that result in
15 points on drivers' licenses. In 19—in the 1990's,
16 the TLC created the Persistent Violators Program,
17 which assigned points for various TLC rules, um,
18 violations. Drivers who accumulate between 6 and 19
19 points with in a 15-month period face license
20 suspension and revocation if they accumulate 10 or
21 more points. The Critical Drivers' Program operates
22 exactly the same way, but it only counts points
23 assigned by the State Department of Motor Vehicles.
24 These programs were separated—separate into Local Law
25 30 of 201 as part of Vision Zero, allowed TLC to

2 count both TLC, and DMV issued points. However,
3 according to the testimony from the TLC, this caused
4 confusion for some drivers and many-many thought that
5 they were being penalized twice for the same offense,
6 and drivers don't understand why they are being
7 penalized. The penalty is not an effective
8 deterrent. Proposed Intro 1249-B will repeal the
9 Critical Driver Program, and consolidate its only
10 non-duplicate-duplicate provision. The ability for
11 drivers to reduce points after taking a DMV approved
12 accident prevention course under a single Unified
13 Persistent Violators Program. Let me be clear. The
14 intent of this legislation is not to reduce safety or
15 roll back Vision Zero measures. All elements of both
16 programs remain. The bill is simply intended to
17 eliminate driver confusion and thus increase the
18 effectiveness of the TLC crucial efforts to ensure
19 safe driving. The second bill to be voted on today
20 is Intro 1095. This bill amends Local Law 84 of
21 2017, which currently requires the Board of Standards
22 and Appeals to provide a notification to the owner of
23 record when a variance is about to expire to now also
24 require the DAC-DSA provide a notification to the
25 owner of record when a special permit is about to

2 expire. Special permits allows certain use in a
3 zoning district where the use might not otherwise be
4 allowed such as out-of-service-service station in a
5 commercial district or an electric or gas utility
6 substation or residential district. Use of the
7 property after the Special Permits expiration would
8 be a violation of its certificate of occupancy. The
9 BSA will be required to inform the owner that the
10 Special Permit cannot be extended into penalties for
11 such a violation are paid. The bill will also
12 require the notification for both variances and the
13 Special Permits to be sent to the Community Board in
14 which the property is located. The notification will
15 be required to go out six months before the Special
16 Permit expires. I want to thank our committee staff:
17 Daniel Cohen, Emily Forgione, Elizabeth Cronk,
18 Sebastian Bacchi, Elliott Lynn as well as my own
19 Legislative Director Claire McLeveighn for making
20 this hearing possible. I will now ask the Clerk to
21 call the roll.

22 CLERK: William Martin, Committee Clerk,
23 roll call vote Committee on Governmental Operations,
24 Introduction 1095 and 1249-B. Chair Cabrera.

25 CHAIRPERSON CABRERA: Aye.

2 CLERK: Perkins.

3 COUNCIL MEMBER PERKINS: Aye.

4 CLERK: Powers.

5 COUNCIL MEMBER POWERS: Aye.

6 CLERK: Yeger.

7 COUNCIL MEMBER YEGER: Aye.

8 CLERK: By a vote of 4 in the
9 affirmative, 0 in the negative and no abstentions,
10 both items have been adopted by the committee.

11 CHAIRPERSON CABRERA: Thank you so much,
12 and we'll keep the roll open until 11:30. [pause]

13 CLERK: Continuation roll call, Committee
14 on Governmental Operations, Council Member Kallos.

15 COUNCIL MEMBER KALLOS: Aye on all.

16 CLERK: The vote is currently at 5 in the
17 affirmative. [pause] Continuation roll call,
18 Committee on Governmental Operations, Introductions
19 1095 and 1249-B. Council Member Rodriguez.

20 COUNCIL MEMBER RODRIGUEZ: Aye.

21 CLERK: The final vote in this committee
22 is now 6 in the affirmative, 0 negative and no
23 abstentions. [background comments] [gavel]

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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 December 16, 2019