

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON TRANSPORTATION

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HELD AT: Council Chambers
250 Broadway - Hearing Room,
14th Fl

B E F O R E: YDANIS A. RODRIGUEZ, Chairperson

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CHAIRPERSON RODRIGUEZ: Good morning everyone, I mean good afternoon. First of all I would like to thank Carlos Menchaca for the great hearing that he held previously to this one, related to the assisting of creating new ID. Even though we granted an extra hour, but I think it was time that was necessary for everyone to have the opportunity to testify on the previous hearing led by Carlos Menchaca.

Good afternoon and welcome to today's hearing for the City Council Transportation Committee. My name is Ydanis Rodriguez and I am the Chair of the Transportation Committee. First let me recognize my colleagues who are here with us today, Council Member Mark Levine, Debbie Rose, Jimmy Van Bramer, Margaret Chin and Antonio Reynoso, Fernando Cabrera, and Jimmy Vacca.

Two months ago we held hearing on Vision Zero. Soon after the administration released a 63-point vision zero action plan a blueprint for reducing traffic related fatalities in New York City. As I mentioned today, the renewed focus on traffic safety and the widespread recognition that New Yorkers dying on our city streets cannot be

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2 tolerated, which we have seen in recent months has
3 been nothing short of remarkable. And it is largely
4 thanks for the leadership and vision of Mayor Bill de
5 Blasio and our Speaker Melissa Mark-Viverito. At
6 that hearing this committee heard testimony from many
7 individuals who share the view about what Vision Zero
8 should look like and what strategy they would like to
9 see prioritized as we work towards reducing traffic
10 injuries and deaths in our city.

11 We heard from many different stake
12 holders, safety advocates, taxi drivers, prosecutors,
13 and of course family members of those who have lost
14 their lives by traffic collisions. This committee
15 takes very seriously the ideas and concerns we have
16 heard from many people at the first hearing and
17 throughout the weeks since. At that first hearing I
18 also pledged that the council will heed the Vision
19 Zero Action Plan's call to seriously engage New
20 Yorkers about Vision Zero. In order to enhance our
21 efforts by soliciting ideas from far and wide and
22 also to begin cultivating the support we would need
23 across communities to make Vision Zero a success.

24 I'm proud to report that together with
25 the Speaker and my council colleagues we are in the

1
2 midst of a five hour tour having held very lively
3 well-attended and productive Vision Zero town hall
4 meetings in Manhattan, Brooklyn and Queens. We have
5 Staten Island and the Bronx coming in the next weeks.

6 I would like to thank the administration
7 in particular, Commissioner Trottenberg, Chief Chan
8 and our new TLC Chair Meera Joshi for joining us at
9 the is events. Your presence has illustrated quite
10 clearly the administration's commitment to these
11 issues and to working in collaboration with this
12 council and I will personally and publicly thank you
13 for that here today.

14 From what we have heard at our first
15 hearing and in Town Halls so far I think it is clear
16 that there is generally a widespread agreement that
17 daily traffic collisions are a problem that we must
18 address. So the question now is how should we go
19 about it? Today the council is beginning the next
20 step by presenting a series of legislation for your
21 review and input, some of which already have the
22 support of the administration.

23 The 14 bills and 18 resolutions, seek to
24 address a street safety goals of Vision Zero.
25 Collectively, the proposed bills will require the

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2 city to study factors found to be related to serious
3 crashes, impose penalties for certain dangerous
4 behaviors, regulate DOT's action concerning work
5 signs and traffic signal replacements, require safety
6 equipment on trucks, lower the speed limit on certain
7 streets, require the installation of slow signs,
8 mandate more publicly available crash data, including
9 crashes involving TLC licensed vehicles, strengthen
10 penalties against TLC licensed drivers involved in
11 serious collisions and who exhibit dangerous driving
12 behavior and require TLC to explore new safety
13 related technology.

14 The proposal solutions call on Albany to
15 take action in a number of areas, such as automatic
16 enforcement in strengthening certain driver's
17 violations, when the city alone cannot act. This
18 package is certainly not substantive, and I
19 anticipate that we will be both refining these
20 proposals and continue to consider new legislative
21 ideas based on the feedback we will gather today and
22 in the weeks to come.

23 At the first Vision Zero hearing, I
24 invited all of those who continually remind us all
25 that Vision Zero is not about a statistic, it's about

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2 real people and real stories of individual tragedies
3 of innocent victims and of loved ones left behind.

4 I'm very grateful for the courage these families have
5 shown by standing up and speaking out. I would like
6 to invite a representative of the coalition, Families
7 for Safer Streets to offer a five minutes testimony
8 to begin this hearing. Please state your name for
9 the record and begin when you are ready.

10 [Pause] [Background talk]

11 CHAIRPERSON RODRIGUEZ: The family
12 members can stand behind and one person will testify.

13 [Pause]

14 CHAIRPERSON RODRIGUEZ: Sorry for the
15 time limit we will have today, but today for the
16 purpose of everyone knowing, will the family members
17 have one person five minutes. The administration
18 will take the time they need. Council Members will
19 have three minutes and the public will have one
20 minute.

21 AMY COHEN: Good morning. I want to
22 thank Council Member Ydanis Rodriguez and the New
23 York City Council...

24 [Interpose]

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2 CHAIRPERSON RODRIGUEZ: Can you please
3 turn on the microphone.

4 AMY COHEN: It's not on?

5 CHAIRPERSON RODRIGUEZ: Can you please
6 identify your name.

7 AMY COHEN: Amy Cohen, Families for Safe
8 Streets. Good morning, I want to thank Chairman
9 Ydanis Rodriguez and the New York City Transportation
10 Committee for giving us an opportunity to speak first
11 at this important hearing. My name is Amy Cohen and
12 I am here on behalf of Families for Safe Streets, an
13 organization created only two months ago, whose
14 members have lost loved ones in traffic crashes. We
15 have suffered unspeakable tragedies. The fabric of
16 our lives has been irreparably torn and we all, every
17 single one of us here today and our many other
18 members who are not here with us today, we struggle
19 each day to move forward. We have come today to
20 remind you of the urgency of this work. Please do
21 everything you can to prevent other families from
22 having to suffer as we have suffered.

23 There are a number of bills before the
24 committee today worthy of consideration that will
25 move the Vision Zero agenda forward. In order to

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2 eliminate fatalities from traffic collisions New York
3 City will need to take a comprehensive approach and
4 each and every bill being considered today is a
5 critical life saving measure. You will hear from
6 several of our members later in the hearing about
7 some of these measures. However, we ask that you
8 lose not...hmm, however we as that you not lose sight
9 of a few key issues and prioritize these when making
10 requests of the New York State Legislature.

11 Speed is the top cause of death in
12 traffic crashes. Reducing the speed, default limit
13 to 20 miles an hour could insure that 95% of
14 pedestrians hit by motor vehicles survive. In
15 addition, at slower speeds, drivers and pedestrians
16 have a much great opportunity to observe their
17 surroundings and avoid collisions. Slower speed
18 limits are likely also to limit other forms of
19 aggressive driving such as failure to yield.

20 If 20 miles an hour was the speed limit
21 in effect on October 8th, Sammy my son, who was
22 almost 13 would still be alive today. In addition,
23 for a reduced speed limit to be effective, New York
24 City will need active enforcement including the use
25 of speed cameras to supplement the police. There are

1 bills pending in Albany to substantially increase the
2 number of cameras the city is authorized to use and
3 that is a good first step, however the authorization
4 currently under consideration would limit the
5 operation of speed cameras to school zones and school
6 hours. While enforcing the speed limit while
7 children travel to and from school is obviously
8 important, we really want to protect our children so
9 that there are no other photos up here in front of
10 you next time. The city must be free to use speed
11 cameras at other times and locations. Most fatal
12 crashes occur at night and on the weekend. Sammy was
13 hit in a school zone but it was 5:15 pm in the
14 evening when enforcement, camera enforcement would
15 not be permitted under the current legislation.

17 We ask that you send a strong message to
18 Albany and pass unanimously Resolution 61 and 116.
19 Lowering the default speed limit to 20 and giving New
20 York City control over its speed camera program.
21 These measures have broad support and I submit it
22 with the testimony today only a week and a half ago
23 we started collecting signatures on a letter from
24 businesses and social service agencies and hospitals
25 that they support lowering the speed limit, and in a

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2 week we have, I think we're up to 100 signatures,
3 including Mt. Sinai Hospital, New York Hospital,
4 Montefiore Hospital, a lot of major non-profit
5 organizations and coalitions and businesses. So
6 clearly there is broad support and we ask that you
7 show that broad support by passing it unanimously.

8 Vision Zero is based upon the idea that
9 no traffic, no death in traffic is acceptable as
10 family members whose loved ones have died in traffic
11 crashes, we could not agree more. Please take bold
12 action today.

13 We will close today with a few words from
14 our newest Families for Safe Streets member, Evelyn
15 Cancel and I hate to say I met the newest member
16 today and he's standing with us..., I only wrote this
17 last night, but Evelyn will just close with a few
18 words about her six year old Dante who was killed by
19 a speeding driver in the South Bronx on October 2,
20 1997. If more changes had been made in the
21 intervening years, we would not be continuously
22 adding family members to the Families for Safe
23 Streets ranks. Members such as Rochelle Charles,
24 whose five year old son Richard was killed only last
25 month, less than a mile from where Sammy lived and

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2 who I went to meet on Sunday. Evelyn just has a few
3 brief words and we are done.

4 CHAIRPERSON RODRIGUEZ: Please, the
5 timing is only one minute because...

6 AMY COHEN: She'll be less than that.

7 EVELYN CANCEL: My name is Evelyn Cancel
8 and I'm the mother of Dante Curry. He was six years
9 old when he was killed, and from that day my life has
10 been a torment like you can't believe. You possibly
11 never heard of Dante or me because his life was taken
12 and mines with him sixteen years ago. Since that
13 time I've been waiting for justice and change, I
14 don't have neither. Dante, the only thing I have
15 from Dante's death is a speed bump on Wales Avenue
16 where he was killed. We need to do more. A speed
17 bump here and there is not enough. We should have
18 the safest streets in the world. We don't live in a
19 third world country. This is the United States of
20 America; we should have the safest streets in the
21 world. We shouldn't have any more children like
22 Dante that never had an opportunity to grow up. You
23 can't bring him back, but please don't let his death
24 be in vain.

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Please for us and other children like Dante, Sammy, Cooper, Rashad, Ally and Kelly, please make change, do your best, think about it, if it was your child or one of your loved ones. Don't let other families be destroyed and no more loss of children. Thank you.

CHAIRPERSON RODRIGUEZ: Thank you very much and the other family members will have the opportunity also to present testimony later on. Now I would like to invite the representative of the administration who are here to testify, to come forward. Please identify yourself for the record and begin when you're ready.

[Pause]

COMMISSIONER TROTTEMBERG: Alright right, I'm first. Good afternoon, Chairman Rodriguez, members of the Transportation Committee, Public Advocate James, and my name is Polly Trottenberg; I am the Commissioner of the New York City Department of Transportation. I am honored to testify before you today on legislation related to Vision Zero on behalf of the de Blasio administration. First I want to thank Amy and Evelyn and the Families for Safer Streets for their powerful testimony today. Their

1 stories remind us that Vision Zero is not about
2 numbers, it's about our families, our friends, our
3 neighbors, our co-workers, and it's about how we can
4 create a city where promise and opportunity are not
5 needlessly cut short.
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7 As the Chairman said the City Council has
8 been a tremendous partner in raising the profile of
9 Vision Zero. The time and energy that council has
10 devoted to this issue through the leadership of
11 Speaker Mark-Viverito, Chairman Rodriguez and
12 Chairwoman Gibson has been invaluable to the work of
13 DOT, NYPD and the TLC as well as our sister agencies.
14 From all of us at NYC DOT and on behalf of the de
15 Blasio administration we want to say thank you.

16 The council can continue with the great
17 momentum we have on Vision Zero, we think in several
18 ways. First we hope that you can help us maintain a
19 high profile discussion of street safety and help
20 build political support for DOT safety projects with
21 constituents, community boards, local businesses, and
22 other stake holders.

23 Next, we want to continue to work
24 together in lobbying Albany for state legislation to
25 give the city lower citywide speed limits, a more

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2 robust speed camera program and other life saving
3 measures. And, of course, we want to work with you
4 on local legislation to help forge safer streets.

5 As the Chairman mentioned, many of you
6 have organized Vision Zero town halls throughout the
7 city where the input and feedback we have all
8 received has been extraordinary. The way Vision Zero
9 has resonated with New Yorkers in every neighborhood
10 has been truly inspiring. The message has been clear
11 to us, New Yorkers want safer streets and they have a
12 lot of great ideas on how to achieve them.

13 DOT is going to take all the input that
14 we're getting from the town halls, from our Vision
15 Zero workshops that began last week and through other
16 channels and we're hoping to translate those into
17 tangible safety improvements. And this week we've
18 just launched our interactive Vision Zero online map
19 where we can gather feedback from anyone who goes
20 online on safety conditions. We're hoping that you
21 all will help us promote this tool with your
22 constituents and even for those who can't attend the
23 town halls or the workshops; we can get their input
24 as well.

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2 We're also already hard at work at
3 delivering the 50 intersection and corridor safety
4 projects promised in the Vision Zero Action Plan
5 including the new arterial slow zone program that
6 will reduce speeding on some of the city's most
7 dangerous streets.

8 Not every project is universally embraced
9 at the outset, and in these cases we do think
10 leadership is a critical ingredient. For example,
11 the streets of East Harlem are safer today because of
12 the vocal support and consensus building of Speaker
13 Mark-Viverito during the debate over pedestrian
14 safety islands and bike lanes on First and Second
15 Avenues. So we look forward to working with all of
16 you as we move these projects ahead in your
17 districts.

18 We also need similar leadership as Albany
19 considers our proposals for lower citywide speed
20 limits, for expanded camera programs and for other
21 needed legislation. As we all know, the state
22 assembly did approve and expand its speed camera
23 program on Monday night. The de Blasio
24 administration is very grateful to Speaker Silver and
25 his colleagues for this important step. And we also

1
2 want to thank members of the Council for your work to
3 raise the profile of this issue, particularly Council
4 Member Vacca and Van Bramer.

5 Our camera enforcement program will save
6 lives and New York City does not view cameras as
7 revenue raisers, we view them as safety devices. And
8 in fact, as I've said before, if the city collects no
9 more revenue from speed cameras because motorists
10 have stopped speeding then I will declare victory.
11 Let me know turn today to the bills that are being
12 heard.

13 In particular we're eager to work with
14 the Council and the NYPD on Intro 238 to address the
15 issue of vehicles failing to yield to a pedestrian on
16 a cyclist in the right-of-way. As we state in our
17 Vision Zero Action Plan, those who operate vehicles
18 in a dense pedestrian filled city like New York have
19 a special responsibility to take care when driving.
20 In addition we are strongly in favor of safer designs
21 for trucks and tractor-trailers in New York City;
22 this is an issue I hear a lot about as I go to public
23 meetings throughout the city. And while we support
24 the safety goals of Intro 198, we do think there are
25 some implementation and enforcement and legal issues

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2 that we'll need to work with you on before safety
3 equipment can be required. DOT is currently working
4 with the Department of Citywide Administrative
5 Services on a study of truck side guards; the study
6 will develop best practices for evaluating the
7 implementation of side guards and include ideas for
8 city fleet vehicles, especially those that must
9 operate in snow during the winter time.

10 DOT is also updating its New York City
11 Pedestrian Safety Study and Action Plan, which some
12 of you are familiar with. This study is required by
13 Local Law 11 of 2008 which was first released in 2010
14 identifies the causes, common factors and geographic
15 distribution of pedestrian crashes in New York City.
16 We support adding the studies on left turning
17 vehicles in arterial roadways as proposed by Intros
18 43-A and 168-A into our 2015 Pedestrian Safety Study
19 and Action Plan and we look forward to working with
20 Council Members Wills and Rodriguez on the specific
21 language of how we do that.

22 Another bill before us today Intro 80
23 would require DOT to develop guidelines for work
24 zones on bridges. DOT considers protecting the men
25 and women work in our work zones to be one of our

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2 highest priorities and I'm personally committed to
3 this mission. We do presently follow a robust set of
4 federal, state and internal work zone safety
5 guidelines that actually apply to work sites on all
6 our roadways and bridges. However..., and I have a
7 copy here that we're happy to share, if folks would
8 like to see it. However, we are always looking for
9 ways to improve and update our guidelines and we
10 would very much like to work with the council on
11 that.

12 Next Intro 46-A would require DOT to
13 repair or replace missing or damaged traffic control
14 signals within 24 hours. I want to make it clear
15 that DOT places a high priority on repairing safety
16 critical devices in fact it is our practice to repair
17 safety critical signals with two hours. However we
18 do have concerns that Intro 46 could potentially
19 require a real increase in resources by requiring the
20 same repair period for safety critical devices as for
21 devices that may not pose an immediate safety risk or
22 where there is already redundancy in the traffic
23 signal system. Also, the bill does not account for
24 repairs that might require 24 hours in the case of
25 extreme weather, like a hurricane or snow or where

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2 you have a cave in or some major situation on an
3 intersection. And we're worried also that this bill
4 could potentially create a difficult legal standard
5 and open the city up to costly litigation. So in
6 this case I think we would like to learn a lot more
7 about the council's interest in our signal repair
8 program and see what we can do before amending Local
9 Law.

10 Lastly, I'd like to expend my gratitude
11 to Council Member Greenfield for Resolution 111,
12 calling on the state to lower the citywide speed
13 limit to 25 miles an hour. Achieving this goal is a
14 centerpiece of Vision Zero. We are concerned about
15 Intro 140 which would require the city to implement a
16 25 mile per hour speed limit on one-way one-lane
17 streets. One-way one-lane streets are actually among
18 the least risky streets in the city from a traffic
19 safety standpoint. As some of you have heard me say,
20 when talking about our arterial slow zones, those
21 streets represent 15% of the citywide mileage but 60%
22 of the pedestrian fatalities. That's one of the
23 reasons we're focusing on them. For the one lane
24 roads in New York, they're 35% of the roadways, but
25 16% of the pedestrian fatalities.

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2 And although, again, we very much share
3 the goal of getting a citywide speed limit of 25
4 miles per hour as our experts do believe there are a
5 number of legal and operational enforcement issues
6 that we still need to consider. We want to make sure
7 that drivers have appropriate notice and that police
8 officers are able to enforce. Umm, I know Council
9 Member Greenfield has been determined and patient on
10 this issue and we're very grateful, but I think if we
11 could like to continue working with him and the
12 Council and the NYPD, and the City Law Department and
13 make sure we can fashion the most effective path
14 forward. Again, the goal we share, we feel as
15 passionately about it as he does.

16 I just want to turn to one more bill.
17 Intro 140 also requires DOT to establish seven
18 neighborhood slow zones and 50 school slow zones
19 annually. As highlighted in our Vision Zero Action
20 Plan the de Blasio administration will implement a
21 total of sixteen neighborhood slow zones in the next
22 two years. We're also committed to slowing speeds
23 around 50 schools a year with speed humps and other
24 school slow zone elements. I think we do have a
25 concern that codifying such targets in perpetuity it

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2 may not account for future traffic safety needs or
3 shifting resource priorities. And so while we're
4 very grateful for the council's support on these
5 programs, and believe me we want to keep robust
6 activity in both of them, we would prefer to hold off
7 codifying particular numerical targets.

8 I just want to close by once again
9 stating that on behalf of Mayor de Blasio how very
10 grateful this administration is for the council and
11 the public advocates' powerful embrace of Vision
12 Zero. We look forward to a continuing partnership
13 with you all as we work to make New York the safest
14 large city in the world. And I'd be happy to take
15 questions. Thank you.

16 COMMISSIONER JOSHI: Good afternoon,
17 Public Advocate Letitia James, Chair Rodriguez and
18 members of city council my name is Meera Joshi and I
19 am chair of the New York City Taxi and Limousine
20 Commission. Thank you for inviting me today to
21 participate in today's Transportation Committee
22 hearing on Vision Zero. I'd especially like to thank
23 Families for Safe Streets and all the family members
24 here today. I cannot imagine the pain of losing a
25 loved one to a tragic and preventable traffic crash.

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2 Having the courage to participate in today's hearing
3 to work towards enacting laws that may spare lives
4 takes a seemingly impossible level of commitment, and
5 as a parent I'm in awe of their fortitude and
6 persistence. Today I'm here to speak in support of
7 legislation that would increase the TLC's ability to
8 make our streets safer. Starting with the drivers
9 and vehicles we license.

