

**DEPUTY COMMISSIONER DAVID WOLOCH
NEW YORK CITY DEPARTMENT OF TRANSPORTATION
HEARING BEFORE THE CITY COUNCIL
COMMITTEE ON TRANSPORTATION
JANUARY 25, 2012**

Good morning Chairman Vacca and members of the Transportation Committee. My name is David Woloch; I'm the Deputy Commissioner for External Affairs at the New York City Department of Transportation (DOT). I am joined by Acting Commissioner and General Counsel Jason Mischel of the Mayor's Office of People with Disabilities (MOPD); Margaret Newman, DOT's Chief of Staff, who has been helping to lead DOT's efforts to improve access for people with disabilities; and Steve Galgano, DOT's Executive Director of Engineering. Thank you for having us here today to testify on this important topic, and on Intro numbers 183, 487, and 745. Before I comment on the bills I'd like to take a moment to discuss what DOT has recently done to enhance accessibility on our city streets.

As you know, over the past four years the Department has implemented a variety of programs to help make New York City's public space safer, more accessible and vibrant. We understand that these projects often change the design and geometry of the right-of-way, and the results can be initially confusing to some, especially in the disability community. That is why DOT is committed to working hand in hand with the Mayor's Office of People with Disabilities on our streetscape projects. We collaborated and consulted with former MOPD Commissioner Matthew Sapolin, and we look forward to continuing this practice with new Acting Commissioner Jason Mischel on incorporating the concerns of the disability community.

Some examples of recent collaboration between our two agencies are MOPD's participation in the Streetscape Task Force that led to DOT's first ever Street Design Manual; DOT's contribution to MOPD's Inclusive Design Guidelines publication; and the 2011 workshop that we hosted along with the advocacy group Pedestrians for Accessible and Safe Streets (PASS) for DOT engineers and designers to discuss accessibility in street design. We are proud of the

relationship we have established with MOPD and the disability community, and look forward to strengthening it in the future.

Turning to the proposed legislation, Intro 183 would codify another DOT initiative to enhance accessibility: our Accessible Pedestrian Signal (APS) program. These devices are affixed to pedestrian signal poles, emitting both audible and vibrotactile walk indicators as well as pushbutton locators. To function, APSs are wired to a pedestrian signal and can send audible and vibrotactile indications when pedestrians push a button installed at the crosswalk.

Before installing APS technology at an intersection, DOT analyzes off-peak traffic presence, the current traffic-signal patterns and the complexity of the intersection's geometry, including crossing distance. We use the National Cooperative Highway Research Program (NCHRP) criteria and the Manual on Uniform Traffic Control Devices (MUTCD) to evaluate and then rank each intersection under consideration, including new traffic signal installations. Our list of locations to be considered and evaluated for APS is predominantly provided by PASS and other advocacy groups.

As you know, Chairman Vacca, we included APS as part of our safety initiative, the 7th Avenue at W. 23rd Street Improvement Project. DOT worked closely with PASS and the residents of Selis Manor to develop this project, and made several changes to the design based on their concerns. I am glad that you and other members of the Council, including Speaker Quinn, were able to join us at the announcement of this project this past September.

As DOT currently has a robust APS program, both DOT and MOPD are in support of codifying the installation of APS, as Intro 183 seeks to do. In addition to the 23 signals we've installed thus far, DOT is already planning another 24 signal installations this year, and we are considering all new signal installations for APS in addition to the suggestions provided by PASS, other advocacy groups and from the disability community. We certainly welcome their input and will continue to work with MOPD and the disability community in this program. While we have suggestions on the language of Intro 183 as written, we are generally in support of this bill.

DOT and MOPD also support Intro 745, which would require the agency to post online a list of our major street redesign projects (including those that involve a major realignment of the roadway as well as the construction or removal of bicycle lanes or pedestrian plazas) in a format accessible to people with disabilities. As you know, Chairman Vacca, the agency is committed to providing the public with information about our projects and initiatives through our website and other means. From the newly introduced street rating map to the Daily Pothole and online portals that gather community input on major projects, DOT has been a leader in using the internet to engage the public on city programs. We believe we should, and we will, take the additional step of creating a page on our website that lists upcoming redesigns in an accessible format. We have some technical suggestions about the bill's language that I am confident we can work through.

