

**NYC DEPARTMENT OF TRANSPORTATION TESTIMONY
PRELIMINARY BUDGET HEARING BEFORE THE CITY COUNCIL COMMITTEE ON
TRANSPORTATION AND INFRASTRUCTURE**

March 9, 2023

Good morning Chair Brooks-Powers and members of the Committee on Transportation and Infrastructure. I am Ydanis Rodriguez, Commissioner of the New York City Department of Transportation. With me today are Paul Ochoa, Executive Deputy Commissioner, Eric Beaton, Deputy Commissioner for Transportation Planning and Management, and Elisabeth Franklin, Associate Commissioner of Budget and Capital Program Management. Thank you for the opportunity to testify on behalf of Mayor Eric Adams on DOT's Fiscal Year 2024 Preliminary Budget and Fiscal Years 2023-2033 Capital Plan.

At the Preliminary Budget press conference, Mayor Eric Adams unveiled his vision for our shared future. This budget reflects the Mayor's commitment to promote an equitable recovery by making investments in affordable housing, keeping city streets clean, ensuring the safety of communities, and promoting a greener city.

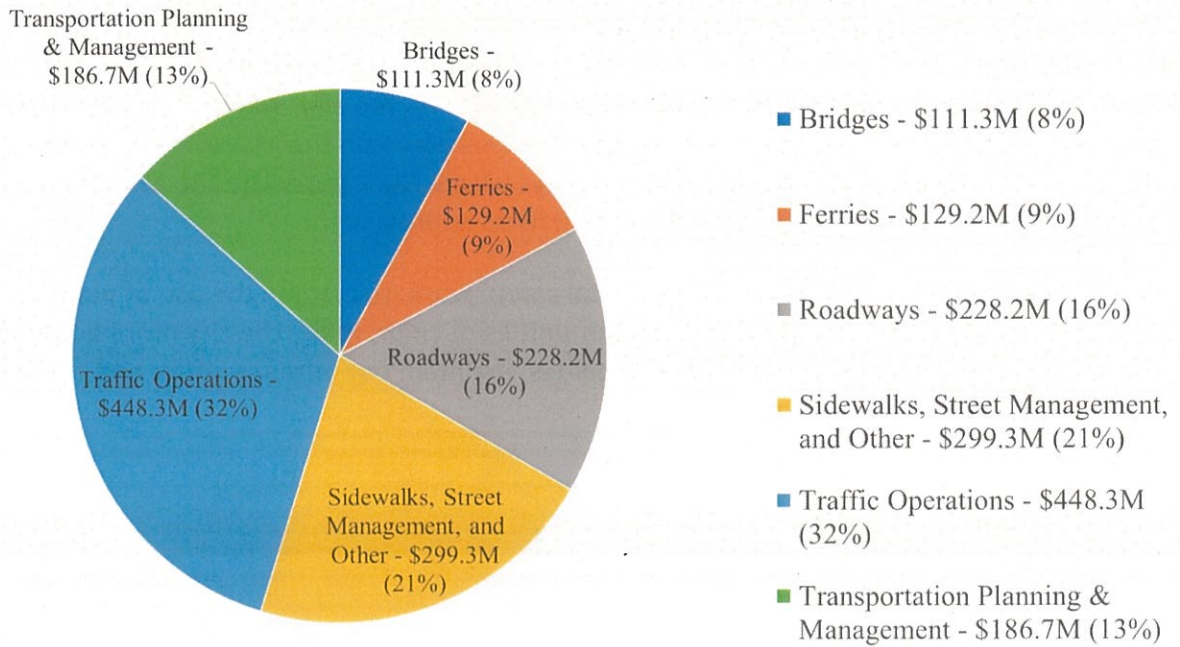
As the Mayor said, while we have made a strong recovery, the city, state, and nation still face economic challenges. The Preliminary Budget doubles down on the Mayor's commitment to fiscal responsibility by spending limited resources wisely. We appreciate the Mayor's investment in DOT during the City's disciplined fiscal approach.

This budget will allow DOT to continue critical safety work, reimagine the use of public space, invest in low-income communities and communities of color, make the city more accessible for all New Yorkers including people with disabilities, maintain our infrastructure, and continue to operate the Staten Island Ferry.

DOT's \$1.4 billion FY24 Expense Budget includes the following:

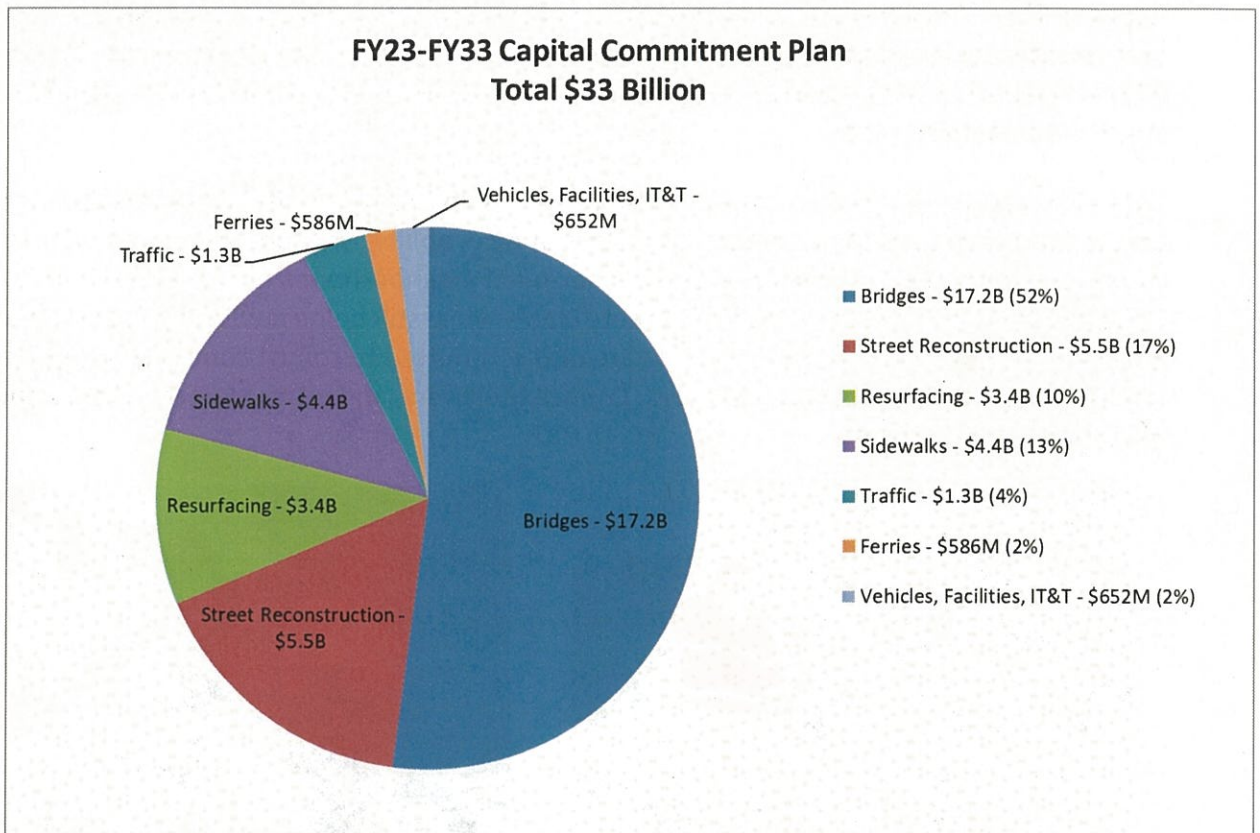
- \$111 million for bridge maintenance and inspection;
- \$129 million for ferry operations and maintenance;
- \$228 million for roadway maintenance;
- \$299 million for other DOT operations and administration, including sidewalk management and inspection;
- \$448 million for traffic operations, including signals, streetlights, automated enforcement, and parking; and
- \$187 million for transportation planning and management, including installation of street signs and roadway markings.

FY24 Expense Budget in Millions - Total \$1.4B



DOT's proposed \$33 billion FY23-FY33 Capital Plan includes the following:

- \$17.2 billion for bridge reconstruction and rehabilitation;
- \$5.5 billion for street reconstruction;
- \$3 billion for resurfacing;
- \$4.4 billion for sidewalk and pedestrian ramp repair and reconstruction;
- \$1.3 billion for streetlights, signals, and automated enforcement;
- \$586 million for the Staten Island Ferry; and
- \$652 million for the facilities and equipment needed to support DOT's operations.



Vision Zero

This Administration is committed to Vision Zero and the safety of all New Yorkers remains DOT's number one priority. This is reflected by significant investments: DOT's current Ten Year Capital Plan (FY23-33) invests nearly \$4 billion in Vision Zero, and our expense budget invests an average of about \$250 million each year in Vision Zero.

This commitment is working. As I testified last month, traffic fatalities in New York City dropped in 2022 for the first time since 2018, and pedestrian deaths were near record lows. New York City is defying national trends for pedestrian deaths, which are at a four-decade high across the country. These local trends are encouraging and show that the steps we are taking to make streets safer are working, including our commitment to the Safe System Approach. But as Mayor Adams has made clear, the only acceptable number of traffic fatalities is zero. We are committed to doing more.

DOT also remains focused on creating a more equitable city, where the transportation network meets the needs of all New Yorkers regardless of race, ability, or economic status. DOT is prioritizing street design investments in higher-need neighborhoods based on the Priority Investment Areas laid out in the NYC Streets Plan—while still being guided by data such as crash histories and slow bus speeds. We are also committed to robust community engagement and learning from community members, Council Members, and other elected officials about conditions on the ground.



Visit to Council Member Farias's District



Visit to Council Member Caban's District



Visit to Council Member Gutierrez's District



Visit to Council Member Bottcher's District

In 2022, DOT completed 111 Street Improvement Projects, including projects in higher-need neighborhoods as determined by the Priority Investment Areas. We also exceeded the Mayor and my commitment to improving 1,000 intersections by improving over 1,600 intersections with treatments such as turn calming, all-way stop signs, raised crosswalks, daylighting, and leading pedestrian intervals. Some 2022 project highlights include:

- Protected Bike Lanes and Pedestrian Safety Enhancements on White Plains Road from 214th to 226th Streets in the Bronx;
- Sidewalk extensions on 8th, 9th, and Lexington Avenues in Manhattan;
- Protected Bike Lanes on Schermerhorn Street in Brooklyn;
- Intersection upgrades at Homelawn Street and Grand Central Parkway in Queens; and
- Intersections safety improvements at Victory Boulevard, Brook Street, and Fremont Street in Staten Island.

In 2022, DOT completed over 26 new protected bike lane miles and reached 1,500 bike lane miles citywide, the largest bike network nationwide.



Celebrating 1,500 bike lane miles at the Bronxdale Avenue ribbon cutting

DOT also hardened 10 miles of previously delineator-protected bike lanes, and will harden another 10 miles this year. This will keep us on track to harden half of the city's delineator protected bike lanes by the end of 2023.

In another win for safety, DOT succeeded in getting authority from the State to expand the speed camera enforcement program to 24 hours a day, seven days a week. Since the launch of 24-hour operations in August, DOT has experienced a 25 percent reduction in violations, meaning less speeding.

I am happy to say that this budget invests \$81 million more in capital funding for School Safety street reconstruction projects. As I testified last month, student safety is a top priority for me as a parent, former teacher, and co-founder of two schools. Thanks to the Mayor's investment, DOT and DDC will begin construction soon on several contracts for school safety improvements in Brooklyn, Staten Island, and the Bronx, and also start new projects for School Safety improvements citywide.



School Safety Project on Alexander Avenue in the Bronx

To give examples of the type of safety work this will fund, we enhanced safety on Alexander Avenue in the Bronx—a wide roadway that separates local NYCHA residents from schools on the other side of the street—by installing new signalized crossings and sidewalk extensions. These changes led to a 48 percent reduction in injuries overall, and a 67 percent reduction in pedestrian injuries. We look forward to bringing similar safety gains to more parts of the city with this new funding.

This budget also includes \$77 million in funding for new traffic signal installation, which will allow us to install 200 signals a year, up from 100. In addition, each new installation will include an Accessible Pedestrian Signal.

And we are also constructing about 1.6 miles of the Brooklyn Waterfront Greenway from Red Hook through Sunset Park. This will include a two-way, separated bike path on Hamilton Avenue and Third Avenue, raised crossings, and accessibility improvements.

Next year, we are planning to start design-build activities for the upcoming Citywide Raised Crosswalks contract. This project will build more than 100 raised crosswalks at high-priority intersections across the five boroughs. Raised crosswalks improve pedestrian safety conditions by calming vehicle traffic at intersections, while also increasing accessibility by providing a level street crossing.



Raised Crosswalk at East 5th Street and Fort Hamilton Parkway, Brooklyn

Thanks to the support of our city, state, and federal partners, DOT has won grants that will support our work to make streets safer. Last month, we celebrated the \$20 million Safe Streets for All Grant that will support safety enhancements on Delancey Street, which will begin construction next year, and a new pedestrian model and micro-mobility planning tool. And last year, DOT and Parks won a \$7.25 million RAISE grant to plan for the expansion of the greenway network.



Celebrating the Safe Streets for All Grant on Delancey Street

We will be kicking off the public engagement process soon for the landmark community-driven study to reimagine the Cross-Bronx Expressway, thanks to a \$2 million RAISE planning grant we won in partnership with New York State DOT and DCP.



Mayor Adams kicking off the study to reimagine the Cross-Bronx Expressway

We will also be continuing our BQE Vision engagement, pursuing once-in-a-generation federal funding for a long-term fix for BQE Central and developing projects to reconnect neighborhoods along the corridor including South Williamsburg, Red Hook, and Sunset Park.

We have a team hard at work tracking federal funding opportunities and identifying projects that best fit each one. Thank you to all the Council Members and other elected officials for your support in going after these grants. USDOT values local support, and we will continue to call on you to help us make the case for why these projects are so important.

Mobility and Accessibility

DOT also continues our work to make it easier and faster to travel around the city for all New Yorkers regardless of race, ability, or economic status. In 2022, DOT installed Accessible Pedestrian Signals at a record 494 intersections citywide to help New Yorkers who are blind or have low vision navigate the city. This budget also includes over \$3 billion in capital funding over the next 10 years to continue pedestrian ramp installation and upgrades citywide.



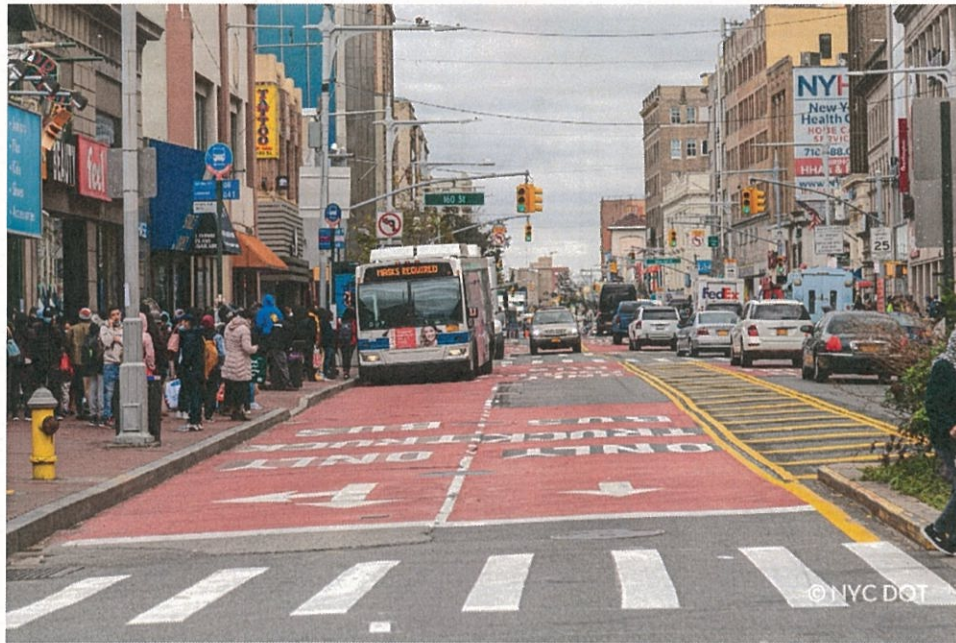
Accessible Pedestrian Signal at Court Street, Brooklyn

And to speed up buses, last year, DOT implemented Transit Signal Priority at a record 781 intersections to reduce the time buses spend stuck at red lights. We improved the lives of 400,000 daily bus riders with projects that have made bus service faster and more reliable. One great example is our work with MTA at Pelham Bay Park Station in the Bronx. There, one-tenth of a mile of bus lanes will save two and a half minutes per trip for thousands of daily bus riders and improve the connection to the subway.