10 The legislation before us would amend the
11 city's administrative code to strengthen penalties
12 for unsafe driving, require the TLC to review crashes
13 and report crash data to the public and test new in-
14 vehicle technologies. Over the last two weeks I've
15 had the opportunity to participate in two Vision Zero
16 town hall events where I heard directly from
17 residents in Brooklyn and Queens. I'd like to thank
18 the Speaker, Chair Rodriguez and Council Members who
19 have been organizing town hall meetings in their
20 districts. Because we cannot make policy in a
21 vacuum, we need to hear from the community. A real
22 cross section of residents has participated in the
23 town halls and their level of engagement is truly
24 impressive and invaluable. We are not done yet,
25 there are many more town halls planned and we will

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2 continue to gather input from local experts as we
3 shape our Vision Zero policy agenda. As you may
4 know, the TLC is the smallest of the three Vision
5 Zero lead agencies, but its role is critical. TLC
6 licensed drivers cover over two billion and I had
7 them check this number, it actually is two billion,
8 miles each year so in many ways they set the tone on
9 New York City's streets. Although the majority of
10 TLC drivers are safe, there are outliers.

11 My goal is to raise the standards for all
12 TLC licensed drivers so that the TLC license is
13 synonymous with safety. As an agency, we will do
14 this by instituting effective safe driving education
15 programs, developing pilot programs with an eye
16 toward incorporating in-vehicle technologies that
17 deter unsafe driving patterns and by incentivizing
18 safe driving such as creating a driver honor roll and
19 we are extremely thankful for our partners in city
20 council who are working to pass legislation that will
21 strengthen laws which will give us more tools to make
22 our streets safer. Work on many of the initiatives
23 identified in Mayor de Blasio's Vision Zero Action
24 Plan has begun. As Council Member Vacca has
25 recognized, within Intro 276, the TLC has a unique

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2 opportunity to test in-vehicle technology that could
3 elevate the quality of driving, provide
4 accountability and ultimately save lives. These
5 technologies may also be attractive to the industry
6 because incorporating them could result in reductions
7 in high insurance premiums and expenses associated
8 with collisions.

9 We recently released two request for
10 information to learn more about black box and anti-
11 speeding technologies. We are currently reviewing
12 responses and based on this review will develop the
13 framework for a pilot program. We're also developing
14 tools that would help make TLC licensee's safer
15 drivers. We're finalizing the design of an eye-
16 catching left turn sticker which will be placed in
17 taxis and for-hire vehicles to remind TLC licensed
18 drivers to be alert to pedestrians in crosswalks
19 while making left turns. In addition, we regularly
20 send safety reminders to drivers of yellow and
21 borough taxis while their vehicles are stationery.
22 These include messages telling drivers to slow down,
23 to be alert for pedestrians at all times, and in all
24 places and in essence to drive as if their kids lived
25 there.

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2 We recognize the important role of
3 education has in changing poor driving habits and so
4 we're working with DOT and CUNY to add to our
5 curriculum a classroom presentation on dangerous
6 intersections and newly designed streets. IN
7 addition, we intend to require drivers who get in
8 frequent crashes to take behind the wheel training
9 courses.

10 Enforcement is a key part of TLC's Vision
11 Zero strategy. In recent years, the TLC has
12 significantly increased enforcement against illegal
13 operators. In this calendar year, TLC has seized
14 over 3,600 cars and over 190 vans operating
15 illegally. In addition, with tremendous assistance
16 from NYPD we are forming a safety squad dedicated to
17 catching TLC licensees who speed. This is the first
18 time that the TLC has embarked on targeted speed
19 enforcement and we are confident it will go a long
20 way in helping us achieve our safety goals.

21 Now I'd like to talk about the five
22 pending bills that support the goals of the Vision
23 Zero Action Plan.

24 The first item Intro 272 amends the TLC
25 Critical Driver and Persistent Violator Programs.

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2 The Persistent Violator Program adds points to a TLC
3 license and the Critical Driver Program adds points
4 to the DMV license. Under the current structure, the
5 type of points issued is determined by who is writing
6 the ticket. Driver's receive DMV points, if found
7 guilty on a summons issue by a police officer and
8 receive TLC points if found guilty on a summons
9 issued by a TLC officer. These programs require TLC
10 to remove drivers from the road who have received
11 either six or ten points on their DMV or on their TLC
12 license with in a 15 month period. The proposed
13 legislation would do three things. First it will
14 allow the TLC to weigh DMV points differently than
15 the values issued by DMV. For example, if a driver
16 issued a summons by a police officer for reckless
17 driving and is found guilty, the driver would receive
18 five points on his DMV license. We seek to increase
19 this infraction to six TLC points which would result
20 in driver's suspension.

21 Second the legislation would give the TLC
22 the ability to restructure how TLC points and DMV
23 points are assessed. Regardless of the type of
24 points a driver receives, we could suspend or revoke
25 the license when the requisite point threshold is

1
2 met. This would accelerate the process under which
3 the TLC could remove unsafe drivers from the road.

4 Third, the legislation give the TLC
5 greater flexibility to suspend. Today the
6 Administrative Code requires a 30 days suspension at
7 six points. The bill would allow the TLC to seek
8 suspensions of varying lengths such as 10 days with
9 the rationale that not all violations warrant the
10 same penalty. We urge the council to support this
11 bill and look forward to a continued dialogue with
12 you about the appropriate penalties for safety
13 related violations.

14 The next item of legislation is Intro
15 171-A or Cooper's Law. It's a bill that would make
16 our streets safer. We are pleased that council has
17 expanded the scope of this legislation. The
18 legislation requires the TLC to quickly suspend a
19 driver involved in a crash in which a person is
20 critically injured or dies and where the driver
21 receives a summons. The legislation further requires
22 revocation of the driver's TLC license if he is
23 convicted of the traffic violation. This is powerful
24 legislation and we thank Council Member Rosenthal for
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1
2 her leadership and look forward to continue to work
3 with council on this bill.

4 The third item of legislation, Intro 276
5 calls on the commission to start a pilot program that
6 tests black box or telemetric technologies for use in
7 a taxi or street hail livery and to report on
8 findings from the program. We support the intent of
9 this bill and have already started the process. We
10 look forward to partnering with City Council Member
11 Vacca as the pilot program progresses.

12 The fourth item, Intro 277 requires the
13 TLC to provide information about all crashes
14 involving TLC licensees to the council and to the
15 public, in particular, those involving critical
16 injury or fatality. This bill will improve
17 transparency among city agencies and for the public.
18 We look forward to making this data more readily
19 available.

20 The last items, Intro 174-A would require
21 the TLC to review the results of the police
22 departments investigation of a crash involving a TLC
23 licensed driver that resulted in death or critical
24 injury. The purpose of the review is to determine
25 whether the licensee is still fit to hold a TLC

1
2 license and/or whether enforcement action is
3 warranted. The bill also requires public reporting
4 on this process. We support this bill as it
5 leverages intra-agency cooperation to get unsafe
6 drivers off the streets and provide the public a
7 clear view into this process.

8 In closing I would like to thank
9 everybody who's come out today to move Vision Zero
10 forward, victim's families, passengers, drivers,
11 pedestrians, and members of the taxi a for-hire
12 vehicle industries. Despite our differences we have
13 united in our common goal of reducing for-hire
14 vehicle related traffic injuries and fatalities.
15 Thank you for the opportunity to testify and I look
16 forward to continued discussions. I'd be happy to
17 answer any questions you may have.

18 SUSAN PETITO: Good afternoon, I'm Susan
19 Petito, the NYPD's Assistant Commissioner of
20 Intergovernmental Affairs and I am joined by
21 Inspector Dennis Fulton of the office of the Chief of
22 Transportation. We are pleased to be here on behalf
23 of Police Commissioner William J. Bratton to offer
24 the department's comments regarding three of the
25 bills before you today.

Intro 153 would amend City Charter

Section 1072 to require the Department of Information Technology and Telecommunications to add a new layer to the interactive crime map located on the police department's website. The revised map would show vehicle collisions and fatalities for each block face in the city on a monthly basis. As you know, since August of 2011, pursuant to Local Law 12 of 2012 the department has posted on its website traffic related data on reported vehicle collisions. We are in the process of changing the way we post this vehicle collision data so that it may be more easily used by the public. We will be posting that posting data reflecting individual collisions rather than by grouping them by intersection. We will also be posting the data in Excel Spreadsheet format which will enable interested members of the public to more easily utilize the data for analysis and mapping purposes. We should note that there is some inherent limitations in this data which need to be considered.

First, although the bill would apply to all traffic crashes, it would only include collisions which the police department is aware of for which a police accident report was prepared. Second,

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2 although the bill would require that collisions be
3 mapped according to each segment of a street,
4 collision information is not compiled in that manner.
5 The police department's vehicle collision data is
6 gathered from information contained in police
7 accident reports which are New York State Department
8 of Motor Vehicles mandated forms prepared police
9 officers in accordance with DMV guidelines. These
10 reports do not require or contain street addresses
11 for collisions; rather locations are captured in
12 relation to the nearest intersection. Therefore the
13 location of a collision occurring in the middle of a
14 block is reflected in the date posted on the
15 department's website as occurring at the cross street
16 closest to the actual event. Where this data to be
17 mapped as envisioned by Intro 153 and especially
18 because of the visual nature of the information
19 conveyed, the viewers of the map would need to keep
20 in mind that all collisions in the vicinity of an
21 intersection would appear as having happened at the
22 intersection itself even if the collisions took place
23 well down the block.

24 The already existing crime map is based
25 on a different type of data; crime reports which are

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2 captured according to street address, therefore
3 putting both types of data on one map as envisioned
4 by the bill may be confusing. We suggest that it
5 might be better to allow some time for the newly
6 available collision data to be used by the public
7 before determining how best to map it.

8 With respect to Intro 167-A, the bills
9 clarifies the current prohibition contained in
10 Administrative Code Section 10.163, prohibiting speed
11 contests and expands the reach of the law to include
12 equally dangerous stunt behavior by motor vehicle
13 operators. We greatly appreciate the council's
14 attention to this persistent problem and are
15 especially gratified by and inclusion of a new
16 violation, particularly relevant to motor cycles
17 which prohibits mounting a license plate in a manner
18 which obscures the plate. This will help address
19 situations in which motor cyclist mount their license
20 plates in a manner which allows the plate to show
21 when no one is sitting on it, but hides the plate
22 while the motor cycle is being driven.

23 Finally, Intro 238-A is consistent with
24 our mutual goal of holding drivers accountable for
25 failure to yield to pedestrians and bicyclists and to

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2 create higher penalties when the failure to yield
3 results in physical injury. We look forward to
4 further discussions with the council to clarify
5 provisions of the bill especially in regard to
6 enforcement so that it may provide a new level of
7 protection against failure to yield by motorists.

8 Thank you for the opportunity to provide
9 our comments on Intros 153, 167-A and 238-A and will
10 be pleased to answer your question.

11 CHAIRPERSON RODRIGUEZ: Thank you. And
12 before we continue, I would like to recognize my
13 colleagues that has joined this hearing, Council
14 Members Greenfield, Menchaca, Levin, Rosenthal and
15 Constantinides. That's it. Mark did I recognize
16 you. Mark Levine too, my neighbor. And of course
17 our Public Advocate, Letitia James.

18 And also I would like to thank my staff,
19 Nocalmato [sic], Russell Murphy and Cabinet member
20 Rosa who is in labor, that's why she's not here with
21 us, she's getting ready to bring the new baby Mia.
22 So we expect her to do good and to join us after
23 maternity leave. A great asset that I have in my
24 staff and also the council transportation staff Alia

1
2 Frank, Our Lawyer [sic], Johnathan also got fired,
3 thank you for your work on this hearing.

4 So, I had two questions, one is and then
5 I will give the opportunity to my colleague. One is
6 to our DOT Commissioner. Can you please describe how
7 you are determining where arterial slow zones should
8 be?

9 COMMISSIONER TROTTEBERG: Thank you Mr.
10 Chairman, my staff just slipped me an interesting
11 note which I think will be of interest, it appears
12 that the state senate has just passed the speed
13 camera legislation.

14 [Applause]

15 COMMISSIONER TROTTEBERG: So there you
16 go. So thank you to Senator Klein and the leadership
17 up there.

18 You know it's a data driven approach, I
19 mean we, for the arterial slow zone program, we
20 looked around the city at the, you know and again as
21 I stated in my testimony, in general arterials for
22 obvious reasons they make up 15% of the streets in
23 the city but account for 60% of pedestrian fatalities
24 because obviously they tend to be wide busy streets
25 with a lot of commercial traffic and increasingly, in

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2 different neighborhoods in New York, as we're hearing
3 in the town halls that we're attending, they're
4 increasingly becoming residential areas too, in
5 places like Atlantic Avenue, and that's where you're
6 really seeing some conflicts. So we look at the data
7 and we try to identify corridors where we saw high
8 incidents of crashes and in some cases, where when
9 our experts looked at the speed limits we determined
10 that they should be lowered. Now, in some cases,
11 we've already done over the past 10 years, some lower
12 and Queens Boulevard is an area we've done some work,
13 we're going to be doing more, so this has been sort
14 of an ongoing program, but we decided in Vision Zero
15 to really step it up.

16 CHAIRPERSON RODRIGUEZ: Thank you. And
17 to our TLC Commissioner. I would like to hear from
18 you or the NYPD to..., have you..., what conversations
19 are taking place between NYPD and TLC about further
20 sharing of data.

21 COMMISSIONER JOSHI: Actually last week
22 we had very productive meetings with Chief Chan, and
23 the staff from the Collision Investigation Unit and
24 the sole topic of the meeting was data sharing. So
25 we established a protocol for sharing data on

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2 collision investigations as well as a notification
3 process to TLC when any TLC licensee is involved in a
4 crash where critical injury or fatality occurs, as
5 well as a way for TLC inspectors and enforcement
6 management to respond to those crash scenes and
7 assist NYPD with the in-taxi technology and other
8 features of the taxi that TLC has specific expertise
9 on.

10 CHAIRPERSON RODRIGUEZ: Now let's hear
11 from the Public Advocate and then I'll come back with
12 some questions and I will give the opportunity for my
13 colleagues to speak about the legislation or
14 resolution to ask any questions. Public Advocate
15 Letitia James.

16 MADAM PUBLIC ADVOCATE: As public
17 servants it's our primary responsibility to keep
18 residents and communities safe and I just really want
19 to thank the Senate in Albany for moving forward on
20 this piece of legislation. And I am confident that
21 despite some concerns that the administration may
22 have with some of these bills, umm, that we can
23 negotiate a..., you can negotiate a settlement with the
24 city council and insure that our streets are safe
25 for all New Yorkers because Vision Zero should be

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2 more than just a campaign. Vision Zero really should
3 be a way to insure zero crashes and achieve safe
4 streets for safe children.

5 Because so often we equate public service
6 with reducing crime, and without a doubt New York has
7 progressed admirably over the past two decades in
8 protecting our residents and communities from crime.

9 But while statistics like the murder rate dropped,
10 the death and injury rate of pedestrians incurred or
11 killed in vehicle related accident has been

12 increasing. And as a former Council Member who
13 represented a district in Fort Green and Clinton
14 Hill, Prospect Heights, and Crown Heights which
15 unfortunately had the label of having the most crash
16 accidents. The rates are really alarming. Recent

17 reports indicate that pedestrian deaths have
18 increased more than 15% since 2011 and while general
19 traffic deaths in New York are much lower than the
20 national average, pedestrian traffic deaths in New
21 York are much higher than the national average. In

22 the first two months of this year alone, New York
23 recorded 33 traffic fatalities, two-thirds of which
24 were either cyclists or pedestrians. And if current
25 rates of traffic incidents stay constant, by year's

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2 end 5% of New Yorkers will experience a collision
3 with a motor vehicle. If our murder rate were that
4 high, it would undoubtedly be considered a crisis.
5 Today's hearing marks an important step in beginning
6 to address the pedestrian safety crisis. The formula
7 for changing the behavior of drivers, pedestrians and
8 law enforcement is not a simple one, but we must
9 begin the discussion now and we must begin to insure
10 that there is greater enforcement.

11 The bills we are hearing today are varied
12 but begin the process of making our streets safer for
13 drivers, pedestrians and cyclists alike. They range
14 from reducing speed limits, to insuring better review
15 of taxi related crashes and making our arterial
16 streets safer. This varied approach is good starting
17 point, but we must keep the pressure on Albany
18 although they did good today, it's really critically
19 important they go even further and reduce the speed
20 limit. Umm, it's really critically important that we
21 insure..., that we do everything in our power to
22 address the safety of our streets.

23 I applaud the work of Chair Ydanis
24 Rodriguez as well as all of the Commissioners who are
25 here before, as well as members of NYPD, but I must

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2 say, I must also give some credit to our former
3 Transportation Commissioner, Janette Sadik-Kahn for
4 paving the way, umm, and all of the other members of
5 this committee for paying close attention to this
6 very important issue, and I thank the Chair for this
7 opportunity to say a few words before today's hearing
8 and I have no questions. Thank you.

9 CHAIRPERSON RODRIGUEZ: Thank you Public
10 Advocate. My next question is about..., to the DOT
11 which is that, Has the administration began looking
12 at the danger of left turn as the TLC has been going
13 through and if so, what are you doing right now in
14 looking at the left turn signals, many of those
15 accidents happen when the driver turns..., makes a left
16 turn?

17 COMMISSIONER TROTTEBERG: Yeh, I mean we
18 have been doing a lot of work on left turns over the
19 years and I think in a lot of parts of the city,
20 certainly I can think of parts of Manhattan where
21 we've banned many left turns. It is an ongoing
22 process to keep looking at them and again, I think as
23 we put together our next pedestrian safety study and
24 action plan, we're going to put a special focus on
25 that. I think as I've testified previously, when you

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2 ban left turns, you do have to consider where the
3 traffic is going to go and make sure that you're
4 looking at the sort of the system spillovers, but
5 clearly, umm, to the extent that we can make it work
6 it's a very, very important safety tool and we're
7 continuing to evaluate intersections all over the
8 city where it makes sense to do that.

9 CHAIRPERSON RODRIGUEZ: In relation to
10 Intro 46-A that would require DOT to repair or
11 replace missing or dangerous traffic control signals
12 within 24 hours. Can you elaborate a little bit more
13 what is..., why the DOT is concerned?

14 COMMISSIONER TROTTEBERG: Yes, I guess
15 I'd also like to know a little bit more about what
16 the thinking is. Again, we have a program where we
17 use a contractor to replace signals and if it's a
18 safety critical signal, the policy is that it's
19 replaced in two hours and if for some reason it can't
20 be replaced that quickly, the contractor has to stay
21 on site and put up some kind of a temporary signal.
22 So, where it's safety critical, we want to make sure
23 we get it fixed right away, but there can be
24 instances where either for weather or street
25 conditions, we can't get to a signal in 24 hours, it

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2 could be an area where a signal is potentially
3 redundant and we're trying to use the resources of
4 our consultants, our contractor rather, who do this
5 work intelligently. I think I'm interested if there
6 are particular areas where council members think
7 there's a problem. We'd love to hear what they are,
8 but I think, we have sort of prioritized signal
9 replacement in a way that given our resources we
10 think makes sense and we're just worried..., let's take
11 the snowstorm's this winter. If you found yourself
12 in a severe weather situation, where for some reason
13 you couldn't get to a signal in time, does that open
14 the city up potentially to liability. So I think,
15 again, we're just interested in exploring a little
16 more exactly where the concerns are and seeing if
17 there's something we can do, short of creating a
18 standard that may prove..., you know give us legal
19 difficulties down the road.

20 CHAIRPERSON RODRIGUEZ: So now let's call
21 my colleague and we will start with Council Member
22 Rosenthal.

23 COUNCIL MEMBER ROSENTHAL: Thank you
24 Chair Rodriguez for holding this hearing...

25 [Interpose]

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2 CHAIRPERSON RODRIGUEZ: And we will stay
3 within three minutes. Questions and comments,
4 everything together.

5 COUNCIL MEMBER ROSENTHAL: No problem.
6 So again thank you for holding this hearing on the
7 Vision Zero bills to address critical public safety
8 issues. In particular I'd like to thank you for
9 including Intro 171-A which I am referring to as
10 Cooper's Law among the impressive list of bills to be
11 considered today and allowing two minutes and forty
12 four seconds.