Intro 487 also addresses an area where we can do more; however, we have concerns about the bill, which we do not believe we can support at this time. Current federal draft guidelines for accessible pedestrian facilities in the public right-of-way provide that detectable warning surfaces should be installed to indicate the boundary between pedestrian and vehicular routes where there is a flush rather than a curbed connection. DOT installs detectable warning surfaces (e.g. concrete pad with truncated domes) on all newly constructed pedestrian ramps to indicate this change, including approaches to streets with bike lanes along the curb. To add another type of detectable warning surface between a bike lane and the rest of the roadway would provide a person who is blind or has low vision a false sense of security, as it implies a transition back into a pedestrian area. Instead, such a strip would direct the pedestrian who is blind or has low vision into the vehicular roadway. We certainly want to hear the feedback from the disability community on this bill; however, to require a treatment to be implemented for hundreds of miles of bike lanes at a great cost to the city that would in fact detract from safety is not something we believe we can support at this time.

At the same time, we share the Council's interest in making our pedestrian plazas more accessible. Our pedestrian plaza program transforms underutilized street space to create more

public open space for our residents and visitors, including those who are blind or who have low vision. Accordingly, all capitally reconstructed plazas follow the same accessibility guidelines I previously mentioned. Of the 50 plazas that are in some phase of planning, design, construction, or have been recently completed, over 70% have funding in place to be capitally reconstructed. Reconstruction will ensure the grade separation between pedestrian space and roadway.

For those plazas that are not yet capitally constructed, DOT has been physically demarcating the boundary of plazas with planters, bollards, granite blocks, and textured surface treatments. In addition, all such plazas have two additional non-tactile lines of graphic thermoplastic material to outline the boundary. However, we do recognize that there are plazas where we could enhance the tactile demarcation between the plaza's reclaimed space and the roadway still used by vehicles, and in some cases bike lanes, to assist those who are blind or have low vision. We are actively looking at solutions to improve tactile demarcation along plazas and will work closely with MOPD and the disability community as we move forward with this effort.

As said earlier, DOT applauds the Council for your interest in this issue and we are eager to continue to work with the Council, MOPD, and the disability community to enhance our streetscape and to make our streets accessible. Thank you Chairman Vacca and members of the Committee; we will be happy to answer your questions at this time.



FOR THE RECORD

EXECUTIVE OFFICES
1415 Kellum Place
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Honorable Gale A. Brewer
250 Broadway
Suite 1744
New York, NY 10007

Re: Intro. 183-A

Dear Councilwoman Brewer,

AAA New York, which serves almost 1.6 million members, supports your effort to establish an audible pedestrian signaling program.

In our opinion, establishing such a program will increase safety at intersections where signals are installed. Identifying intersections with greater than average pedestrian and vehicular traffic, as well as those used most by persons with visual impairments, will allow safety to be enhanced for pedestrians and drivers alike. In addition, requiring an annual report on the effectiveness of this program will allow additional safety improvements to be made, should they be necessary.

Accordingly, AAA New York supports enactment of this legislation.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Frediani'.

Jeffrey Frediani
Legislative Analyst

JF:jf
1/24/12

Cc: Gary Altman, Legislative Counsel
Nivardo Lopez, Legislative Policy Analyst

Good morning ladies and gentlemen, I'm in favor of all 3 intros. Intro 0183-2010, Intro 0487-2011, and Intro 0745-2011:

I'm in favor of Intro 0183-2010, because it allows less accidents to occur when People are crossing the street, and also allows subway accidents to occur less frequently, because when a train is oncoming with this new Local law, a warning light would flash or blink:

:

Secondly, Intro 0487-2011 allows detectable warning surfaces to be installed in

Case of an emergency:

Finally Intro 0745-2011 would allow for major street redesigns to take place, so that a vehicle such as a bus or a car would see a person with a disability coming, so that the motorist could avoid them:

Also hybrid cabs are so quiet because of the electric motors, blind people can't hear them:

I sincerely hope that all 3 of these Intros get passed, because the city could sure use some improvements in the Transportation Department:

Thanks for your time today:

PASS COALITION

New York City Council
Transportation Committee Hearing
January 25, 2012

My name is Karen Gourgey and the following testimony is on behalf of the Pedestrians for Accessible and Safe Streets Coalition. The Pedestrians for Accessible and Safe Streets (PASS) Coalition was founded by eleven organizations that represent people from across the disability spectrum - most of which focus on the needs of blind and visually impaired people in New York City. This coalition was established in order to ensure that *ALL* of New York City's streets are fully accessible to people who are blind or visually impaired, whether they are residents or visitors to the city. PASS currently is allied with over two dozen organizations.

