

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON ENVIRONMENTAL PROTECTION

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B E F O R E:

COSTA G. CONSTANTINIDES  
Chairperson

COUNCIL MEMBERS:

DONOVAN J. RICHARDS  
ERIC A. ULRICH  
RORY I. LANCOUNCIL MEMBERAN  
STEPHEN T. LEVIN

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

Michael Gilsenan  
Assistant Commissioner  
Bureau of Environmental Compliance

Richard Muller  
Director  
Legislative Affairs and Correspondence

Geraldine Kelpin  
Director  
Noise Permitting Enforcement

Oleg Chernyavsky  
Director  
Legislative Affairs, NYPD

Michael Pilecki  
Commanding Officer  
Traffic Enforcement Division

Isabelle Silverman  
Resident  
New York City

Jeni Lin  
Director  
NYU Net Impact

George Pakenham  
Film Maker  
New York City

Khalil Hall  
Student  
New York University

Brandon Buchanan  
Director of Operations  
American Bus Association, Washington, D.C.

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

DiSano  
Director  
Open Loop, NYC

Laura Rothwick [sp?]  
Twin America, Gray Line

Patrick Gatandra [sp?]  
Resident  
New York City

Kenzie Crowley  
Student  
New York University

Jordan Venezuela  
Resident  
New York City

[gavel]

CHAIRPERSON CONSTANTINIDES: Good

afternoon and welcome. I am Council Member Costa Constantinides, Chair of the Environmental Protection Committee. Today we're holding an oversight hearing on the effectiveness of New York City's Idling Law and Intros 717 and Intro 325 in relation to the enforcement of the anti-idling law. We will be pausing in the middle of this hearing for a vote on Intro 642 and we'll do that in a few minutes. New York City has had an idling prevention law since 1971. We still have a vehicle idling problem and air pollution problem because we have never had sufficient enforcement measures in place to stop vehicle idling. Numerous studies have shown a direct relationship between increased traffic density, vehicle idling, and respiratory disease. There is a strong association between increased combustion from traffic exhaust and outside schools and decreased lung function, wheezing cough among children. Idling diesel busses amid higher concentrations of pollution than they were moving them than when they are moving at air concentrations are highest when busses line up. By

1 contrast air quality improvements have been  
2 associated with decreased asthma attacks in  
3 children. Mistaken beliefs about the benefits  
4 associated with engine idling make idling habits  
5 difficult to break. Stricter enforcement is one of  
6 the several tactics that we need to take to break  
7 idling habits. Education about the impacts of  
8 idling and the city's rules regarding idlings are  
9 also important. Community and environmental groups  
10 have launched campaigns to educate drivers about  
11 idling myths in order to increase awareness about  
12 the issue. Many drivers for example are used to  
13 warming up their cars before beginning a drive or  
14 keeping the engine running while making quick  
15 stops. In fact, cars with electronic engines,  
16 today's standard technology in most vehicles do not  
17 need to be warmed up before they are driven.  
18 Driving the car is the best way to bring the engine  
19 to its optimum performance level. Many drivers also  
20 believe that idling consumes less fuel than  
21 stopping and starting a vehicle and that starting  
22 and stopping the vehicle, the car creates more wear  
23 and tear on the vehicle's engine and battery than  
24 idling. Both of these beliefs are incorrect. When a  
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1 car is stopped for more than 10 seconds idling uses  
2 more fuel than stopping and restarting the engine.  
3 Idling causes more wear on the engine than stopping  
4 it and restarting it. And although more restarts  
5 can cause minimal reduction in battery life the  
6 cost to the drivers of the decrease in battery life  
7 is far less than the cost of the fuel wasted while  
8 a vehicle is idling. Idling also costs money,  
9 wastes fuel, and increases greenhouse gasses. Of  
10 all the types of air pollution that we are  
11 challenged to address idling is one type of  
12 pollution that is completely preventable with  
13 stronger laws, improved enforcement, and better  
14 education about idling New York City can achieve  
15 the aims of the 1971 local law while protecting the  
16 health of exposed vulnerable citizens as well as  
17 protecting the environment. Intro 717 would  
18 authorize citizen enforcement of the idling law, a  
19 measure not novel to illegal dumping, sanitation  
20 enforcement, so unique to idling enforcement.  
21 Citizen enforcement is likely to result in more  
22 idling tickets being written and enforced and  
23 ultimately reducing or eliminating the idling and  
24 air pollution from idling problem over time. Intro  
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2 325 would permit the traffic enforcement agents to  
3 write DEP tickets which are significantly more  
4 costly. It is no secret that precariously few  
5 idling tickets are written by DEP as just 245. But  
6 we will work with our partners in government and  
7 make sure that the, that we are enforcing the laws  
8 that we have on the books. If more, though more  
9 than 3,000 parking tickets are written as idling  
10 tickets were written they would generate more than  
11 one million dollars of revenue and we would be able  
12 to get the message out that idling is bad for  
13 everyone in New York City. Today we'll hear both  
14 these bills and we'll hear from the administration  
15 on Intro 717 and 325 as, as well as longtime  
16 activist about the effectiveness of New York City's  
17 idling statute and measures we can all do to reduce  
18 idling. At this time, I will turn it over to the  
19 sponsor of Intro 325, a good friend and champion of  
20 the environment Daniel Garodnick.

21 COUNCIL MEMBER GARODNICK: Thank you  
22 very much.

23 CHAIRPERSON CONSTANTINIDES: ...let me  
24 just quickly recognize two of my colleagues who  
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COMMITTEE ON ENVIRONMENTAL PROTECTION

have walked in, both Rory Lancman and Eric Ulrich from Queens and Steve Levin from Brooklyn.

COUNCIL MEMBER GARODNICK: Thank you Chair Constantinides for holding a hearing today on Intro 325 which as you noted would require the traffic enforcement agents be able to issue idling tickets as environmental control board violations through their handheld devices. And also appreciate that you're hearing testimony on the larger issue of enforcing idling violations in New York City. Congratulations also in advance on 642, your bill on the subject of clean heating oil. I am very, very pleased to be a co-sponsor of that. Idling has serious consequences both for our health and for our environment. It's been shown to contribute to higher rates of asthma and heart disease and also to the amounts of greenhouse gasses we emit into the atmosphere that are associated with climate change. That is why we need to take a serious look at how we deter people from violating idling laws and how we enforce them when necessary. A lot of time has passed since this bill was first introduced and therefore I understand the process of issuing idling tickets perhaps as changed in the



1 past few years. However, there's still concern that  
2 these tickets are not being issued at a rate  
3 sufficient to meet the extent of the problem.