13 Cooper's Law is named for 9 year old
14 Cooper Stock, a young boy in my district who was
15 tragically killed when a taxi driver failed to yield
16 to him and his father in a crosswalk just outside
17 their home. They were passing, they were walking,
18 and they were crossing the street with the walk
19 signal. Cooper's mother Dana Lerner is here today to
20 testify in support of the bill and Dana thank you for
21 being here for your courage and strength during this
22 excruciatingly difficult time. You know I'm
23 committed to passing this legislation in Cooper's
24 honor to make sure our streets are safer so no family
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1
2 has to go through what you and your family are
3 experiencing.

4 The intention of the bill is to meet our
5 shared vision of zero traffic deaths and injuries in
6 our city. The bill would hold TLC licensed drivers
7 accountable for causing a critical injury or death in
8 a crash as a result of a traffic violation, including
9 failure to yield. Under this legislation, if anyone
10 is killed or critically injured, by a TLC licensed
11 driver, the driver is issued a summons for traffic
12 violation and their TLC license is immediately
13 suspended. If the driver is found in court to be
14 guilty of that traffic violation then their TLC
15 license is permanently revoked.

16 Let me be clear, just for a little bit of
17 background to give us all perspective on this. The
18 state has passed, umm, the state is now enforcing a
19 rule that for anyone who fails to pay their back
20 taxes in excess of \$10,000 immediately loses their
21 driver' license. So as of today, you lose your
22 driver's license if you have not paid your taxes in
23 excess of \$10,000. If you kill or critically injure
24 somebody, for failure to yield, you get a few points
25 on your license, and that's it. And the goal of my

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2 bill is to not only ask the TLC to get these drivers
3 off the road but also the intention is to paint the
4 right example for the state to go beyond taking away
5 a driver's license for someone's failure to pay their
6 taxes but also to take away their driver' license for
7 failure to yield. Thank you.

8 COUNCIL MEMBER GARODNICK: Thank you very
9 much Chair Rodriguez for your leadership in this
10 issue, thank you everyone on the panel especially to
11 Commissioners Trottenberg and Joshi for coming out to
12 the Park Slope Vision Zero town hall and for the work
13 that you've put in on this just critically important
14 issue and of course I want to thank Families for Safe
15 Streets and Amy Cohen for the courage and bravery
16 that you've put in to moving this issue forward. We
17 are thinking about Sammy today, and we've some such a
18 long way since the..., in just a few months and his
19 memories for a blessing today and in this process and
20 it's going to save lives going forward.

21 There are so many important pieces of
22 legislation today; I'm just going to drill down in my
23 time with a couple of questions about the one that
24 I'm sponsoring which is Intro 153. So my questions
25 for Commissioner Petito, primarily this is the one

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2 that would require a map and really the goal is to
3 get good data available to the public and of course
4 to the agencies as well so we can identify dangerous
5 intersections as quickly as we can and move forward
6 to do something about it. So umm, as you know, we
7 had a frustrating hearing back in the fall about
8 what, from our point of view, was inadequate
9 implementation by the department of Local Law 12 of
10 2011 and also it's our opinion that what's being put
11 up currently doesn't satisfy Local Law 11 of 2012.
12 The Open Data law as well as the crash statistics
13 laws. So, it's a new day, there's new support from
14 city hall and the administration and from One Police
15 Plaza and I'm encouraged to hear your planning a new
16 data format, umm, I guess my first set of questions
17 are there, if you could tell us a little more, will
18 it be compliant with the open data standards, will it
19 be geotagged, will there be a date and time stamp,
20 how frequently will it be updated because if there's
21 compliance with those local laws in a way that meets
22 the goal, that's the goal we share here and if we
23 could understand a little better that would be very
24 helpful.

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2 COMMISSIONER PETITO: I'm sorry. What's
3 on the website is monthly, it will continue to be
4 monthly, but we'll be doing is separating out
5 individual collisions the way the law reads and the
6 way that we've implemented the law up to now is that
7 the data is grouped according to intersection by
8 month with just an indicator of how many collisions
9 happen at that intersection during that month.
10 That's going to be separated out so that individual
11 collisions with all of the attendant information will
12 be separately indicated in the Excel spreadsheet that
13 we're going to be putting up. And that's the other
14 big difference, it will be a true Excel spreadsheet
15 with one line, and I've seen it, but forgive me I am
16 not a computer person, but one line with all of the
17 indicators spread out so that you can actually move
18 the data, use it however you want to use it, and
19 that's why we're suggesting that folks take a look at
20 the data before we decide on what kind of a mapping
21 format would be helpful for them. But that we're
22 hoping to get it up in a matter of days.

23 CHAIRPERSON RODRIGUEZ: Thank you.
24 Council Member Greenfield.

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2 COUNCIL MEMBER GREENFIELD: Thank you Mr.
3 Chairman. So many questions, so little time, so I
4 will try to quickly direct some questions, just
5 generically and then feel free to answer them if you
6 can.

7 I want to first thank all of the parents
8 and relatives of all the victims, and that's clearly
9 what they are, they are victims as we pointed out
10 before. These aren't accidents, but crashes when
11 people are engaged in this reckless and in many cases
12 criminal behavior, your fortitude is inspiring and we
13 thank you for that.

14 I do want to just hone in on a few
15 specific questions. First I want to thank the
16 Commissioner, Commissioner Trottenberg, certain you
17 are perhaps the most committed Commission we've had
18 in the City of New York Vision and we're very
19 grateful for that and I thank you for the comments on
20 my legislation, I just want to point out just so
21 folks realize, the reason that I've been pushing the
22 legislation is because we on our own don't have the
23 ability to change the speed limit throughout New York
24 City and that was the original legislation that I
25 proposed. The DOT, your predecessor, originally told

1
2 me that we couldn't do that, but we could do some
3 roads and so this was an attempt to try to get the
4 best that we could out of the process, just so that
5 you're aware of that background. We certainly
6 appreciate the work that you're doing.

7 I have a couple of specific questions
8 that I want to target, one for the TLC and one for
9 the NYPD. And I'll just ask them and hopefully you
10 can answer them. The question for the TLC is I'm not
11 very clear on what the standard is to get a bad
12 driver off the road. There was a driver Faysal
13 Himon, you may know this as a, very well-known case.
14 He drove his taxi, it appears that in a case of road
15 rage, he drove on the sidewalk, struck a tourist and
16 her leg was amputated and he's back on the road. So
17 I'm sort of trying to understand exactly what is your
18 criteria, especially for folks who make a living
19 driving on the street to actually pulling them off
20 the streets?

21 My question that I also just want to
22 throw at the NYPD is, I'm just curious as to what
23 your police is when your investigating serious if not
24 fatal accidents in terms of investigating whether
25 phone calls and text messages have been made, because

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2 one of things that I suspect although I can't prove
3 is that in many of these cases, at least we're
4 hearing antidotally is that unless it's very clear or
5 there is a suspicion they're not always being checked
6 and is there a way for you to actually routinely
7 check that, especially in the case of, if the phone
8 itself was damaged, during an accident and so those
9 are the two questions that I'm posing specifically to
10 TLC and to the NYPD.

11 COMMISSIONER JOSHI: To answer your first
12 question, we have a large book of TLC rules and an
13 entire chapter devoted to driver conduct and within
14 that chapter, set's out several rules relating to
15 driver penalties. Most of them are cumulative, so if
16 you, for example, under the persistent violator
17 critical driver programs, if you have one instance of
18 a violation it may be suspension, second instance it
19 may be a higher fine and suspension and a third it
20 can result in revocation. Umm, and some are not
21 cumulative they are automatic, for instance, failing
22 your annual drug test is an automatic. What the
23 legislation gives us today is a clearer more direct
24 way to get drivers who..., are in crashes that results
25 in critical injury or death off the road quickly and

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2 so we look forward to working with council to get
3 that sort of higher clearer authority to make a real
4 difference in the types of drivers that we allow to
5 drive TLC licensed vehicles.

6 CHAIRPERSON RODRIGUEZ: Council Member
7 Rose, umm, I'm sorry Levine, Mark I'm sorry I
8 apologize.

9 COUNCIL MEMBER LEVINE: Mr. Chairman I am
10 commonly confused with Debbie Rose.

11 [Interpose]

12 COUNCIL MEMBER GREENFIELD: Mr. Chairman
13 would it be possible just to hear the reply from the
14 NYPD on the second point of the text.

15 [Crosstalk]

16 COUNCIL MEMBER GREENFIELD: Okay. Round
17 2, you got it. Chair runs a tight ship. Thank you.

18 COUNCIL MEMBER LEVINE: Thank you Mr.
19 Chair and thank you to the city representatives for
20 your testimony and for being partners in this effort,
21 it means a lot to the council to feel like we're on
22 the same page here.

23 Commissioner Trottenberg, you did
24 identify a few legislative issues where you have some
25 differences with the council that I just wanted to

1
2 touch upon briefly. Can you clarify, are you
3 supportive of Intro 80 which would make bridges safer
4 for work crews, I couldn't tell from your comments.

5 COMMISSIONER TROTTEBERG: I guess on
6 that one, I mean we're certainly supportive of the
7 concept, we already have, you know, pretty thorough
8 work zone safety guidelines and so I think part of it
9 is we're not quite sure why bridges were singled out.
10 We have them for roadway crews and bridges and we
11 follow state and federal and some of our own internal
12 guidelines, so I brought a copy, and I'm happy to
13 discuss that one with the council, look that's not to
14 say there aren't things we can do better, and we're
15 happy to always update and come up with new ideas,
16 but I guess that one we weren't quite sure why it was
17 bridges only.

18 [Interpose]

19 COUNCIL MEMBER LEVINE: How many...

20 [Interpose}

21 COMMISSIONER TROTTEBERG: And we sort of
22 have a pretty robust set of guidelines already.

23 COUNCIL MEMBER LEVINE: How many workers
24 are injured a year on bridges or on roadways?

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2 COMMISSIONER TROTTEBERG: I think over
3 the, I have to double check the number, I think over
4 the past five years it's been, I think, the number is
5 seven, but maybe I'll have my staff double check that
6 so I'm sure I get it right and what those generally
7 have been actually, is roadway intrusions where you
8 have work zone safety signs, barriers, etc., set up
9 and a motorist just isn't paying attention or
10 speeding and smacks into them.

11 COUNCIL MEMBER LEVINE: I would suggest
12 that the remedies outlined in this bill including
13 having a digital speed meter are not complicated or
14 expensive to implement.

15 COMMISSIONER TROTTEBERG: And we do
16 implement them in some places, so I guess that's...

17 COUNCIL MEMBER LEVINE: In some places?

18 COMMISSIONER TROTTEBERG: I mean, again,
19 it's sort of, you have to look at the particular work
20 site, what the space is, what the geographically of
21 the road is, kind of what is the safety need of that
22 particular work zone, but again, happy to work with
23 you all if you think there are things we could be
24 doing better. We're always...; this is an area where
25

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2 we think there's always room for improvement in which
3 we have done a lot already though.

4 COUNCIL MEMBER LEVINE: Since my time is
5 short I want to move onto Intro 140 which is lowering
6 the speed limit to 25 miles an hour. It appears from
7 your comments you don't support the lower speed limit
8 on one way streets. You do identify, I think, the
9 fact that 16% of the traffic..., injuries due to
10 traffic collisions occur on such streets. Correct?

11 COMMISSIONER TROTTEBERG: Well, and I
12 wouldn't characterize it that I don't support it. We
13 actually, the de Blasio administration supports
14 lowering the city wide speed limit to 25 miles an
15 hour as the default speed limit. So, just to be
16 clear, that's our base position, we share that belief
17 with many of you here in the council. I think our
18 concern is just in that particular bill in the way
19 it's done, it's very complicated when you're not
20 changing a speed limit city wide; there are rules and
21 regulations about how you have to sign. It plays
22 into how enforcement works, because typically for
23 enforcement the NYPD in order for their summonses to
24 hold up in court, they need to demonstrate that the
25 driver had a chance to see a speed limit sign, so

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2 it's not that we disagree with the goal, but just the
3 implementation of it. We think there's a lot of
4 complexity to it and, again happy to try and work
5 through it.

6 CHAIRPERSON RODRIGUEZ: Thank you and
7 before calling Council Member Rose, I would to say
8 Happy Birthday to Mark Levine.

9 [Applause]

10 COUNCIL MEMBER MARK LEVINE: The big 30.

11 CHAIRPERSON RODRIGUEZ: Council Member
12 Rose.

13 COUNCIL MEMBER ROSE: Wow. Umm, I want
14 to say [Laughing]. Umm, I'm glad to see that the
15 administration is considering 16 slow zones in the
16 next two years and I really want to thank you for the
17 50 slow zones and slow speed zone areas around
18 schools. Umm, I'm particularly umm, thankful to you
19 for that, having had a traffic fatality in my
20 district, umm, around one my schools.

21 I would just like to ask you about the
22 study that you're doing or have done about the side
23 underrun guards on certain, you know, vehicles. Umm,
24 where are you with that and umm, could you tell us
25 the results of that.

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2 COMMISSIONER TROTTEBERG: Yes, we're
3 work with the Department of City Wide Administrative
4 Services, that study is underway and I, maybe I'll
5 look to the staff, I don't know yet if I can give you
6 the date when the study will be complete. But there
7 are a few different things we need to look at, I mean
8 one is making sure that the technology is going to
9 work, I mean it's interesting, I talked to my fellow
10 Commissioner Kathryn Garcia, you know, the new
11 commissioner of sanitation and she said that we need
12 to make sure it can work for our vehicles that need
13 to go through the snow. We also need to determine, I
14 mean there are some issues about when you try and
15 mandate a certain technology within the city, there
16 can be issues with state and federal law. So we want
17 to make sure we get it right, I mean we think this is
18 important but we want to make sure we get it right,
19 so we have the technology for the city fleet and
20 we're not going to find that we have legal
21 challenges. I'm happy to provide you all with an
22 update on the timetable for that.

23 COUNCIL MEMBER ROSE: Do you have a
24 timetable for completion of that.

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COMMITTEE ON TRANSPORTATION

COMMISSIONER TROTTEBERGER: I'll see if my staff can find one, if not we'll get it to you. We'll get it to you afterwards.

COUNCIL MEMBER ROSE: Are you considering umm, how you would enforce this or umm, enforce this with out of state trucks.

COMMISSIONER TROTTEBERGER: I think that's one of the things we have to look at. Enforcement is a real question, what kind of jurisdiction we have over enforcement and how that works with state and federal law. Wait I just got a note here.. umm, end of July.

COUNCIL MEMBER ROSE: Thank you so much. That's good. And I just want to as you about the, umm, the value placed on the countdown clocks in terms of pedestrian safety and umm, and umm, whatever that value is, is there a time frame in terms of actually installing them at all of the intersections?

COMMISSIONER TROTTEBERGER: I think our, and again, I think we have a certain goal we're trying to hit each year, but we're also, you know again, as we do our work throughout the city, evaluate what's needed in each area we go to and believe me I have been hearing as we've been doing

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2 all these town halls, I've been hearing how there's
3 such an interest in having more countdown clocks. So
4 we're certainly going to see what we can do to speed
5 up that timetable and if there are particular
6 intersections or areas that you have an interest in,
7 let's talk about that and see what we might be able
8 to do.

9 COUNCIL MEMBER ROSE: Thank you so much.
10 Thank you Chair.

11 CHAIRPERSON RODRIGUEZ: I would like to
12 recognize and also give here the turn to talk..., to
13 address us, Council Member Barron.

14 COUNCIL MEMBER BARRON: Thank you Mr.
15 Chair and I thank you for coming to present your
16 testimony and I just have some questions for
17 Commissioner Trottenberg. In your testimony you say
18 that there are safety critical signal repairs that
19 are done within two hours. What determines that an
20 intersection or a device is a safety critical signal?

21 COMMISSIONER TROTTEBERG: I mean it
22 would be one where obviously it would have an
23 immediate effect on the flow or interaction of action
24 could be a stop light or a sign, something..., and one
25 where clearly there's not a redundancy to it. And

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2 there are a number of those throughout the city and
3 again, we've had a..., I think we've had a good track
4 record in repairing but obviously if you all feel
5 there are areas where, and you're looking like maybe
6 you do, then obviously we do want to hear about that.

7 COUNCIL MEMBER BARRON: So if I put in a
8 call, I should 311.

9 COMMISSIONER TROTTEBERG: Yes.

10 COUNCIL MEMBER BARRON: Okay. And I'll
11 place the call and within two hours it should be
12 done. On an avenue such as Linden Boulevard in
13 Brooklyn, you may be familiar with that, it's a major
14 thoroughfare and it has six lanes across as well as
15 service roads, so I would imagine that that would
16 qualify as a safety..

17 COMMISSIONER TROTTEBERG: Again, I'd
18 have to know the particulars of the device and
19 whether you know, for example, if it's..., I'll give
20 you an example, if there's an intersection where all
21 the traffic lights go out, in a busy intersection,
22 that's clearly safety critical and we would probably
23 at that point work with the NYPD, have enforcement
24 make sure that we kept the intersection safe until we
25 replace the devices. If in that situation, only one

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2 went down and there were still five others that were
3 operating maybe that would be...

4 COUNCIL MEMBER BARRON: Next question,
5 because time is ticking. As an assembly member I
6 introduced a bill that would have required that at
7 every intersection of a block where a school is
8 located, if there were not a traffic light, there
9 would have to be a stop sign. The bill was sent back
10 to the previous mayor because it was..., it required a
11 whole move message and they refused to do that. What
12 is your position on the ability to place a stop sign
13 at every intersection where there's a school located
14 if there is not in fact a traffic light.

15 COMMISSIONER TROTTEBERG: Yes, I think
16 it's actually been a long standing issue that I've
17 been hearing a lot about, about how we look at stop
18 sign requests around schools and in other
19 intersections that people care about. The department
20 has tended to follow federal guidelines, but I'm also
21 hearing a lot of frustration from members on that.
22 And so I think it's something we want to take a fresh
23 look at especially around schools. But I always want
24 to be careful not to promise that it makes sense to
25 do one particular thing in every single spot, because

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2 again I think, to some degree, we want to rely on our
3 experts and we do have limited resources and make
4 sure we're deploying them in the smartest way
5 possible. But it is an issue we're certain...

6 [Interpose]

7 COUNCIL MEMBER BARRON: So you can expect
8 to see that next week coming before you for
9 examination

10 COMMISSIONER TROTTEBERG: Okay, fair
11 enough.

12 COUNCIL MEMBER BARRON: And lastly, what
13 are the criteria that determine a restriction on left
14 turns? Round two.

15 COMMISSIONER TROTTEBERG: Do I have time
16 to answer that one?

17 Again it's a whole variety of factors
18 that our engineers look at about, you know, how much
19 will it increase safety, what does it do to traffic
20 flow and most importantly, If you would restrict a
21 left turn at one intersection, where does the traffic
22 go next? If you make one intersection safer, but
23 then it turns out, then the cars are turning in
24 another place or doing u-turns or whatever, in many
25 cases, you kind of have to look at the whole area and

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2 see the network of fact. But again, I think we've
3 been..., and also how it affects traffic flow, which is
4 something a lot of people care about.

5 CHAIRPERSON RODRIGUEZ: Council Member
6 Menchaca.

7 COUNCIL MEMBER MENCHACA: Thank you so
8 much Chair Rodriguez and thank you again for coming
9 in and testifying today. My question is..., well
10 actually before I go to my questions, I'm looking
11 forward to seeing some of the follow-up that my
12 colleagues have asked for.

13 I want to take us to Red Hook for a
14 moment where we've spoken about this before, but
15 there's this long stretch of commercial road without
16 any stop sign or traffic light. The first traffic
17 light you hit from passing Hamilton to Sullivan you
18 hit the school and it's one of the longest that I've
19 experienced stretches of space, without any kind of
20 traffic signal. What is the relationship between
21 that kind of length of space to kind of determining
22 when you want to stop traffic and can you kind of
23 talk to us a little bit about that.

24 COMMISSIONER TROTTEBERG: Yeh, I mean, I
25 think..., and look I think Red Hook is a good example

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2 of a neighborhood obviously that had previously been
3 more industrial and now is becoming more residential.
4 Families moving in with little children and as the
5 neighborhood changes obviously people get more aware
6 of the traffic safety issues. I mean typically, when
7 we're looking to put in signals and stop signs, we're
8 looking at traffic counts to see, to see, you know,
9 how much pedestrian and auto traffic is passing
10 through a given intersection, but I think I'm
11 familiar with the..., I live not too far from it, from
12 the stretch you're talking about, and you know again,
13 I think we're going to take a fresh look at how we're
14 making those determinations. I mean I would just say
15 though, one struggle we're always going to have, I
16 mean we are one agency, our resources are finite, we
17 are always trying to target them where we think we're
18 going to do the most good. But we always need to
19 keep taking a fresh look to as the city is constantly
20 evolving.