I want to commend this committee for its concern with respect to the specific needs of New York City's blind, visually impaired, and deaf-blind residents regarding travel within the five boroughs. We are grateful for the strong working relationship we have created and thank you, Chair Vacca and Council Member Brewer for leading the fight to increase pedestrian safety. We support the intent of Intro 183-A, however this legislation you are considering needs to go further. Specifically, The City Council should enact legislation requiring that Accessible Pedestrian Signals be installed at all intersections at which changes in geometric configuration and/or signalization are made. Please note the language in Intro 183-A should use "Accessible Pedestrian Signals", as opposed to "Audible Pedestrian Signals".

In recent years, the City has undertaken an extensive program to make its streets both safer for pedestrians and more pedestrian-friendly. These include creation of pedestrian plazas, pedestrian refuges, and bicycle lanes, as well as traffic signalization changes, including leading pedestrian intervals, exclusive pedestrian phases, split phasing, and leading or lagging dedicated turn lanes. These modifications have reduced the overall number of pedestrian injuries and fatalities in New York City. Some of these changes have, however, created unique challenges for New York City's blind, visually impaired, and deaf-blind residents. For ease of reference, the word "blind" will be used to include those with total blindness, those with some useable vision, and those with both vision and hearing loss.

In general, aside from those who are profoundly deaf, blind people rely on the sound of traffic to determine when it is safe to cross a street. For instance, at a standard traffic light intersection, a blind pedestrian would listen for the traffic parallel to him or her to begin moving in order to know that the light has turned green.

Geometric changes to an intersection can include bike lanes, dedicated turn lanes, curb extensions, pedestrian refuge or traffic islands and parking lanes. There may have been no changes to pedestrian signal heads or signal controllers, but the traffic surge has been moved the equivalent of two lanes away, and blind pedestrians are having difficulty determining when to cross. The traffic surge on which they previously relied is now too far away.

Signalization changes to an intersection can remove or change the traffic sounds used to determine when to begin crossing. Two examples of signalization changes that affect the traffic sounds that blind pedestrians rely on are Leading Pedestrian Intervals ("LPI") and Exclusive Pedestrian Phases ("EPP"). LPIs and EPPs each feature a phase during which no traffic moves, and pedestrians can cross safely. In such an instance, the parallel traffic surge upon which a blind pedestrian relies will not occur until after the pedestrian phase. The absence of any traffic movement creates an ambiguity for the blind pedestrian: he or she does not know if there is a pedestrian phase in effect,

or if there is simply no traffic present. Split phasing and dedicated turn lanes, leading and lagging, allow cars to complete a turn without encountering oncoming traffic or pedestrians but change the order of traffic movement without a consistent pattern to allow the blind pedestrian to determine when to begin crossing.

Accessible Pedestrian Signals

The Architectural and Transportation Barriers Compliance Board (Access Board) defines an accessible pedestrian signal as "a device that communicates information about the WALK phase in audible and vibrotactile formats. (Draft PROWAG, R105.5)

Accessible pedestrian signals ("APS") provide to the blind pedestrian in audible and vibrotactile formats the same information that the green light or the "walking man" provides to the pedestrian who is sighted.

Over the past year and a half, PASS has, with the assistance of our esteemed MOPD Commissioner Mathew Sapolin and the members of this committee, developed a productive working relationship with the Department of Transportation. We are confident that DOT and the City intend their efforts to create the safest streets possible to work for all, including those who are blind, visually impaired, or deaf-blind. To realize this magnificent vision, the City Council must require the following:

"APS shall be installed when signal timing is changed to phasing where pedestrian movement is not concurrent with predominant thru traffic movement. Examples include LPIs and EPPs. APS shall also be installed in any situation where geometric changes to an intersection separate the traffic flow from the blind pedestrian, to the extent that he or she can no longer readily identify by sound the onset of parallel traffic that would give him or her an indication of when to initiate a street crossing."

In addition, some of the changes that may take place in retiming the signals to improve vehicular operations may make that same intersection inaccessible to blind pedestrians if no APS is installed. Signal retiming is not a construction or renovation operation. A series of software programming changes, which may not even take place at the actual intersection (some are done from traffic management centers at a remote location), can change the timing and phasing of a traffic signal. This signal retiming may take only a few minutes, with no evidence to the public or to a blind pedestrian that a change has been made. We urge a broader requirement for APS installation that considers the impact of signal timing changes and some types of geometric design changes to intersections, as well as pedestrian signal installation requirements that are currently included.