4 Additionally, though TEAs are currently empowered  
5 to issue violations for idling as parking tickets  
6 the comparatively low fine associated with these  
7 tickets may be insufficient to dissuade people from  
8 leaving their vehicles running. ECB violations  
9 would be able to start at higher rates potentially  
10 serving as a stronger deterrent in these  
11 situations. I look forward to hearing today's  
12 testimony and to exploring idling violations by the  
13 numbers so we can ensure that we have a smart  
14 policy to dissuade people from committing idling  
15 violations and to appropriately penalize them when  
16 they do. And we look forward to hearing the  
17 testimony from the various agencies that are here  
18 today. My apologies Mr. Chairman I'm actually  
19 contemporaneously chairing a hearing myself across  
20 the street about eight minutes ago. So I'm going to  
21 excuse myself. My staff will be here and also  
22 watching online and we'll look forward to following  
23 up with you and the committee. Thank you.  
24

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2 CHAIRPERSON CONSTANTINIDES: Thank you  
3 Council Member Garodnick and we will definitely  
4 keep you apprised to the hearing today. At this  
5 time, we will quickly... before we hear testimony  
6 from the administration if you can indulge us for  
7 one minute as we switch gears for a vote on Intro  
8 642-A. And I'll... my opening statement on that bill  
9 and then we will have the vote if the clerk is  
10 here. Okay great. Heating oils are a major source  
11 of air pollutants in New York City. The space  
12 heating sector is responsible for approximately 12  
13 percent of the local emissions of particulate  
14 matter, more than half of vehicle or power plants.  
15 One immediate solution to address pollution from  
16 oil heat in the short term is to use biodiesel. The  
17 use of biodiesel would provide a litany of benefits  
18 including reducing emissions of air pollutants,  
19 reducing cleaning and maintenance costs, increases  
20 the viscosity and ease of handling fuel oils and  
21 providing other operational benefits. Biodiesel is  
22 cleaner burning than conventional petroleum diesel,  
23 an important distinction in the city where  
24 improving air quality is a challenge. By contrast  
25 petroleum diesel exhaust is a major source of air

1 pollution. And exposure to such exhaust has adverse  
2 health effects including increased mortality rates,  
3 respiratory diseases, changes in lung function and  
4 asthma attacks. Links have been documented between  
5 air pollution from diesel exhaust and  
6 cardiopulmonary mortality as well as lung cancer  
7 mortality, increased blood pressure, altered  
8 electrical functioning of the heart which is  
9 particularly dangerous for people with preexisting  
10 coronary artery disease. Compared to using  
11 petroleum diesel, using biodiesel and a diesel  
12 engine reduces resulted emissions of particulate  
13 matter which contributes to soot and respiratory  
14 conditions. Sulfate which contributes to acid rain.  
15 Carbon monoxide which leads to greenhouse gasses.  
16 And unburned hydrocarbons. Emissions are reduced  
17 proportionately according to the amount of  
18 biodiesel used in the fuel blend. This legislation  
19 will also provide health benefits for the most  
20 vulnerable individuals of our city. Everyone is  
21 impacted by poor air quality but certain groups  
22 experience more serious impacts than others due to  
23 their greater susceptibility at the same levels of  
24 air pollution. Most studies have found greater  
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1 vulnerability to air pollution and susceptible  
2 populations including but not limited to the  
3 elderly and children. Of all the groups  
4 disproportionately impacted by air pollution and  
5 have been studied the most research has been  
6 involved adverse health impacts for children. With  
7 the legislation being heard today we move that much  
8 closer to achieving the health benefits most  
9 desperately needed by the most vulnerable groups  
10 and individuals. This local law calls for the city  
11 to increase the use of biodiesel and home heating  
12 oil, home heating fuel by using five percent  
13 biodiesel in the year 2017, 10 percent by 2025, 15  
14 percent by 2030, and 20 percent by 2034. One of the  
15 goals of 1NYC and 80 by 50 was to achieve the  
16 cleanest air of any large city in the country. The  
17 biodiesel legislation previously passed and the  
18 market created by the use of biodiesel has not only  
19 improved our air quality but has grown jobs and  
20 reduced our alliance on fossil fuels. With the  
21 legislation being heard and voted on today we move  
22 that much closer to the goals of 1NYC and we... the  
23 health benefits most desperately needed by the most  
24 vulnerable groups and individuals. Today's hearing

1  
2 and vote is another step to a more sustainable  
3 future. And on a personal note this bill will take  
4 the equivalent of 17, we, the old bill at two  
5 percent was the equivalent of taking two, 17,000  
6 cars off the road every year. At five percent we  
7 take the equivalent of 45,000 cars off the road. In  
8 a city where asthma and I know in my, I can speak  
9 to my district where the number one cause of  
10 hospitalizations in children under 14 is asthma.  
11 And those children miss between 10 and 30 days of  
12 school a year. The, the steps that we take today  
13 will ensure that we are taking real steps not only  
14 to fight climate change which is real, both protect  
15 and improve health for our children where it's most  
16 needed. And I've heard a lot, this is, I've been  
17 involved with this committee eight plus years; 6  
18 years working for Council Member Gennaro as his  
19 deputy chief of staff, three years now as a member  
20 of this committee, and going on my second year as  
21 chair. And this is one of the bills I'm more proud  
22 of. Because we've seen opposition from those who  
23 seek to say that they are environmentalists but the  
24 only one who testified against the bill was big  
25 oil. The American Petroleum Institute... the question

1 was asked to them do you believe in climate change  
2 and do you believe that petroleum has a hand in  
3 that climate change they refuse to answer the  
4 question before this committee. So let's make no  
5 mistake today. Those that seek to, to... to attack  
6 this bill are attacking it not for the improvement  
7 of our children, not for the improvement of our air  
8 quality but for their own personal gain and  
9 fighting to make sure that we keep burning hundreds  
10 of millions of gallons of petroleum every day and  
11 that is something we are going to stand as a  
12 council as real progressives against. We are going  
13 to work toward cleaner future for New York City to  
14 fight climate change, to be a leader on climate  
15 change, and also protect those most vulnerable. So  
16 with that I recommend a yes vote from my  
17 colleagues. I want to thank all the, everyone here  
18 at the council, Samara Swanston, Bill Murry, John,  
19 John Seltzer, Ed Atkin, my staff Nick Wazowski, and  
20 Nick Rolfson, and Shahryar Sharone [sp?]. I  
21 recommend a yes vote. Clerk can you please call the  
22 role please.