21 COUNCIL MEMBER MENCHACA: And I hope we
22 can do that and really continue our conversations on
23 that particular strip and the other thing is..., is
24 just better understanding the relationship between
25 TLC data that is being gathered and NYPD data and how

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2 that's being transferred and share and if there's any
3 sense of progress with how that's going to happen in
4 this new administration?

5 COMMISSIONER PETITO: We've have actually
6 had a lot of discussion internally about that, we
7 want to be able to give TLC an electronic format, the
8 information that they need in order to do their
9 analysis, and that's actively being worked on. We
10 currently share that type of data with DOT, so we
11 want to try to replicate that, share it with TLC and
12 maybe add a couple more fields that would be
13 particular to TLC, specifically license plate and
14 perhaps driver's license numbers. Those are the
15 additional fields we're trying to consider. So that
16 way they can identify their drivers through the
17 driver's license number.

18 COMMISSIONER JOSHI: I'm just going to
19 mirror what Sue Petito said, I mean our role here is
20 to give them the indicators that we need so the list
21 of drivers, current TLC license driver's license
22 numbers, so that they can filter the data and make
23 sure we get the accurate date that we need to monitor
24 our licensees.

25 COUNCIL MEMBER MENCHACA: Thank you.

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2 CHAIRPERSON RODRIGUEZ: Council Member
3 Chin.

4 COUNCIL MEMBER CHIN: Thank you Chair.
5 Umm, it's really good to hear from the administration
6 that you support a lot of the legislation that the
7 council is proposing and we're really looking
8 forwarding to working together with you, to really
9 make Vision Zero a reality.

10 I wanted to follow some of the comments
11 and questions, is the whole signal and signage, in
12 terms of implementation. When we hear about stop
13 signs, it takes so long to get a stop sign put in.
14 And sometimes if you look at it, it's common sense.
15 If there's no stop sign, there the car's just going
16 to zoom down and when it's near a school or a senior
17 center it causes more problems. So if there's really
18 a way to get around the federal, whatever, regulation
19 so that we can get these stop signs up as quickly as
20 possible, I think that will help. The other thing is
21 really signs to let people know that they should
22 yield to pedestrians. I think the more signs that
23 drivers see remind them that you come into New York
24 City you can't make a right turn and you have to
25 yield to pedestrians. Umm, but also for the

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2 pedestrians, they also have to see signs that they
3 need to wait for the light, the signal to cross and
4 one example is in my district, Chatham Square, I
5 mean, it's very hard to cross the street there,
6 because you have traffic coming from all over,
7 because of the closure of Park Road and the city put
8 traffic cops there, but a lot of time, they're more
9 concerned about traffic, moving the traffic than
10 allowing people to cross safely. So I got the green
11 light, and I can't cross because they want to waive
12 the cars through. But just having enough signage
13 there and there used to be a sign there to tell
14 people to wait for the green light before you cross,
15 and when people see the cars stop on the other side,
16 they start crossing, and meanwhile there's cars
17 coming from the other direction and we have so many
18 accidents that happen there, umm, so I think that DOT
19 should really look at, really having more visible
20 signage that can remind people what the traffic laws
21 are.

22 COMMISSIONER TROTTEBERG: Let me give a
23 response to your comments there. Number one, I don't
24 disagree that it's taking us too long to make
25 decisions on putting up signs, that said we're also I

1 think in some cases sort of studying the same
2 intersections over and over again and we probably
3 need to see if there are fresh approaches, so that is
4 something we're going to look into. I will just
5 channel ahead of our planning and traffic division
6 who would actually, perhaps have a bit of a different
7 view on the signs, which is that at some point,
8 unfortunately they just become sort of background
9 noise and people don't focus on them and so there are
10 certainly places where we need to put signs, and
11 we're always ready to work with you all if you find
12 those. But also to some degree, when you put up too
13 many signs, people stop noticing them and my
14 department, we are actually responsible right now for
15 one million signs on the street, so it is a big, big
16 volume of signs and I don't know that there's a
17 magical right number but I think we're constantly as
18 we look at intersections and blocks and corridors,
19 trying to figure out how do we get signage in a way
20 that people will see it and respond to it and it
21 doesn't actually get lost in the clutter and it takes
22 a lot of sort of planning and design to get that mix
23 right.
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2 COUNCIL MEMBER CHIN: And also I think
3 with the countdown clocks we have to look at certain
4 intersections to really increase the time and there
5 are other intersections you could actually decrease
6 the time. But I think that's something that we
7 really need to have more of those countdown clocks
8 throughout the city so people know how much time they
9 have and whether to make the decision to cross the
10 street or not, but I'm really looking forward to
11 working with you to make Vision Zero a reality.

12 Thank you again.

13 CHAIRPERSON RODRIGUEZ: I would like to
14 thank my colleagues for their cooperation in staying
15 within three minutes and now we..., as we already did
16 in Brooklyn, in the town hall meeting, we did it with
17 the time that we have for all saying that one minute
18 that the public has, so since we have a large number
19 of public and advocate and family members, we would
20 like for everyone to have that opportunity.

21 I'd also like to thank especially not
22 only the family members but also everyone from the
23 taxi industry also and the advocate, this is like an
24 effort to change a culture in New York City and it
25 will take for everyone to work together in

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2 collaboration. So as the Chairman, I am committed to
3 work with everyone to be sure that we move forward
4 making Vision Zero a reality where everyone should be
5 committed to contributing to this.

6 Now in the second round, let's go to
7 Council Member Garodnick.

8 COUNCIL MEMBER GARODNICK: Thanks Mr.
9 Chairman. IN the interest of time, Assistant
10 Commission, let me just..., I think what probably is
11 most helpful is if we would sit down together and
12 look at the data and the way that you're planning to
13 begin releasing and perhaps find some way to include
14 some of the members of the community both the sort of
15 Safe Streets, Streets Blog and Civic Hacker community
16 to take a look at the data if it complies and does
17 what we need, if it's machine readable, if it enables
18 us to get where we're going so that it can be used
19 both by you, by us and by third parties, then great,
20 and if its compliant with the laws that exist. So
21 can we sit down together and look at the data that
22 you say you are just a few days from releasing and
23 make sure it meets the needs that we have to sort of
24 drive the broader safe streets efforts.

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2 COMMISSIONER PETITO: I believe we can
3 certainly arrange for that, the Assistant
4 Commissioner of Management Analysis and Planning is
5 working on a broad based effort to open up more of
6 the department's data and this is part of that
7 initiative, so yes.

8 COUNCIL MEMBER GARODNICK: So we'd love
9 to work with you to arrange both some meetings with
10 some of the folks in the broader data community as
11 well as on the council side and that's great to hear.
12 We look forward to working together, we can at a
13 minimum amend the bill to make it work with that
14 approach and the NYPD and perhaps if you're already
15 complying in ways that work with the two existing
16 local laws, it may not even be necessary.

17 COMMISSIONER PETITO: We think we will
18 be.

19 COUNCIL MEMBER GARODNICK: Wonderful. We
20 look forward to it. Thank you. Thank you Mr.
21 Chairman.

22 CHAIRPERSON RODRIGUEZ: Council Member
23 Greenfield.

24 COUNCIL MEMBER GREENFIELD: Thank you Mr.
25 Chairman. Well at this point, you've had plenty of

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2 time to consider the question at the NYPD, which is
3 specifically in regards to crashes, is there a formal
4 policy in relation to checking cell phones, and as to
5 whether there were phone calls that were made, text
6 messages and if those phones are in fact later
7 damaged, do you have some sort of way to contact a
8 provider.

9 COMMISSIONER PETITO: Yes, it is a
10 standard part of the collision investigation squad's
11 investigation to look into cell phone use and the
12 damage to the phone really wouldn't really be a
13 problem because it would be cell phone record that
14 would be subpoenaed and so they would survive any
15 actual damage to the telephone, to the cell phone.
16 So yes, it is part of the standard investigation that
17 the collision investigation squad does and often it
18 is a contributing factor.

19 COUNCIL MEMBER GREENFIELD: Just a
20 follow-up question, does the department have a policy
21 on police officers who are driving, speaking on their
22 cell phones, texting, is there any sort of policy
23 like that within the department?

24 COMMISSIONER PETITO: Well, there's an
25 exception in the law for someone making an emergency

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2 call, whether it's a police officer or a civilian
3 person, but we don't have a policy, I mean, police
4 officers need to follow the law. So I'm not sure I'm
5 answering you.

6 COUNCIL MEMBER GREENFIELD: I want to
7 suggest perhaps, just as a thought, once again, it's
8 difficult to determine the average person to see
9 whether a police officer is in fact engaging in an
10 emergency call or not, we'll given them the benefit
11 of the doubt that's usually it's happening, but
12 perhaps you might be able to install blue-tooth
13 devices in police cars to allow officers to in fact
14 not have the need to pick up the phone? I just think
15 it sends a..., especially when I'm trying to sort of
16 send a message I don't think it sends the best of
17 messages when we have folks who are talking on their
18 cell phone, albeit I will presume that they are only
19 making emergency calls, but I think we know that's
20 probably not always the case, so perhaps the
21 department can come up with a solution so that in
22 fact that's consistent.

23 COMMISSIONER PETITO: Understood. Thank
24 you.

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2 CHAIRPERSON RODRIGUEZ: It's a new day in
3 New York City. Council Member...

4 COUNCIL MEMBER BARRON: In terms of the
5 red cameras, the cameras for red light cameras. I've
6 been told..., there's one that was installed recently
7 in front of a hospital and they have said that the
8 number of accidents have increased since the red
9 light camera has been installed, because drivers are
10 trying to see what the time is and sometimes the
11 yellow at these intersections is shorter than what
12 you would normally find at other intersections. So
13 the hospital said that they've notice there's been an
14 increase in accidents since the installation of that
15 red light camera. My question is, who regulates and
16 who oversees the timing, because I know that there's
17 a required yellow period before the light turns red
18 and I've been told that often times or sometimes,
19 that yellow period has been shortened and people who
20 are in the habit of knowing, well it's yellow, we
21 know yellow means slow down and be prepared to stop,
22 but most people, they speed up when they see yellow
23 to try to get across. So the accidents are occurring
24 because people are slamming on their brakes and being
25 hit in the rear and that's one of the reasons, so

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2 who's overseeing the timing to make sure that that
3 timing is what it should be to allow drivers to know
4 whether or not they have adequate time to clear the
5 intersection.

6 COMMISSIONER TROTTEBERG: We, the
7 Department of Transportation oversees the timing and
8 I'd be interested to learn more about what the
9 hospital is saying, because I think our general
10 experience with the red light cameras has been very
11 positive. It has actually reduced crashes at
12 intersection. If there's a place where there seems
13 to be some kind of a problem let me talk to you and...

14 [Interpose]

15 COUNCIL MEMBER BARRON: The hospital said
16 since the camera's been installed there's been more
17 accidents right in front of their hospital.

18 COMMISSIONER TROTTEBERG: What area is
19 this, what hospital?

20 COUNCIL MEMBER BARRON: It's in East New
21 York, Brooklyn, Brookdale Hospital.

22 COMMISSIONER TROTTEBERG: We'll
23 certainly look into it if there's an issue there.

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2 COUNCIL MEMBER BARRON: And we're
3 wondering is that yellow period adequate to what it
4 should be?

5 COMMISSIONER TROTTENBERG: Well let us
6 take a look.

7 COUNCIL MEMBER BARRON: Thank you Mr.
8 Chair.

9 CHAIRPERSON RODRIGUEZ: As I was trying
10 to say before for me it's like as someone that was
11 here the year before, being a council member with a
12 new administration where there is no doubt there is a
13 different level of collaboration between the
14 administration and us, it means a lot. So we feel
15 that in the administration, we have a partner, and is
16 visa-versa, so we will continue working and I know
17 that all of us are on the same page following the
18 leadership of Mayor Bill de Blasio and Speaker
19 Melissa Mark-Viverito on working to accomplish a goal
20 which is to reduce to zero by 2024 the number of
21 fatalities that we have in New York City, so thank
22 you for being accessible to us and all of the
23 commissioners, NYPD, TLC, and DOT and we will
24 continue working together looking to move on this
25 bill where let's say a mutual agreement from both the

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administration and the council as soon as possible.
Let's also go over some of those bills and
resolutions that there's some concern from the
administration. Thank you.

The next panel, and we will change from
one minute to two minutes, so but we would like to
ask everyone to please stay on those two minutes.
And the first one is Paul Steele White from
Transportation Alternatives, Steve Vaccaro, Dana
Lerner and Amy and Hsi Liao.

[Pause]

CHAIRPERSON RODRIGUEZ: And I definitely
would like for the administration to please leave
some room for all of the departments, DOT, TLC and
NYPD to leave some room so we'll hear the testimony
of the families, taxi industries and transportation
applicants.

[Pause]

CHAIRPERSON RODRIGUEZ: You may begin

DANA LERNER: Okay, thank you. Good
afternoon, my name is Dana Lerner, my son Cooper
Stock was killed by a taxi driver on the evening of
January 10, 2014. This date is now forever imbedded
in my mind as the worst day of my life. My husband,

1
2 Dr. Richard Stock held the hand of my nine year old
3 son as they walked legally within the crosswalk on
4 West End Avenue and 97th Street, with the light and
5 the walk sign. A taxi struck them both, my son was
6 hit and knocked unconscious. When I went outside it
7 witnessed every parent's biggest nightmare. My
8 husband was on the ground screaming, Cooper was hit,
9 it's bad, it's really bad. I looked over and I saw
10 my son lying in the street completely inert with
11 blood coming out of his ears. In the ER they tried
12 everything, but the doctor came out to say they were
13 sorry. Cooper's body was taken to a room for us to
14 be alone with him. By this time family members and
15 friends began to arrive as did my 13 year old
16 daughter Gianna, who screamed and cried, no, no, no
17 as the rest of us wailed. It was absolutely not
18 possible that our precious son was gone. He was the
19 happy, funny, silly one of the four of us. He was
20 the light. Now I kissed and held his lifeless body,
21 now he was forever silenced.

22 I am here now as I will not be silenced
23 about something that should never have happened to my
24 son. The taxi driver who hit Cooper and my husband
25 claimed he did not see them. My husband is six foot

1 three inches tall; it's not possible that he could
2 not have seen him. He was clearly not looking. He
3 was not paying attention. At this point, almost four
4 months have after the crash, the taxi driver's
5 license has not been revoked and the TLC has not
6 investigated this incident. The driver who killed my
7 son due to his negligence is still allowed to drive a
8 cab. In fact, anybody here including me could hail a
9 cab right now and the driver could be him.

11 Although the DA is investigating no
12 charges have been brought against this driver and
13 they likely won't be, as New York State does not make
14 killing someone with car a crime except in limited
15 circumstances.

16 Can I please keep going? Can I please
17 keep going?

18 Umm, as a way of keeping me going, since
19 Cooper was killed I've been doing research, I learned
20 that the TLC used to automatically suspend license
21 and do investigations on their own. This was carried
22 out as recently as the late 1990s. My question to
23 the TLC and to this Committee is, how could such a
24 hugely important role not have been enforced? What
25 happened? Why did this stop happening? I moved to

1
2 New York City to pursue my dreams in 1985, now I have
3 been betrayed and I want justice. Cooper's Law is
4 something that could make a big impact, plus it's
5 utterly logical. This law would require only that a
6 driver who kills or maims a pedestrian is off the
7 road until an investigation reveals whether or not
8 the driver poses a continued threat to safety. How
9 can the TLC not do the morally decent thing of trying
10 to prevent future harm, when one of its driver's has
11 killed someone who was obeying the law? If this is
12 not a no brainer, nothing is. Can you think of any
13 other form of manslaughter, that is tolerated like
14 this, with a wink and a nod, of course not, there is
15 none? Thank you for listening to my testimony and
16 please do not let my son, Cooper's death be in vain.

17 CHAIRPERSON RODRIGUEZ: Thank you and we
18 will not.

19 AMY TAM LIAO: My name is Amy Tam Liao
20 and this is my husband, Hsi-Pei Liao. Our daughter,
21 Allison Hope was killed by a reckless driver last
22 October. Thank you for the opportunity to speak.
23 Intro 238-A creates a criminal misdemeanor charge for
24 reckless drivers who do not meet the test for driving
25 while intoxicated. The single most important thing

1
2 the city council can do is to create meaningful
3 criminal penalties for reckless drivers who injure or
4 kill. Our precious daughter Ally was taken from us
5 by a reckless driver, who struck her and her
6 grandmother in the crosswalk while they walked hand-
7 in-hand with the right of way. Like so many reckless
8 drivers who kill, the driver who killed Ally told
9 police that he did not see anybody before turning but
10 clearly he did not look. To our disbelief the driver
11 was allowed to drive away from the scene and was
12 later given two traffic tickets. The Queens County
13 DA would not prosecute the driver. Our lives have
14 been shattered by the loss of Ally but the only
15 consequence the driver faces is a couple of traffic
16 tickets. It's no wonder that the hundreds of New
17 Yorkers are killed every year by reckless drivers.

18 HSI-PEI TAM: We have obtained the
19 videotape showing the crash. It's not easy for us to
20 show this but it's important to see the truth behind
21 the stories that drivers and sometimes even police,
22 sometimes tell about traffic violence. As you watch
23 this video, please remember that the driver said he
24 looked before turning and also remember that he..., on
25 that day she died an unnamed police source told the

1
2 Daily News that Ally had broken free from her
3 grandmother before she was killed. Look at this
4 videotape and make up your own mind. Did the driver
5 look before turning? Did Ally break free and go run
6 about on the street?

7 [Pause]

8 HSI-PEI TAM: We must no longer
9 trivialize reckless driving by calling these deaths
10 accidents. It is obvious to see from the videotape
11 that the driver did not look before turning into the
12 crosswalk. It was when the act of recklessness that
13 we as a city must declare to be a crime. This is
14 what Intro 238-A does. If Intro 238-A had been in
15 effect last year, the reckless act of this driver
16 would have been treated, at least presumably as a
17 crime. Police would have investigated it like a
18 crime instead of telling stories about breaking free
19 from her grandmother. The police and the DA would
20 have done a more careful investigation..., I'm sorry
21 more careful investigating in the role that driver's
22 intoxication in causing the crash, rather than just
23 dismissing it without any explanation. Most
24 importantly if this was defined as a crime, the
25 driver might have stopped, looked and taken care

1
2 before turning, instead of doing whatever he was
3 doing. Intro 238-A must be enacted and should be
4 strengthened. \$250 is not a fair penalty for killing
5 or seriously injuring a person. The penalty should
6 be in the thousands not in the hundreds of dollars.

7 I'd like to thank Council Members Weprin,
8 Rodriguez and Levine for supporting this important
9 legislation.

10 STEVE VACCARO: Members of the
11 Transportation Committee thank you for the
12 opportunity to speak. As a lawyer representing the
13 Liao's and other crash victims I can tell you that
14 while the graphic quality of that video is unusual
15 the events depicted are all too common. Just like
16 Ally Liao, about half of the 150 or so pedestrians
17 killed each year are killed in the crosswalk with the
18 right-of-way. The problem is that we treat lives
19 like Ally Liao's as if they were cheap. It sounds
20 shocking to say, but when you look at what we do
21 instead of what we say, this is what our actions show
22 and there's no clear indication of that attitude that
23 the fact that so many in law enforcement view traffic
24 crashes as outside of their core mission. Intro 238-
25 A can change that. Driving in a dense pedestrian

1 rich city like New York City is so very dangerous.
2 At every moment there's an imminent risk of killing
3 with just one second of inattention, with just one
4 flick of the hand as you saw. This city council has
5 the authority and the mandate and the duty to say
6 that we are all on notice of these enormous risks of
7 driving in the city. We have to put the lives of
8 people like Ally and Cooper and so many other ahead
9 of the convenience of someone who wants to save a
10 couple minutes or experience the exhilaration of
11 speeding down a city street.
12

13 Traffic deaths and the risks that cause
14 them are not unpredictable. They are routine and
15 ubiquitous. Lives are not cheap they are precious.
16 We need meaningful consequences, criminal penalties
17 for drivers who strike pedestrians and cyclists with
18 the right of way. Make reckless driving a crime and
19 put deterrents of reckless into the core mission of
20 the NYPD and the District Attorney's offices. It's a
21 necessary step to achieving Vision Zero.