Pelham Bay Park Station Transit Improvements

This budget includes \$62 million in new capital funding to make improvements on Jamaica Avenue from Sutphin Boulevard to Merrick Boulevard. Thanks to the support of Speaker Adams, Council Member Williams, Council Member Gennaro, and Borough President Richards, this project will revitalize this central neighborhood corridor by introducing a number of sidewalk and streetscape improvements, building off changes allowed by the new permanent busway. The project will reconstruct the avenue's sidewalks and introduce curb extensions, sidewalk expansions, and raised crosswalks at priority intersections.



Jamaica Avenue Busway, Jamaica, Queens

This budget also provides \$16 million to fully fund a project along Kings Highway, Flatlands Avenue, and Pennsylvania Avenue. This project will include expanding the existing median bus stops for the B82, adding bus pads, resurfacing the roadway, and constructing pedestrian safety and accessibility improvements, including pedestrian islands, new raised and planted medians, raised crosswalks, median extensions, and curb extensions. We plan to start construction on this project later this calendar year.

Reimagining the Use of Public Space

Turning to public space, this Administration continues to reimagine the use of public space. All New Yorkers should have access to safe, welcoming, and attractive public spaces close to where they live, and DOT continues our work towards this goal.

In 2022, DOT continued to grow the largest Open Streets Program in the country with over 200 Open Streets on 430 city blocks. We celebrated the completion of the 34th Avenue Open Street redesign, a groundbreaking project that transformed 1.3 miles of 34th Avenue into a pedestrian and cyclist priority corridor, including a new plaza and shared street blocks centered at schools. This project enhanced safety, accessibility, and created vibrant programming space for the seven schools within a block of the Jackson Heights corridor.



34th Avenue Open Street Redesign, before and after

I also joined Council Member Farias to celebrate the completion of the Morrison Avenue Plaza project in Soundview in the Bronx. DOT, in partnership with DDC, DEP, and Parks, increased pedestrian space and amenities at a busy intersection under the Morrison Avenue-Soundview subway station, while also adding critical safety elements.



Morrison Avenue Plaza, Bronx

As the Mayor announced in his State of the City Address, this Administration has committed \$375 million to improve public spaces. This includes \$63 million added in this budget for reconstructing Flatiron Plaza. This funding will allow us to start design on projects to connect Madison Square to Herald Square between 21st and 33rd Streets as part of the Broadway Vision plan. These projects will include improved pedestrian spaces and amenities as well as safety elements such as grade separation of the plaza, landscaping, improved road markings, dedicated bike lanes, and expanded median islands.

The Mayor's State of the City commitment will also allow us to make permanent upgrades to Open Streets on Willis Avenue between East 147th Street and Bergen Avenue in the Bronx, Minthorne Street in Staten Island, and Woodside Avenue in Queens. Applications are currently open for the 2023 Open Streets program. Please help spread the word to community groups in your districts.



Minthorne Street Open Street at Car Free Earth Day, Staten Island

Mayor Adams also appointed the City's first-ever Chief Public Realm Officer. DOT looks forward to working with Ya-Ting Liu and our sister agencies to continue to create public spaces that can be enjoyed by all.

Continuing Operations and Maintaining Infrastructure in a State of Good Repair

Turning to our critical operational work that keeps the city running. This includes our work to maintain the city's roadways, sidewalks, and bridges in a state of good repair and to operate the Staten Island Ferry.

As I testified last month, DOT faces staffing challenges that are in line with many sectors of the economy and municipal governments across the country. We are aggressively working to hire and creating a pipeline for future transportation professionals. DOT recently hosted an Engineering Job Fair from which DOT made 50 conditional offers to enthusiastic engineering college students. We also attended the DCAS citywide job fair in partnership with DC 37 where we made a number of offers, including to 20 Apprentice Inspectors. We are also working with DCAS to expand the qualifications of hard to recruit job titles to increase the number of diverse candidates.



DOT Engineering Job Fair

DOT also created a new Director of Workforce Development position to focus on recruitment initiatives and targeted outreach. The Director has been collaborating with executive staff and hiring managers to develop recruiting strategies to attract and retain a diverse workforce. The Director has also been conducting outreach to organizations that represent underrepresented populations in various agency titles, and pursuing opportunities to partner with citywide agencies, such as the Mayor's Office for Talent and Workforce Development, the Mayor's Office of Immigrant Affairs, and the Mayor's Office for People with Disabilities.

On ferries, this budget includes \$46 million in capital funding for Ferries dry-docking and reconstruction of ferry maintenance facility piers and wharves. This reconstruction is necessary to ensure DOT can maintain ferries to U.S. Coast Guard regulations and comply with the American Bureau of Shipping's classification requirements.



Staten Island Ferry at a Dry Dock

This budget includes \$36 million in new Capital funding to fully fund the Harper Street Asphalt Plant. This plant is a key piece of DOT's operations, producing more than three tons of material for our resurfacing crews. We are so glad we are funded in the baseline to resurface 1,100 lane miles and up to 50 miles of bike lanes.



Harper Street Asphalt Plant

DOT maintains nearly 800 bridges. We plan to start construction soon on the Williamsburg Bridge, continuing the goal of maintaining the iconic East River Bridges in a state of good repair. This contract will extend the service life of the bridge for up to 60 years, and will include rehabilitating the floor-beams, structures supporting the subway tracks, and more. We will also be beginning work on the 5th Avenue Bridge over the Long Island Railroad and subway tracks and work on Boston Road over the Hutchinson River.



East River Bridges

Conclusion

In conclusion, I would like to thank the Council for the opportunity to testify before you today. This investment, along with our legislative agenda, will lead to a safer city for all New Yorkers. I look forward to partnering with the Council as we work together to make this city safer, more equitable, and accessible for generations to come. We would now be happy to answer any questions.

NYC CITY COUNCIL PRELIMINARY BUDGET MTA TESTIMONY
MARCH 6, 2023

Good morning, and thank you all for having us here today, especially our Transportation and Infrastructure Chair Brooks-Powers. I'm Rich Davey, President of New York City Transit. I'm joined today by MTA Chief Financial Officer Kevin Willens and Deputy CFO Jai Patel.

I'm here to discuss the most pressing issue facing the MTA right now: our challenging financial situation brought on by the COVID pandemic. Pre-pandemic we were able to recover 55% of our operating budget at the farebox, leading the nation in this metric. But with ridership still down across subways and buses by more than one third -- and let me remind you it was much worse at the height of the pandemic -- our operating budget is under real stress because the old model no longer works.

The MTA overall is looking at a projected \$2.8 billion deficit in 2024 that grows to \$3 billion by 2026. It's a hole too big to fill on our own, which is why -- as our Chairman Janno Lieber has said many times -- we need a new funding model for transit that recognizes our system as the essential service that it is.

Thankfully, Governor Hochul has put forth a balanced Executive Budget proposal that addresses the fiscal cliff head on while preserving our ability to provide frequent and safe subway, bus, and commuter rail service.

The first element of the Governor's strategy is to get us at the MTA to generate savings. Cathy Rinaldi, who oversees Metro-North and LIRR, and I will be looking to deliver \$400 million in cost efficiencies without impacting service. The plan also relies on \$100 million from a moderate fare and toll increase above what was already planned.

The rest of the money comes from:

- a slight increase the Payroll Mobility Tax -- applicable only to the top 5% largest businesses in the region,
- a one-time infusion from the State to address this year's deficit,
- a portion of future casino revenues,
- and realignment of cost-sharing arrangements with the City of New York.

Governor Hochul is asking the City to assume the net operating costs of our Paratransit system and the NYC Department of Education's Student MetroCard program, which I'll point the MTA simply helps administer. But in recent years we've taken on a significant portion of its cost.

We believe this is a reasonable request that allows the City to contribute its fair share towards the deficit while ensuring those monies go to support activities benefitting NYC

NYC CITY COUNCIL PRELIMINARY BUDGET MTA TESTIMONY
MARCH 6, 2023

residents. Neighboring counties are responsible for paying the costs of their paratransit programs and the City has already been covering 50% of the program since 2020. These types of relationships are not uncommon in our shared history and partnership delivering transit to the City. And it's not an indicator that we're any less committed to providing excellent paratransit service, as some fear. Nothing could be further from the truth. Look at the bus system -- most average New Yorkers don't know the difference between a New York City Transit bus or an MTA Bus Company bus, which is funded 100% by the City.

The Governor's proposal will have no impact on service delivery nor the customer experience. As we just discussed with many of you less than two weeks ago, we are making strides improving our paratransit program and this will have no impact on those gains.

So far, we've heard from various stakeholders in civic and elected life who take issue with one part of the Governor's plan or another. But we haven't heard any viable or sustainable alternatives. One thing we hear universally is that our stakeholders and partners in government understand the crisis the MTA is facing and how we will all suffer if the Authority's finances aren't stabilized.

No one benefits more from a strong MTA than New York City. Mass transit is the engine that drives the City and region's economy. We are what makes New York City affordable, green, and possible. The density that has helped New York become the greatest city on earth doesn't work without strong public transportation.

If the MTA's operating budget isn't funded to the level proposed by the Governor, we are all in serious trouble. In past financial crises, shared sacrifice has included service cuts, drastic fare increases coming at the expense of our riders, and layoffs. You will not hear the MTA proposing these options because as I said, we have learned over the last few years that we are an essential service -- like air and water to the City we serve.

It wouldn't be fair to the millions of riders who rely on the transit system every day, especially those in low-income and historically disadvantaged communities, where ridership is bouncing back faster than anywhere else. Those New Yorkers are back to work full-time. They need the same frequent, reliable, and affordable service they have come to depend on over time, even if some other New Yorkers are not using mass transit as frequently.

And it would be especially heartbreaking to make cuts at a time when we're setting records for on-time performance. January was one of the best months on record for the subways, with weekday on-time performance of almost 86%. The highest in 10 years!

NYC CITY COUNCIL PRELIMINARY BUDGET MTA TESTIMONY
MARCH 6, 2023

And we followed it up with another strong month in February, with 85% OTP. Even weekend performance is north of 87% - second only to February 2020, at the outset of the COVID pandemic. Shout out to our Weekend Service Czar Jose Lasalle.

On buses -- service delivery, speeds, on-time performance -- the metrics are all heading in the right direction, led by the Bronx, where the local bus network redesign has had real positive impacts on speeds and overall performance.

Customer satisfaction, which you know by now is my North Star, is also on the upswing. Our February Pulse survey shows buses ticked up slightly to 69% and subways jumped two percentage points over last month to 65%. Access-A-Ride's Customer Satisfaction is even higher at 77% - a 15 percentage point increase since this past June. That's real progress.

Still, the MTA has limited options to balance the books outside of service cuts and fare and toll increases. The other levers we can pull-- implementing layoffs and raiding the Capital Program--are equally detestable. The MTA workforce kept the region moving through its darkest hour during COVID. We won't turn our back on them now. And we can't fall back into the pattern of capital disinvestment that led up to the Summer of Hell.

We need a modern and strong transit system that's fast, reliable and above all safe. Again, this is an area where we've gotten incredible support from Governor Hochul and from Mayor Adams. The Cops, Cameras, and Care initiative -- which was announced back in October -- really kicked the MTA's years-long efforts on public safety into overdrive.

The NYPD surged their numbers in the subways with 1,200 officers to patrol platforms and trains, the places where our riders feel most vulnerable. Transit crews are announcing when cops are on trains or nearby, so everyone knows. NYS Safe Operations Support teams and NYC DHS teams are out there working to connect homeless New Yorkers with serious mental illness and addiction issues to services in a holistic way. And for the MTA's part, we're ramping up installation of new security cameras onboard trains. Soon, every car in the fleet will have coverage -- on top of the 10,000+ cameras we already have in place at stations today.

As a result, there's been a significant turnaround in a just a matter of months. Crime since October is down double digits compared to the same time a year ago. And when comparing that same span to historical data, we're currently at the second-lowest overall crime level since 1995.

NYC CITY COUNCIL PRELIMINARY BUDGET MTA TESTIMONY
MARCH 6, 2023

We're thrilled that customers are noticing the difference. In our December Pulse survey, when asked how safe they feel, nearly 60% of respondents said 'Safe' or 'Very safe' – up significantly from prior months. And 18% of customers stated they feel safer than a month ago. That's the highest since we started asking that question. And 39% of customers said they were seeing 'about the right amount' of police in the system – up from 26% in October. Again, the highest percentage we've seen.

We want our customers to keep coming back, and so we're doing everything we can to make transit Faster, Cleaner and Safer. We just opened another three customer service centers, bringing our systemwide total to six, with another nine set to open by the end of the year. Station agents are in training right now to come out of the booth in an expanded customer service role. We're drilling down on cleanliness with the Station Renew-ation program, which times deep cleaning and cosmetic upgrades at stations to planned weekend outages. Phased reopening of station bathrooms is underway. Wi-fi connectivity is coming to our subway tunnels. In short, we are doing the work to provide New Yorkers with a world-class transit experience.

But I have to make the point again: everything is at risk if the MTA can't achieve fiscal stability. We are prepared to work with all stakeholders – our partners here in City Hall, Albany, Washington, Comptrollers, advocates, budgeteers, and more – to address the Authority's financial issues.

With that, we're now happy to take your questions.

Testimony of Commissioner David Do
New York City Taxi & Limousine Commission
Before the City Council Committee on Transportation & Infrastructure
PRELIMINARY BUDGET FOR FISCAL YEAR 2024
March 9, 2023

Good afternoon, Chair Brooks-Powers and members of the Committee on Transportation and Infrastructure. Thank you for inviting me to update you on TLC's preliminary 2024 budget

It is a pleasure to be here. I am joined today by our Deputy Commissioner for Operations, People, and Innovation, Evan Hines.

Before I talk about our recent efforts to ensure the safe and timely delivery of more than a million for-hire trips a day, I would like to thank this committee for the tremendous support it has shown for one of TLC's most successful endeavors this year—the Medallion Relief Program.

Back in October, when I last had the privilege of briefing you in person, MRP had provided just over \$240 million in debt relief to eligible medallion owners, many of them hardworking drivers.

Committee members, I am happy to inform you that this number is now almost \$370 million.

This has transformed lives, brought hope to individuals and families that were being crushed by predatory loans and runaway debt. It has been nothing short of a lifeline for an entire sector of our industry.

The support of this committee and this administration, the New York Taxi Workers Alliance, and private sector firms like Marblegate and PenFed, have brought meaningful relief to almost 1700 medallion owners.

Thanks to this and other efforts, the taxi sector continues to recover.

Taxi trip volumes are now about half of what they were before the pandemic—over a 1,000% increase from their pandemic low point—and trip volumes continue to grow as taxis and drivers return.

Almost 8,000 taxis were in service in December, the highest number since before the pandemic, and nearly four times the pandemic low point.

We continue to see recovery in other sectors as well, with black car and livery trips at 64% of pre-pandemic levels, and high-volume Uber & Lyft trips up at 88%.

The City's efforts to regulate minimum driver pay have been integral to these recoveries. Drivers should not be overextending themselves behind the wheel to keep up with rising expenses and the profit demands of app-companies.

In such a working environment, a safe and healthy industry is impossible.

When it passed a Local Law in 2018 directing TLC to regulate minimum driver pay standards, the City Council did the right thing.

As the committee knows, in December TLC raised the taximeter rates for the first time in over ten years. As a result, drivers are now able to weather increased inflation and operating costs.