We also believe that the specifications outlined in section B, should be eliminated and this section should be replaced with "The accessible pedestrian signal indicating that it is safe for pedestrians to cross the street shall follow the standards set forth in the Manual on Uniformed Traffic Control Devices (MUTCD)." Making reference to MUTCD will allow for the federally recognized and recommended standard to be the prevailing mandate.

APS will benefit not only blind persons, but also, elderly persons and persons with cognitive impairments. In fact, there is some research suggesting that sighted persons who are not elderly or disabled, but who may be paying more attention to their iPhones or other such devices than to their surroundings, are more likely to notice the change in sound made by an aps than the accompanying visual change.

We thank the City Council for the opportunity to submit this testimony and for your continued support.



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**Hearing to gather information on Adaptive Technology used by People with Disabilities to
assist them in traveling safely throughout the City of New York**

January 25, 2012

New York City Council Hearing Room

250 Broadway

New York, NY

Thank you for the opportunity to present the opinions of the board, staff and participants of the Brooklyn Center for Independence of the Disabled (BCID) on the implementation of mandates calling for the installation of Assistive Technology that can provide people with disabilities the same information offered to the nondisabled community as they navigate their daily activities of getting from here to there.

The Brooklyn Center for Independence of the Disabled (BCID) is a consumer based not for profit organization controlled and operated by people with disabilities for people with disabilities. Our mission is to provide the tools and services and necessary assistance to remove barriers within the community which prevent people with disabilities from fully assimilating. We accomplish this by teaching and empowering the members of the community of people with disabilities to seek and manage changes within the community that will improve the quality of life for all people including those with disabilities.

We thank the committee and recognize the leadership of Chairman Vacca for hosting this hearing as an effort to fully include the opinion of the community on proposed changes that have the potential to dramatically improve their ability to navigate the pedestrian ways throughout the city. The three Intros being discussed here today present such efforts to people with disabilities with an emphasis on those who are blind, deafblind or have low vision. Recent times and changing economics have resulted in many alterations in the streetscape, intersection design and traffic management leaving those who cannot see those alterations gambling with their personal safety every time they cross the street.

Intro 183-A creates a Local Law to amend the administrative code of the city of New York, in relation to audible pedestrian signals. As one of the founding members of the PASS coalition, BCID supports the intentions of this Intro; however, we recommend some changes to the current language be made to strengthen the mandate and clarify the nomenclature of the devices being requested.

First, the Intro refers to “Audible Pedestrian Signals” throughout; we recommend the term “Audible” be changed to “Accessible”. The term “audible” infers the information being conveyed is such that one can use their hearing to gauge the information being provided by the signal, whereas “accessible” infers multiple means of conveying that same information. The fact is, Accessible Pedestrian Signals (APS) is the preferred term and type of signal by people who require such devices. An Accessible Pedestrian Signal provides both audible and tactile information to the user that the walk sign is on to cross the desired street.

Next, I bring to your attention the language in the Intro that calls for the installation of APS at busier or more highly populated intersections. Being a representative of an “outer borough” I know that many of the Brooklyn intersections may have little or no traffic at different times during a given day. One might assume crossing during these times of traffic lows is somehow easier; however, that assumption would be contrary to one’s ability to use their hearing to discern the traffic pattern of the intersection. The fact is, people who are blind, deafblind or have low vision are taught to use their hearing to determine when the traffic parallel to their direction of travel is moving as a means of knowing when the traffic light is in their favor. Low or no traffic at a given intersection should indicate a greater need for APS. Moreover, BCID would request the language in the Intro be changed to state whenever an intersection is overhauled, upgraded, rebuilt or renovated and offers the general public pedestrian crossing information via a pedestrian signal head, an Accessible Pedestrian Signal (APS) be included to insure all people including those who are blind, deafblind and have low vision be provided the same information being provided to the general public by the walk sign.

Intro 487, proposes a Local Law relative to the installation of detectable warning surfaces indicating vehicular traffic. The Intro, although a positive attempt to inform people who cannot see the dangers they may be walking into, BCID recommends the Intro 487 be referred for more direction and input at the design level to insure the correct information is provided to the pedestrians who require this type of tactile information.

Finally, Intro 745 an Intro to create a Local Law requiring the department of transportation to post on its website a list of all major street redesigns in a format accessible to people with disabilities. This Intro indicates that the New York City public access network is not accessible to people with disabilities. That in itself is a violation of federal law and should be addressed as soon as possible. On the more positive side, providing travelers with information of street scape alterations prior to, during and upon completion will go far to assist people with disabilities the relevant information to assist them in planning travel throughout the city. BCID recommends the City Council make every effort to insure any information available to the general public be fully accessible to the whole community including those who use accessible technology such as screen readers and screen magnifiers.