22 238-A is a necessary step but it should
23 be strengthened in two ways. First the \$250 penalty
24 is too small for a case involving a fatality.
25 Secondly, the original version of the bill made it a

1
2 misdemeanor to strike a cyclist in bike lane and
3 that's missing from the current vision. It should be
4 put back in. We want cyclists to use bike lanes, we
5 want motorists to use the utmost care when they're
6 driving across a bike lane. The only way to get
7 there is with a misdemeanor for striking cyclists in
8 the bike lane. The last think I'll say is that this
9 misdemeanor is not a draconian penalty. If I go out
10 and drink a beer on my stoop this weekend, I can be
11 charged with a misdemeanor. Shouldn't I get a
12 misdemeanor charge if I run over you while you're
13 sitting on yours? That's what this bill is about.
14 Please enact Intro 238-A and extend its protection to
15 cyclists. Thank you.

16 PAUL STEELY WHITE: Hello I'm Paul Steely
17 White, Executive Director of Transportation
18 Alternatives. Thank you for the opportunity to
19 testify today. A few moments ago DOT Commissioner
20 Trottenberg and thank you for being here and staying
21 here as you have been staying the course since you
22 started, shared the news..., the breaking news with us
23 that the State Senate approved the speed camera
24 legislation enabling 140 speed cams in New York City,
25 so that's terrific news. However, those cams are

1
2 still not operable, we're not allowed to operate them
3 on nights and on weekends. And it's on nights and on
4 weekends when 77% of speeding related fatalities do
5 occur. So the next step is for us to all work
6 together to insure that those cameras can be on duty
7 24/7.

8 Second, the focus today on speeding is
9 warranted. Speeding is responsible for more deaths
10 and injuries on our streets than drunk driving and
11 distracted driving combined. There's been a lot of
12 debate on what the lower speed limit should be.
13 Should it be 25? Should it be 20? Going to 25 is
14 certainly an improvement. Going to a base speed of
15 25 miles per hour, but that brings us only to par
16 with Utah, South Dakota, Washington State and
17 Montana. Those states have their urban speed limit
18 at 25 miles per hour. World-class pedestrian rich
19 cities that value human life, cities such as London,
20 Tokyo, Paris, are all going to 20 miles per hour. It
21 makes sense to go to 20 for so many reasons. The
22 science is very clear. That when we go to 20 we're
23 saving many more lives and we're having a minimal
24 insignificant impact on travel times. So let's all
25 work together to insure that we finally win a more

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humane and safe speed limit for New York City. Thank you.

CHAIRPERSON RODRIGUEZ: Thank you. Can no word express or solidarity and to say thank you for being here with today and both Commissioners from the TLC and DOT, like one of the few occasions where the administration only left their... only commissioners who are staying and listening to the family and the advocate testimony is very important and it also means how committees and this administration really work and listen and being closer. So, thank you.

Then next panel is going to be Nichol Powers, from the Black Card Fund, Avik Kabessa, Jose Jaen and, Carolyn Castro.

[Pause]

CHAIRPERSON RODRIGUEZ: And again we extended the time to two minutes, so if you have testimony that takes more than two minutes, leave the testimony and please summarize.

NICHOLE HOWARD: Good afternoon, Chairman Rodriguez. Thank you for the opportunity to speak today. My name is Nichole Howard and I'm the Director of Communications and Social Media for The

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2 Black Car Fund and The Black Car Assistance
3 Corporation or the BCAC. The Black Car Fund provides
4 full worker compensation benefits for our 12,000
5 drivers at no cost to the drivers or the bases but
6 rather through a nominal surcharge to the passengers
7 on every trip. The BCAC is a trade organization
8 which represents approximately bases and 6,000
9 drivers. As we all work together to achieve the
10 Mayor's goal of zero traffic fatalities, I'd like to
11 point out the results of one significant study.

12 This independent study found that the
13 reported accident rate for all vehicles in New York
14 City was 6.7 accidents per million miles traveled.
15 Now if I told you that there's an industry where the
16 reported accident rate was 4.6 accidents per million
17 miles traveled and another industry that was 3.7
18 accidents per million miles traveled, I'd think we'd
19 want to examine these industries and see what they're
20 doing better. You may be surprised to learn that
21 these safer industries are the taxi and for-hire
22 vehicle drivers of New York City, yet the most
23 punitive measures of the Mayor's Vision Zero plan in
24 the harshest new bills being considered by the city
25

1 council are reserved for the hard working black car
2 livery and taxi drivers of our city.

3
4 The study I believe correctly points out
5 that our drivers are more experienced drivers
6 spending more time behind the wheel every year. TLC
7 licensed drivers already face a lower ceiling or
8 threshold of DMV points for when their license is
9 suspended or revoked, yet a new bill would make this
10 even more extreme. These punitive measures will
11 increase an already existing driver shortage. It
12 will force experienced drivers out of driving as a
13 career and bring more inexperienced drivers into the
14 taxi and for-hire vehicle industries, thus making the
15 roads and transporting the public less safe. It will
16 also have a chilling effect on individuals even
17 entering these industries as a career at all and
18 encourage more drivers to go underground and operate
19 as unlicensed or what are known as gypsy cabs.

20 The Black Car Fund has always been a
21 strong supporter of driver safety. Since 2007 we
22 have funded a Black Car Driver Safety Institute. The
23 course curriculum at the driver safety institute not
24 only satisfies the defensive driving course
25 curriculum required by the TLC but also includes

1
2 additional safe driving material. Additionally, we
3 pay drivers \$300 to take the course. However, we
4 know there is always room for improvement. The Black
5 Car Funds wants to assist the Mayor in reaching our
6 zero fatalities and we'd love to work with the de
7 Blasio administration and our city council to include
8 additional materials in our driver safety. Umm, I'll
9 share the rest with you on paper.

10 AVIK KABESSA: Good afternoon Chairman
11 Rodriguez and the commissioners. My name is Avik
12 Kabessa, I'm the CEO of Carmel and a board member of
13 the Livery Round Table. Vision Zero is a noble cause
14 that we whole heartedly support but should not be a
15 synonym for imposing unnecessary harm on the livery
16 industry. There simply no data that could support
17 the need from promulgating or amending laws to
18 increase punitive measures against the livery. On
19 the contrary the only two well documented reports
20 that currently exist indicate in a very clear way
21 that using a livery is the safest way to travel in
22 New York City, safe than any other type of driver's
23 out there. First there is the Bruce Schaller Report
24 Taxi and Livery Crashes in New York City 2004 that
25 indicates and I quote "taxi and livery passengers are

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2 less likely to be injured while riding in a tax-
3 livery or livery then are occupants of other
4 vehicle". If you look at the table I provided, you
5 will see that actually the livery is the safest one,
6 twice safer than any other vehicle out there.

7 Next is the UTRC which is the University
8 of Transportation Research Center's Study that's done
9 now in 2010 which is much more current which looked
10 at 7,000 crashes. This is a very significant number
11 and this is their conclusion and I quote again
12 "private passenger cars dominate pedestrian KSI,
13 which is killed or severely injured, crashes
14 accounting for 79% of the total KSI. Even in taxi
15 saturated Manhattan, this is a quote "even in taxi
16 saturated Manhattan only 13% of pedestrian's crashes
17 involve a taxi or livery car".

18 With this data, I'm calling on the
19 committee to hold off any and all punitive measures
20 against the livery and specifically, let me finish
21 please, and hold the four higher, hold off any
22 punitive. Instead we should do positive
23 reinforcement. It has been tried with insurance
24 companies and it's been proven to be very successful.
25

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2 We should educate the drivers rather than punish them
3 and we continue to collect data.

4 Commissioner, Chairman, if there was ever
5 a reason to take a new different approach to things,
6 livery and the Vision Zero is the perfect
7 opportunity. I hope the committee will use this
8 opportunity to do the right thing by the industry.

9 JOSE JAEN: My name is Jose Jaen the New
10 York State Federation of Taxi Drivers and
11 respectfully I concede my time to Carolyn Castro from
12 the Livery Round Table. Thank you respectable
13 members.

14 CAROLYN CASTRO: Good afternoon. Thank
15 you Jose. The federation is a part of the Livery
16 Round Table. My name is Carolyn Castro and I serve
17 as the Executive Director of the Livery Round Table.

18 The Livery Round Table is a non-profit
19 organization that represents the interests of the
20 livery industry in New York City. We work livery
21 associations across five boroughs, agencies like the
22 TLC and elected officials to insure that we
23 contribute to the community and more than providing
24 door-to-door service, that it is also engaging
25 community concerns. For example, last year when

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2 Councilwoman Ferreras introduced legislation to help
3 prevent sex trafficking in car service around the
4 city. LTR created an online course to educate
5 drivers on the ills of sex trafficking and what to
6 look for when transporting passengers. That initial
7 project sparked a light bulb moment where we felt
8 compelled to do more. With an additional 40,000 set
9 of eyes..., I'm sorry

10 [Pause]

11 CAROLYN CASTRO: It created assisted
12 enforcement. Earlier this year when Mayor de Blasio
13 announced his Vision Zero plan we jumped at the
14 opportunity to partner and spread the message to our
15 constituents. Our contribution this time came in a
16 three point system that we announced at the Manhattan
17 Town Hall Meeting. The message this time was to
18 partner with the initiative and promote good driving
19 by taking 20% off applicants reapplying for their
20 license if they showed no infractions during the last
21 licensure. Engaged drivers and encouraging them to
22 report unsafe driving and engage the public with the
23 See Something, Say Something Initiative.

24 We wanted the members of the public to
25 feel comfortable in reporting anonymous information

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2 online that is quick and discreet for them to input,
3 so with so many of us proactively seeking solutions,
4 we have a few asks of the council. We would like
5 council to take a moment and think over what we have
6 said here today. We want to work together with the
7 Mayor, City Council, and other relevant agencies, but
8 we want to do so without the presumption of guilt on
9 the for-hire service.

10 On the whole the proposed legislation and
11 Vision Zero initiatives are aimed to increase
12 penalties and fines without rewards or incentives to
13 the driver. Take a moment to look at the data that
14 already exists. UTRC conducted the study for the
15 Department of Transportation in 2010. That was just
16 four years ago, that provided an action plan for the
17 agency to follow. We have no knowledge if this
18 action plan was indeed carried out and, excuse me, we
19 can note that this same report, that the same report
20 liveries are noted to be very safe, as a very safe
21 option when considering transportation.

22 CHAIRPERSON RODRIGUEZ: Thank you.

23 CAROLYN CASTRO: I'm sorry, I have the
24 extra two minutes that he conceded.

1
2 Conduct new studies on vehicle safety.

3 The two studies conducted from UTRC and Schaller
4 Consulting are outdated by over four years and do not
5 reflect the current state of the industry. We
6 believe in this new administration, new studies
7 should be conducted to include the technology and
8 accessibility updates to these fleets.

9 With regards to the bills that are up
10 this afternoon, we provide the following. We support
11 Intro 277 for crash data and Intro 153 to create an
12 interactive website detailing traffic crash data. We
13 share the following comments on the following bills
14 and our concerns.

15 Intro 171 Failure to Yield in Serious
16 Crashes would suspend the license of a TLC driver
17 that is issued a summons for failure to yield when a
18 critical injury or death occurs and revoke a license
19 upon a conviction for failure to yield. We share the
20 goal again, of preventing critical injuries or
21 deaths, yet believe this bill unfairly targets TLC
22 licensed vehicles. The 2006 report from Schaller
23 Consulting provided data that the for-hire vehicle
24 industry has always known, professional experience
25

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2 and for-hire licensed drivers are some of the safest
3 vehicles on the road.

4 Intro 272 Combining Critical Driver and
5 Persistent Violator Points, this legislation combines
6 DMV and TLC points with regard to the suspension and
7 revocation of a TLC license. The Livery Round Table
8 recommends increasing the proposed penalties from six
9 points for suspension to eight points, and from ten
10 points for revocation to twelve. Under the
11 scenarios, LRT expresses concerns with efforts that
12 might increase the amount of illegal unlicensed
13 vehicles on the road. At a minimum we recommend
14 increasing the points for suspension and revocation
15 before moving the bill forward. Thank you.

16 CHAIRPERSON RODRIGUEZ: I would just like
17 to say that as I said from the beginning I would need
18 help from every one. As you know, I bring my
19 interests and concerns as a father that I am, I have
20 two daughters, so when I heard the parents talking
21 about their experience, me walking with my seven year
22 old and teaching her on which side she should be
23 walking and we walk together. So I bring that part.
24 That I was, I also don't want for us to go and
25 legislate on the taxi industry just because it's more

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2 easy for us to go after that industry. So I want to
3 be fair with everyone. However, when there's cases,
4 let's say such as a driver who failed to yield, I'm
5 for and I'm a proponent to increase the penalty and I
6 hope that I can get the support of everyone, all the
7 leaders of this industry. I don't want for us to go
8 after any particular drivers, because it is more easy
9 for us, for the Council to go after the TLC. But in
10 cases that require an area where we have to say, you
11 know, a driver TLC, Black Car, Yellow Livery or none
12 who fail to yield, and is involved in an accident,
13 definitely I will need the support and I will be
14 asking for the support of the leaders of this
15 industry to say how we address these particular
16 cases. Again, I don't want to go after any
17 particular one, I wouldn't have put myself going
18 moving on legislation because it is more easy, but
19 when a driver's putting pedestrians in danger or fail
20 to yield, so definitely I will be a proponent of
21 same. We need to increase the penalty and we have to
22 take that particular driver out of the streets.

23 AVIK KABESSA: We absolutely share your
24 vision and by the way you've been... we really have to
25 applaud you on your leadership, you are listening to

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2 the industry and your actions speak louder. But, the
3 city was just able to pass in Albany a rule of
4 lowering the speed limit to 25. I think that if
5 that's the case, then let's go after any driver, any
6 and all drivers, livery, taxi, all regular, non-
7 professional drivers, that if they fail to yield and
8 found to be convicted then they should lose their
9 license or get the same treatment. That's all we say
10 and we will support anything which is not pinpointed
11 against any industry.

12 CHAIRPERSON RODRIGUEZ: And I appreciate
13 like that you being present in the town hall meeting
14 and you've been proactive coming up with suggestions.
15 So definitely as I said I want to be working with all
16 sectors. It is all of us, we have children, we have
17 nieces, we have nephews, we have granddaughters, so
18 we have mother, senior citizen. I know that, our
19 committee knows that, we should bring all those to
20 the same table and therefore next week, on May 6, I
21 would also like to invite the industry to help us in
22 mobilizing, we're going to Albany that day asking the
23 State to please allow to review this bill, so I would
24 like to have a commitment that you help us not only
25 to mobilize some people but also bring the..., I think

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2 it would be a good day if we could mobilize together
3 the Black Car, the Livery, the Yellow and we say,
4 here we are moving together to Albany. I think that
5 we sending a good message that we are mobilizing and
6 we are at the same table working to improve the
7 safety. So I would like to put on the table that I
8 need that support from you.

9 AVIK KABESSA: The Livery Round Table is
10 fully committed and will be there in Albany with you.

11 CHAIRPERSON RODRIGUEZ: Don Gordon,
12 Vincent Pellechia from Tri-State Transportation,
13 Robert HuDock, Christine Berthet and Cristina
14 Furlong.

15 [Pause]

16 CHAIRPERSON RODRIGUEZ: I'd also like to
17 recognize Council Member Miller who is also the
18 Chairman of the Labor Committee.

19 DON GORDON: I'd like everyone to take a
20 look at my beautiful daughter Kelly. She was killed
21 at 85th and York Avenue, just three weeks ago. She
22 was in New York City for an interview, a final round
23 of interviews with Goldman Sachs and was crossing the
24 street on 85th Street and York Avenue with her
25 stepsister. She was hit by two taxis, not one, two.

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2 The first one hit her, and the other one ran over
3 her. I learned of this hearing just yesterday and I
4 know I had to be here. I'm sorry there wasn't more
5 people in the room and I couldn't have gone first and
6 hit this point home. But I am shocked, shocked, that
7 these two drivers walked away without a single
8 summons. It's ridiculous, it's absolutely
9 ridiculous. They were checked, but to me these
10 drivers should have been brought into the station
11 house, the car should have been impounded, okay, they
12 should have been given Breathalyzer test, they should
13 have been given a drug test. These two gentlemen
14 were sixty plus years old. They should have been
15 given eye exam and the car should have been checked.
16 The fact that they did not get a summons is bullshit.
17 I'm sorry it's ridiculous. It's ridiculous. For all
18 we know these guys could have driven a block away and
19 picked someone else up and drove them home. It's
20 ridiculous I'm sorry.

21 [Pause]

22 DON GORDON: As far as I know these two
23 drivers are still on the road. Until this
24 investigation is completely pieced together. I just
25 can't understand how these guys can sleep at night,

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let alone drive. I know I certainly can't sleep at night. My family with me here, can't sleep at night.

[Pause]

DON GORDON: I cannot believe that they cannot swerve in two lanes going southbound and two lanes going northbound to avoid this accident. I can't believe it. I think 20 miles an hour should be mandatory and I think that they should put governors on the god damn taxi so they can't go any faster than 20 or 25 miles an hour, and when they leave the city they can flick a switch and then they can go 40 or 50, whatever it may be. We have the technology. We should implement changes like that and I'm going to come up with a Kelly law.

Today in New York City, if you double park, if you stand in no parking, or you have an expired meter, you get a summons and a violation. How come these guys didn't get a single violation? They barely got a slap on the wrist.

Please pass this law. I don't know what else to say and I know I'm out of time. Thank you.

CHAIRPERSON RODRIGUEZ: You can take as much as you want.

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2 DON GORDON: No I'm finished. Thank you
3 very much.

4 BOB HUDOCK: Thank you Chairman Rodriguez
5 and members of the committee for the opportunity to
6 testify, my name is Bob HuDock, I'm a member of
7 Community Board 10 in Bay Ridge Brooklyn where I
8 serve on the Transportation Committee and I'm also a
9 Chair of the Environmental Committee and serve on the
10 Community Education Council in the School District.
11 By profession I'm an architect and an urban planner.
12 I've always found it very obvious that cities are
13 made for people. The cities that we have admired
14 most down through history are those that put human
15 needs above all other needs. The needs of real
16 estate developers, the finance industry, the oil
17 industry, the auto industry, the need for parking
18 lots and highways and flat fix joints and auto class
19 and car stereo installers, and muffler shops, junk
20 yards, we need all these things in our city, but it's
21 important to keep in mind that these things should
22 only be supported to the extent that they serve
23 genuine human needs.

24 Streets are for people. Streets are one
25 of the main public spaces in any city where people

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2 stroll, shop, meet, walk, talk and conduct their
3 daily lives. When the speed limit for cars is too
4 high or is ignored and violated with impunity, all of
5 these fundamental human needs are suppressed. What
6 is the need for this rush, for all this speed?

7 Motorists who claim that our economy
8 depends on maximizing traffic volume, have it
9 completely backwards in my view. They see traffic
10 flow as an end in itself. Something to be pursued
11 for its own sake utterly divorced from any valid
12 human need. If our economic prosperity depends on
13 maximizing traffic flow, then I have to ask, what is
14 the economy for? Isn't the point of the economic
15 market to bring prosperity to people and make the
16 average citizens life better? The argument fails
17 right there because you can't make people's lives
18 better by running over them with cars. It's an
19 absurd argument that in order to make people's lives
20 better we have to accept that some people's lives are
21 expendable, random human sacrifice in the name of
22 progress. Let's just slow down the traffic. We'll
23 improve the quality of life on our streets. Thank
24 you.

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2 CHRISTINE BERTHET: Chair Rodriguez and
3 Committee Members thank your. Chekpeds is a
4 coalition for pedestrian safety on the west side of
5 Manhattan and we applaud your introduction of the
6 various safety bills and in particular 43-A to study
7 the exclusive pedestrian signals. In Hell's Kitchen
8 on a half mile of 9th Avenue, there have been seven
9 deaths of pedestrians and countless injuries all
10 caused by turning cars or trucks that fail to yield
11 to pedestrian who had the walk sign. One of them was
12 a seven month pregnant woman at the corner of my
13 street. And as you probably heard many times today,
14 44% of pedestrian injuries occurred at intersection
15 with a pedestrian crossing with a walk sign.

16 Now resolving this problem we have talked
17 today about punishments carrying out after the crash.
18 But before the crash, we can prevent the crash and
19 resolving this problem is one of our highest
20 priorities. The good news is that an exclusive
21 pedestrian signal is the solution to that problem.
22 And the question is why is not more installed across
23 the board by the DOT?

24 In midtown it has been installed, where
25 the traffic is extreme, with there is a lot of

1
2 traffic flow and traffic issues and therefore it is a
3 proven solution that does work. The Introduction is
4 43-A. 43-A calls for study for improving the safety
5 of pedestrians and designation of lanes exclusively
6 for left turn and installation of exclusive
7 pedestrian signal, it calls for the DOT to establish
8 a process to consider the annual request of community
9 board and their finding. And in the context of
10 section 19.182 it would happen every five years.