So far, we have seen no significant impact on trip numbers.

During the same month TLC also voted to raise the minimum driver pay for Uber & Lyft drivers.

Uber, however, immediately sued to block this pay raise.. We fought them in court, and the judge ruled that we needed to provide a more detailed explanation of our rate calculations.

So we did exactly that. We introduced a new rule increasing minimum driver pay, providing significantly more background on our calculations—just like the judge had asked.

Yesterday the Commission voted unanimously to pass that rule. We get stuff done.

We sincerely hope that there will be no more attempts to interfere with this much needed pay adjustment, and we will continue to regulate driver pay in way that ensures our industry is healthy, humane, and sustainable.

“Sustainable” also means doing our part to reduce carbon emissions. We will soon be releasing 1000 Electric Vehicle licenses—the first to be released in two years.

This will help encourage development of the City’s charging infrastructure, and they are just the beginning of a broad initiative that Mayor Adams laid out in his State of the City Address—the full electrification of the City’s high-volume fleet, Uber & Lyft, by 2030.

As the Mayor stated in his address, Uber and Lyft share this goal with TLC.

We are working on the specifics and will be announcing more details of this plan very soon.

Accessibility & Vision Zero

Over the last year, TLC has also been working diligently on perennial, ongoing missions, such as increasing accessibility.

We share this committee’s commitment to increasing accessibility. Last year, we added more than 1300 wheelchair accessible vehicles (WAVs) to our taxi fleet, while our high-volume WAV fleet increased by more than a third, to nearly 4000.

TLC leads the nation by requiring that 80% of Uber and Lyft WAV trips have wait times of 15 minutes or less.

Approximately 90% of FHV WAV trips requested through Uber and Lyft had a wait time of 10 minutes or less.

We will continue building up our accessible fleet and ensuring that accessible vehicles are dispatched to those in need as quickly as any other for-hire vehicle.

We will also keep supporting our partners in transportation at the MTA, which runs the Access-A-Ride program.

Our role is limited to the fact that MTA uses TLC-licensed drivers and vehicles to fulfill some of the Access-A-Ride requests.

This is done through brokers and private apps that dispatch to TLC-licensed vehicles.

We do not regulate these drivers as they relate to MTA's program, but TLC is always here to support our partners in transportation, and I have met with Chris Pangilinan (*pan-go-lee-nan*), Vice President for MTA Accessibility, several times in the last few months to help MTA reach its goals in providing better service to its customers.

Increased accessibility is a never-ending mission, as is our mission to improve driver, passenger, and pedestrian safety.

As a Vision Zero agency, we work with DOT, NYPD, and advocacy groups to raise awareness of how to drive safely in our city.

Per miles driven, TLC drivers continue to be the City's safest drivers, and safety is the primary component of TLC driver-training and licensing. We recently participated in both the Dusk and Darkness campaign and the annual holiday awareness events.

We continue to enforce fatigued driving prevention rules, which were designed to increase safety by warning drivers and bases when their schedules exceed 10 hours in any 24-hour period, and more than 60 hours in a calendar week.

If they continue to violate the rules, they can be issued a summons.

I know that this committee, like my agency, also supports the safe operation of commuter vans, which play a vital role in our city's transportation ecosystem.

We support the legislation in Albany allowing commuter vans to accept street hails, and we continue to facilitate dialogue between state officials, van operators, and insurance industry representatives, to establish safer and more economical commuter van operations.

Budget Breakdown

Now I'd like to share with you our preliminary budget for Fiscal Year '24. TLC's total expense budget for 2024 is \$51.3 million. The budget reflects a vacancy reduction of \$3.8 million for 56 positions – TLC's share of the citywide Program to Eliminate the Gap (PEG) program. Authorized headcount for Fiscal Year 2024 is now 505.

Our top goal is to recruit and train new enforcement cadets after being unable to hire a full class of new officers over the past three years. We are actively recruiting for more enforcement cadets and will continue hiring new officers in the coming fiscal year.

TLC is working closely with OMB to navigate the citywide limitations on hiring and meet our staffing needs by backfilling critical positions.

Conclusion

In summary, as TLC continues working to stabilize the City's for-hire transportation industry, prioritize driver well-being, and honor our core missions of safety, equity, and accessibility, we are also looking towards a better future: one in which the world is not only reversing humanity's effect on global warming, but one in which this agency has directly contributed to a more livable and enjoyable city.

Thank you for this opportunity to share TLC's recent work. I would also like to thank my fellow commissioners at the TLC for their dedication and public service.

I am happy to answer any questions you may have.



OFFICE OF THE BROOKLYN BOROUGH PRESIDENT

ANTONIO REYNOSO

Brooklyn Borough President

**City Council Committee on Transportation and Infrastructure
Hearing on the FY24 Preliminary Budget
March 9, 2023**

Thank you, Chair Brooks-Powers and members of the Committee on Transportation and Infrastructure, for holding this hearing today.

As Brooklyn Borough President, I have many transportation priorities for our great borough, all of which are aimed at ending car culture and encouraging people who are able to walk, bike, and take public transportation. To that end, I want to echo what you will no doubt hear from many advocates today – that I would like to see more safety improvements happen faster. Council Member Restler and I are working on a legislative proposal, Intro 417, to help facilitate this, and I thank you for calendaring that hearing next month.

Along with policy changes, we need a robust financial commitment to implementation of the Streets Plan, to fixing dangerous intersections, and to promoting Vision Zero. I am also going to continue advocating for implementation of congestion pricing, for regulating last-mile delivery facilities, and for increased funding to support a full build-out of the Brooklyn Waterfront Greenway, expansion of Summer Streets to the outer boroughs, and safe routes to schools.

But what I really want to discuss today is the future of the Brooklyn-Queens Expressway. The dire need to address current conditions presents us with a once-in-a-generation opportunity to undo the racist legacy of Robert Moses and deliver for environmental justice communities. This roadway not only split communities of color in North and South Brooklyn, but also subjected these working-class neighborhoods to decades of toxic pollution, poisoning generations of residents. Yet this administration insists on pushing a temporary fix that ignores community needs along the corridor. I am extremely disappointed by the lack of vision, and by the State's unwillingness to participate in good faith.

From Greenpoint to Brooklyn Heights to Bay Ridge, we are unified that there needs to be a full redesign of the BQE corridor that centers racial justice, equity, and climate mitigation, and that it needs to happen now. From a budget perspective, this means DOT must continue to work to secure funds from the Federal government through the Bipartisan Infrastructure Law, and that the State must come to the table with supplementary funding and a willingness to participate.

Though I acknowledge the urgency with which we must address the state of the triple cantilever, I appreciate DOT's efforts to study maintaining two lanes in each direction, rather than reverting to

a six-lane highway. As they say, if you build it, they will come – more lanes means more cars and trucks every year, the opposite of what we want for a climate resilient future. I know the BQE is a critical truck route, but planning for fewer, cleaner trucks on our roads isn't magic. It's regulating last-mile facilities, and funding implementation of DOT's existing priorities outlined in the 2021 Delivering New York Smart Truck Management Plan.

As we consider a long-term vision, we also need immediate implementation of the truck weight enforcement system that was supposed to be completed last year, to ensure safety now. If this is a staffing issue, I am happy to work with the Council to see it addressed quickly.

Thank you for the opportunity to speak today. I look forward to working with the Council on this effort. Together, we can transform the BQE corridor. This is our chance to deliver justice, and as I've said before, justice isn't free.



BROOKLYN COMMUNITY BOARD 14
FLATBUSH–MIDWOOD COMMUNITY DISTRICT
810 East 16th Street
Brooklyn, New York 11230

Brooklyn Community Board 14 Testimony before the
NYC Council Committee on Transportation and Infrastructure
March 9, 2023

Good afternoon,

My name is Shawn Campbell. I am the District Manager of Brooklyn Community Board 14. In accordance with Sections 212, 214(b) and 238 of the New York City Charter, Community Boards comment on the Preliminary Budget Statement and Register of Budget Requests. The statement represents a good deal of time and hard work and is the culmination of a series of budget meetings, public hearings, assessment of service delivery data and input from community members within Community District 14.

Throughout the year we solicit community input on budget priorities tied to our District Needs Statement, which is submitted to the Department of City Planning in the fall. In about February, agencies respond to boards' budget requests. However, these responses are vague, unhelpful, and too often inaccurate. Recent efforts by the Department of City Planning and the Office of Management and Budget to improve this process and demand meaningful responses from city agencies have been futile.

Therefore, on behalf of CB14, I offer testimony pertaining to Brooklyn CB14's budget requests for consideration by this body.

CB14 has advocated for increased funding for the Department of Transportation to address trench restoration. For years, DOT suggested the DEP take the lead on trench restoration. Finally, \$60 million was allocated to DOT in 2018 but none of the locations in CD14 were identified for repair and there has not been an additional allocation. DOT has not been responsive regarding this request (last year it was suggested that we contact our elected officials for needed funding).

We have asked DOT to review the agency response to CB14's request for bridge repair, which is that the request is denied. DOT's Bridges Unit has presented an update on component work on some bridges in the district, including the Beverly Road bridge, which is at least partially budgeted. However, the agency response to our request this year is that the request was for locations that are not contiguous. I'm not sure what a contiguous bridge is – sounds like a road. In any case, the response is unhelpful. Additional funding for component bridge repair is a well-documented need and should be funded.

For years we have asked DOT to adopt Newkirk Plaza into the pedestrian plaza program, but the agency insists that they platform is under the auspices of the MTA and that they would assume too much liability. In the meantime, MTA does not accept that the platform is theirs. This DOT-MTA game of hot potato does a great disservice to our community. This year the budget response was that we talk to our Borough Commissioner. We've been doing just that for decades.

The MTA New York City Transit does not participate in budget consultations and the Authority's responses to all budget requests, at least in the past decade, have simply been to contact them. They should not be a part of the city process. Community Boards should not have to waste any of our limited number of

requests in the process. However, to the extent that so many of our community members are in daily contact with MTA NYCT infrastructure, budget needs come to our attention. Namely, the Church Avenue Subway Station needs a full rehabilitation. The community has asked for the 18th Avenue station to be ADA accessible, since it is on the block of arguable the densest population of wheelchair users in the city.

We hope that council will consider this local input as you step through your side of the process.

Thank you.

The Center for Justice Innovation is a non-profit organization that seeks to transform the policies and practices of the justice system to make it fair, effective, and humane. The Center operates the following sites throughout New York City.

■ Family
 ■ Criminal
 ■ Community Development
 ■ Civil/Housing

Click on the name of any program to learn more.

STATEN ISLAND

- 1. Staten Island Justice Center

MANHATTAN

- 2. Harlem Community Justice Center
- 3. Headquarters
- 4. Manhattan Justice Opportunities
- 5. Midtown Community Court

MULTI-BOROUGH

- 6. Legal Hand (Bronx, Brooklyn, Queens)

BRONX

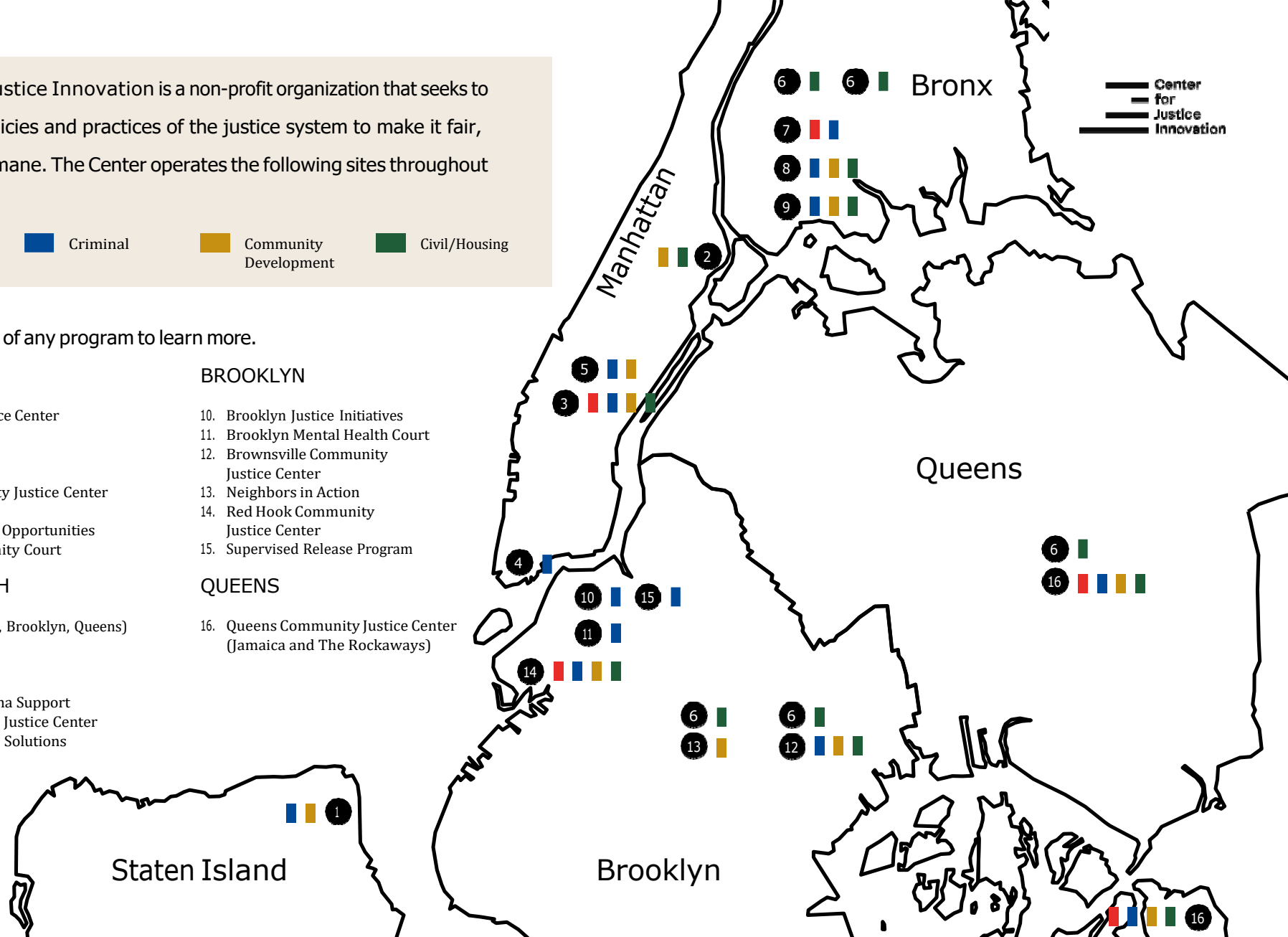
- 7. Bronx Child Trauma Support
- 8. Bronx Community Justice Center
- 9. Bronx Community Solutions

BROOKLYN

- 10. Brooklyn Justice Initiatives
- 11. Brooklyn Mental Health Court
- 12. Brownsville Community Justice Center
- 13. Neighbors in Action
- 14. Red Hook Community Justice Center
- 15. Supervised Release Program

QUEENS

- 16. Queens Community Justice Center (Jamaica and The Rockaways)



Citywide

■ Access to Justice
 ■ Neighborhood Safety Initiatives
 ■ RISE Project
■ Alternatives to Incarceration
 ■ Parent Support Program
 ■ Strong Starts Court Initiative
■ Driver Accountability Program
 ■ Project Reset
 ■ Youth Action Institute
■ ■ Gender and Family Justice
 ■ ■ Restorative Justice Practices
 ■ ■ Youth Impact

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Courtney Bryan. Executive Director

**Center for Justice Innovation
New York City Council
Committee on Transportation and Infrastructure – Preliminary Budget Hearing
March 9, 2023**

Since its inception, the Center for Justice Innovation (formerly the Center for Court Innovation), referred to as ‘the Center’ throughout these remarks, has supported the vision embraced by Council of a fair, effective, and humane justice system and public safety built through sustainable, community-driven solutions that cultivate vibrant neighborhoods. The Center’s longstanding partnership with Council over the past 25 years has helped bring this vision to life through evidence-based and racially-just programming that spans the justice continuum. We recognize that safety is about much more than the absence of crime; it is the presence of investment, opportunities, and resources that allow communities to thrive. And safer streets are a necessary component of that.