In closing, I again thank the NYC Council Transportation Committee for hosting this very important hearing to gather the necessary evidence to move these three pedestrian safety Intros forward. BCID in conjunction with the PASS coalition and its many member organizations support safe pedestrian travel throughout the city of New York and hope to assist any and all departments of the city in moving this initiative through to fruition.

If we can be of any assistance or you have questions please do not hesitate to contact me.

Respectfully Submitted,
Mike Godino
Director of Advocacy, BCID
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New York City Council
Transportation Committee Hearing
January 25, 2012

My name is Annalyn Courtney Barbier. I am an Orientation and Mobility Specialist for Visions Services for the Blind and a member of the PASS Steering Committee.

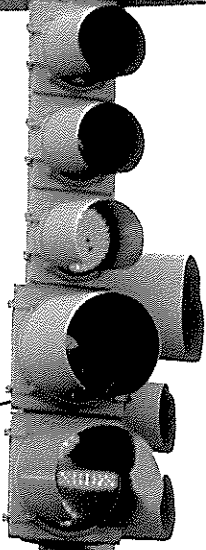
As an orientation and mobility specialist I travel throughout the five boroughs teaching travel techniques to people who are blind and visually impaired. The goal has been to teach techniques that a person can transfer from one environment to another, to allow independent travel throughout the city. Due to changes in signalization, to prevent pedestrian vehicle conflict, this goal is no longer realistic. The predictable sound of the perpendicular traffic stopping followed by the surge of parallel traffic is no longer consistent from one intersection to the next.

The picture provided illustrates a traffic signal with a pedestrian signal and a sign that reads "*Wait for Walk Signal.*" The importance of the sign is demonstrated by the signals shown. The green light and green arrow indicate parallel traffic movement, the sound a blind person relies on to determine it is safe to cross. This picture illustrates it is not safe to cross because the pedestrian signal shows an orange hand, indicating Don't Walk.

In an effort to decrease pedestrian fatalities, DOT has installed these signs at crosswalks throughout the five boroughs where signalization phases such as protected turn lanes and split phasing are used to control traffic movement. These signs demonstrate how important it is to know when the WALK signal is on and how important Accessible Pedestrian Signals are to ensure the safety of all pedestrians.



WAIT FOR WALK SIGNAL



Senny's Kids
ROSHIER MARKET & DELI
STARBUCKS COFFEE
KIDZ
FIVE GUYS
DAVIS STATION LIQUORS
KIMCO

**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: 1/25/12

(PLEASE PRINT)

Name: Dana Gray

Address: 135 W 23rd St 10011

I represent: _____

Address: _____

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Name: Ethan M. Smith

Address: 135 W 23rd St 10011

I represent: Selis Manor

Address: same

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Name: Debbie Haines

Address: 135 W 23rd St

I represent: Selis Manor

Address: same

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Name: Annalyn Courtney Barbier

Address: 500 Greenwich St

I represent: Visions Services for Blind & PARS

Address: 500 Greenwich St

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Name: KAREN GOURGUY

Address: Baruch College CCVP

I represent: PASS

Address: _____

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Date: JAN 25TH

(PLEASE PRINT)

Name: M J S E L F

Address: M J S E L F

I represent: M J S E L F

Address: _____

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Name: Michael Godino

Address: _____

I represent: BCID

Address: _____

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Appearance Card

I intend to appear and speak on Int. No. 183 Res. No. _____

in favor in opposition

Date: 1/25/12

(PLEASE PRINT)

Name: Ken Stewart

Address: 357 W. 55 St

I represent: _____

Address: _____

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THE CITY OF NEW YORK**

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Date: _____

(PLEASE PRINT)

Name: Maria Hamsem

Address: _____

I represent: Pass Pedestrians for Accessible &

Address: Safe Streets - Guide Dog Users of

New York.

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

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THE CITY OF NEW YORK**

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in favor in opposition

Date: 1/25/11

(PLEASE PRINT)

Name: DAVID WOLOCH

Address: Dept of Transportation

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Margaret Newman

Address: DOT Chief of Staff

I represent: _____

Address: _____

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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: Steven Galgano - DOT

Address: Executive Director of Engineering

I represent: _____

Address: _____

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