11 So I have a few questions for you. If
12 there is a crash can we really wait five years to
13 respond to the families and tell them whether this
14 intersection is appropriate for installing a
15 protected pedestrian signal. If you are putting that
16 law into Section 19.181 it should allow for that
17 analysis to happen within six months of the crash and
18 make an implementation with six months. So I
19 recommend that you put this recommendation in both
20 sections of the Administrative Law.

21 There were three fatalities on 9th Avenue
22 which were on right turns by trucks and busses. So
23 why just left turns? Don't the people which are
24 killed in the pedestrian crossing on the right turn
25 also entitled to have a protected pedestrian

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2 crossing. So I think that Introduction should apply
3 to both left turn and right turn, as long as
4 somebody, a pedestrian is killed in a pedestrian
5 crossing with a signal, there should be an
6 investigation of why don't we put protected
7 pedestrian crossing there.

8 And finally at 41st and 9th Avenue, after
9 the first fatality DOT installed a lit pedestrian
10 interval and the Community Board objected and said we
11 should have a protected crossing. Well low and
12 behold last year, we got a second fatality and so the
13 question, and the DOT has not accepted to put a
14 protected pedestrian signal there. So, who wants to
15 be the family of the second fatality, who wants to
16 talk to these people and say, you know, we could have
17 fixed it right the first time. I don't want to be
18 that, none of our elected want to be that, and I
19 don't want to be family of those people to know that
20 it could have been done right the first time. So for
21 each instance where the DOT elects to not install and
22 exclusive pedestrian signal, the DOT should be asked
23 to demonstrate why they did not, rather than prove
24 why they have to do it. And finally, this decision
25 of fatal consequences and they should not play

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2 Russian roulette with the life of our citizens for
3 the sake of saving five seconds of traffic flow. Who
4 needs traffic flow when the average speed is three
5 miles per hour.

6 CHAIRPERSON RODRIGUEZ: Thank you

7 CRISTINA FURLONG: Good afternoon,
8 Chairman Rodriguez and members of the committee,
9 thank you for this opportunity to speak. I'm
10 Cristina Furlong, we founded a group in Queens called
11 Make Queens Safer. We formed the group, umm out of a
12 concern for..., in empathy for families coping with the
13 loss or an injury of a loved one due to reckless
14 driving, unsafe street design and lack of enforcement
15 of traffic laws. We are a community based..., umm,
16 we're not lobbyists, we're not umm, mourning
17 families, we are citizens who've had too much of it.
18 We've seen our teachers, our crossing guards, members
19 of our neighborhood affected by these deaths and umm,
20 they're preventable deaths, every one of them. Sorry
21 for your loss. So we're advocating for that.

22 The multi-agency response to Mayor's
23 Vision Zero mandate is an incredible start and a
24 proud moment for all of us. In Queens, many of our
25 elected officials at all levels are passionate about

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2 improving pedestrian safety and speak frequently and
3 clearly about it. At town hall meetings, the vast
4 majority of public speakers have been urging strong
5 action. I urge you to hear the voices around us
6 today.

7 We've seen a tremendous increase in the
8 number of police officers reaching out, talking about
9 Vision Zero. We expect it's making a difference in
10 everybody's awareness but this will be temporary and
11 permanent changes to the streetscape and law
12 enforcement are needed.

13 We applaud the broad agenda of bills
14 under consideration in today's hearing and we
15 encourage the Transportation Committee and City
16 Council to Pass all of them, especially those who
17 honor our children and our neighbors who were killed
18 senselessly all over the City of New York.

19 Intro 140 would require the city to
20 establish 50 school slow zones annually. We'd like
21 to see it go even further. Every school should have
22 a safety access plan. These plans should address
23 crossings on major arterial roads. The plans should
24 also designate specific zones for the drop off and
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2 pick up of students in private cars with coordinated
3 adjustments to curbside parking.

4 Intro 168 would establish a comprehensive
5 plan for arterial streets and it is very important.
6 We support the slow zone initiative and hope to see
7 it coming to Queens namely Northern Boulevard, Queens
8 Boulevard, Woodhaven Boulevard.

9 Finally we'd like to emphasize a point
10 that gets overlooked. Queens is a diverse borough,
11 many of our neighbors are isolated linguistically and
12 avoid contact with government. They are often
13 undocumented and conventional methods of outreach
14 won't reach them. Additional efforts should be made
15 for these groups. We ask that if an immigrant family
16 suffers a tragedy of a loved one killed by a motor
17 vehicle as we've seen numerous times in our area.
18 They need assistance, they need extra assistance.
19 The city should appoint an ombudsman or family
20 liaison within the Public Advocate's Office to
21 intervene for families after these tragedies occur.
22 You'll know from any one of these people who've
23 spoken today, that they don't know what happens next,
24 when this happens they don't even know how to get a
25 police report. It's not easy to do. Along those

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2 lines the NYPD should do what it can to lower
3 barriers for families victimized by traffic violence,
4 instead of telling people they need a \$10 money order
5 which costs \$15 at the post office to get, they
6 should make police reports accessible to our people.

7 Chairman Rodriguez and members of the
8 committee thank you for this opportunity to speak, my
9 name is Vincent Pellecchi and I am the General
10 Counsel for Tri-State Transportation Campaign, a
11 regional policy watchdog organization working for
12 better transit and transportation policy in New York
13 New Jersey and Connecticut. Millions of pedestrians
14 use New York City streets daily yet many of our
15 streets remain among the most deadly for walkers,
16 bikers and drivers. Regardless of one's primary mode
17 of transportation every New York City resident,
18 transit user or visitor is a pedestrian at some point
19 in the day. Since 2005, 1,185 pedestrians have been
20 killed by vehicles in the five boroughs despite the
21 34% reduction in pedestrian fatalities resulting from
22 significant changes made by the city DOT over the
23 past seven years to our roadways.

24 These are preventable deaths. The
25 knowledge and tools to prevent these deaths already

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2 exist. What has not existed before this year is a
3 coordinated multi-agency plan to apply this knowledge
4 and use these tools to increase pedestrian safety.
5 This is what Mayor de Blasio's Vision Zero Action
6 Plan does. But Vision Zero is only as effective as
7 its implementation and the New York City Council has
8 the leading role in this plan's implementation. The
9 bills under consideration during this hearing are the
10 embodiment of the council doing just that and we
11 applaud your effort. We support many of the bills
12 and would like to highlight some points regarding the
13 following.

14 Resolution 61 is the preferable approach
15 for changing the speed limit than incorporating
16 Resolution 111. While we strongly support reducing
17 the citywide 30 mile per hour speed limit, we believe
18 that a minimum of 20 mile per hour speed limit is the
19 preferred minimum considering as noted in Resolution
20 61, a chance of death for a pedestrian drops to five
21 percent if hit by a vehicle traveling 20 miles per
22 hour whereas it is 10% if hit by a vehicle travelling
23 25 miles per hour. For the same reason we believe
24 Introduction 140 is unnecessary because the minimum
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2 speed limit of 20 miles per hour obviates the need
3 for 25 mile per hour slow zones.

4 Tri-State also strongly supports
5 Resolutions 117 and 118 because red light and speed
6 cameras not only help out police officers but also
7 make streets safer. Red light and speed cameras help
8 police uphold the law by focusing limited resources
9 available to law enforcement on New York City's Roads
10 for maximum efficiency as police cannot monitor all
11 roads at all times. According to the Vision Zero
12 Action Plan, driver choices are the primary or
13 contributing factor in 70% of pedestrian fatalities.
14 New York City should not have to request
15 reauthorization from the State Legislature every five
16 years nor permission to expand such enforcement for
17 red light or speed cameras.

18 CHAIRPERSON RODRIGUEZ: Thanks. I would
19 like to say to Mr. Gordon and to the rest of the
20 families as I said before nothing that we can say or
21 do will bring that loved one back to us. But I also
22 believe that our different beliefs that we have is
23 that we keeps peoples alive and know that they are
24 connected with us and I think that having Kelly, that
25 based on what I read in the newspaper, she was one to

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2 dedicate hours helping recent college graduates to
3 get a job. I would like to dedicate this hearing to
4 her and knowing that as I say, as a father, all we
5 can say that the only way that we can find the
6 strength of the loss of a loved one is like knowing
7 that they are with you and therefore they are with
8 us. So thank you.

9 [Pause]

10 CHAIRPERSON RODRIGUEZ: Council Member
11 Miller.

12 COUNCIL MEMBER MILLER: I'd just like to
13 echo the sentiments of Chairman Rodriguez and thank
14 him for his leadership along with the Mayor, but in
15 particular the work that this committee has done
16 around Vision Zero is umm, is unlike anything that
17 we've seen. I am one who's spent the last 30 years
18 of my life in the transportation industry here,
19 having drove a New York City bus for more than 20
20 years, understanding umm, the value of real safety,
21 understanding the value of real public
22 transportation, but understanding that we must first
23 put people first and umm, this Vision Zero does
24 exactly that. The legislation that is before us puts
25 people first. The idea and the work that this

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2 committee has done puts people first and umm, I'm
3 confident that that will happen. Having said that,
4 one of the things..., one of the responsibilities that
5 government, that we have here is to insure that put
6 in place these safety mechanisms to make sure that
7 pedestrians as well as those in vehicles are safe and
8 if that means, umm, that all of these bills and resos
9 are passed and put in place, then that's what's
10 required. But I think that there are some things
11 that have been done positively, umm and that we must
12 implore best practices. There are umm, many who
13 testified today throughout many industries of
14 transportation about their willingness to work with
15 the council, but where it starts is that
16 professionals should adhere to higher standards. And
17 so when I hear folks say that umm, they should not
18 be, when you're logging miles, when you're carrying
19 passengers, when you're responsible for the roads
20 then you should, as a matter of profession, you
21 should be held to a higher standard. So, umm I just
22 would like to again echo the sentiments of our leader
23 Rodriguez and give my condolences to all the families
24 and just let them know that this committee is
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certainly working to make New York City safe for everyone. I just wanted to put that out there.

CHAIRPERSON RODRIGUEZ: Thank you Council Member.

[Pause]

CHAIRPERSON RODRIGUEZ: George Miranda, John Skinner, Jack Kittle and Phillip Hom.

[Pause]

CHAIRPERSON RODRIGUEZ: Pat Russo.

[Pause]

BRADFORD GONZALEZ-SUSSMAN: Thank you. Chairman Rodriguez and committee members I will be reading Jack Kittle's testimony, he apologizes, he had to leave for another pressing matter. But I'll read his testimony as is so.

My name is Bradford Gonzalez-Sussman by the way. So my name is Jack Kittle but I'm going to read it as if it is.

My name is Jack Kittle I am representing.. He's the Political Director of District Council 9. My name is Jack Kittle, I am representing the 10,000 men and women of District Council 9 of the International Union of Painters and Allied Trades. On behalf of our membership I first want to thank you

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2 for considering Intro 80-A, secondly I want to
3 express our support for this legislation. Many of
4 our members work on the bridges and highways of this
5 city. Most people understand the dangers to workers
6 when the job involves working at height. What is not
7 as obvious is the dangers of working in close
8 proximity to traffic. A disproportionate number of
9 our bridge painters are killed or injured while
10 working on the ground. The scope of our work
11 typically does not allow us to erect jersey barriers
12 or some other permanent method of traffic control.
13 We usually work in a lane that is closed to traffic
14 by nothing more than rubber cones. Human nature
15 being what it is we too often see drivers enter our
16 protected zone in an effort to get ahead of everyone
17 else.

18 Any system that discourages this behavior
19 or that makes drivers want to slow down will
20 ultimately save lives. I have worked on bridges in
21 other states and cities that require the presence of
22 a police detail in a closed lane on bridge and
23 highway work. You would be surprised at how driver's
24 slow down when they see a police car in our work
25 zone. We commend the council and the mayor for the

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2 Vision Zero initiative and especially appreciate the
3 attention to the hazards to workers that work in and
4 around traffic. Thank you for your time.

5 DARIN JEFFERS: Good afternoon Chairman
6 Rodriguez and members of the committee. My name is
7 Darin Jeffers, Teamsters Local 282, speaking on
8 behalf of President, George Miranda of Joint Council
9 16.

10 We represent 120,000 workers in the New
11 York area including many of the city's commercial
12 drivers. It is from that perspective that we have
13 approached Vision Zero, but also from our perspective
14 as parents, neighbors, pedestrians, cyclists and
15 above all, New Yorkers.

16 We debated pieces of Vision Zero, I'm not
17 going to tell you that we all agreed, but in the end
18 our union decided to give our support. Two weeks ago
19 the teamsters wrote to lawmakers in Albany calling
20 for an expansion of New York City's speed camera
21 program. In other cities across the country speed
22 cameras have greatly reduced speeding. Washington DC
23 reduced dangerous speeding by 88% through a
24 comprehensive speed camera program. DC drivers know
25 that if they speed, they will get caught, they will

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be ticketed. Unfortunately, the same cannot be said of New York and that needs to change. We look forward to continuing the conversation about Intro 198 concerning side guards for trucks. The teamsters are working with advocates like Transportation Alternatives to answer the open question about the proposal. Before moving forward the city council and administration should determine how many pedestrian deaths are caused by collision with trucks registered in New York City versus how many are caused by trucks from outside of the city, which would not be covered by the law. We share the goal of the proposal and support Vision Zero overall, but want to make sure it is done right. We hope the city council and state legislature move forward with the Vision Zero proposal, you have the support of the New York City Teamsters in making it a reality. I'd like to thank the Transportation Committee for your consideration.

PAT RUSSO: Good afternoon Mr. Chairman and members of the committee. My name is Pat Russo I currently Senior Counsel at the law firms of Windels, Marx, Lane & Mittendorf and I'm also the former Chief Judge of the Tax and Limousine Commission.

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2 Our firm serves as Pro Bono Counsel to
3 the International Association of Transportation
4 Regulators and in that capacity we present testimony
5 today in support of Cooper's Law, Intro 171-A.

6 The President of the IATR, Matthew Daus,
7 is the former TLC Chair, we extend his regrets due to
8 testimony he was providing in the State of Rhode
9 Island before the Attorney General he was unable to
10 testify in person, but yet we want to submit this
11 testimony again because of the important information
12 that we've learned through our role in counseling the
13 ITR and through the things that we want to present
14 today for Cooper's Law specifically.

15 PHILLIP HOM: My name is Philip Hom, I'm
16 special counsel at Windels Marx and I'm going to be
17 reading Matthew Daus' testimony.

18 Good afternoon Chairman Rodriguez and
19 members of the Committee on Transportation. Thank
20 you for holding this important hearing on bills and
21 resolutions relating to Vision Zero. My name is
22 Matthew Daus and I am the former Commissioner and
23 Chair of the New York City Taxi and Limousine
24 Commission, I currently serve as a distinguished
25 lecturer at the University Transportation Research

1 Center at the City College of the City of New York.

2 I also the President of the International Association
3 of Transportation Regulators, a non-profit,
4 educational and advocacy group comprised of members
5 of governments from around the world that regulate
6 for-hire ground transportation vehicles, businesses
7 and drivers.

8
9 I support Mayor Bill de Blasio and the
10 New York City Council's commitment to Vision Zero and
11 the goal of preventing all taxicab and for-hire
12 vehicle related fatalities. I hereby submit this
13 testimony in support of the general efforts of the de
14 Blasio administration and the city council as well as
15 specifically in support of Intro 171-A known as
16 Cooper's Law.

17 The tragedy of 9 year old Cooper Stock
18 who was killed by a taxi in January on the Upper West
19 Side presents a call to action. Together with last
20 year's high-profile taxicab crash involving British
21 tourist Sian Green who had her legs amputated. An
22 urgent challenge confronts the New York City Taxi and
23 Limousine Commission and the New York City Council.
24 While it is hard to say whether both of these
25 horrible crashes would have been prevented, certainly

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2 more incidents may be avoided if drivers are held
3 fully accountable for their dangerous driving. The
4 TLC's point system itself does not allow the agency
5 to act quickly enough to prevent dangerous drivers
6 from harming others. If the TLC itself concludes
7 even without an NYPD investigation that any TLC
8 licensed driver is a threat to public safety even for
9 a single reckless driving violation, their license
10 should be suspended and/or revoked. The point system
11 should be bypassed when necessary to protect the
12 public.

13 Taxicab drivers groups and their lawyers
14 continue to try to hinder the TLC from carrying out
15 its mission by claiming the TLC's rules are not clear
16 or present other legal issues. One such lawsuit
17 seeks to prevent that TLC from suspending licenses
18 for TLC drivers who are arrested for serious crimes
19 such as vehicular manslaughter, driving while
20 intoxicated and other serious felonies.

21 I'll wrap it up.

22 We need to enact Cooper's Law Intro 171-A
23 which would create the unquestioned legal authority
24 to immediately suspend and revoke licenses for
25 reckless driving and Intro 174 which would require

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2 TLC to review police crash analysis. While the vast
3 majority of drivers are safe and responsible, the TLC
4 must be able to swiftly remove these few
5 irresponsible drivers from the road. Driver's need
6 to be afforded due process and ability to defend
7 themselves but passengers and pedestrians also... I
8 support Bill de Blasio's Vision Zero goal for the
9 City of New York as well as the City Council's
10 efforts with the TLC to establish a pilot program to
11 test technology that will enhance driver safety in
12 additional to passengers to speeding taxicab
13 technologies it would also monitor and record
14 driver's speed and behavior. Thank you for the
15 opportunity to testify on behalf of Vision Zero and
16 Cooper's Law. We must do so in the memory of Cooper
17 Stock and all the families who have suffered painful
18 and preventable losses of loved ones.

19 You have the full testimony, I kind of
20 skipped over. Thank you.

21 CHAIRPERSON RODRIGUEZ: Thank you. I
22 don't know if you're organization is taking position
23 on the effort that we doing to get Albany to allow
24 the city to reduce the speed limit. But I also
25 wanted to bring it you consideration on how important

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2 is this effort that we are doing to get Albany to
3 allow us to reduce the speed limit.

4 The next panel is the New York Taxi
5 Workers Alliance. Victor Salazar, Asim Akhtar,
6 Bhairavi Desai and Jill.

7 [Pause]

8 BHAIRAVI DESAI: Good afternoon Chairman
9 Rodriguez. My name is Bhairavi Desai and I'm the
10 Executive Director of the New York Taxi Worker's
11 Alliance. There's a lot to day today, but I will try
12 to keep within our time limit.

13 The two main points I want to make is
14 that, again reiterating what the for-hire vehicle
15 industry panel had stated earlier which is our main
16 position is we do not want to be singled out. This
17 is a citywide problem that requires a citywide
18 solution and it's particularly difficult to reconcile
19 being singled out for the harshest penalties within
20 all of these bills when you consider that we
21 represent the people that have the best driving
22 records on the streets of New York. Umm, I'd also
23 like to say that you know within even our criminal
24 justice system, we value due process and we value the
25 idea of rehabilitation and we don't want to be

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2 singled out and treated like second class citizens
3 where a taxi driver within an administrative court
4 system is going to face even harsher penalties than
5 one would within the context of a criminal justice
6 system. We do not want to be treated as second class
7 citizens and scapegoated for an issue that again is
8 citywide.

9 Secondly, there's a misconception out
10 there that somehow TLC regulations are not strict
11 enough, when in reality the point thresholds that the
12 TLC holds taxi and for-hire vehicle drivers
13 accountable to are the strictest in the State of New
14 York, six points suspended, ten points and you're
15 revoked. Not only that while at DMV it's 11 points
16 and you're suspended. Meanwhile at DMV the review is
17 within an 18 month period, but at TLC it's within a
18 15 month period. At DMV you can take a point
19 reduction course which will reduce four points every
20 three years. At TLC the point reduction course is 2
21 points within a 15 month period, not even an 18 month
22 period. So, the penalties and the rules and
23 regulations on taxi drivers and FHV drivers are
24 already the strictest in the state. Even within
25 those restrictions, drivers maintain the best driving

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2 records in the City of New York. We ask you to
3 consider that, to respect that and value that, not
4 single us out, but again treat this as a citywide
5 problem that requires structural change, education
6 and other citywide solutions.