24 COMMITTEE CLERK MARTIN: William Martin,  
25 Committee Clerk. Roll call vote, Committee on

1  
2 Environmental Protection. Introduction 642-A. Chair  
3 Constantinides.

4 CHAIRPERSON CONSTANTINIDES: I vote aye.

5 CC: Levin.

6 COUNCIL MEMBER LEVIN: Aye on all.

7 CC: Lancman.

8 COUNCIL MEMBER LANCOUNCIL MEMBERAN:

9 [off mic] Aye.

10 CC: Ulrich.

11 COUNCIL MEMBER ULRICH: No.

12 CC: By a vote of three in the  
13 affirmative, one in the negative, and no  
14 abstentions item has been adopted.

15 CHAIRPERSON CONSTANTINIDES: If we can  
16 leave the vote open for a half hour for one more  
17 colleague to attend. Thank you. Alright I will  
18 vote, I will gavel this vote closed temporarily  
19 until such time that my colleague Donovan, Council  
20 Member Richards comes... half hour. With that we'll  
21 then turn back to our original hearing on idling  
22 and I will hear from the administration on that  
23 topic. Thank you. Please begin gentleman. Oh  
24 Samara.

1  
2 SAMARA: Do you swear, affirm to tell  
3 the truth, the whole truth, and nothing but the  
4 truth today?

5 MICHAEL GILSENAN: Good afternoon  
6 Chairman Constantinides and members of the  
7 committee. I am Michael Gilsenan, Assistant  
8 Commissioner of the Bureau of Environmental  
9 Compliance at the New York City Department of  
10 Environmental Protection, DEP. I am substituting  
11 today for Deputy Commissioner Angela Licata who  
12 could not be here today and she sends her regrets.  
13 She became ill last night. With me are Geraldine  
14 Kelpin, Director and Noise Permitting enforcement  
15 and Rick Muller Director of Legislative Affairs.  
16 We're also joined by colleagues from the police  
17 department who'll answer any questions you may have  
18 for them. Thank you for the opportunity to testify  
19 on the enforcement of idling restrictions in New  
20 York City and introductions 325 and 717 that  
21 address aspects of reducing motor vehicle idling in  
22 New York City. As you know New York City's  
23 prohibition on idling resides in Section 24-163 of  
24 Title 4, Chapter 1 of the administrative code, the  
25 ed code [sp?], and in the rules of the city of New



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2 York. Section 24-163 provides that with certain  
3 exceptions and no vehicle in the city is allowed to  
4 idle more than three minutes while parked, stopped,  
5 or standing. Working with the council we have  
6 already prohibited idling adjacent to schools for  
7 more than one minute and extended the use of  
8 citizen complaint provision to allow citizen  
9 enforcement against idling busses by adding  
10 enforcement against idling trucks. Further a rule  
11 promulgated by the Department of Finance created a  
12 program code that allows handheld devices employed  
13 by traffic enforcement agents, TEAs to issue  
14 tickets pursuant to the New York City traffic rules  
15 to those who violate the idling rules. Finally,  
16 authority to enforce idling restrictions is also  
17 exercised by the police department, NYPD, the  
18 Department of Parks and Recreation, DPR, the  
19 Department of Sanitation, DSNY, and the Business  
20 Integrity Commission, BIC. Enforcement personnel of  
21 DEP, DPR, DSNY, and BIC are authorized to issue  
22 Office of Administrative trials and hearings oath  
23 summonses returnable to the environmental control  
24 board, ECB. Summonses written pursuant to 24163 are  
25 adjudicated before ECB which is now under oath.

1 Penalties on a finding of violation range from 200  
2 to 2,000 dollars. Parking summonses issued pursuant  
3 to the New York City traffic rules by all TEAs are  
4 returnable to the Department of Finance and the  
5 penalty is 100 dollars. Intro 230 which was  
6 introduced in 2014 in conjunction with the update  
7 to the air code would address idling trucks that  
8 use secondary engines to idle indefinitely under  
9 the processing device exemption as well as to  
10 clarify some of the other exemptions in the current  
11 law including the timeframe to idle during extreme  
12 temperatures. DEP supports intro 230 and hopes to  
13 continue to work with the council to pass this  
14 important legislation. Before I turn my attention  
15 to the, to the, to the specifics of Intros 325 and  
16 717 I would like to note that the administration  
17 takes enforcement of engine idling very seriously.  
18 As a point of reference 3,263 parking violations  
19 were issued for engine idling in 214, in 2014 and  
20 3,284 parking violations were issued in 2015 which  
21 represents a 28 percent increase from 2013. To  
22 increase the effectiveness of our efforts we target  
23 enforcement by identifying or being informed of hot  
24 spots where idling is a recurring problem. In  
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1 addition to visiting locations along tour bus  
2 routes, unofficial layover stops, express van  
3 pickup drop-off locations we have most recently  
4 focused on several areas where school bus companies  
5 house their fleets. We respond to complaints from  
6 elected officials and in fact have engaged in  
7 prolong enforcement actions at their request. In  
8 one case we even had council staff members observe  
9 our records. We also send idling flyers to bus  
10 companies and schools and pass them out to parents  
11 around schools in May which is asthma awareness  
12 month reminding everyone of the law and steps to  
13 take to reduce idling around schools. In  
14 conjunction with this effort we conduct enforcement  
15 actions at schools across the boroughs. It is  
16 important to bear in mind that there are many  
17 instances when trucks and busses are operating  
18 within the law under certain exemptions. Those  
19 citizens might not realize or understand that.  
20 Finally, there are many cases in which the  
21 ticketing of one individual will lead others in the  
22 area who are idling to shut their engine off. I'll  
23 turn now to Intro 325 which proposes to make the  
24 current handheld parking ticket devices used by the  
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1  
2 police department capable of issuing oath summonses  
3 for violations of the ad code 24-163 which would be  
4 returnable to ECB. NYPD's primary enforcement of  
5 engine idling is performed by TEAs. As mentioned  
6 though the issuance of a parking, through the  
7 issuance of a parking summons under NYC traffic  
8 rules engine idling is prohibited under 34RNC New  
9 York Section 408P of the rules. Additionally, NYPD  
10 patrol officers may issue criminal court summonses  
11 for engine idling under the ad code as well. The  
12 police department's handheld parking ticket devices  
13 which are used exclusively by TEAs are not  
14 technologically capable of issuing oath summonses  
15 returnable to ECB. I'll now turn to Intro 717 which  
16 proposes to enable citizens to submit online video  
17 recordings of an idling violation and to collect a  
18 reward therefore on a finding of violation. The  
19 citizen's complaint provision has rarely been used  
20 in the past. However, after meeting with Council  
21 Member Rosenthal and her staff last spring DEP  
22 committed to provide a more transparent process, a  
23 component of which includes citizen training. Since  
24 then DEP staff met with interested citizens to  
25 teach them the requirements for preparing a