Our firsthand experience operating direct service programs and conducting original research uniquely positions us to offer insights that Council can look to as it considers the development of initiatives that respond to needs of all New Yorkers. In addition to our annual renewal awards, the Center asks for Council support in achieving the following goals in FY24:

- A \$250,000 increase to the Innovative Core Funding partnership between Council and the Center, to represent the first increase of this award in over a decade.
- \$1,044,227 in Council support for the Driver Accountability Program, to expand the program and fully implement its more intensive version, Circles for Safe Streets.

In each instance, our aim is to provide a meaningful and proportionate response, treat all people under our care with dignity and respect, prioritize public safety, and produce much-needed cost savings for the City. And, as an anti-racist organization, we work to ensure the needs of marginalized New Yorkers are addressed.

Innovative Core Funding

This year, we ask Council to continue and expand support for the Center’s **Innovative Core Funding to \$750,000 from \$500,000, an amount not raised in over a decade.** Each year, the Center uses this funding to flexibly respond to the immediate needs of New Yorkers by piloting novel and effective community-based pilots to test for scalable solutions. Enhanced support would allow the Center to float programming despite delayed contract payouts from city agencies, which delays hiring and implementation across our programs. The Innovative Core Funding allows us to ensure programming doesn’t get interrupted. In FY23, this contract transitioned from the Mayor’s Office of Criminal Justice (MOCJ) to the Department of Youth & Community Development (DYCD), and we call on Council to ensure there is a long-term plan in place to sustain this funding.

Council's Innovative Core Funding supports public safety and criminal justice responses in all five boroughs.

The Center makes deep investments in engaging individuals as far upstream as possible by meeting young people where they are, promoting housing stability, preventing gun violence, and working at the intersection of the justice and behavioral health systems. Center programs currently serve thousands of young people citywide each year, offering meaningful off-ramps and justice system alternatives through counseling, academic support, and workforce development. The Center's Youth Impact program, for example, provides peer-led diversion that invests in youth leadership and restorative alternatives to detention. In Harlem and Red Hook, the Center works with tenants in community to increase housing stability and reduce evictions by helping tenants navigate housing court. Similarly, our Legal Hand program serves Crown Heights, Jamaica, and Tremont residents facing housing, immigration, and employment issues by training local residents to empower their neighbors with legal information. In both Brooklyn and the Bronx, the Center works to prevent gun violence by actively engaging those at risk of being involved in violence, building community movements against violence, and providing supports and opportunities to community members in need. The citywide Reimagining Intimacy through Social Engagement (RISE) Project addresses the intersection of intimate partner violence and gun violence.

The Center has a particular expertise in providing trauma-informed social services, which continue to be crucial given the increasing number of justice system-involved individuals facing mental health and/or substance use challenges. Through our Staten Island Justice Center, for example, the Center provides clinical support and restorative programming for court-involved youth who have mental health needs. Our Midtown Community Court's Misdemeanor Mental Health Court works with some of Manhattan's most vulnerable individuals—those with extensive histories of mental illness and/or substance use disorders—to resolve cases while reducing the use of incarceration and continued cycling through systems. The Center's Bronx Child Trauma Support provides therapeutic and court accompaniment services to children who have been victim or witnesses to violent crime.

Enhancing Street Safety: The Driver Accountability Program

The Center operates dozens of court-based programs across all five boroughs that work to reduce unnecessary incarceration, as well as the harmful impacts of system involvement, while improving public safety. The **Driver Accountability Program** is one such program, working to increase accountability among dangerous drivers, while minimizing harms perpetuated by the criminal justice system's historically punitive responses—namely, fines, fees, and incarceration, which have disproportionately harmed low-income Black and Brown New Yorkers. The program curriculum was developed by the Center with input from a working group that included Brooklyn District Attorney's Office, Families for Safe Streets, Transportation Alternatives, elected officials, and other stakeholders. **The Center seeks an increase in annual Council support for the Driver Accountability Program, funding \$1,044,227 in support for the program's more intensive version, Circles for Safe Streets.**

First piloted at the Center's Red Hook Community Justice Center in 2015, the program has since expanded to operate citywide, where it is available to individuals who are charged with driving-related offenses in Criminal Court. The program serves as an alternative to fines, criminal convictions, or jail for vehicular offenses such as reckless driving, driving with a suspended license, failure to yield, or leaving the scene of an accident. The 90-minute group session takes a restorative

approach, requiring participants to actively engage in exercises and discussions guided by a trained facilitator. After a brief introduction, participants complete a questionnaire that requires them to rate and describe their driving beliefs and behaviors, prompting them to engage in meaningful self-reflection. A critical component of the program is incorporation of the victims' voice. Participants watch testimonials from those who have lost loved ones to traffic violence. Based on the videos, facilitators then lead a discussion about the importance of thinking intentionally about one's place on the roads and broader community and the risks posed to others by their choices. In the latter part of the session, participants are required to identify specific driving behaviors they are committed to changing. The goal is to empower the participants to become agents of their own change, making it more likely that they will follow through and hold themselves accountable in the future.

Since its launch in 2015, the program has served over 4,000 participants citywide, including over 1,000 drivers last year alone, thanks to support from New York City Council.¹In an evaluation published last year, the program was found to be successful in engaging drivers in meaningful self-reflection and changing their driving beliefs and behaviors.² The program has also served as a model for the City's Dangerous Vehicle Abatement Program, currently operated by the Department of Transportation and passed into law by Council in 2020.³

Circles for Safe Streets: Driver Accountability Through Restorative Justice

The Driver Accountability Program represents an important step towards rethinking our justice system's response to dangerous driving and vehicular violence on our roads. Last year, the Center took the program one step further by piloting an expansion of the model that would address crashes that resulted in critical injury or fatality. This expansion, called **Circles for Safe Streets**, uses a restorative justice model to bring together drivers and their victims—individuals who have survived a critical injury, or family members who lost their loved one—for a process of accountability and healing. The program addresses a critical gap in the system's response to these cases, which has often left victims feeling unheard and their needs being unmet. Through this process, victims have an opportunity to tell the driver about the impact of their actions and listen to the driver apologize and take accountability for the harm they have caused.

In developing the Circles for Safe Streets intervention, Center staff met with drivers as well as victims and surviving family members who had been involved in fatal crashes. The most common sentiment expressed by victims was that they wanted the driver to know the pain of their loss and to hear the driver express remorse. They expressed feeling silenced by the process and often disempowered. This is consistent with studies that have shown that victims who participate in restorative justice processes generally report higher perceptions of fairness, greater satisfaction, and improved attitudes towards the offender, as compared to those processed in the traditional court system (Wilson et al., 2017; Strang et al., 2013; Sherman & Strang, 2003). At the same time, drivers who had caused this unimaginable loss shared that they wished they had an opportunity to express remorse to the victims and to access therapeutic resources to process their own trauma, guilt, and grief. These opportunities are almost never offered through the traditional justice system, but serve as the bedrock of Circles for Safe Streets.

¹Center for Justice Innovation. (2023). [Driver Accountability Program data file]. Retrieved from the Justice Center Application case management system.

² <https://www.innovatingjustice.org/publications/driver-accountability-program-evaluation>

³ <https://medium.com/reclaim-magazine/dangerous-drivers-restored-74e5a7bee24f>;
<https://www.nytimes.com/2020/02/10/nyregion/driving-reckless-nyc.html?emci=f403011b-054c-ea11-a94c-00155d039e74&emdi=ea000000-0000-0000-0000-000000000001&ccid=>

During the circle sessions, victims (or family members) have an opportunity to articulate their feelings, the depth of harm they have suffered, and what has been taken from them as a result of the driver's actions. Significantly, it also provides an opportunity for the driver to be held accountable, acknowledge the harm they have caused, and express remorse or even take steps to repair the harm. Before bringing the parties together, program staff work separately with the drivers and victims/surviving family members to provide individualized support in the form of case management, support groups, and referrals for long-term counseling to address trauma and mental health care that is often needed in the aftermath of vehicular accidents. The Center partners with Families for Safe Streets, who provides support to victims and families throughout the process. Additionally, as part of the preparation process, all drivers who participate in Circles for Safe Streets are required to complete the Driver Accountability Program to begin the process of educating and to introduce drivers to the voices of those who have experienced this kind of harm. In the majority of cases, Circles for Safe Streets serves as an alternative to incarceration. In a limited number of cases, where the case requires some period of incarceration due to aggravating circumstances (such as the involvement of alcohol or excessive rates of speed involved), participation in Circles for Safe Streets may serve as mitigation and result in a reduced period of incarceration.

Currently, FY23 Council funding has supported the pilot stage of implementation for Circles for Safe Streets, which has primarily received referrals through the Brooklyn District Attorney's Office. From January to December 2022, Circles for Safe Streets received 19 referrals. The program has received one referral from Manhattan. In recent months, the Manhattan, Bronx, and Queens District Attorneys' Offices have all expressed growing interest in referring cases to Circles for Safe Streets, and we therefore anticipate significant growth in the upcoming fiscal year with the potential for doubling our referral volume and expanding to at *least* three new boroughs. This anticipated increase in FY24 will require enhanced staffing capacity—specifically, the hiring of a full-time restorative justice facilitator—to meet this need.

Sadly, the urgency and magnitude of this need is a reflection of the urgency we see on our streets, where New York City has experienced record-breaking levels of traffic fatalities since 2020. The Center wholeheartedly supports the City's efforts under Vision Zero and looks forward to the day when interventions like these are no longer needed because the goal of Vision Zero has finally been realized. Until that day comes, we must continue to invest in effective, equitable, and meaningful justice system responses that center the voices of those who have been harmed—working to change behavior and save lives one person at a time. The Driver Accountability Program and Circles for Safe Streets are a necessary part of a holistic approach to street safety that can reduce the harms caused on our roads, as well as those caused by the systems that respond.

Conclusion

We are grateful for the partnership of Council over the years in supporting the Driver Accountability Program and the planning and launch of its expansion, Circles for Safe Streets. By continuing to partner with the Center, Council can go beyond transforming the justice system to cultivating vibrant and prosperous communities that center public safety and security for all who live here. We are available to answer any questions you may have.



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Center for Justice Innovation FY24 City Council Transportation & Infrastructure Proposal Summaries

Center for Justice Innovation Innovative Core Funding (formerly Center for Court Innovation) #151226 - \$750,000 (Renewal/Expansion) This is an application to support the continuation of the Center for Justice Innovation’s innovative criminal justice responses, community-based public safety initiatives, and access to justice programs across all five boroughs in New York City. City Council’s support allows us to serve tens of thousands of New Yorkers with mental health services, family development, youth empowerment, workforce development, and housing, legal, immigration and employment resource services. Our goal continues to be improving safety, reducing incarceration, expanding access to community resources, and enhancing public trust in government to make New York City stronger, fairer, and safer for all.

Initiative: Innovative Criminal Justice Programs

Center for Justice Innovation (formerly Center for Court Innovation): Driver Accountability Program #148265 - \$1,044,227 (Renewal/Expansion) The Center for Court Innovation’s Driver Accountability Program offers a meaningful alternative to the traditional legal responses of fines, fees, and short-term incarceration for vehicular offenses in criminal court. The program builds on Vision Zero’s emphasis on enforcement and public education and uses principles of restorative justice to address the dangerous behaviors that are the primary cause of pedestrian fatalities. With support from City Council, the program currently operates at six sites in all five boroughs. A recent evaluation has highlighted the program’s positive impact on participants’ driving beliefs and behaviors. This application seeks funding to sustain those operations, as well as expand the program to fully implement its more intensive version, Circles for Safe Streets, which is a restorative justice program that brings together drivers and their victims for a process of accountability and healing in cases where traffic crashes have caused serious injury or death.

Initiative: Diversion Programs



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Jean Ryan's DIA testimony to the Transportation and Infrastructure Committee March 9, 2023 T2023-3007

I am Jean Ryan, President of Disabled In Action of Metropolitan NY, DIA for short. I submitted longer testimony but today will say something brief about each agency that testified today.

Metropolitan Transportation Authority (MTA)

New York State is responsible for providing for and funding a regional transportation system in the metropolitan region. Without a good transportation system, New York City could not be the economic, political, educational, business, and research powerhouse that it is. But the plan to separate out Access-A-Ride funding from the rest of the transportation funding is a mistake. DIA is outraged about it because it sounds like discrimination against people with disabilities. The next step could be for the State to tell NYC to run Access-A-Ride. Remember, what happens to us can eventually happen to everyone else and we could just be the tip of the iceberg. We must fight against this.

Department of Transportation (DOT)

DOT is angling for control of the outdoor restaurants in New York City, but they have been in control of them for 3 years and we do not have accessibility despite accessibility being one of the few requirements for the outdoor restaurant shed in the street and next to buildings. Complaints, even from the Mayor's Office for People with Disabilities (MOPD) did not change a thing. If DOT gets to regulate and enforce outdoor restaurants, will they continue to do nothing about accessibility? Will they have the staff, the know-how, and the will to do anything about it?

Taxi and Limousine Commission (TLC)

The TLC announced that all Ubers and LYFTS must be electric by 2030, but currently, in 2023, no electric vehicles are accessible to wheelchair users! Are we going to be left further at the curb? This seems like a never ending struggle for access. We want 100% accessibility of taxis and For Hire Vehicles, but nothing much is happening to help us reach our goal except our lawsuit where the City must have 50% of taxis accessible by June 30th of 2023. The City Council could mandate 100% accessibility and we would have an equal chance of getting a ride.



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Jean Ryan's long testimony to the Transportation and Infrastructure Committee March 9, 2023 T2023-3007

I am Jean Ryan, President of Disabled In Action of Metropolitan NY, DIA for short. This is DIA's long testimony that we did not have time to speak about in the public session today about the 3 agencies – MTA, DOT, and TLC who testified today.

Metropolitan Transportation Authority (MTA)

Not that many years ago, people did not think people with disabilities should even be alive let alone be out of their houses and be a vital part of this city. It was hard to get around because there were no curb ramps or accessible buses, and certainly no accessible subway stations. Most buildings had stairs. The ADA in 1990 required transportation agencies to have a paratransit system. The early iterations were terrible and most people could get no rides at all even after they were accepted into the system. There were zero accessible taxis and for hire vehicles. People had to have their own vehicles and be able to transfer into and out of them. Disability rights activists and some forward-thinking politicians fought for accessibility. The MTA took over paratransit (Access-a-Ride) in the early 90's but did not want to do that and still acts like AAR is a stepchild. Originally, it was thought that it was too expensive to put elevators in subway stations and it would be cheaper to drive people with disabilities around in vehicles. There are always going to be some people with disabilities who cannot ever take a subway even with elevators, but the expense of AAR is proving those original thoughts to be inaccurate.

Funding and who pays for AAR

New York State is responsible for providing for and funding a regional transportation system in the metropolitan region. Without a good transportation system New York City could not be the economic, political, educational, business, and research powerhouse that it is. But the plan to separate out Access-A-Ride funding from the rest of the transportation funding is a mistake. DIA is outraged about it because it sounds like discrimination against people with disabilities. The next step could be for the State to tell NYC to run Access-A-Ride. Remember, what happens to us can eventually happen to everyone else and we could just be the tip of the iceberg. We must fight against this.

DOJ says AAR has problems

As I testified on February 24, 2023, there are major problems with Access-A-Ride and despite what the MTA tries to publicly say, they know it has gotten worse and has many problems such as unreliability, picking people up late, dropping people off way too early or too late, and riding us around too long on our way to our destinations. The Department of Justice agrees with us and sent the MTA a letter on October 22, 2023, demanding to know what AAR is going to do to address these problems. As far as I know, AAR has not given DOJ an answer yet.