7 VICTOR SALAZAR: Thank you Chairman
8 Rodriguez for the opportunity, my name is Victor, I'm
9 from the Taxi Alliance, I've been a taxi driver for
10 about 20 years already and in the course of the 20
11 years I've seen a numerous amount of accidents and
12 crashes in New York City and I can tell you and I can
13 assure that a taxi driver in New York City is one of
14 the safest drivers in New York City. We will
15 continue to be safest as time progresses and if
16 legislation dictates for us to speed at 20 miles an
17 hour or 25 miles an hour, we will obviously comply
18 with the regulations. We've been complying with the
19 regulations since TLC came in effect in 1979 until
20 now. We've always been compliant, but will continue
21 to comply. The taxi driver is ready to comply but at
22 the same time the taxi driver wants to send a clear
23 message to New Yorkers that we're also part of New
24 York, we're part of the brotherhood of New York City,
25 we have families to maintain, we also have children

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2 that walk to school back and forth and our salaries
3 are practically no more than \$110 to \$120 a week,
4 excuse me, a day. That's very hard work after you
5 work 70 hours a week. The reason why everybody's in
6 a rush in the taxi industry, definitely has to be
7 also because of the higher leases that we have to pay
8 every day and every week. So everything has to
9 considered and we taxi drivers would like to be part
10 of the solution not part of the problem and I extend
11 all the regrets to what happened to the relatives who
12 have lost their loved ones due to crashes and
13 accidents in New York City, especially the ones that
14 taxi drivers were involved. You know, there's
15 nothing much we can do, but work together for a
16 better and safer New York. We're ready to comply,
17 but please remember, taxi drivers are the brotherhood
18 of New York City. We are also New York City. We
19 educate our kids here, we grow up our kids here in
20 New York and we would like to be considered not a
21 second class citizen as Bhairavi said. Thank you
22 council. Thank you.

23 ASIM AKHTAR: Good afternoon my name is
24 Asim Akhtar, I'm Outreach Coordinator with Taxi
25 Worker's Alliance, I've also been driving for the

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2 past 10 years. I was 19 when I got my hack. What I
3 want to say is that I think that people forget that
4 you know, the yellow cab drivers, that's their
5 living, I mean no driver comes on the street for
6 joyride, to have fun in the city, they're on the
7 street to work, to provide for their families. Every
8 driver when they stop their shift, they stop their
9 shift with negative income of \$140 to \$160 dollars.
10 For any driver, it's impossible to driver, I mean,
11 speed limit, 30, I mean if you'll be driving 30 miles
12 per hour in the city there is no way you will be able
13 to pick up passengers. Umm, the point I'm just
14 trying to make that you know for us to make money we
15 have to be, you know, vigilant, looking on, paying
16 attention in the streets so we can be able to pick up
17 people and make money.

18 I mean there was a point raised that
19 drivers were not suspending or they were back on the
20 work, there back on the street driving. I mean it's
21 not because they're don't care or they're insensitive
22 about the family, it's just that there's economic
23 hardship that they face, that's why they're back on
24 the street, to work, to make a living. Umm, I mean
25 even now I was reading, I mean again, we were singled

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2 out. The Intro where they want to suspend or revoke
3 the hack license, even today the headlines were about
4 the Yellow Cab drivers. Again, it's a widespread
5 problem. We should not be singled out. I think that
6 there are already strict rules under the TLC which
7 can easily suspend or revoke a hack license. I think
8 that's it. Thank you.

9 CHAIRPERSON ROGRIGUEZ: Like I said
10 before, you know, I as a former livery driver that I
11 was, I also bring that part of my life when it comes
12 to any legislation that we are discussing or
13 introducing. I know that the life of the livery
14 driver working 60 hours a week to be making \$600 a
15 week and that's the best money they have to make it's
16 not like before. So and I will always do whatever I
17 can to be sure that we don't move any legislation
18 treating taxi drivers different from the average or
19 other drivers. However, as I said, and I hope to
20 continue conversation with you because I know the
21 livery that you play among the especially in the
22 yellow taxi drivers. Everyone has to compromise. I
23 believe that most of the drivers, most of the black
24 care, livery, yellow are good drivers, as we have in
25 governments and in the financial world, we have the

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2 bad apple everywhere. And we need to be sure that,
3 you know like, that we understand it, that this is
4 the first time that we moving the larger numbers of
5 bills relating to improving the safety in New York
6 City. So definitely, we are committed to change the
7 culture on how we drivers, pedestrians, everyone
8 interact in the streets of New York. So, I being one
9 of the advocates, to be sure that any change that we
10 make in combining the point, look at cases that
11 specifically address the safety issue. So it's not
12 taking all the points, any point that we can get but
13 we will be having conversations, continue
14 conversation. That we be sure on what are the
15 characteristic of those points that we want to
16 combine so that I am looking to continue conversation
17 with you. You are very important for any movement or
18 progress that we make on any legislation that will
19 affect everyone especially yellow taxi drivers that
20 you represent. Thank you.

21 [Pause]

22 CHAIRPERSON RODRIGUEZ: The next panel is
23 Alex Slackey from the AAA, Eهران Tuncel, Michael
24 Fleischhauer and Noel Hildago.

25 [Pause]

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2 MICHAEL FLEISCHHAUER: Good afternoon,
3 I'd like to thank the city council, especially
4 Chairman Rodriguez for letting me talk today. My
5 name is Michael Fleischhauer I am the Regional Vice
6 President of Greyhound.

7 Greyhound provides New York City
8 residents and visitors service from the Port
9 Authority Terminal as well as properly permitted on-
10 street intercity bus service to New York through the
11 popular brands, both Bus and Yo!Bus. We testify
12 today in strong support of New York City's Vision
13 Zero plan and applaud it's underlying philosophy to
14 no longer regard traffic crashes as mere accidents,
15 but rather as preventable incidents that can be
16 systematically addressed.

17 Last year under the leadership of New
18 York State Speaker of the Assembly Sheldon Silver,
19 Senator Daniel Squadron and New York City
20 Councilwoman Margaret Chin, the state passed
21 legislation that allows the city to establish and
22 implement intercity bus permit system. The new
23 legislation requires that all city busses obtain
24 permits for their stops, notice to and input from
25 city community boards, clear delineation of carrier

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2 and contact information and placing enforcement power
3 to the New York City PD to insure compliance.

4 We believe that the best way to handle
5 the intercity bus permit system is through
6 enforcement with the NYPD because we know that there
7 are still many carriers, bus carriers, on the street
8 corners that have not applied for bus permits or
9 possibly don't intend to until this law is enforced.

10 We at Greyhound support the intercity bus permit
11 system because it supports and promotes safety
12 through the consistent compliance of the bus permit
13 requirements. Thank you.

14 ALEX SLACKEY: Good afternoon my name is
15 Alex Slackey (Phonetic), I'm a legislative analyst
16 for AAA New York which serves a membership of over
17 570,000 drivers in the five boroughs of New York
18 City. I'm here to testify in opposition to
19 Resolutions 117 and 118 which would grant New York
20 City control over its speed camera and red light
21 camera programs. We're delighted that the
22 transportation committee, the council and the Mayor
23 have made safe roads a priority and we have a long
24 history of dedication to traffic safety. We teach
25 courses on defensive driving, senior mobility, safe

1
2 teen driving, and our counselors visit schools to
3 discuss pedestrian, bike and car safety.

4 We've supported red light cameras in the
5 past, so why are we here in opposition to granting
6 New York City full control. It's because it's been
7 far, far less than transparent, it failed to follow
8 state reporting requirements and we support extending
9 the pilot program to give New York City another
10 chance for a comprehensive assessment, a literature
11 review shows that the preponderance of the evidence
12 reveal that red light cameras can enhance traffic
13 safety which is why we supported them in the first
14 place, but they vary significantly by jurisdiction.
15 Some locations reported a drop in crashes, some no
16 change and a few an increase in crashes which means
17 that we really need to thoroughly evaluate the
18 program. Common to all those was crashes. The
19 Federal Highway Administration says that "timely
20 collection and reporting of crash data is an
21 important part of the monitoring process". The State
22 Legislature required crashes in an annual report. So,
23 why weren't they there? The only date in the state
24 mandated report was injuries from 2007 to 2008. Why
25 is there a four year gap in data? At that point the

1
2 last data we have is from when Barack Obama was a
3 Senator from Illinois, David Patterson was Governor
4 and the Mets were in playoff contention. And if you
5 were an owner of a baseball team and you said I'm
6 thinking about signing a pitcher, who's contract is
7 expiring, you ask the manager for a report, and it
8 says that his walk totals have gone down, we'll you'd
9 say that's unacceptable, what about the runs, if
10 you're not telling me the runs when I ask for the
11 runs, what are you hiding? Why hasn't this happened?
12 And we should respond similarly, because the citizens
13 are the ultimate owners of these programs and the
14 city's lack of transparency is depriving them of
15 important information.

16 Now this is a critical injunction for our
17 programs and these problems with transparency are
18 fixable. The Transportation Committee, the Speaker,
19 the Mayor are all new. You didn't create these
20 issues, but you can fix them. You can make
21 transparency a priority. The cameras work if they
22 reduce crashes. We hope they work, our members hope
23 they work, the public hopes they work, all we ask is
24 that you show us. Thank you.

1
2 ARTHUR GOLDSTEIN: Arthur Goldstein,
3 General Counsel of Taxicab Service Association. I'm
4 here with one of our members, LOMTO. TSA will send
5 in some comments, we generally applaud the efforts of
6 the de Blasio administration and the city council.
7 We're going to want to chat with you further on Intro
8 272 but I'd like to turn over my time to my client,
9 and unfortunately I have to run across the hall to a
10 meeting that started a couple of minutes ago. So
11 thank you.

12 ERHAN TUNCEL: Good afternoon Chairman
13 Rodriguez, council members. My name is Erhan Tuncel,
14 Managing Director of the League of Mutual Taxi
15 Owners. Thank you for allowing me to testify today.
16 About 10 years ago I got a phone call from my wife.
17 She told me that our teenage daughter was hit by a
18 car, taken to the emergency room, at Roosevelt
19 Hospital on the Upper West Side. She spent a painful
20 couple of months recuperating from a fractured hip
21 bone and a gash on her head, but was otherwise fine.
22 The hour I spent getting to the hospital that day was
23 the worst hour of my life. I don't ever want to live
24 through anything like again, and I wouldn't wish it
25 on my enemy. I know the pain felt when a loved one

1
2 is injured yet I can't imagine how one feels after
3 losing a loved one in an accident. I wish speedy
4 recover to all injured and extend my deepest sympathy
5 and condolences to everyone who lost a loved one in
6 an accident in New York City and all over for that
7 matter. And I want to say one thing and I want
8 everyone to understand that there is no one, but no
9 one this room, who wants the Vision Zero plan to
10 succeed more than I do.

11 We have every right to feel safe in our
12 streets. We have every right to expect others to
13 behave in a manner that doesn't threaten our safety,
14 yet safety is a certain mindset. We're not born with
15 it. We need to learn it. That is why I'm
16 disappointed and very disappointed that there is not
17 a single resolution in any of the Intros, introduced
18 today asking to increase the amount of education on
19 traffic safety. We need to start educating our kids
20 from a very early age in order to vaccinate them
21 against a disease of reckless driving, against a
22 disease of lawless biking and against a disease of
23 jaywalking. We need to teach our children that using
24 our streets while distracted by the latest
25 technological advances is extremely dangerous.

1
2 Basically, we need to teach them how to be
3 responsible citizens while interacting with the rest
4 of the traffic. All that I said, I see on the road
5 every single day. And there is not a single effort
6 that I've seen so far on the importance of education,
7 not only our youngsters, but our drivers and general
8 public. I'm sorry to say. Now, with your permission
9 I would like to comment on Intro 272.

10 The newly added Subdivision D to the
11 Section 2 of Chapter 19.507 as is written is
12 arbitrary, capricious and without guidelines. The
13 drivers can lose their licenses for minor offenses.
14 The very licenses they need to support their
15 families. I don't believe that that's the intention
16 of this council. The taxi drivers are held to much
17 higher standards than other drivers in the city, as
18 they should be and is proven in more than one study
19 that they live up to those higher standards. They're
20 the safest drivers in this city, especially when we
21 take into consideration the amount of miles driven by
22 them.

23 And on Intro 238, I just have a short
24 comment which is very important in my opinion. When
25 an incident occurs where a vehicle comes into contact

1
2 with another vehicle or a bicycle or a pedestrian, it
3 is referred to as an accident. The reason is that
4 it's accidental not intentional. I hope that is not
5 the intention of this council, to declare someone a
6 criminal and imprison them for being involved in a
7 traffic accident. I ask that you reconsider this
8 section of the amendment as it is written. We
9 believe that education coupled incentives for good
10 behavior will always get better results than the
11 punishment for bad behavior. Thank you for your
12 time.

13 NOEL HILDAGO: Hello council, speaker,
14 umm, and city council members, it's great to be in
15 front of you. My name's Noel Hildago, I am from
16 BetaNYC the City's Civic Hackers. Umm, you have my
17 written testimony in front of you. You can read that
18 at your leisure. I'll be very brief about what I'm
19 here representing and my community is more or less is
20 representing. Attached to this particular written
21 testimony, there are 97 names of people who support,
22 the better crash data. Umm, we've been in front of
23 you a few different times, pretty much we're asking
24 for these specific issues. We want to insure that
25 citizens have access to the underlying data in Intro

1
2 153, we want to insure that the location and incident
3 data is as accurate as possible, and ideally we'd
4 like to get community insight onto NYPD's enforcement
5 practices. And I'll just take the remainder of my
6 time to go into what I mean by NYPD's enforcement
7 practices. One thing that's missing from this bill,
8 that we feel that should be added, is including
9 moving summons data, currently the NYPD publishes
10 moving summons data in a monthly citywide aggregate
11 and this method of publication like current crash
12 data is insufficient. In light of Vision Zero,
13 moving summons data is something that is as important
14 as crash data. Currently communities are not
15 empowered to see where enforcement is occurring, yet
16 community boards and citizens are demanding that we
17 see traffic laws enforced. We do not want crashes
18 and deaths to be leading indicators of unsafe
19 intersections, yet we have no way of knowing if our
20 motor vehicle laws are currently being enforced
21 accurately. If we have a crime map, and if we're
22 asking for a crash map, why can't we have a moving
23 summons map, so we ask the council to improve this
24 bill by including that moving summons data? Thank
25 you.

1
2 CHAIRPERSON RODRIGUEZ: I would just like
3 to say that when it comes to the busses I also would
4 take it as one of my priorities to be sure that
5 busses that they don't have the permits to make any
6 stops to pick up any passenger, they should be
7 removed from the City of New York. So definitely
8 we're going to be working together on that particular
9 one and when it comes to fail to yield, like this is
10 something that definitely we will take it very
11 seriously. I don't think that just because if a
12 passenger or a pedestrian get in contact with the car
13 is different from a car regardless in this case no
14 taxi drivers, any car drivers who fail to yield when
15 the pedestrian has the right to cross the street,
16 this is something that definitely we will be making
17 some changes.

18 UNIDENTIFIED MALE: Then I'll repeat the
19 request of a colleague of mine before Bhairavi Desai
20 let's make it across the board for everybody, not
21 just single out taxi drivers or delivery drivers. I
22 think that's where we have a problem with this. That
23 if we're going to try to protect the pedestrians we
24 shouldn't do it just with safest driver in the city,
25 let's do it for everybody. Do a state law and apply

1
2 it to every single driver in the city, that's the
3 only way you're going to make a difference.

4 CHAIRPERSON RODRIGUEZ: Definitely,
5 that's what I would say we should have as a goal, but
6 any changes you are one of those individuals that
7 definitely I would be looking to continue
8 conversation. So your input and view and any other
9 leaders in different areas of this industry, I will
10 continue having conversations before we move on, on
11 voting this bill or others.

12 UNIDENTIFIED MALE: Thank you.

13 CHAIRPERSON RODRIGUEZ: The next panel is
14 Eric McClure, Peter Mazer, Ethan Gerber and David
15 D'Ambrosio

16 [Pause]

17 ERIC MCCLURE: Thank you Chairman
18 Rodriguez, my name is Eric McClure, I'm here on
19 behalf and as a co-found of Park Slope Neighbors, a
20 grass roots community advocacy organization active in
21 the Park Slope neighborhood of Brooklyn as well as
22 the Park Slope Street Safety Partnership which I
23 chair a coalition of community groups working
24 alongside our local precinct, Council Member Lander
25 and others to advocate for the types of life saving

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2 traffic safety measures outlined in the Mayor's
3 Vision Zero Action Plan. Having spent the past
4 decade working on a number of safe street
5 initiatives, I'm deeply gratified to see that the
6 council in partnership with city hall has fully
7 embraced the critical push for Vision Zero. We
8 clearly have a long metaphorical road to travel to
9 get there, but I'm confident that we will make great
10 strides and save many lives in the years ahead. The
11 22 initiatives on the table here today make it clear
12 that traffic safety is something that this committee
13 and the council at large takes very, very seriously.

14 I would like to focus on just a few
15 items. First off I urge you to pass unanimously and
16 without delay Resolution 61, 117 and 118, calling
17 upon Albany to grant New York City the right to set
18 local speed limits and deploy speed and red light
19 cameras as it sees fit. The right of self-
20 determination on life saving speed limits and
21 automated enforcement is critical to the city's
22 ability to eliminate traffic deaths. It's just flat
23 wrong that city officials can't make those decisions
24 independently and we need Albany to fix that.

1
2 I thank you for planning to be Albany
3 next Tuesday with us, Families for Safe Streets,
4 myself and other advocates to lobby in Albany for
5 those measures and for a lower speed limit.

6 On the topic of speed limits I urge this
7 committee and the council to push for a base of 20
8 miles per hour rather than 25. If we're truly
9 committed to achieving Vision Zero, we need to lower
10 the city's default speed limit to 20. Rather than
11 legislate the creation of seven slow zones per year
12 as admirable as that is, let's make our residential
13 neighborhoods all slow zones. Twenty really is
14 plenty.

15 I would also like to urge you to move
16 Intro 238 out of committee and bring it to a full
17 immediately. Strengthening the law with failure to
18 yield is another critical step toward achieving
19 Vision Zero. Too many drivers seem to believe that
20 might makes right, and this legislation will help
21 greatly in disabusing them of that wrong and very
22 dangerous notion.

23 Lastly, I urge a speedy passage of Intro
24 198 requiring side guards on trucks and tractors that
25 operate in New York City. Far too many people die or

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2 are critically injured by the rear wheels of large
3 vehicles and side guards are relatively easy fix that
4 will save countless lives. I hope too, that side
5 guards can be made mandatory and installed post haste
6 on all busses that operate within New York City as
7 well as city fleet heavy vehicles.

8 Thank you again for your dedication to
9 improving the safety of our streets and for the
10 opportunity to speak here today.

11 PETER MAZER: Good afternoon Chairman
12 Rodriguez and members of the council and committee,
13 my name is Peter Mazer, I represent the Metropolitan
14 Taxicab Board of Trade as their General Counsel. We
15 represent 5,000 taxicab drivers, owners and about
16 20,000 drivers who lease from us. First and foremost
17 we've been an early supporter of the mayor's Vision
18 Zero plan and continue to remain unequivocally
19 committed to public safety. With that in mind I want
20 to address two of the particular Intros that are
21 before us which are 272 and 171-A. You have my full
22 written testimony and I'd like you to look at that as
23 well.

24 Let's start with 171-A. An accident
25 occurs, EMS personnel are called to the scene, they

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2 interview an injured party and make a determination
3 that the injury is critical based on the injured
4 party's statement. They probably didn't witness the
5 accident nor have they done anything but an initial
6 assessment of the injury. The police also respond
7 and they issue the driver a summons, again not based
8 on the officer's visual observation of anything,
9 based on interviews. The driver might be issued a
10 summons for blocking a crosswalk, maybe for making a
11 turn, maybe for not having a first-aid kit in the
12 cab, or possibly for nothing at all. It doesn't
13 matter. Under this Intro, the taxicab driver's
14 license will suspended on the spot and will remain
15 suspended for many months in all likelihood until the
16 summonses are dismissed. If the driver is ever
17 convicted of anything at all, his license is revoked.
18 That's the mandated result. No hearing is ever
19 afforded the driver, none whatsoever under this bill.
20 No due process. If the injured party had no injury
21 it doesn't matter. What other licensee in this city
22 faces suspension or revocation without a hearing.
23 This is a draconian measure which is not even needed
24 because the TLC has the authority at any time to
25 summarily suspend a license for any reason

1
2 whatsoever, but the driver is given the opportunity
3 for a hearing.