1 complete citizen's complaint form that could lead  
2 to the issuance of an idling summons including  
3 training on the law what constitutes idling, the  
4 types of exemptions, and how evidence should be  
5 provided. The citizens provided several test cases  
6 and shared feedback with us. As a result of the  
7 test cases and follow-up discussions and meetings  
8 DEP has revised the citizen's complaint form,  
9 created an instruction sheet that is available on  
10 our website, and work with oath to formalize the  
11 transmission of citizen's complaints into the  
12 hearing process as well as training interested  
13 citizens. DEP is concerned about the requirement in  
14 the bill of no fewer than five training sessions a  
15 year. This number required, this number of required  
16 training would create a significant resource issue.  
17 We agree that training can familiarize citizens  
18 with the law as necessary therefore we would  
19 welcome the opportunity to discuss the best and  
20 most manageable options for training. DEP has no  
21 objection to the submission of video but it would  
22 be more useful as a record that encompasses salient  
23 aspects of the type of activity being captured. For  
24 example, there is an exemption for idling of busses  
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1 to control cabin temperature for passengers. Awful  
2 processing devices such as a truck's lift gate,  
3 that is this information would be more helpful as a  
4 video when used to show that the activity does not  
5 fall within one of the exceptions to the idling  
6 law. A picture which is more of a tool to show that  
7 there is an actual vehicle present and its license  
8 plate number provides a start and end time to  
9 determine if the vehicle exceeded the allowable  
10 timeframe. This information along with the  
11 affidavit will provide more detail as to whether a  
12 violation of Section 24-163 has occurred. Finally,  
13 idling might not be evident if there are no visible  
14 emission from the vehicle on the, on the video.  
15 Section 24-182A of the code only authorizes  
16 citizen's complaints for idling violations by bus  
17 and trucks as defined in the state vehicle and  
18 traffic law, the VTL. We believe that expanding it  
19 to include passenger cars as both dangerous and  
20 impractical. DEP's inspectors will approach the,  
21 will approach a passenger vehicle knowing police  
22 support is available. DEP also has a means to  
23 request information from the Department of Motor  
24 Vehicles when engaging and an idling enforcement  
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1  
2 action. It is extremely difficult to obtain the  
3 registered owner's information from DE... DMV even if  
4 the plate number is available. And it is extremely  
5 unlikely that a driver would provide a citizen who  
6 asks for identification information with it and  
7 could instead become violent or simply drive off.  
8 DEP strongly urges in the name of public safety  
9 that this bill not include citizen enforcement  
10 against passenger vehicles. Further we are  
11 concerned at this point with reducing emissions  
12 from diesel fuel vehicles which contribute to ozone  
13 formation. DEP supports increased penalty amounts  
14 for idling which is after all an unwanted and  
15 unnecessary deterrent to air quality and public  
16 health in New York City. While the air code update  
17 eliminated the distinction between gasoline,  
18 generally passenger cars and diesel, commercial  
19 vehicles, with regard to penalties the council  
20 might now want to consider differing penalty levels  
21 for the commercial and private vehicle idling.  
22 Again, thank you for this opportunity to testify  
23 and we'll be glad to answer any of your questions.

24

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2 CHAIRPERSON CONSTANTINIDES: Thank you  
3 Assistant Commissioner. At this time if the clerk  
4 can reopen the vote on Intro 642A.

5 CC: Council Member Richards.

6 COUNCIL MEMBER RICHARDS: Proudly vote  
7 aye on this. I want to congratulate you on in  
8 particular a great bill which is really going to do  
9 a lot of different things. And in this day and age  
10 of climate change and where we have rising sea  
11 levels and as a representative of the Rockaways it  
12 is incumbent upon us to do everything in our power  
13 to ensure that we are slowing the effects of  
14 climate change across the city and setting a  
15 standard in a high bar for around the country and I  
16 applaud you for your efforts and many of the  
17 advocates and the organizations who really worked  
18 on this bill over the last, for the last year or  
19 two in particular. So with that I proudly vote aye.

20 CC: Final vote now on Introduction 642A  
21 stands at 4 in the affirmative, one in the  
22 negative, and no abstentions.

23 CHAIRPERSON CONSTANTINIDES: Thank you.  
24 Thank you, thank you Council Member Richards.  
25 Alright switching back to idling. See we can



1  
2 multitask here in the city council. Doing two  
3 things at once it's, it's the hallmark of the job.  
4 So how many tickets are actually interested or are  
5 issued every year... how many parking tickets, how  
6 many... you know relating to that area but want to  
7 talk about the DEP tickets, how many have we issued  
8 every year? Different number... maybe I'm reading  
9 this wrong.

10 GERALDINE KELPIN: My... oops, sorry. In  
11 terms of the, the numbers for the police  
12 department. It's actually...

13 CHAIRPERSON CONSTANTINIDES: DEP.

14 GERALDINE KELPIN: Right. So it's  
15 parking tickets that were issued for idling just to  
16 clarify that part. In fiscal year '16 we issued  
17 approximately 245. And in fiscal year '15 99.