Making complaints about AAR

There are many other problems. If we call AAR or the broker (who has 70% of riders) to complain and say our ride is late or never arrived or the driver did not secure our wheelchair or us in a seatbelt, AAR does not count this as a complaint. If they did, complaints would skyrocket immediately. Instead, we have to email the MTA, write a letter, or call the special AAR complaint line which is only staffed Monday through Friday from 9-5 and always entails a wait to speak to someone. You can only make 2 complaints at a time, too. Hmmm. I wonder why you can only make 2 complaints? Because we have many more complaints and they don't want to hear them! If AAR had agents file complaints, it could easily be done by computer by using a checklist and perhaps with a choice to write a few details and then the agent could hit send.

Why are so many riders inactive?

One damning statistic about Access-A-Ride is that 170,000 people are in the program but only 60,000 are active users. What most likely happens is that people apply for AAR, thinking they can use it to get places, and then they find that it is cumbersome, they have to arrange rides 1 or 2 days in advance, and the system is unreliable. After a few bad experiences, people give up and either hardly go anywhere or they get friends and adult children to drive them or they take car service or maybe the bus if they can manage that. Some people take alternative adult ride systems like the ones run by senior centers, but they have a limited fixed route. We are sure that a few of those 170,000 people have died or are too ill to travel, but it could not be the majority of the 110,000 people who do not ride.

How can drivers and passengers communicate when the drivers do not speak English? It is a safety problem

One serious problem with AAR is that the broker vehicles, which could be taxis or for hire vehicles, have drivers who are not at all fluent or even minimally competent in English and do not secure our wheelchairs or us with seatbelts and shoulder harnesses. That makes our rides with broker cars seem like a dangerous game of safety roulette. It is New York State law that we must have a seatbelt on when we ride in a taxi or a for hire vehicle. If drivers do not speak English, how can we tell them that we need to be secured? How can we tell them to drop us near the corner so we do not have to be in the street with traffic so much?

Blind people are not safe

People who are blind or who have low vision have a particular problem with broker AAR for hire vehicles or cabs because often, the drivers do not try to locate the blind passenger and call out to them and assist them to the vehicle. Neither do drivers assist the blind passengers to the curb or to their building. If the drivers do not speak English, how can blind passengers find out where they are relative to where they are going? How can they give drivers instructions? They can't. And this is a serious, dangerous problem.

Using brokers (who use cabs and for hire vehicles) saves money but increases unreliability and decreases safety

Broker service and traditional service just has to be more reliable and a way has to be found that when a person is not picked up for their scheduled ride, they can call and get a ride quickly.

Why is AAR using technology from the 90's instead of using on demand scheduling?

Who can run their life by arranging rides 1 or 2 days in advance. In 30 years, there have been many improvements such as GPS, digital mapping, and digital scheduling. AAR needs to get into this century.

Department of Transportation (DOT)

Outdoor restaurants

DOT is angling for control of the outdoor restaurants in New York City, but they have been in control of them for 3 years and we do not have accessibility despite accessibility being one of the few requirements for the outdoor restaurant sheds in the street and next to buildings. Complaints, even from the Mayor's Office for People with Disabilities (MOPD) did not change a thing. If DOT gets to regulate and enforce outdoor restaurants, will they continue to do nothing about accessibility? Will they have the staff, the know-how, and the will to do anything about it?

Pedestrian Ramps

DOT is required to make all the corners in NYC have correctly made pedestrian ramps, not steep ramps, not ramps that do not meet the street smoothly, not grooves in the sidewalk but high contrast ramps with bumps so that people with low vision can see them and people who are blind can detect them with canes. It seems that they are falling behind because many neighborhoods have terrible or missing pedestrian ramps. Recent visits to Sunset Park, midtown Manhattan, and Washington Heights have revealed poorly made, old ramps. DOT needs to step up this program.

Sidewalks and trees that raise up sidewalks to be inaccessible

Trees are lovely, but so many tree roots are making sidewalks inaccessible to people with mobility disabilities who cannot continue on them and to everyone else because of the problem of tripping. The DOT needs to either have their own unit that fixes sidewalks where tree roots are raising them up or work closely with Parks Department to quickly fix this type of sidewalk. If sidewalks are impassable, wheelchair users have to go into the street and that is dangerous and unacceptable.

Taxi and Limousine Commission (TLC)

Uber and LYFT requirement to be electric by 2030

The TLC announced that all Ubers and LYFTS must be electric by 2030, but currently, in 2023, no electric vehicles are accessible to wheelchair users! Are we going to be left further at the curb? This seems like a never ending struggle for access. We want 100% accessibility of taxis and For Hire Vehicles, but nothing much is happening to help us reach our goal except our lawsuit where the City must have 50% of taxis accessible by June 30th of 2023. The City Council could mandate 100% accessibility and we would have as equal a chance of getting a ride as anyone else. Then we would truly have equality in hailing or ordering a cab or for-hire-vehicle.

Having no requirement for taxi or FHV drivers to have minimal English is a safety problem

It is admirable that to provide a quick pathway to jobs for non-English speakers that there is no requirement for minimal English proficiency, but it is having an unintended consequence of making blind people, people with low vision, and wheelchair users' rides dangerous. We cannot communicate on where we are going, where we need to get out, or that we need to have our wheelchairs and ourselves secured.

Respectfully submitted,

Jean Ryan Pansies007@gmail.com 917-658-0760

NYCCELP • LEAD ROUNDTABLE



New York City Coalition to End Lead Poisoning (NYCCELP) Fiscal Year 24 Budget Statement

New York City Coalition to End Lead Poisoning (NYCCELP) is a New York City coalition of organizations that work to eliminate lead poisoning in New York City through a holistic, multi-city agency approach. In 2022 NYCCELP released our [Roadmap to End Lead Poisoning](#) which calls for the policymakers to invest in programs and interventions that protect children from lead poisoning through the City's budget.

We urge the New York City Council to enforce the City's [commitment to eliminating lead poisoning](#) by ensuring resources are available to the following agencies in order to meet that goal:

- Department of Health and Mental Hygiene (DOHMH)
- Department of Buildings (DOB)
- Department of Housing Preservation and Development (HPD)
- Department of Environmental Protection (DEP)
- Department of Education (DOE)
- Department of Transportation (DOT)
- New York Housing Authority (NYCHA)

Lead poisoning is an entirely preventable problem that has long-term [effects](#) on children's health and well-being and can contribute to what is sometimes called the "[poisoning to prison pipeline](#)." Because both the causes and prevention methods are so well-established, New York City must take urgent steps to completely eliminate childhood lead poisoning as well as adult lead exposure. Lead poisoning is [racial justice issue](#) with [links](#) to [criminalization](#) as well, as alluded to above. Living in substandard housing that exposes young children to lead creates a terrible legacy with high obstacles for children to overcome, but investing in preventative measures is a [cost savings](#) measure: **Every dollar spent on prevention results in a return of \$17 – \$221.**

We know the primary source of lead poisoning is lead paint in NYC's old housing stock. Old lead paint can crack, chip, and peel and create dust, especially on friction surfaces like doors or

windows, or be dispersed through a building from poor construction and renovation practices. Drinking water is another significant pathway of lead exposure. It can make up at least 20% of a person's total exposure to lead, and up to 80% of total exposure for formula-fed babies under 1 year old. While [Local Law 1 of 2004 \(LL1 of 2004\)](#) has done much to combat lead poisoning, there are still thousands of children found to have high blood lead levels every year. To enforce LL1 of 2004 and the provisions that have been added to city code in the intervening years, the city must fully fund agencies in order to conduct inspections, test dust and paint for lead, remove lead service lines that deliver water,¹ and other necessary functions that address lead concerns of New York City's families. The City's budget must reflect the needs of this unnecessary and long-standing crisis.

The city has already [committed to eliminating lead poisoning](#), so should ensure resources are available to meet the goal. Multiple separate city agencies have been identified in playing a key role in combating lead poisoning:

- Department of Health and Mental Hygiene (DOHMH)
 - [Healthy Homes Program](#)
- Department of Buildings (DOB)
 - Code enforcement (complaints and lead violations)
 - [Office of Tenant Advocate](#)
- Department of Housing Preservation and Development (HPD)
 - [Lead Hazard Reduction and Healthy Homes Program](#) (formerly, Lead Paint Primary Prevention Program)
- Department of Environmental Protection (DEP)
 - Water monitoring (lead monitoring)
 - [Lead Service Line Replacement Program](#)
 - [NYC Clean Soil Bank \(CSB\)](#)
- Department of Education (DOE)
 - [Spaces and Facilities Report](#) (Paint Inspections and Water Safety)
- Department of Transportation (DOT)
 - Remediating hazardous lead paint chips that [fall to the streets and sidewalks from elevated train lines](#)
 - Removing lead paint in subway stations and other infrastructure throughout the city
- New York Housing Authority (NYCHA)
 - [Lead-Safe Housing Policy](#) (Lead-Based Paint Abatement and Dust Wipe Sampling)

¹ Complete lead pipe removal is, according to EPA, urgently needed to protect the public from lead exposure from drinking water.

New York City Coalition to End Lead Poisoning (NYCCELP) Fiscal Year 24 Budget Statement

- [XRF Testing Initiative](#)
- [Team for Enhanced Management Planning and Outreach \(TEMPO\)](#)

Crucial agency work, some of which was outlined in the [LeadFreeNYC Plan](#) (2020 [progress report](#)), needs appropriate funding and staffing to audit reports, update construction codes, inspect high-risk areas, expand testing, remove lead service lines, and other critical work to ensure the eradication of lead poisoning.

NYCCELP is concerned that sweeping cuts in the budget through the Program to Eliminate the Gap (PEG) could negatively impact the efficacy of lead poisoning prevention policies and programs due to hiring freezes and vacancy reductions across all of the agencies listed above. And recent and future lead laws will lack the funding necessary to properly enforce and to reach the goal of eliminating lead poisoning in New York City.

The DOHMH [reported](#) that 67% of children under six years of age with elevated blood levels are from high poverty neighborhoods. Furthermore, Black, Latino, and Asian children represent 82% of all newly identified cases of elevated blood levels in children under age six. It is imperative that this City Council sees this as an environmental health injustice and should make ending lead poisoning and exposure in New York City a top priority. This can be achieved by funding City agencies to administer lead poisoning prevention and intervention programs and lead service line replacement; funding staff to collect data and enforce current lead laws; and supporting legislation that closes the gaps in existing lead laws.

Thank you for the opportunity to submit testimony on the importance of including lead poisoning prevention in the Fiscal Year 24 budget. The New York City Coalition to End Lead Poisoning Lead Roundtable is always open to having more detailed conversation on this issue.

Sincerely,

New York City Coalition to End Lead Poisoning (NYCCELP)

Contact:

Lonnie J. Portis
Environmental Policy and Advocacy Coordinator
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List of New York City Lead Laws and Bills

Since LL1 of 2004, there have been additional lead laws implemented:

- [Local Law 27 \(2020\)](#) – Soil lead testing in certain department of parks and recreation capital projects.
- [Local Law 28 \(2020\)](#) – Permanent removal of lead-based paint.
- [Local Law 29 \(2020\)](#) – Lead poisoning prevention and control in certain dwellings.
- [Local Law 30 \(2020\)](#) – Investigations by the department of health and mental hygiene in connection with reports of pregnant persons with elevated blood lead levels.
- [Local Law 31 \(2020\)](#) – Investigations of lead-based paint hazards by independent and certified inspectors, and contractor certifications for construction activities that disturb lead-based paint.
- [Local Law 39 \(2021\)](#) – Investigations by the department of health and mental hygiene in connection with lead poisoning incidents.
- [Local Law 40 \(2021\)](#) – Improving tenant notification, interagency cooperation, conducting inspections and issuing stop work orders, in connection with lead paint and construction work.

There are currently five bills that aim to close remaining loopholes in existing lead laws. When passed, these bills will also require funding for continued enforcement:

- [Int 0006-2022](#) – Permanent removal of lead-based paint on friction surfaces in child-occupied dwellings.
- [Int 0005-2022](#) – Records of lead-based paint investigations.
- [Int 0193-2022](#) – Lead-based paint hazards in common areas of dwellings.
- [Int 0200-2022](#) – Quarterly reporting on objections to orders for the abatement or remediation of lead conditions.
- [Int 0750-2022](#) – Proactive identification and inspection of dwellings where children are at risk of lead poisoning.

N Y L P I

**JUSTICE THROUGH
COMMUNITY POWER**

**Testimony by Christopher Schuyler, Senior Staff Attorney
New York Lawyers for the Public Interest, Disability Justice Program
To the New York City Council, Committee on Transportation
On March 9, 2023
Regarding the Preliminary Budget for Fiscal Year 2024**

Good afternoon.

Thank you, Chair Brooks-Powers and Council Members, for the opportunity to present testimony today. My name is Christopher Schuyler, and I'm a Senior Staff Attorney with the Disability Justice Program at New York Lawyers for the Public Interest (NYLPI).

To begin, we commend the Council for its proposal to expand the income eligibility of the Fair Fares program, which will lighten the costs of transportation for those most in the need of the help – which disproportionately includes people with disabilities. With that said, we call on the Council to continue defending other vital city services and investments. With the Council's revenue forecasts for FY23 and FY24 totaling \$5.2 billion more than the Office of Management and Budget predictions, and with the Independent Budget Office's announcement of a virtually identical surplus this year, now is not the time to retreat from our City's equity goals, including – critically – our goal for accessibility for the disability community.

Access-A-Ride Funding

We call on the Council to oppose the Governor's proposal to increase the City's funding of the Access-A-Ride (AAR) paratransit system from 50% to 100%. AAR is fraught with service issues as it is, and putting full funding responsibility on the City – which can't independently raise taxes to pay for it – is a recipe for worse service still. AAR is a legally required and vital component of the MTA's complete transportation portfolio; the MTA cannot be permitted to drop the costs on the City alone. Moreover, the current heavy reliance on AAR is in large part due to the years of the MTA failing to make the subways more accessible. That was

and continues to be the responsibility of the State. Due to the State's neglect, AAR has continued to grow. It's wrong to now thrust the problem, which was created by the State, onto the City.

Access-A-Ride Improvements

AAR, with nearly 170,000 users, remains a dysfunctional system: rides must be booked at least one day in advance, rides are chronically late, and riders often endure long, unpredictable, shared rides to get to their destination. **We urge the Council to remedy these inequities, by advocating for expansion of the on-demand pilot – without service rationing – and by eliminating AAR assessment centers and instead requiring proof of eligibility to be submitted by treating physicians.** Notably, this latter recommendation would offer great savings to the City and State, is utilized by paratransit providers across the state, and was previously used by the City prior to the MTA taking over the AAR system.

NYC Streets Plan

Last year, the Mayor funded the NYC Streets Plan up to nearly \$1 billion, but benchmarks are already being missed, particularly with respect to bus and bike lanes. **The Council must exercise oversight of the City Department of Transportation (DOT) to ensure all promises within the NYC Streets Plan are met on time, including the promises to build and install accessible public spaces, bus stops, accessible pedestrian signals, and upgraded intersections.**

Moreover, **the Council must ensure that the City's Open Streets and Open Restaurants programs are accessible.** In far too many cases, Open Restaurant sheds block the sidewalk and Open Streets barricades create access barriers for the disability community, both in that Access-A-Ride drivers refuse to move the barricades to pick-up customers at their doors, and with drivers with disabilities who are not able to move the barricades without assistance. DOT told NYLPI that it is working on the problem, including by adding phone numbers on the barricades, which people in need of help can call and a nearby attendant will assist. DOT plans to add these phone numbers to the 34th Avenue Open Streets in Queens. **The Council must ensure that this is completed expeditiously – both at this location and all other Open Streets locations throughout the City.**

Bikeshare

The proposed budget shows that Citibike revenue is part of the Mayor's Program to Eliminate the Gap, with nearly \$10 million of revenue over the next four years going to pay down the deficit. With this proof of the success of the bikeshare program, DOT has little reason to further delay providing accessible, adaptive bicycles for people with disabilities. Disability laws require equal access to transportation services, including the City's bikeshare program, yet options for people with disabilities have so far been limited to narrow pilot programs – from which little to no information has been made publicly available. **The Council must mandate that DOT provide accessible bikes for people with disabilities, and insist on transparency with respect to DOT's pilot program findings.**

NYC Ferry

NYLPI is pleased that the preliminary budget allocates \$500 million to improve boats and terminals. The budget does not specifically state what improvements will be prioritized, however. Members of the disability community have reported that NYC Ferry suffers from various accessibility issues, including lack of signage, particularly important for those who are deaf and hearing impaired, as well as a lack of clear and accessible paths from street to landing. **The Council must ensure that this significant funding promise is used to abate these accessibility issues.**

Fair Fares

We commend and support the proposal to expand the Fair Fares program to New Yorkers with incomes under 200% of the federal poverty line, which will benefit over a million people in our city.