4 As my time is up I'd like to just very
5 briefly mention 272, we have it in my written
6 testimony some suggestions that would make the bill
7 more palatable. Given judges the opportunity to
8 impose fines in lieu of suspensions, limiting the
9 review period, right now a driver could have his
10 license revoked even though he hadn't had a summons
11 in five year, but the TLC can go back and look at his
12 driving record in 2007, 2008 and they could revoke
13 his license. Drivers should be limited to violations
14 that occurred while they were operating a licensed
15 TLC vehicle. And the bill that now would allow the
16 TLC to assess a different number of points again
17 given the TLC far too much discretion. Also anybody
18 whose license is revoked for points cannot even
19 reapply for three years. It used to be one and we
20 urge the..., if you're going to do anything with this
21 bill, we urge you to drop it back to one year.

22 I'll be happy to answer any questions you
23 want. We'd be happy to work with the committee and
24 we have lots of ideas on how to strengthen these
25 bills and support public safety. Thank you.

1
2 ETHAN GERBER: Good afternoon Chairman
3 Rodriguez. I'm Ethan Gerber from the Greater New
4 York Taxi Association. I had the pleasure of meeting
5 with you in your office a couple of months ago and
6 brought you some of my concerns about safety. The
7 Greater New York Taxi Association, a progressive
8 group of owners has done quite a bit lately, we've
9 brought in the Sergeant's Benevolence Association,
10 we've partnered with them, they are now sending
11 police sergeants to our garages lecturing drivers on
12 safety and safe driving.

13 I brought to your attention something
14 that I think made its way here today, which is my
15 concern about left hand turns. Not only do I
16 represent the Greater New York Taxi Association, but
17 I'm also the managing partners of a firm that defends
18 about one-third of the New York City taxicab
19 accident. What I have seen in recent years, is a
20 great increase in left hand turn pedestrian
21 knockdowns. The reason for this is that you have
22 opposing traffic, one going northbound let's say an
23 done going southbound and when both driver's, the
24 northbound and the southbound driver have a green
25 light, the driver making the left hand turn is

1 focusing on the oncoming traffic and not necessarily
2 on the pedestrian in the crosswalk. I was a little
3 disappointed today when I heard Commissioner
4 Trottenberg answer your question Mr. Chairman,
5 because she said that it would be difficult to
6 prevent all left hand turns. I don't think that's
7 what needs to be done. What I think actually needs
8 to be done is left hand turn signals. Left hand turn
9 traffic lights would go a great deal with left hand
10 turn arrows, a great deal way of limiting the number
11 of pedestrian knock downs, pedestrian accidents in
12 crosswalks and that's why we focused on the left hand
13 turns. This isn't merely antidotal, this was over
14 92% of the pedestrian knock downs in my office that
15 I've reviewed.

17 One final comment I think everything has
18 been said at great length here today, and I don't
19 want to waste any more time and certainly the people
20 who've lost loved ones speak much more eloquently
21 than I do. I do want to point out that in the right
22 of way legislation, if I could just finish. In the
23 right of way legislation, I think we need to be just
24 careful that we're not redefining what right of way
25 means. It is in my opinion, it is okay for

1 penalties, it is okay, we have to hold people to a
2 high standard. I raised just like you two daughters
3 in the city. I want them to be very safe as well. I
4 also want to educate my children that they don't
5 necessarily have the right of way, like I was
6 educated when I young, cross on the green, not in
7 between, don't bicycle the wrong way down a one way
8 street, be careful and be safe and that that burden
9 belongs to all pedestrians, bicyclists, and drivers.
10 Thank you.

12 UNIDENTIFIED MALE: Hello. Good
13 afternoon everybody. My name is Usmucholdi [sic]. I
14 am a member of the United Taxi Drivers Association
15 (NYC) Inc. First of all, just starting right before
16 my testify that today hearing the loss of parents,
17 the loss of kids and I feel sorry for that and I
18 sympathize and am very nervous from hearing the
19 stories. Yesterday I wake up like 3:30 and last
20 night a dropped my cab, then I went to the TLC
21 hearing, then I come to here, I call my garage to
22 tell them I'm not going to be working. They force me
23 to go work and if we go to work what incident's going
24 to happen, I going to hit pedestrian or I'm going to
25 accident. We have to know to stop because I am a the

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2 livery driver, I don't have to bound to seven days of
3 work. If I don't work they give me punishment then
4 likely my girls give me permission okay. I'm giving
5 you this opportunity you to have to work six days or
6 else you're going to lose your job. That's what
7 happened to the accident. If you want to television,
8 the speed camera not a solution, because sometime I
9 see that toll booth, some people come out and cover
10 the plate and go around the way. The same thing is
11 going to happen here. That's why we need the high
12 population, the high speed bump, the double bump, so
13 that they will not be speeding. Also with the school
14 time with the school guard or NYPD patrol, not any
15 accident going to be happening. And also the
16 signaling system, like it's past when it goes and
17 coming, we see the walk sign then go to bike sign,
18 then go to green arrow, but when a green arrow we
19 cannot go across, the bike is still passing on the
20 green arrow, but about the opportunity the waiting
21 the light has to start pushing, why you waiting here,
22 because I cannot kill the bike or you need to come to
23 the bikes if that system is going to help. Any left
24 turn on the green arrow the bikes sign and walk sign
25 is going to work, no one going to hit the pedestrian.

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2 And also we need a rule of law, no one out of the
3 law, must obey the law and be the master of the law
4 because pedestrian never get the tickets, because all
5 the time walking, talking, and text messages, that's
6 what's happening more accidents. If you control this
7 thing we're going to see no accident and also not
8 helping the problem, rainy day or snow falling, the
9 bike can go in opposite direction that any day is a
10 driving better changes, very unclear because the
11 small car with the four people, where there from and
12 other side is blocked by a taxi and monitor, we
13 cannot see the back view, how can I drive, we can see
14 the small car is very dangerous to drive for taxi
15 driver. It's very difficult to drive.

16 DAVID D'AMBROSIO: Thank you Mr. Chairman
17 and the council. My name is David D'Ambrosio, I'm
18 here on behalf of American Transit Insurance Company.
19 I'd like to speak about our experience with the black
20 box technology and in support of Intro 276.

21 So beginning three years ago, American
22 Transit Insurance Company the largest taxi and livery
23 insurer in New York City partnered with a software
24 and hardware provider to begin a pilot program
25 installing black boxes and cameras into our insured

1 vehicles. The term black box refers to the
2 telematics system that is installed in the cars. It
3 provides and records a wide range of data including
4 GPS location, time and date, speed, acceleration,
5 braking and g-forces. The cars are also outfitted
6 with three small cameras, one shooting out the
7 driver's front windshield, one, an internal camera
8 and the last shooting out the rear. We currently
9 have them installed in 1,500 livery vehicles and we
10 have gotten the green light from the TLC to move into
11 yellow cabs, new pilot in the yellows.
12

13 Motivations for this program are many but
14 their foundation is in establishing fact in accident
15 situations and improving the safety of drivers,
16 passengers and the general public. When an accident
17 happens, those involved often see and remember things
18 differently. But when an accident occurs in a car
19 with a black box and cameras installed, the he said,
20 she said, situations are effectively eliminated. The
21 ability to press play on a video and examine the
22 black box data expedites police investigation and
23 insurance claims handling, while serving as a strong
24 deterrent to the fraudulent activities that plague
25 New York and raise insurance premiums for all

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2 drivers. The big data that we have been able to
3 collect and analyze using this technology can have a
4 dramatic influence on a wide variety of areas.
5 Identifying dangerous roads and intersections, and
6 see..., basically this deterrent is central factor has
7 been proven this halo effect, decreases accidents in
8 cars with these installation. As has been said
9 before, by total miles driver, for-hire drivers are
10 statistically very safe drivers, but there are a few
11 bad eggs that are a serious threat to themselves,
12 their passengers and the drivers, cyclists and
13 pedestrians that they share the roads with. We would
14 like to see the pilot program expanded and eventually
15 mandated by the TLC and all for-hire vehicles.

16 CHAIRPERSON RODRIGUEZ: So definitely we
17 will look to continue having conversations with you
18 and again this is just the first hearing, so and as
19 I've said from the beginning like any feedback on
20 these bills, we will take it very seriously. That is
21 your input is very, very important for us. Where do
22 you stand when it comes to reducing the speed limit?
23 Do you support the Mayor effort when it comes to
24 asking Albany, those of you that represent the
25 industry?

1
2 ETHAN GERBER: Speaking on behalf of the
3 Greater New York Taxi Association, yes we do. We
4 think that there are zones in New York that should be
5 left as is, major thoroughfares, highways, FDR,
6 things like that. But on the streets of New York,
7 yes we support it.

8 CHAIRPERSON RODRIGUEZ: Okay great.
9 Thank you. The last panel is Stephen Bowman
10 (phonetic), John Crose, John Cross, Clara Beylan and
11 Steve Stallman (phonetic).

12 [Pause]

13 STEPHEN BOWMAN: My name is Stephen
14 Bowman (phonetic). I'm a senior citizen and I want
15 to report the following. The language in VTL 1643
16 that prohibits local authorities from setting local
17 speeds below 30 miles an hour dates from 1964. At
18 that time local authorities could set local speed
19 limits to no lower than 20 miles an hour. The
20 rationale given at that time was to make all traffic
21 regulations uniform throughout the state. The laws
22 proponents never claimed that pedestrian vehicle
23 collisions at 30 miles an hour were as safe as those
24 at 20 or 25. They couldn't do this because the first
25 studies linking fatality injury rates with impact

1 speed did not appear until 15 years later in 1979.
2 There have been about 20 studies since then. They
3 all reach the same conclusion. Speed is dangerous.
4 The intervening studies have tried to quantify the
5 relation between fatality rates and impact speed.
6 The state has used several different statistical
7 methods to derive a relation. They all agree on one
8 essential point, between fatality rates of 5 to 95
9 percent fatality rates are compress ant to the impact
10 speed of between 20 and 40 miles an hour. The
11 question is how to decide how safe should a
12 pedestrian vehicle collision be? I would argue for
13 20 miles an hour. I have a very selfish motive, I am
14 a senior citizen. These intervening studies
15 discovered that pedestrians over the age of 60 have a
16 significantly higher fatality injury rates than
17 younger pedestrians for impacts of the same speed.
18 This relation was noted in the abstract of the AAA
19 foundation for safety reports sited in Resolution
20 111, and page 2 shows the relationship that they have
21 there and if you just go over the graph and where it
22 says thirty and go the left you see where the dash
23 line is it goes to the 70 year olds and you go from
24 30 down to 20. There was an earlier report done by
25

1
2 the Minnesota DOT, which was more academic and
3 quantified it a little bit better, reached the same
4 conclusion and that report over here again side us
5 here 30 miles an hour for those under 59, go back to
6 the same thing, bingo, I won't get that safety until
7 20 mile an hour limit. Secondly, the question
8 becomes whose street is it? And I try to do some
9 analysis with that with availing data. Approximately
10 63% of all street one lane trips in New York City are
11 non-motorized and that's shown in the diagram over
12 here. You're copies are hopefully a little bit
13 better than mine, its red. It's not uniform
14 throughout the city, I've broken it down by borough.

15 CHAIRPERSON RODRIGUEZ: Please summarize
16 because of the time.

17 STEPHEN BOWMAN: Essentially what it's
18 saying is the following, most of the street users are
19 pedestrians. Secondly, with regard to that the
20 people who are using the motorists, in terms of how
21 they are traveling, they're traveling very few miles
22 per trip. Generally less than four or five miles per
23 trip, I've broken it down by citywide, borough wide
24 and by council districts so you know if somebody
25 says, hey lowering to 20 miles an hour is going to

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2 cost me 10 minutes per trip, that's wrong, because
3 their average trip in most city council districts and
4 you can look it up, 70% is going to be under three
5 miles and the difference is one minute per mile
6 between 20 and 30 miles an hour.

7 JOHN CROSE: Hello my name is John Crose
8 (phonetic), I'm a freelance web developer and the
9 creator of two websites that work with the existing
10 NYPD collision releases. The first being the NYPD
11 crash data band aid and the second NYC crash mapper.
12 I programmed both of these sites in my spare time
13 without compensation and I receive no personal
14 benefit from the operation and maintenance of these
15 websites. Their continued existence depends on my
16 volition. I came before the council last year to
17 comment on legislation similar to Intro 153. The
18 crash data band aid website takes the existing
19 monthly excel spreadsheet releases aggregated to
20 MV104 forms and reprocesses them into a format the
21 computer can automatically process. The crash mapper
22 website uses this processed data to show an
23 interactive map of collisions from the citywide to
24 the intersection level. Essentially the band aid
25 opens up the data and the crash mapper maps it much

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2 as Intro 153's amendments would require. These two
3 websites have already been used by researchers,
4 community board members and other interested citizens
5 in understanding dangers on the streets. Their
6 valuable feedback has exposed numerous problems with
7 the underlying data. I welcome a sustainable city
8 sponsored approach to opening up the crash data,
9 however, this approach should take into account the
10 lessons learned from these experiences. Some very
11 simple amendments this legislation would take into
12 account these lessons and maximize the value of our
13 crash data. First all MV104 data should be visible
14 on the proposed map. This is the source for the
15 crash data, but many of its fields, such as vehicle
16 type and other contributing factors in the collision
17 have not been included in this legislation, thus
18 would be missing from the map. Second the existing
19 MV104 data should be published in a machine readable
20 format instead of an excel spreadsheets and pdf.
21 Susan Petito spoke earlier to this but she said
22 they're still publishing these excel spreadsheets. I
23 do not think this conforms with the city's open data
24 law, no matter how carefully they're formatted.

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2 Machine readable format does not include excel
3 spreadsheets.

4 The above changes would be definite
5 improvements but they wouldn't solve some of the
6 basic quality issues arising from the way MV104 forms
7 are filled out. The four mandates reporting by
8 intersection at the moment, thus all crashes appear
9 to happen at intersections. It should be
10 supplemented by somewhere for officers to report foot
11 distances from intersection, or GPS coordinates and
12 the other point aggregating the MV104s by month was
13 actually addressed by the NYPD so I'd like to see
14 that reflected in the legislation if it does come to
15 the point of legislation. Thank you.

16 CLARA: My name is Clara, I was born with
17 Larsen Syndrome which is a genetic mutation. It
18 occurs in one in a million births. But my priority
19 is not to tell you about Larsens, I am here to tell
20 you about the New York City lottery jackpot that you
21 do not want to win. The lottery is getting hit by a
22 car in New York City, either you die a quick death or
23 survive with terrible permanent disabling
24 consequences. In 2002 I was hit by a yellow cab
25 licensed by Taxi & Limousine Commission. I survived

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2 and I was left with severe physically cognitive
3 impairments. My brother teases me that I have more
4 lives than a cat. Many think that I am lucky I
5 survived, others believe it is a miracle. One of my
6 best friends it is a reincarnation and believes that
7 I have a mission to accomplish by Mother Theresa. Of
8 all the reasons to believe why I survived, I like the
9 reincarnation belief the best. I believe I was
10 spared for a life mission to speak for the
11 unfortunate one that had been killed or are unable to
12 speak on their behalf. I am here to bring their
13 voices, I am here to tell you about, Please Give Me
14 the Right of Way Campaign.

15 Many people get hurt and get killed by
16 reckless, dangerous and aggressive drivers that have
17 little or no respect for traffic laws much less for
18 life. In a study released by the Transportation
19 Alternative held at City Hall on July 15, 2009
20 reveals that there is no real enforcement of traffic
21 laws in New York City. New York City seems to be a
22 haven for reckless, dangerous and aggressive drivers.
23 You could drive a car straight through the gaps in
24 the NYPD enforcement and as it turns out many New
25 Yorkers do as Paul Steely White, Executive Director

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2 of the TA says, a study shows that most New York City
3 drivers have already figured out that no one is
4 watching. Fair weather tolerance for reckless
5 drivers will only get more innocent pedestrians
6 killed, says Jon Adler, President of the Federal Law
7 Enforcement Officers Association. Both the mayor's
8 and our state legislature need to support and that
9 means stronger laws that will allow law enforcement
10 to target reckless motor vehicle operators. I have
11 some statistics from TA, and because my time has been
12 cut short I would like to continue with the rest
13 which I believe is more important.

14 I want to take a moment today, I wrote
15 this back in 2009 to implore to all New Yorkers to
16 come to Mayor Bloomberg, which he never contacted me
17 or never did anything about, that's why I'm very
18 grateful that the current mayor has decided with
19 Vision Zero this is why I'm here. It is important.
20 I implore all New Yorkers to contact the mayor and
21 our state and city legislatures, NYPD, DOT, DMV, Taxi
22 & Limousine Commissions and our court system that it
23 is time for enforcement of all traffic rules. A car
24 in the wrong hands is a killing machine. New York
25 State laws only require minimum liability insurance

1 coverage for regular motorists. \$50,000, what is
2 \$50,000. It's incomprehensible to me that that taxi
3 drivers are only required a minimum of 200,000 when
4 the huge medical costs are in the hundreds of
5 thousands. Do you know that the TLC only requires
6 minimum liability insurance for the taxi industry yet
7 it sells its medallions for over, by now I think it's
8 close to \$700 to million dollars each. And of course
9 only give a slap on the wrist. And the NYPD officer
10 stands on the corners giving a blind eye to those
11 motorists that have a red traffic light that fail to
12 yield to pedestrians while making left or right
13 turns. Going back to winning the jackpot, it seems
14 to me that the odds of getting hit, or becoming
15 disabled by a reckless motorist are higher than
16 winning the New York State Lottery. I don't need
17 statistics or numbers to convince me of that I am
18 living proof of all the terrible consequences that
19 will fall you if such a tragedy should occur to you.
20 If getting hit by a car in New York City is the
21 lottery, you do not want to win. Please give me the
22 right of way campaign for safer New York City streets
23 for pedestrians. My goal is to bring awareness
24 through education, legislation, law and judicial
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2 enforcement for motorists to drive in a safe and
3 responsible manner. It is a delineable right for
4 pedestrians to safely cross a city street. Thank
5 you.

6 STEVE STALLMAN: My name is Steve
7 Stallman (phonetic). The best way to make safer
8 streets is to have smaller and slower vehicles.
9 Speed is a big problem, size is the other problem. I
10 think it has been pointed out very dramatically over
11 here. I went onto a TV program call in show and
12 somebody was complaining about the nanny state. What
13 you're trying to do is nanny state. And I complained
14 about the pappy state. The pappy state being the
15 giant companies and industries that have controlled
16 our streets for the last century much to our
17 detriment because they pushed out of the way, trains,
18 they pushed out of the way bikes, they pushed out
19 anything they could. We have industrial scale
20 transportation versus human scale transportation. It
21 is a great difficulty in downsizing anything because
22 all governments and all companies want to grow, but
23 in this particular area we need to shrink, we need to
24 get back down to the human size. There's a price for
25 the status quo and it's not just in fatalities, it's

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2 in pollution, it's in intimidation it's in injuries,
3 it's in the fact that the public spaces is taken up
4 by all these vehicles and cannot be used for
5 healthier purposes. I think there is a pressure on
6 the economy from the waste which is never calculated.
7 There's a tremendous amount of waste here. I just
8 want to say that today is the anniversary, April 30,
9 75th anniversary of the World's Fair in New York
10 City, a tremendous event. It made many advancements,
11 but it also advanced the cause of auto mobilization
12 to the extent that we are still caught in the grip of
13 it. And I want to congratulate this body for taking
14 some dramatic steps to reverse what happened 75 years
15 ago when we swallowed whole the notion that this was
16 nothing but an unalloyed benefit. I had a shop on
17 Hausen Street for 33 years, I called it Highway 00.
18 I don't know about 20 or 25 or 30 mile per hour speed
19 limits, those cars went 50, 60 and 70 miles per hour,
20 the issue here I'm afraid is enforcement which is not
21 there. I think we need to evolve very different
22 kinds of vehicles to come down to the human scale but
23 when you see what's happened to petty cabs and
24 electric bikes the two most dramatic attempts that
25 have been made to downscale our system, you see how

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2 much resistance there has been by the status quo who
3 would that everything be as overinflated and as
4 wasteful as it currently is, because they benefit
5 from that waste. How do we change that situation?
6 It's going to be a long a difficult struggle but I
7 congratulate you after 75 years after the World's
8 Fair to turn this back in the direction it ought to
9 have been in the first place. Thank you.

10 CHAIRPERSON RODRIGUEZ: What a great way
11 to finish this hearing. You were a great panel.
12 This hearing will be adjourned and this is only the
13 first hearing where we had an opportunity to hear 16
14 bills and 8 resolutions and hopefully this is only a
15 continuation of a process of establishing Vision Zero
16 in New York City. So this hearing is adjourned.
17 Thank you.

18 [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 May 18, 2014