18 CHAIRPERSON CONSTANTINIDES: And what's  
19 the penalty amount for those?

20 GERALDINE KELPIN: 350 dollars.

21 CHAIRPERSON CONSTANTINIDES: 350 for  
22 the, for the first offense?

23 GERALDINE KELPIN: Yes.

24 CHAIRPERSON CONSTANTINIDES: And then  
25 it's...

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2 GERALDINE KELPIN: It is unlikely that  
3 we will get the same vehicle... in order for it to be  
4 a second offense of, in front of O through ECB's  
5 protocols it has to be the same vehicle, same  
6 driver, same section of the code in order for it to  
7 be a second violation.

8 CHAIRPERSON CONSTANTINIDES: But there  
9 are only 245 that were, have been issued thus far..  
10 all of last year.

11 GERALDINE KELPIN: Yes.

12 CHAIRPERSON CONSTANTINIDES: And then 99  
13 this year?

14 GERALDINE KELPIN: No, reverse.

15 CHAIRPERSON CONSTANTINIDES: Oh reverse,  
16 okay.

17 GERALDINE KELPIN: And in July and  
18 August. We issued to date July and August of this  
19 year, 32. So I gave you fiscal year '16..

20 CHAIRPERSON CONSTANTINIDES: Right.

21 GERALDINE KELPIN: 245. Fiscal year '15  
22 99.

23 CHAIRPERSON CONSTANTINIDES: So is in  
24 some improvement what do you think is, is holding  
25 us back from being able to combat this in a, in a

1  
2 more meaningful way. It's 245 out of, I think there  
3 were more than 245 cars that were idling.

4 GERALDINE KELPIN: So to sort of help  
5 engage it for DEP. We're looking at the... complaints  
6 that come in for, for one and often they are for a  
7 one-time event. So the car was observed and is gone  
8 that same day or within minutes. What we've moved  
9 to is to look at special areas that we've been,  
10 have identified. This past year we spent a lot of  
11 time in both Brooklyn and the Bronx at the school  
12 bus depot locations to try to get them to be more  
13 cognoscente of the law and to get out of their  
14 facility within three minutes and not to be idling  
15 outside you know waiting to, to take off. It has to  
16 do with you know how they manage their busses.  
17 Those, those are the areas where we went back and  
18 we did see improvements in how they managed you  
19 know the, the hundred, 200, 200 busses that come  
20 into these lots. So I think that that accounted for  
21 the increasing violations and we think that it's,  
22 it was also helpful. There are also areas that we  
23 issued to as well.

24 CHAIRPERSON CONSTANTINIDES: ...I'm  
25 looking at your testimony to say that you give out,

1  
2 you reach out to parents and bus companies around  
3 May which I know is asthma awareness month which I  
4 think is an important step. Do think we should  
5 include beginning of the school year because may,  
6 by May the school year is most of the way done and  
7 you know my son in May is already thinking about  
8 what he's doing on his summer vacation and I, I  
9 don't want to put that thought in every parents  
10 head but it may be speaking to them a little bit  
11 earlier in the school year might be able to drive  
12 those points home to have good behavior throughout  
13 that entire school year.

14 MICHAEL GILSENAN: We in fact did that  
15 this year.

16 CHAIRPERSON CONSTANTINIDES: Okay good.  
17 That, that is wonderful to hear. Because I just  
18 think that if we need to start having these  
19 conversations with New Yorkers and, and teaching  
20 them about those myths that we you know warming up  
21 your car, the starting and stopping. All of these,  
22 I've heard these myths pretty much my entire life  
23 as a driver and combatting those myths and making  
24 sure we're giving the science is an important step  
25 forward.

1  
2           MICHAEL GILSENAN: We agree. And I have  
3 to tell you that the reactions from the parents and  
4 from the school officials over the years that we  
5 have been doing this has been just tremendous.  
6 They've been a great asset to us.

7           CHAIRPERSON CONSTANTINIDES: That's  
8 wonderful to hear. Well I mean we need to do more  
9 and I think that... so what is preventing us from  
10 getting the technology to be able to, to implement  
11 325 as written.

12           MICHAEL GILSENAN: I'm going to refer  
13 that to our colleagues at the police department.

14           CHAIRPERSON CONSTANTINIDES: Good  
15 afternoon.

16           OLEG CHERNYAVSKY: Good afternoon  
17 Council Member.

18           CHAIRPERSON CONSTANTINIDES: You just  
19 state your name for the record please?

20           OLEG CHERNYAVSKY: Sure Oleg  
21 Chernyavsky. I'm the Director of Legislative  
22 Affairs.

23           CHAIRPERSON CONSTANTINIDES: My  
24 legislative attorney is going to swear you in.  
25

1  
2 ATTORNEY SWANSTON: Please raise your  
3 right hand. Swear affirm to tell the truth, the  
4 whole truth, and nothing but the truth today?

5 OLEG CHERNYAVSKY: I do. It's Oleg  
6 Chernyavsky. I'm the Director of Legislative  
7 Affairs for the NYPD.

8 CHAIRPERSON CONSTANTINIDES: Mm-hmm.

9 OLEG CHERNYAVSKY: So the, the, the  
10 primary obstacle, there are two obstacles that,  
11 concerns that, that we see with 325. One being a  
12 legal concerns with respect to the traditional job  
13 function of TEAs. So we have approximately out of  
14 the full force of how many are there? Right, so 24  
15 hundred and change traffic agents, 100 or  
16 approximately 75 of them are peace officers. The  
17 rest of them issue parking violations and direct  
18 traffic. The parking violation that they issue when  
19 their handhelds are currently capable of issuing is  
20 idling under the New York City traffic rules.