Additionally, while the Fair Fares program was made available to AAR users nearly three years ago, only a very small percentage of eligible AAR users have actually opted into the program. **We urge the Council to mandate the implementation of an extensive advertising campaign – targeted at eligible AAR users – to ensure that this group is aware of the benefit and how to opt into it.**

Notably, the Fair Fares program – which is administered by the City not the MTA – serves as only a bandage over the MTA's discriminatory practice of excluding AAR users from the discount programs available to subway and bus riders. Subway and bus

riders who have disabilities or are senior citizens have available to them a half-price MetroCard. They – and all other subway and bus riders – also have the option of purchasing 7-day and 30-day unlimited MetroCards, which provide significant savings to frequent users. AAR users are excluded from each of these discount programs.

The City, as evidenced in this preliminary budget, contributes enormous funding to the MTA, and is entitled to make demands on the MTA. **We, therefore, urge the Council to exercise oversight and compel the MTA to include AAR users in the same discount programs available to all other mass transit riders.**

Subways

We urge the Council to exercise robust oversight over the MTA to ensure that it keeps and expands upon its promises to improve the accessibility of the subway system. NYLPI acknowledges the MTA's current budgetary and ridership challenges, but asserts that a more accessible MTA system will ultimately benefit the interests of both New Yorkers and the MTA alike. Modernizing the system and making it accessible for the many who have long been shut out of the system, including people with disabilities, the elderly, and parents and caregivers, will encourage increased overall subway ridership – and less of a need for paratransit.

The Council must also ensure that the MTA is held to its promise to allocate \$10 billion of the \$55 billion 2020-2024 Capital Plan to subway accessibility projects. Moreover, in addition to planned elevator and stair-free access, **the Council must ensure that the MTA addresses platform accessibility issues, including the gap between the platforms and trains and the installation of detectable warning surfaces along all platform edges.** Just as stair-free access from the street to the platform is essential to accessibility, so too is platform accessibility.

Additionally, **the Council must mandate that the MTA make accessibility improvements serving the needs of riders who are deaf and hard-of-hearing.** For example, when train conductors make verbal announcements, both in routine ways like when a train goes express, or in serious, unpredictable ways including emergencies like active shooter scenarios, riders with hearing disabilities have no way of receiving the message other than to read the faces of fellow riders. This is not equal access to transportation. At a minimum, **the Council must direct the MTA to**

ensure that a screen on all train cars contemporaneously relays messages as conductors announce them.

Congestion Pricing

The Council must pull all the levers available to accelerate the passage of the Congestion Pricing plan. The MTA's Capital Plan is dependent on it, with the MTA relying on Congestion Pricing to raise \$15 billion of the total Capital Plan. That notwithstanding, **the Council must ensure that all people with disabilities traveling into the Central Business District are exempt from the toll.**

Currently, the Congestion Pricing law provides, vaguely, that "qualifying vehicle[s] transporting a person[s] with disabilities" will be exempt. Without further clarifications and assurances, many people with disabilities, including those who rely on non-qualifying vehicles (e.g., caregivers driving personal vehicles) to travel to medical appointments within the Central Business District are at risk of being unfairly impacted. Lastly, **the Council must ensure that of the \$15 billion raised from Congestion Pricing, a proportionate amount of that funding will go to making all MTA transportation accessible.** Passage of Congestion Pricing is also crucial because it will improve air quality, reduce traffic gridlock, and encourage return to the mass transit system.

Thank you for hearing my testimony today. I am happy to discuss any of these recommendations.

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About New York Lawyers for the Public Interest

For nearly 50 years, New York Lawyers for the Public Interest (NYLPI) has been a leading civil rights advocate for New Yorkers marginalized by race, poverty, disability, and immigration status. Through our community lawyering model, we bridge the gap between traditional civil legal services and civil rights, building strength and capacity for both individual solutions and long-term impact. Our work integrates the power of individual representation, impact litigation, and comprehensive organizing and policy campaigns. Guided by the priorities of our communities, we strive to achieve equality of opportunity and self-determination for people with disabilities, create equal access to health care,

ensure immigrant opportunity, strengthen local nonprofits, and secure environmental justice for low-income communities of color.

About NYLPI's Disability Justice Program

NYLPI's Disability Justice Program works to advance the civil rights of New Yorkers with disabilities. In the past five years alone, NYLPI disability advocates have represented thousands of individuals and won campaigns improving the lives of hundreds of thousands of New Yorkers. Our landmark victories include mandating that the MTA equitably provide its Access-A-Ride services to all applicants and riders with limited English proficiency. We have worked together with the MTA to bring about an "on demand" Access-A-Ride program and to enable New York's most indigent residents to obtain Fair Fare discounts when using Access-A-Ride. We recently filed a class action lawsuit seeking to permit all Access-A-Ride users to access the same discount programs available to all other MTA transit users, as well as a class action to remedy the enormous gaps between subway cars and subway platforms system-wide.



**Testimony of Alexis Hidalgo
Equitable Policy and Programs Fellow for New York City
New York League of Conservation Voters
City Council Committee on Transportation and Infrastructure
Hearing on Preliminary Budget FY24
March 9th, 2023**

Good afternoon, my name is Alexis Hidalgo and I am the Equitable Policy and Programs Fellow at the New York League of Conservation Voters (NYLCV). NYLCV represents over 30,000 members in New York City and we are committed to advancing a sustainability agenda that will make our people, our neighborhoods, and our economy healthier and more resilient. I would like to thank Chair Brooks-Powers for the opportunity to testify today.

In order to effectively fight climate change and protect public health, we need to reimagine how people live and move in our City. Everyone should have access to reliable, affordable, and clean transportation in addition to safe streets and open spaces. We need to decrease the amount of private vehicles on our streets since they contribute a significant percentage of our carbon emissions and result in public health issues such as air pollution and asthma, vehicle crashes, congestion, and noise pollution. These issues are only more prevalent in New York City's low-income and communities of color, which experience longer commutes, poor air pollution, higher asthma rates, and more premature deaths.

This is why we need to ensure robust funding goes towards getting people out of their cars and onto low emission forms of transportation like public transit and micro-mobility options. With the MTA's post-pandemic budget shortfall, it is also vital that the MTA be fully funded and we urge the City Council to support efforts in Albany to increase funding and improve service times. We can also improve our City's transportation system by fully funding and implementing the NYC Streets Plan, 25x25, and Vision Zero. These plans will help to improve existing infrastructure for transit, cycling, and pedestrians as well as solve bottlenecks and congestion. These plans also intend to reduce the amount of dangerous vehicles on the streets, protect residents from reckless drivers through enforced speed cameras and bus lanes, and reform on-street parking. They will also reinforce the use of public transportation and micro-mobility options, will make our City safer and cleaner, and will put money back into our underfunded transit system.

NYC STREETS PLAN

We strongly support the funding of the Department of Transportation's (DOT) NYC Streets Plan, an extensive five-year plan beginning last year that would expand and improve public transportation options and transition NYC's streets away from being entirely car-dominated, focusing on equity and safety. This will all be accomplished specifically by requiring the City to

install 250 miles of protected bike lanes and 150 miles of dedicated bus lanes, 500 bus stop upgrades, 1,000 intersection signal improvements, 400 intersection redesigns, 500 accessible pedestrian signs, in addition to improving pedestrian spaces, commercial loading zones, and parking spaces, within five years. On top of that, on the campaign trail, Mayor Adams [committed](#) to installing 300 miles of protected bike lanes. However, [DOT has cited a lack of staffing as the reason why they're behind on the Streets Plan implementation, and has said that the funding the plan has been allocated over the next five years is still short of the "several billion dollars" DOT said it would need to hit the plan's targets.](#) Moving forward, we need to ensure the City prioritizes and funds the Streets Plan for staffing and other needs.

25X25 PLAN and VISION ZERO

We also urge the City to fund the implementation of the [25x25 plan](#) and [Vision Zero](#). The 25x25 plan would convert 25% of current parking and driving space into space for people by 2025. It seeks to reduce street lanes and parking for cars and instead increase protected bus and bike lanes to improve commuting as well as increase green space. Vision Zero, which was launched in 2014, called for eliminating all traffic deaths across the five boroughs by 2024. It sought to do this with expanded penalties and enforcements for dangerous car drivers and new street designs. However, with one year left to go on our Vision Zero initiative and two years for the 25x25 plan, we are not close to achieving the City's own goals. We need to increase funding for both of these plans if we are to have safer and more equitable streets.

CONGESTION PRICING

As we're nearing the implementation of congestion pricing, the City needs to coordinate with the State and MTA to improve our transportation system and guarantee the mitigation of any potential harmful impacts, such as traffic and air quality impacts, in Environmental Justice communities. Mitigation strategies include, but are not limited to, capping the Cross-Bronx Expressway and exploring tools to reduce air pollution from the Bruckner and Deegan Expressways, planting more trees along congested roadways, increasing open green space, establishing a truck freight terminal at Hunts Points to reduce truck traffic, and expediting the transition to clean truck fleets. The City must work with the State to increase and enforce bus and bike lanes, and connect shared e-bike and e-scooter programs in transit deserts to mass transit before congestion pricing goes into effect to give commuters options and make it easier to get out of cars. This program will support at least \$15 billion in capital investments for the MTA – funding that is badly needed to upgrade signals for more reliable trains, make more stations accessible to people with disabilities, and make other capital improvements that will make mass transit better for everyone in the MTA service area. If properly structured, congestion pricing will cut traffic, significantly increase funding available for our public transportation system, and reduce air pollution and the City can work with the MTA to ensure congestion pricing delivers on this potential.

FAIR FARES

The Fair Fares program is crucial in making public transportation more accessible for New Yorkers. The program helps eligible New Yorkers with low incomes manage their transportation costs by providing them with discounted subway and bus fares. Last year, the program was

allocated \$75 million in the Mayor's budget and guaranteed annual funding. This year, [Speaker Adams has proposed to broaden eligibility to include New Yorkers who earn a yearly salary of \\$27,180, which she stated would nearly double the number of people covered by the program.](#) We applaud the Speaker for this proposal to make Fair Fares available to more low income New Yorkers.

Not only do we need greater investment in the Fair Fares program for expanding eligibility, as the Speaker is calling for, we also need more investment for outreach and education to make sure the many who currently qualify are using the program, as well as expansion of the program so that other forms of public transportation discounts such as for Citi-Bike, Metro North, and Long Island Railroad, are included. With the cost of living only increasing, it is critical that we ensure affordable transportation for everyone.

We need to create, improve, and encourage the use of low emission modes of transportation as an alternative to cars. This is why it is imperative that we fund the NYC Streets Plan, 25x25, Vision Zero, and Fair Fares. We hope the Council will work to fund these crucial initiatives and plans so we can have a truly accessible and equitable City.



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**Testimony Before City Council Committee on Transportation and Infrastructure
Preliminary Budget Hearing
Delivered by Lisa Daglian, Executive Director
Permanent Citizens Advisory Committee to the MTA (PCAC)
March 9, 2023**

Good morning. My name is Lisa Daglian, Executive Director of the Permanent Citizens Advisory Committee to the MTA, PCAC, an independent organization established by the State Legislature in 1981. As the coordinating body for three rider councils, our mission is to give subway, bus, and commuter rail riders a voice in the formulation and implementation of MTA policy, to hold the MTA Board and MTA management accountable to riders, and to advocate on their behalf, as we are doing today.

Driven in large part by the precipitous drop in ridership both during and after the pandemic, the MTA is facing a huge deficit that will lead to devastating cuts in bus, subway, and rail service, or crippling fare increases if not addressed. We are reassured that you understand the severity of the situation and know that none of us want to see the horrific fare hikes and horrendous service cuts that could be the unfortunate reality without adequate funding – and which would have far-reaching negative consequences for the city and region, and for riders themselves. It is imperative that you, our leaders in the City Council, work together and with the State to ensure that transit is fully funded both this year and into the future.

To this end, we support the funding proposals that Governor Hochul put forth in her Executive Budget as a great starting point for budget negotiations. This includes asking the city to pay more to fully fund Access-A-Ride and cover the current costs of student MetroCards, as well as to help the State offset revenue losses that result from exemptions to the PMT. The transit system is the backbone of the city and its economy, so it's critical for the city to contribute to its long-term operations. Without this financial lifeline, the millions of New Yorkers who depend on transit daily will bear the costs. That is why we are strong supporters of Fair Fares and baselining \$75 million for the program – and also why we strongly support doubling eligibility to 200 percent of the federal poverty level so that many more people can take advantage of this lifeline. We would also like to see Fair Fares implemented on commuter rail, so that riders who have access to the LIRR and Metro-North, but not a subway, could ride at half the cost of an Atlantic Ticket or City Ticket. Including the option to purchase a weekly MetroCard with the expanded City Ticket – as we propose in our Freedom Ticket recommendations – would further open transit to New Yorkers who live in subway deserts.

Bus lanes and bus lane enforcement are a crucial part of creating a better and more equitable transit system, and essential for connecting people to subways, commuter trains – and jobs. As the MTA continues to work towards improving bus service, riders need the city to do its part to speed up buses by rolling out more and better bus lanes and improving enforcement. Buses are the engine of equity around our city, and the city has a unique ability to improve this part of our transit system.

Access to transit is access to opportunity. New Yorkers need and deserve safe, reliable and affordable service. But without funding, that will diminish for all of us. There is an urgent need. Not just this year's budget, but enough to address the long-time structural issues as well.

But even beyond the Governor's proposals focused on the city, we believe that there are additional revenue alternatives that are worth including in the conversation. We have testified repeatedly to the state legislature about the dozens of options that could be used to raise billions for transit, including options that the city can enact. On [our website at www.PCAC.org](http://www.PCAC.org) is a list of sourced additional potential funding alternatives in the form of a funding tool that allows you to consider different combinations of revenue streams.

Some additional funding options for the city to fund transit include:

- New city income tax bracket for high-income earners in NYC - \$600 million
- Pricing half of on-street parking spaces for an average \$5.50/day - \$3 billion
- Implement PILOTs for private hospitals and higher education institutions - \$842 million
- City mansion tax - \$270 million
- 1 cent/ounce tax on sweetened beverages in NYC - \$288 million

As we work to rebuild and recover from the pandemic, it is crucial that we prioritize the needs of transit riders and invest in the infrastructure that makes it all possible.

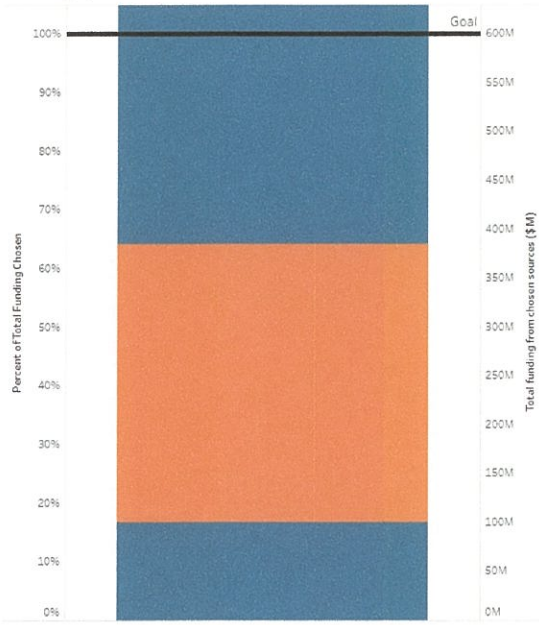
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transit is essential to the success and vitality of New York City, connecting millions of New

Yorkers to their jobs, schools, and communities. Funding transit means investing in the riders who move our region, including many who cannot afford to drive or take other modes of transportation. With more investment in the MTA for better service, even more riders will discover that transit is truly the best, safest, and most reliable way to get around.

2023 2024 2025 2026

Funding by Source



Funding source

- Additional \$ from raising car fees per registered vehicle from \$164 to \$317 (if fall to MTA) (NYS)
- Average revenue per registered vehicles from thruway tolls from \$229 to \$312 (NYS)
- Baseline additional state funding moved off-budget (NYS)
- Biannual registration fee from \$30 to \$40 for vehicles <3,500 lbs & to \$100 for >3,500 lbs (NYC)
- Capital gains tax (NYS)
- City funding all of paratransit funding (Governor's 2024 budget)
- City funding all of student MetroCard costs (Governor's 2024 budget)
- City funding for PMT match (Governor's 2024 budget)
- City mansion tax (NYC)
- Commuter tax reinstatement (NYC)
- Corporate franchise tax surcharge from 28.9% to 64% (NYC)
- Doubling alcohol liquor taxes, excise tax on wine/other liquor <24% alcohol content (NYC)
- Eliminate exemptions for nonprofits transferring property to/from nonprofit entities (NYC)
- Eliminate Manhattan parking tax exception (NYC)
- Extending General Corporation tax to insurance companies (NYC)
- Extending mortgage recording tax to co-ops (NYC)
- Extending mortgage recording tax to co-ops (NYS)
- General Corporation tax from 8.65% to 10.35% (NYC)
- Implement PILOTs for private hospitals and higher education institutions (NYC)
- Including carried interest in unincorporated business tax (NYC)
- Increase tolls by \$2.49 to internalize the cost of pollution (NYC)
- Increasing taxes on more expensive properties used as second homes (NYC)
- New city income tax bracket for high-income earners (NYC)
- NYC sales tax for alcohol sales by 3% (NYC)
- Pricing half of on-street spaces for an average \$5.50/day (NYC)
- Progressive tax inheritances over \$250,000 (NYS)
- Progressive income tax (NYS)
- Raising car fees per registered vehicle from \$164 to \$317, under existing formula (NYS)
- Raising payroll tax from 0.11-0.34% to 0.22-0.57% (NYC)
- Raising Real Property Transfer Tax on properties >\$5 million (NYC)
- Raising sales tax from 3.75% to 7.5% (NYC)
- Raising state corporate taxes to offset decreased federal corporate taxes (NYS)
- Replacing MRT with progressively structured transfer tax (NYC)
- Tax billionaires' wealth gains at income tax rates (NYS)
- Top PMT rate from 34% to 5% for self-employment from 34% to 5% (Governor's 2024 budget)
- Unincorporated Business tax from 4% to 4.68% (NYC)

tableau

Navigation icons: back, forward, search, etc.

[View the funding tool here.](#)
[View the source document here.](#)



New York City Council Committee on Transportation and Infrastructure

March 9, 2023

Testimony of Eric McClure, Executive Director, StreetsPAC

New York City's failure last year to meet the benchmarks for the creation of physically separated bus lanes and bike lanes required by the city's Streets Plan was deeply concerning, and that failure raises significant red flags for fiscal 2024, since both of those benchmarks increase this year, from 20 miles of protected bus lanes to an average of 30 per year over five years, and from 30 miles of protected bike lanes to an average of 50 per year through 2026.

While the Department of Transportation has testified in these chambers that their funding is sufficient, the missed targets in 2022 belie the reality. DOT, like many city agencies, faces significant staffing shortages, and filling unstaffed positions while also funding future staffing growth will be essential to meeting the Streets Plan benchmarks.

And the need for increased funding goes well beyond personnel issues. More money is required to procure materials, many in short supply, that are essential to street safety projects, such as jersey barriers for the hardening of bike lanes. Bringing more capacity in-house at DOT would help speed critical aspects of road work, like restriping following milling and repaving projects, which can take weeks, if not months, when left to contractors.

More robust funding will also help address the significant equity gaps that exist in our streets and public spaces. The Streets Plan rightly focuses on addressing those equity issues, prioritizing investment in those areas of the city whose residents are predominantly people of color, where incomes are lowest, and where investment in infrastructure has lagged the most. Ensuring that DOT has the capability to implement projects quickly in Tier 1 Priority Investment Areas should be a budget priority, as well.

Now that Mayor Adams has appointed the city's first-ever Chief Public Realm Officer, it's critical that her work is supported by funding for important public-realm improvements like Open Restaurants and Open Streets. The Open Restaurants program brought outdoor dining to some parts of the city that had never had it, and Open Streets have been a literal lifesaver for communities lacking green spaces. We need to ensure that we can create the equivalent of Paseo Park in neighborhoods across the five boroughs.

Lastly, we want to shine a spotlight on the need for vastly increased funding in two specific areas that will engender continued expansion in cycling, which has seen robust growth but has much more room to run if properly supported. As we have many times

before, we again call for public funding of the city's bike-share system to facilitate its expansion into all corners of the city. Notably, the Chairs of the Transportation and Infrastructure and Finance Committees have both expressed a desire to see bike share expanded to their respective districts. Bike share is the only mode of public transport that receives no corresponding public subsidy in New York City, and it's time for the city to make that investment, as well as to invest in the safe, protected cycling network to support it.

We also urge the city to not spare expense in creating safe, secure bike parking infrastructure. Following a successful demonstration project last spring with Oonee, a company that continues to rapidly innovate secure bike-parking facilities, it's time for DOT to go big. We know that the ready availability of secure storage is a critical driver of increased cycling, and it's also a partial solution to the dangers of substandard e-bike batteries. Let's commit to making a substantial investment in secure bike parking.

::TESTIMONY TO THE NYC COUNCIL TRANSPORTATION COMMITTEE::

Budget Hearing Thursday, March 9, 2023

Thank you, Hon. Chair Brooks-Powers and members of the NYC Council Transportation Committee. My name is Tali Cantor, and I am Director of Planning at the Union Square Partnership. We are the nonprofit business improvement district working to create a clean, safe, vibrant, and enjoyable neighborhood for Union Square's residents, businesses, and visitors.

In 2021, we released the Union Square-14th Street District Vision Plan, a bold, community-led blueprint for transforming the greater Union Square area – a core job center and cultural hub serving all five boroughs – into New York City's most accessible place. The plan prioritizes multi-modal accessibility, district-wide connectivity, and substantial increases in public open space.

We followed the Vision Plan with a Streetscape and Lighting Master Plan, which received conceptual approval from the Public Design Commission last spring. The Plan advances the long-term vision through short-term streetscape upgrades using a recommended suite of city-standard elements including lighting, green infrastructure, and transit amenities.

Throughout our engagement efforts for these plans, our community members have repeatedly voiced that nighttime safety and security are some of their biggest concerns and that higher-quality lighting is needed. Since the start of the pandemic, seniors especially, have expressed that they are not comfortable leaving their homes after dark.

Our plan proposes replacing the old, non-standard 14th Street poles and antique teardrop fixtures with NYC DOT-standard poles and modern LED fixtures. These new fixtures will make street and pedestrian lighting more energy-efficient, and help to ensure that there are bright, even light levels along the active 14th Street commercial corridor. This project will serve the millions of people who utilize 14th Street each day, for transportation on the subway and M14 bus, shopping at local businesses, accessing our neighborhood's hospitals, schools, and residences, leaving the workplace, or arriving home after dark.

So, today we are asking the Council and the City to partner with us to advance the streetscape work along 14th Street to support our neighborhood vision plan. As a first step, we have submitted capital funding requests for \$600,500 to Council Member Carlina Rivera and Manhattan Borough President Mark Levine for the first of three phases of work for DOT to provide upgraded street lighting on 14th Street. We would like to build upon this with further commitments for the full \$2.3M from the Council and the City to help provide design excellence and high quality of life for this important mixed-use corridor.

We look forward to collaborating with NYC DOT and members of the Council on this effort.

Thank you.



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Testimony of WE ACT for Environmental Justice

To the New York City Council Committee on Transportation and Infrastructure

Regarding The City of New York Preliminary Budget Fiscal Year 2024

Dear Committee Chair Selvena N. Brooks-Powers and Committee on Transportation and Infrastructure:

WE ACT for Environmental Justice is writing to testify on the need to invest in the City's future by funding equitable transportation policies and programs. Founded in 1988, [WE ACT for Environmental Justice](http://www.weact.org) (WE ACT) is a community-based organization in Harlem, New York City. At the city, state and federal levels WE ACT has been fighting environmental racism -- racial discrimination in environmental policy-making, enforcement of regulations and laws, and targeting communities of color for toxic waste disposal and siting of polluting industries. We recognize and advocate for community-driven solutions that can remedy the institutionalized harms associated with unjust urban planning policies that have plagued communities of color for generations.

We strongly urge this Council to recognize the importance and value in making necessary investments in public transportation, micromobility, and reclaiming car space to reduce emissions and increase access to marginalized communities.

[Transportation is one of the leading sources of emissions in New York State, currently producing approximately 29% of emissions.](#) Because we live in a culture where private automobiles rule the roads, [75% of our street space is devoted to driving and private car storage even though car drivers are a small minority of commuters in New York City.](#) Mid-century highways and public spaces were often [intentionally built at the expense of Black, Latino and other communities of color.](#) Today, these roads continue to impact the same frontline communities that have been most impacted by fossil fuel pollution, as they often lack reliable public transit and the infrastructure that supports alternative transportation modes.

New York City must take the lead in equitably reimagining our transportation system, reducing vehicle usage, and, finally, centering justice by prioritizing and investing in historically marginalized communities by:

Investing in the East Harlem Transit Hub



We urge the Council to consider our community-based recommendations for East Harlem ([“East 125th Street Community Visioning Action Plan”](#)), one of the city's most-disadvantaged communities. These recommendations include building a transit hub on East 125th Street that connects the new Second Avenue Subway extension with the existing Lexington Avenue Subway line and the MetroNorth commuter railway. Such a project could serve as a catalyst to economically and environmentally revitalize the community along with our other recommendations to address the disproportionate impacts of climate change that East Harlem experiences - such as extreme heat and flooding - while helping to safeguard the affordability and cultural richness the community has long been known for. This could prove to be a model project for the Justive40 initiative and help solidify the City's reputation as a leader in equitably addressing the impacts of climate change in an urban environment.

Investing in MTA bus electrification

We would also like to see MTA to modernize their bus system facilities; speed up the transition of their fleets from fossil fuel powered vehicles to electric buses; and facilitate a just and equitable transition of their workforces to a green energy reality that includes the full cycle of zero emission vehicle operations and maintenance. MTA should prioritize bus electrification in disadvantaged communities. Specifically, prioritize bus electrification along 125th Street in East Harlem. To do this, the MTA must speed up the deployment of the next procurement of electric buses from 2025 to 2023. MTA should include the Manhattanville Bus Depot for priority procurement of battery electric buses in addition to Kingsbridge Depot and Gun Hill Depots. Manhattanville Depot has a capacity of over 230 buses and is one of the largest Depots in Harlem.

Funding the the New York City Streets Plan

The New York City Department of Transportation (DOT) must continue to implement and fund the [NYC Streets Plan](#), a five-year transportation master plan to improve the safety, accessibility, and quality of the City's streets for all New Yorkers. In order for this plan to be successfully implemented, it is imperative that this Council ensure DOT has the funding to meet all of the benchmarks outlined in the plan.

Expanding safe infrastructure for micromobility options and reclaim car space

Currently, lack of safe biking infrastructure is a major barrier to accessing clean transportation alternatives. As we expand bike, e-bike, and e-scooter shares we must also build safe infrastructure to use them on. DOT should [Build upon Mayor Adams' commitment to 300 new miles of bike lanes](#) by funding a comprehensive citywide bike network that provides infrastructure



for protected, continuous, high-capacity, priority bikeways and bike paths to ensure cyclists can travel safely through and between all five boroughs. The City should continue identifying funding opportunities to explore the feasibility of capping aging highways and reconnecting divided communities

Expanding and promoting the Fair Fares NYC Program

The [Fair Fares NYC Program](#) helps New Yorkers with low incomes manage their transportation costs—to help increase public transportation affordability for many residents. To keep fares as low as possible, increase financial support for the MTA, along with increased support from the State. This program is underutilized and there needs to be targeted promotion and robust enrollment efforts.

Funding mitigation efforts ahead of congestion pricing implementation

While WE ACT is supportive of a Central Business District (CBD) Tolling Program (congestion pricing), there are key concerns that if not addressed, will create a program that is inequitable and disproportionately burdens disadvantaged communities (DACs). WE ACT will be supportive of a program that rectifies these concerns.

Trucks might avoid the fee by finding new routes through the South Bronx and East Harlem, both predominantly Black and Latinx areas that are already overburdened with air pollution. The analysis found that the number of trucks and other vehicles passing through the Cross Bronx Expressway could increase by 50 to 700 vehicles per day. In East Harlem on the Robert F. Kennedy (RFK) Bridge the number of daily increased truck diversions increases according to the proposed toll scenarios.

In New York City where fine particulate matter linked to truck traffic is already responsible for hundreds of premature deaths per year, any increase in pollution is a concern. In particular, the increase in air pollution and traffic in these disadvantaged communities (DACs) is a concern. The environmental assessment claims that the New York City Department of Transportation (DOT) plans to monitor air pollution after congestion pricing is implemented to see if any changes can be attributed to the program. Yet, the report does not detail how DOT will decide which priority locations to monitor and how the results will inform program interventions. Disadvantaged communities with the highest level of pollution burden should be given first consideration for community air monitoring research.

WE ACT proposes several recommendations for not only mitigation of pollution increase, but also using the tolling program as an opportunity to reduce the existing disproportionate pollution burden:



- Ahead of the tolling program start, fully fund the program to cap the Cross Bronx Expressway via the Inflation Reduction Act (IRA) and other funding sources. In parallel with the tolling program, complete the project in 2024.
- Ahead of the tolling program, install roadside green infrastructure, trees, and hedges along the Cross Bronx Expressway, Major Deegan Expressway, and 125th Street exit from Robert F. Kennedy Bridge. Research has found that installing trees and hedges along polluting roadways can reduce pollution (particulate matter and black carbon) significantly. [One study](#) found a maximum of 63 percent pollution reduction post-intervention. We recommend
- the use of both hedges and trees to reduce air pollution and provide shade in high heat vulnerable neighborhoods.
- Immediately make public the plan for the next phase of electric bus deployment and receive feedback from representatives of DACs, such as members of the Central Business District Tolling Program (CBDTP) Environmental Justice Technical Advisory Group (EJ TAG) or New York City Environmental Justice Advisory Group.

Addressing lead paint hazards within the public transportation system

DOT needs to develop and implement a comprehensive plan for removing lead paint in subway stations and other infrastructure throughout the city and immediately address paint chips that [fall to the streets and sidewalks from elevated train lines](#) and lead paint dust that results from construction.

Investing in public transportation like buses, subways, and trains, or micromobility options such as bicycles, e-bikes, or e-scooters, have many [benefits](#), such as improved air quality and [reduced emissions](#), pedestrian safety, and decreased congestion. New York City must take the lead in equitably reimagining our transportation system, reducing vehicle usage, and, finally, centering justice by prioritizing and investing in historically marginalized communities.

Lonnie J. Portis

Environmental Policy and Advocacy Coordinator

WE ACT for Environmental Justice

1854 Amsterdam Avenue, 2nd Floor New York, NY 10031

646-866-8720 | lonnie@weact.org

Downstate New York



Downstate New York
ADAPT
Website: dnyadapt.com

March 12, 2023

To: New York City Council's Committee on Transportation and Infrastructure

From: Downstate New York ADAPT

Subject: Written Comments in Response to the New York City Council's Committee on Transportation and Infrastructure's New York City Council Budget and Oversight Hearings on The Preliminary Budget for Fiscal Year 2024, The Preliminary Capital Plan for Fiscal Years 2024-2027, Fiscal 2024-2033 Preliminary Ten-Year Capital Strategy and The Fiscal 2023 Preliminary Mayor's Management Report-T2023-3007, Held on Thursday, March 9, 2023 at 10:00 a.m.