21 CHAIRPERSON CONSTANTINIDES: And what's  
22 the, what's the... penalty for that particular  
23 offense?

24 OLEG CHERNYAVSKY: I believe it's 100  
25 dollars but the penalties are set by DOT. It's

1 their traffic rules. We just write the, the  
2 summons. But it is classified as a parking  
3 violation which enables our traffic agents to issue  
4 that summons via the use of their handhelds. So  
5 that's actually being done now. We would certainly  
6 be open to having further discussions about  
7 possibly raising the penalties within the traffic  
8 rules to further the goals of the legislation.  
9 However, moving to the second concern which is the  
10 technology concern the current handhelds are built  
11 to issue parking violations. They're not built to  
12 issue NOVs. So even if we get past the legal  
13 impediments of the job functions of the traffic  
14 enforcement agents we still have to overcome the  
15 hurdle of issuing, of having our handhelds either  
16 replaced or upgraded sufficiently to issue NOVs  
17 which have an affidavit of service. It's a  
18 completely different type of summons than the  
19 parking violation. So the, the question becomes is  
20 whether or not that is a necessary step that needs  
21 to be taken because the, the tool already exists  
22 for us to issue these idling summonses. Now with  
23 respect to the idling violation under the ad code  
24 that you, that you're speaking of our police  
25

1 officers do use that section of law. It's not via  
2 the use of handhelds because they don't use  
3 handhelds but they issue both NOV's and C summonses,  
4 Criminal Court Summonses for idling under that  
5 provision of law.  
6

7 CHAIRPERSON CONSTANTINIDES: And that,  
8 and those are included within the 245 and the 99  
9 that you referenced or that's...

10 OLEG CHERNYAVSKY: No, those are only  
11 DEP numbers.

12 CHAIRPERSON CONSTANTINIDES: Okay I,  
13 and... and what sort of training do we have for our  
14 traffic enforcement agents surrounding idling you  
15 know what kind of conversations... I mean a lot of  
16 time we'd... I'd rather have a, a traffic... walk up to  
17 a car and say you need to stop idling and that  
18 happened. Right. That, we want to have a  
19 conversation, want to have an education that that's  
20 productive. What sort of training are we doing to  
21 make sure that's happening on a, on a daily basis  
22 and that we're having those, those conversation if  
23 need be that they are doing those parking  
24 violation? What's 3,000 in a city, what is, how  
25



1  
2 many parking violations total we issue in the city  
3 every year, not that I'm advocating for more.

4 OLEG CHERNYAVSKY: Sure. I'm going to  
5 let Deputy Chief Michael Pulucky answer that. He's  
6 the commanding officer of the traffic enforcement  
7 division with the department.

8 MICHAEL PILECKI: Thank you. good  
9 morning everyone. We generally issue in traffic  
10 enforcement district 7.9 million summonses per  
11 year.

12 CHAIRPERSON CONSTANTINIDES: Okay so  
13 they.. this.. How many idling?

14 MICHAEL PILECKI: A little over 3,000.  
15 And there's a few reasons for that and I'll tell  
16 you what they are.

17 CHAIRPERSON CONSTANTINIDES: And if you  
18 can walk me through it that'd be, that'd be great.

19 MICHAEL PILECKI: So, so our mandate is  
20 part of the police department transportation bureau  
21 and in the traffic enforcement district is to  
22 ensure public safety in general and to enhance the  
23 movement of traffic.

24 CHAIRPERSON CONSTANTINIDES: Mm-hmm.  
25

1  
2 MICHAEL PILECKI: And to that end we  
3 encourage our agents to issue a variety of  
4 different summonses. For example, we encourage  
5 them, we encourage them to issue summonses for  
6 double park violations, vehicles parked in bus  
7 stops, vehicles parked in cross walks to enhance  
8 pedestrian safety, vehicles parked in bicycle  
9 lanes, vehicles blocking handicap ramps, handicap  
10 spots. We, we encourage them to issue a variety of  
11 summonses to keep the traffic flowing and, and to  
12 enhance public safety. We do speak to them about  
13 issuing summonses for engine idling and I can tell  
14 you that for a fact. One of the reasons that the  
15 numbers might not be as, as, as high as you would  
16 think is that we have a policy that I testified to  
17 here a couple of years ago and that when we issue  
18 summonses to motorists sitting inside their  
19 vehicles we don't just walk up and issue them the  
20 violation. If they're sitting in the vehicle we  
21 first ask them to move. Now, if they don't move we  
22 might ask them again and then if, we would issue  
23 them summonses. So in these kind of cases, probably  
24 on every single occasion where an engine is idling  
25 the motorist is sitting inside the vehicle. So we

1 don't walk up and just hit them with a ticket. We  
2 will ask them as you mentioned can you shut the  
3 engine off please.  
4

5 CHAIRPERSON CONSTANTINIDES: So there is  
6 that conversation that's happening. Okay. At this  
7 point I'm going to turn it over to my colleague, to  
8 Council Member Levin and then I'll move over to  
9 Councilman Richards and I'll come back for a second  
10 round.

11 COUNCIL MEMBER LEVIN: Thank you very  
12 much Mr. Chair. So I just want to be clear that  
13 the, that the 3,000 tickets that are issued for  
14 idling are issued by traffic enforcement agents is  
15 that right?

16 MICHAEL PILECKI: Yes, correct.

17 COUNCIL MEMBER LEVIN: So of, of all,  
18 it's not other NYPD personnel that are issuing  
19 those...

20 MICHAEL PILECKI: That's correct. Just  
21 traffic enforcement agents assigned to my command.

22 COUNCIL MEMBER LEVIN: Okay. And they  
23 have the, the, the...

24 MICHAEL PILECKI: Handheld devices...

1  
2 COUNCIL MEMBER LEVIN: Well but, but in  
3 order to issue an ECB violation you know as per the  
4 admin code how... what method do they use to, to  
5 issue those summonses.

6 OLEG CHERNYAVSKY: Right so the traffic  
7 agents don't issue ECBs, they issue parking  
8 violations. The ECBs, traffic agents cannot issue..

9 COUNCIL MEMBER LEVIN: But idling are  
10 ECB violations?

11 OLEG CHERNYAVSKY: Well there's two  
12 separate statutes... [cross-talk] So there's an  
13 idling statute under the traffic rules..

14 COUNCIL MEMBER LEVIN: I see.

15 OLEG CHERNYAVSKY: ...which is a parking  
16 violation and then there's the admin code idling  
17 that your..

18 COUNCIL MEMBER LEVIN: And how many, how  
19 many of those are issued a year?

20 MICHAEL PILECKI: Parking summonses.

21 COUNCIL MEMBER LEVIN: No, no, no the  
22 ECBs, the admin codes.

23 MICHAEL PILECKI: We don't issue any  
24 assigned to ECB violations.

1  
2           MICHAEL GILSENAN: So that, that would  
3 be the 245 that Jerry mentioned before.

4           COUNCIL MEMBER LEVIN: Got it. Okay,  
5 okay so just...

6           MICHAEL GILSENAN: Just from DEP, not  
7 including the other...

8           COUNCIL MEMBER LEVIN: ...DEP, okay.

9           MICHAEL GILSENAN: Correct.

10          COUNCIL MEMBER LEVIN: Okay. Obviously  
11 this is, these numbers are you know in the, in a  
12 city of you know eight, eight... over eight million  
13 people, 7.9 million summonses annually you, you  
14 know the, the numbers are, are low. What strategy  
15 because, because I, I... you know I'm appreciative of  
16 both the, the legal hurdle and the technological  
17 hurdle that you're speaking of in terms of, of  
18 being able to... no just, just to be clear though  
19 the, the, the traffic, the TEA agents are able to  
20 issue their tickets on the handheld, correct.

21          OLEG CHERNYAVSKY: Correct. And just to  
22 clarify our police officers that issue the NOV  
23 under the ad code we have 567 criminal court  
24 summonses issued in 2016 for idling under the ad  
25 code. It has...

1  
2 COUNCIL MEMBER LEVIN: I mean that's  
3 another thing. I mean people are getting a criminal  
4 court summons for idling their car?

5 OLEG CHERNYAVSKY: Well it's a... right,  
6 it's... there's a dual option there. So they're... it's  
7 eligible for civil summons or a criminal court  
8 summons. It has, it has dual penalties.

9 COUNCIL MEMBER LEVIN: Why would people  
10 be... I mean what, what would, what would lead to  
11 somebody to be getting a, a criminal court summons  
12 versus a civil summons for idling their car. I, I'm  
13 all in favor of ticket, you know more tickets going  
14 out for, for idling. I don't know if I'm in favor  
15 of more criminal court summons for that. I think  
16 that honestly we're, we're doing a lot of work. Our  
17 speaker did a lot of work with Commission Bratton  
18 on reducing the number of criminal court summonses.

19 OLEG CHERNYAVSKY: And those numbers,  
20 those numbers appear to be going down as well with  
21 respect to idling I mean compared to 2015. It seems  
22 like the number's been cut in half.

23 COUNCIL MEMBER LEVIN: Okay.

24 OLEG CHERNYAVSKY: So we are...  
25

1  
2 COUNCIL MEMBER LEVIN: Why would  
3 somebody, under what circumstances would somebody  
4 be getting a criminal court summons for idling?

5 OLEG CHERNYAVSKY: Well I mean the, I  
6 think the violation would speak for itself. I, I  
7 just think it's a, it's a matter of discretion.

8 COUNCIL MEMBER LEVIN: Well I mean  
9 there's, right discretion, right.

10 OLEG CHERNYAVSKY: ...matter of discretion  
11 I really can't speak to, to it case by case but  
12 there is a dual penalty in the statute and both are  
13 utilized.

14 COUNCIL MEMBER LEVIN: Circumstances... I  
15 mean it's totally up to the discretion of, of the  
16 police officer that's issuing those or the DEP, can  
17 DEP issue a criminal court summons in that regard?

18 MICHAEL GILSENAN: No, DEP has no  
19 authority for criminal...

20 COUNCIL MEMBER LEVIN: But it's for the  
21 same admin code violation, correct?

22 OLEG CHERNYAVSKY: Yeah. I mean it's 24-  
23 163 is what we're talking about?

24 COUNCIL MEMBER LEVIN: Can go civil or  
25 criminal...

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OLEG CHERNYAVSKY: Yes.

COUNCIL MEMBER LEVIN: Civil can be issued by DEP or NYPD, criminal can only be issued by DEP, by NYPD, is that correct?

OLEG CHERNYAVSKY: I mean I, I can't speak to what other agencies' limitations are with respect to enforcement. I can speak to the PD and PD can issue either civil or criminal.

COUNCIL MEMBER LEVIN: Okay.

OLEG CHERNYAVSKY: For that, for that section of law.

COUNCIL MEMBER LEVIN: And there's just, it's just totally to the discretion of the issuing officer? There's no, it's not circumstantial? Is there any guidance in the patrol guide around whether to issue a criminal summons or a civil summons?

OLEG CHERNYAVSKY: I'll take a look at the patrol guide.

COUNCIL MEMBER LEVIN: Okay what... that's obviously that's, that's concerning and nobody should be getting a criminal summons because of idling their car. What, what strategies... because the numbers are, are, are low I think commensurate



1 with the, the, the level of nuisance that is,  
2 that's actually present in the city regarding  
3 idling cars, what strategy would DEP and NYPD put  
4 forward to, to be able to address this issue a  
5 little bit more aggressively than, than the status  
6 quo?  
7

8 MICHAEL PILECKI: So I can't speak for  
9 the DEP. I can certainly speak for my, my command.  
10 And I think if we began issuing summonses to  
11 vehicles with motorists sitting behind the wheels  
12 and change our policy we can certainly do that but  
13 I would expect there to be a lot more  
14 confrontations out there in the street. And I think  
15 that your constituents tend to expect the, the  
16 curtesy of being asked to move or to shut their  
17 engine off rather than just being issued a summons  
18 when an officer walks up to their vehicle  
19 initially.

20 COUNCIL MEMBER LEVIN: Is there a... in  
21 terms of the curtesy is there a policy... as you said  
22 you know asking the, the motorist to turn off the,  
23 the vehicle is...

24 MICHAEL PILECKI: Oh yeah.  
25

1  
2 COUNCIL MEMBER LEVIN: Is there a policy  
3 of maybe on a second round is that the...

4 MICHAEL PILECKI: That's correct. And  
5 that's the policy in general. And what we ask our  
6 agents to do is give people the opportunity to move  
7 their vehicle or shut their engine off. And if the  
8 person doesn't comply, and nine times out of ten  
9 they don't initially, and you ask them a second  
10 time generally you get compliance.