Downstate New York ADAPT ("DNY ADAPT") is a grassroots, non-hierarchical community of people with all types of disabilities advocating for the civil rights of people with disabilities, including, but not limited to, the right to live and fully participate in the larger community. Downstate New York ADAPT covers the five counties in

New York City, the two counties on Long Island as well as Westchester, Dutchess, Orange, Rockland, Putnam, Ulster and Sullivan counties in New York State.

We, Downstate New York ADAPT's co-coordinators, have reviewed the written long testimony submitted by Disabled In Action of Metropolitan New York ("DIA), dated March 9, 2023 and we agree with this testimony submitted by DIA.

Additionally, we like to bring to your Committee's attention the fact that there are bus stops in New York City that are not accessible. More specifically, there are bus shelters that are not in a location that a New Yorker using a wheelchair or walker can enter and exit the shelter safely. Further, there are bus stops located on grass and they cannot be reached by New Yorkers with disabilities. Finally, there are other bus stops that are on islands that are too narrow.

We think it is wonderful that the City is thinking about the environment with electrically powered buses. However, these buses are quiet and cannot be perceived by New Yorkers who have low vision, are blind or blind-deaf. Thus, we strongly recommend that the City have some sound emanating from these buses so that we New Yorkers can be aware of these buses' presence. Similarly, we are concerned about the fact

that electric scooters and bicycles pose the same problem, that is, not being able to hear them approaching. Further, we would like to know have you considered the issue of how these batteries will be safely disposed of without harming the environment?

At the budget oversight hearing on Thursday March 9th, 2023, Chair Brooks-Power asked each of the three agencies that came before this committee for a breakdown of contracts to Minority and Women-owned Business Enterprises ("M/WBE") but never asked for a breakdown of how many positions were held by New Yorkers with disabilities. Significantly, the largest minority and the most unemployed and underemployed minority in New York City as well as New York State and the United States is not included in the definition of a minority under New York City's M/WBE program. Clearly, this needs to be corrected immediately by the New York City Council if it wants to bring true equity to New York City and tap into this wonderful talent pool.

We noticed that at the hearing several members of the public as well as City Council members complained about long commutes for their non-disabled constituents. Further, the MTA itself stated that its goal is to have subway riders as well as a bus rider able to be transported on a subway or bus within 6 minutes. Significantly, the MTA is fine with Access-A-Ride customers having to wait at a minimum a half an hour before they can even consider that their ride is not on

time. So many people spoke about the need for transportation equity, yet New Yorkers with disabilities continue to receive not even services close to the general public's experience of being able to spontaneously ride public transit as well as taxis, Ubers, Lyfts and other transportation modes, including ferries in a safe and efficient manner.

Moreover, in view of the fact that history has demonstrated, separate is Not equal treatment, especially with the funding of public services. ***Brown v. Board of Education***, 347 U.S. 483 (1954), Governor Hochul's proposal to have New York City completely fund Access-A-Ride constitutes discrimination against New York City's seniors and New Yorkers with disabilities and cannot be permitted to happen.

With respect to outdoor dining, as already stated by Disabled In Action, to date the New York City Department of Transportation has failed to guarantee that these facilities are accessible to customers with disabilities. Further, the pedestrian public with low vision or who are blind have encountered protruding objects from such open restaurants protruding into the public pedestrian pathway which can result in serious safety issues which clearly violates the Americans With Disabilities Act Accessibility Guidelines. Similarly, when scaffolding is installed on sidewalks, many times parts of the

scaffolding protrude into the pedestrian pathway and can result in serious safety issues which also clearly violates the Americans With Disabilities Act Accessibility Guidelines.

Turning to curb ramps, there are some curb ramps installations that force New Yorkers with low vision or who are blind into the path of traffic. Further, when curb ramps are constructed sometimes at the outset they are poorly placed and installed. Additionally, the City's failure to properly maintain curb ramps has resulted in situations where water pools at the bottom of the ramps and causes further and faster deterioration of these ramps. There are missing detectable warnings as well as curb ramps with holes, cracks and other tripping hazards in them which has caused injuries and damage to New Yorkers' mobility equipment. So too, some curbs are missing curb ramps altogether. Although in its report, submitted to the New York City Committee on Transportation and Infrastructure, does state "**Pedestrian Ramp Program.** DOT has been installing pedestrian ramps at street corners to comply with the Americans With Disabilities Act." Report on the Fiscal 2024 Preliminary Plan and the Fiscal 2023 Preliminary Mayor's Management Report for the Department of Transportation, March 9, 2023, at p. 11, nowhere does

the New York City Department of Transportation acknowledge that it is also obligated to install and maintain curb ramps on New York City streets as a result of litigation. See, ***Eastern Paralyzed Veterans Assn. v. The City of New York***, 94 Civ. 0435 (S.D.N.Y. March 2019) and ***Center for Independence of the Disabled, New York v. The City of New York***, 14 Civ. 5884 (S.D.N.Y. March 2019), [Settlement Agreement](#)

Significantly, in its report submitted to the New York City Committee on Transportation and Infrastructure, nowhere does the New York City Department of Transportation address the fact that it is required to install and maintain Accessible Pedestrian Signals (“APS”) when and where traffic signals are located pursuant to the Americans With Disabilities Act and recent litigation. See, ***American Council of the Blind of New York v. City of New York***, 18 Civ. 5792 (S.D.N.Y. Dec. 27, 2021). [APS Decision](#) We hope that it is a mere oversight that APS are not mentioned in the New York City Department of Transportation’s report to this committee since APS are a very important safety and accessibility device that need to be installed throughout New York City.

March 12, 2023

-7-

DNY ADAPT

Thank you for this opportunity to submit written testimony. Further, thank you for holding this hearing and raising some of the issues faced by New Yorkers with disabilities to the three agencies that appeared before your committee. We hope your committee will reach out to Disabled In Action and Downstate New York ADAPT.

Very truly yours,

Downstate New York ADAPT

Anne-Elizabeth Straub, Marilyn Tucci, Brandon Heinrich
and Chris Murphy,
Co-Coordiators,
Transportation Equity Working Group,
Downstate New York ADAPT

Email address: dnyadapt@gmail.com

Downstate New York ADAPT



My name is Kelvin Taitt, I'm a member of the Economic Justice for East New York Committee with the Coalition for Community Advancement.

I'm here to testify about the safety and accessibility needs of residents who live around Broadway Junction and to ask The Committee of Transportation and Infrastructure to urgently prioritize Broadway Junction, its public realm and the dignity of East New York and Brownsville residents who commute to and from the station and the LIRR station.

The Americans with Disabilities Act was enacted over thirty years ago. Broadway Junction remains out of compliance with this law. For thirty years, the people of East New York have been systematically denied funding for elevators, and consistently working escalators. This is a racist and economic travesty.

Those who transit through Broadway Junction face a warren of dark and confusing paths to find their way from busses, subway trains and the Long Island Rail Road, The Junction and the surrounding area lacks signage, beauty, clean air, and sanitary facilities for people who use it - one of the busiest transit hub in Brooklyn that serves over 100,000 commuters daily.

The Q line was completely created, Pennsylvania Station, Hudson Yards 7 line station, and the amazing Oculus have all been fantastically built with air and light and art for the primarily white and high income residents who live in those areas, while our home transit hub has been purposefully allowed to decay. Those stations are works of architectural greatness, and they are culturally and artistically meaningful additions to their neighborhoods. We expect the same.

Broadway Junction is currently an unsafe and unhealthy environment for everyone. Our residents deserve what all New Yorkers are entitled to: the dignity of safe, reliable and health affirming transit that provides access to opportunities for rewarding employment and educational and cultural choices. This community cannot agree to changes in zoning until this transit hub is made ADA accessible and safe.

We know that the at least \$500 million designated offers much opportunity in local hiring and local procurement. We want to ensure local hire with living wages in the contract and procurement process. Additionally, we want to know how materials from the surrounding businesses- such as in the East New York Industrial business Zone- will be procured in the construction of the ADA accessibility and improvements to Brooklyn's third busiest subway hub.

As we wait for ADA accessibility we must not be silent that our transit hub has critical infrastructure and safety issues that remain. Our station lacks bright lighting and signage. We have lead paint chipping on the trestle. We need traffic calming and accessibility to and from the LIRR station for the disabled, elderly, etc. These needs are not addressed in the \$500 million committed.

The City must improve safety in the area and traffic flow (particularly around the East New York Bus Depot).

And we have seen our local vendors harassed and arrested in the hub. Our community calls for a NYPD Harassment Free Zone where Street Vendors can sell their goods ,

Additionally our community calls for a clean and beautiful transit hub and asks for funds to maintain a service corps (ACE) that supports sanitation and a clean station.

We look forward to working with the City Council to realize these funds and bring a bright future of access and safety in our local public infrastructure in East New York.

Thank you for your time,

Kelvin Taitt

To: Chair Selvena N. Brooks-Powers

From: Michael Ring

Date: March 9, 2023

My name is Michael Ring, And I am a board member of Disabled In Action of Metropolitan New York and a member of the Transportation Committee for the Downstate New York ADAPT, a chapter of national ADAPT. I would like to ask everyone in this room to play a little mind game with me. Today is Friday. So imagine if you had to decide on Wednesday or yesterday before 5:00 p.m. what time you wanted to get to work here and at what time you wanted to be picked up so you could go home. Doesn't that sound like it would be a little frustrating? You probably wouldn't be able to get your job done, because no one really knows what time they're going to finish up. Well, that's what Access-A-Ride users have to put up with if they want to go to work.

So, no. That doesn't work. That's why you don't see many people with disabilities in the workplace in New York City. You all know what happens when you're at work at 1 minute to 5:00 and you're in the middle of something important. You stay a little late. But that cannot happen if your Access-A-Ride vehicle is waiting for you outside; an inflexible system like Access-A-Ride means that New Yorkers with disabilities don't leave their houses to go to work.

I got lucky and I was picked to be in a pilot program where I was able to book my rides in real time, similar to a system you're all familiar with: Uber. I could press a button on my phone when I'm ready to leave my house and I can be taken to work in an accessible vehicle. But more importantly when I'm ready to go home I can press the same button and get picked up. I don't have to decide 24 hours in advance when I want to go home. Just like everyone else in this room I can go home when I'm ready to go home. Also, I don't always know where I'm going to be when I'm ready to go home. It's not unusual for people to have an off-site meeting or go out for a drink after work. I'm sure everyone in this room has done something like that. That's what makes you a good employee. New Yorkers who rely on Access-A-Ride cannot do that.

But wait, did I say I was lucky to get in this program? Luck had nothing to do with this. I was not randomly selected. I was told about this program by a friend of mine who was actually a paralympian. Not your run-of-the-mill person with a disability. Other people in this room are also in the program. They are disability rights activists, self-advocacy specialists, and MTA staff. We are the movers and shakers of the disability rights community. People that already have full-time jobs. I didn't get this because I was lucky. I got it because I asked for it and so did some of the other people who got into this program.

So, just before Covid, we were told this program would be changed because we were using it too much and it cost too much money. Well of course we use it. It works. We get to go to work. We get to go home when it's time to go home instead of when we decided the day before. Just like everyone else who goes to work. We were told the program was going to change to limit the amount of money a ride could cost and the quantity of rides we can take in a month. These limits would not have made it useless for anyone who worked 5 days a week. Also, our rides cost a lot less than when we have to deal with regular Access-A-Ride. We get picked up by TLC vehicles that are already driving around anyway and we get picked up by the nearest vehicle when we request one as opposed to Access-A-Ride that sends out vehicles with a predetermined manifest that leads them to drive all over the city

Now we are hearing again that the pilot program is going to go into phase B and we are all hoping it will not become something useless. Putting caps on the distance of a ride and the quantity of rides one could take will make this program useless.

I urge the people in this room to direct the MTA to add people to the pilot program. And not the people who've been banging down their door asking to be put into it because it works great. But they should add a random sample of Access-A-Ride users. That would give them actual data on how an on-demand program works and how much it would cost.

Thank you.

Michael Ring
Board Member of Disabled In Action

My name is Brother Paul Muhammad, I'm a member of the Coalition for Community Advancement.

I'm here to testify about the safety and accessibility needs of residents who live around Broadway Junction and to ask The Committee of Transportation and Infrastructure to urgently prioritize Broadway Junction, its public realm and the dignity of East New York and Brownsville residents who commute to and from the station and the LIRR station.

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We know that the at least \$500 million designated offers much opportunity in local hiring and local procurement. We want to ensure local hire with living wages in the contract and procurement process. Additionally, we want to know how materials from the surrounding businesses- such as in the East New York Industrial business Zone- will be procured in the construction of the ADA accessibility and improvements to Brooklyn's third busiest subway hub.

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The City must improve safety in the area and traffic flow (particularly around the East New York Bus Depot).

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Additionally our community calls for a clean and beautiful transit hub and asks for funds to maintain a service corps (ACE) that supports sanitation and a clean station.

We look forward to working with the City Council to realize these funds and bring a bright future of access and safety in our local public infrastructure in East New York.

Thank you for your time,

Brother Paul Muhammad

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: JOSHUA STEINBERG

Address: _____

I represent: FRIENDS OF THE QNS

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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in favor in opposition

Date: _____

(PLEASE PRINT)

Name: DENISE KEELIAN-SMITH

Address: _____

I represent: FRIENDS OF THE QNS

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 03/07/2023

(PLEASE PRINT)

Name: Liam Blank

Address: _____

I represent: Permanent Citizens Advisory Committee

Address: _____

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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in favor in opposition

Date: _____

(PLEASE PRINT)

Name: EVAN HINES

Address: _____

I represent: TLC, DEPUTY COMMISSIONER

Address: Operations, People & Innovation

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 03/09/2023

(PLEASE PRINT)

Name: David Do, Commissioner

Address: _____

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: DAVID R. JONES

Address: 633 3rd Ave, NY NY

I represent: CSS

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Elisabeth Franklin, Associate

Address: Deputy Commissioner

I represent: _____

Address: DOT

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Paul Ochoa, Executive Deputy Commi-

Address: ssioner

I represent: _____

Address: DOT

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Fred Beaton, Deputy Commissioner

Address: _____

I represent: _____

Address: _____

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Commissioner Ydannis Rodriguez

Address: _____

I represent: DOT

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 3/7/2023

(PLEASE PRINT)

Name: Rich Dawey

Address: _____

I represent: NYCT

Address: 2 Broadway

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 3/7/23

(PLEASE PRINT)

Name: Jaibale Patel

Address: _____

I represent: MTA

Address: 2 Broadway

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 3/7/2023

(PLEASE PRINT)

Name: Kevin Willens

Address: _____

I represent: MTA

Address: 2 Broadway

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 3/9/23

(PLEASE PRINT)

Name: ERIC MULLER

Address: BROOKLYN NY 11215

I represent: STREETSPAC

Address: 150 BROADWAY, SUITE 1703, NY NY 10038

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 3/9/23

(PLEASE PRINT)

Name: Amanda Berman

Address: _____

I represent: Center for Justice Innovation

Address: 520 8th Ave NY, NY

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. B1005 Res. No. _____

in favor in opposition

Date: 3/9/23

Name: Raul Rivera (PLEASE PRINT)

Address: _____

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

Name: Danny Pearlstein / Riders Alliance (PLEASE PRINT)

Address: 150 Bway Ste 1005 10038

I represent: Riders Alliance

Address: Riverside Dr 10034

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

Name: Michael King (PLEASE PRINT)

Address: _____

I represent: DIA - Disabled In Action

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

TC, MTA

I intend to appear and speak on Int. No. 44R1 Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Jean Ryan

Address: _____

I represent: DIA Disabled IN Acton

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

Date: 3/9/23

(PLEASE PRINT)

Name: Christopher Schuyler

Address: _____

I represent: New York Lawyers for the Public

Address: _____ *Interest*

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

Date: _____

(PLEASE PRINT)

Name: Lisa Paglian, Executive Director

Address: _____

I represent: Permanent Citizens Advisory Committee

Address: _____



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