11 COUNCIL MEMBER LEVIN: Mm-hmm.

12 MICHAEL PILECKI: But if not by the  
13 third time then we would issue them a summons.

14 COUNCIL MEMBER LEVIN: Okay so it's...

15 MICHAEL PILECKI: Yeah.

16 COUNCIL MEMBER LEVIN: Three times?

17 MICHAEL PILECKI: Generally, yeah.

18 COUNCIL MEMBER LEVIN: Okay. Alright.

19 Thank you very much.

20 MICHAEL PILECKI: My pleasure.

21 CHAIRPERSON CONSTANTINIDES: Thank you  
22 Council Member Levin. Council Member Richards.

23 COUNCIL MEMBER RICHARDS: Thank you so  
24 much Mr. Chairman and I just found the number to be  
25 sort of astounding that only 3,000 summonses are

1  
2 really being issued because on a good day I feel  
3 like you can get 3,000 in one day. I would urge you  
4 to just come to Merrick Boulevard and watch the  
5 dollar vans running their engines for 15 to 20  
6 minutes, commercial trucks in particular in the  
7 area near JFK and residential areas idling. We did  
8 a town hall with the mayor in which that seemed to  
9 be a very popular issue. And we haven't seen many  
10 changes in this area. And I, I find it to be  
11 astounding that it's only 3,000 summonses. It  
12 doesn't show that we have a real commitment to  
13 this. And the question I have not only on the  
14 police department side but also... and actually you  
15 can just go downstairs and just look around city  
16 hall and you'll find idling vehicles. So if you  
17 want a few tickets more to add to the collection  
18 you can you know certainly do that. But DEP how  
19 many enforcement agents do we have in this  
20 particular area?

21 MICHAEL GILSENAN: We have a total  
22 authorized headcount of 60. That includes  
23 supervisors.

24 COUNCIL MEMBER RICHARDS: And the 60  
25 don't just...

1  
2 MICHAEL GILSENAN: And all the 60 do  
3 not...

4 COUNCIL MEMBER RICHARDS: ...concentrate  
5 on idling.

6 MICHAEL GILSENAN: Right, exactly. They  
7 do air and noise. They do boiler inspections for  
8 registrations and certificates...

9 COUNCIL MEMBER RICHARDS: So would you  
10 say 60 enforcement agents... and we're going back to  
11 the same conversation even before I, before Costa  
12 became chair we were having this conversation since  
13 20 I feel like 13 and we've only moved the bar up  
14 to around 10 more enforcement agents. So I'm  
15 interested in knowing if, if environmental  
16 protection, the agency is supposed to protect the  
17 environment why aren't we committing more  
18 enforcement agents to ensuring that we actually are  
19 protecting the environment.

20 MICHAEL GILSENAN: Well as we said in  
21 our testimony we go to spots that we know that are  
22 hot spots as we call them or bus depots as Gerry  
23 had mentioned before.

24 COUNCIL MEMBER RICHARDS: And which bus  
25 depots are that... are those?

1  
2 MICHAEL GILSENAN: Gerry had some... I  
3 don't know the locations. I'll ask Gerry.

4 COUNCIL MEMBER RICHARDS: Okay.

5 GERALDINE KELPIN: So there were several  
6 in Brooklyn.

7 COUNCIL MEMBER RICHARDS: Only Brooklyn?

8 GERALDINE KELPIN: No, there were...

9 COUNCIL MEMBER RICHARDS: I'm a little  
10 upset. I represent Queens.

11 GERALDINE KELPIN: So we did a couple in  
12 the Bronx and... probably did some in Queens as well.

13 COUNCIL MEMBER RICHARDS: Probably or...

14 GERALDINE KELPIN: I'd have to check.

15 COUNCIL MEMBER RICHARDS: Okay. That's a  
16 better answer.

17 GERALDINE KELPIN: I mean if we didn't...

18 COUNCIL MEMBER RICHARDS: That's a  
19 better answer.

20 GERALDINE KELPIN: If we didn't get a  
21 complaint about a specific bus depot then we may  
22 have missed it.

23 COUNCIL MEMBER RICHARDES: Okay.

24 GERALDINE KELPIN: We did not do all bus  
25 depots for sure.

1  
2 COUNCIL MEMBER RICHARDS: So let me ask  
3 this question. How are being proactive on this  
4 issue?

5 GERALDINE KELPIN: So maybe my take on  
6 it is a little bit different because there are,  
7 there are also things that we're doing to reduce  
8 emissions from different types of vehicles.

9 COUNCIL MEMBER RICHARDS: Mm-hmm.

10 GERALDINE KELPIN: Issuing an, a notice..  
11 a summons isn't always the answer. There are a  
12 number of changes in vehicle types now. We have a  
13 number of trucks and busses that are outfitted with  
14 emission control devices.

15 COUNCIL MEMBER RICHARDS: I'm aware we  
16 updated the air code.

17 GERALDINE KELPIN: So when they have to  
18 regenerate that device it ends up with their  
19 vehicle also idling. So we have you know some, some  
20 of those issues where the vehicle has to do it in  
21 order to get out of the city. We have a number, a  
22 number of vehicles now that are retrofitted with  
23 auxiliary engines so the turn off but the auxiliary  
24 is, is on. It could be misconstrued that that is  
25 the actual vehicle engine that is idling. And

1  
2 there's a... so the city's fleet is all retrofitted,  
3 reduced. The bus fleets are also retrofitted. So  
4 there's a, there's a mix. There's a number of  
5 things that we feel go hand in hand with the  
6 idling, education and outreach is also another you  
7 know component that we feel is very important. I  
8 think you know everybody's focusing on this 3,000  
9 number that PD issues specifically for idling. But  
10 as PD has been mentioning several times there are  
11 summonses for other parking violations like you  
12 know double parking or moving the vehicles that are  
13 double parked or in a bus stop or at a fire  
14 hydrant. The vehicles, nine times out of ten, are  
15 also idling. So once they're gone or turned off you  
16 know the idling has been reduced. And just point of  
17 reference when I walked over from Uni building  
18 there were at least five vehicles that I thought  
19 might be idling, all of them I was very pleased  
20 were turned off.

21 COUNCIL MEMBER RICHARDS: Okay. And, and  
22 part of this, and I, I get what you're saying there  
23 has to be several strategies afoot and, and this  
24 goes back to even... I think we had a bill on  
25 increasing the electrical vehicle fleet charging

1  
2 stations right because there are many companies in  
3 the city in particular, I'm going to stay on trucks  
4 who really want to convert to electrical vehicles.  
5 But if they did there's no, not enough  
6 infrastructure to actually do that. So can you  
7 speak to what is DEP doing in particular to  
8 increase the charging station capacity across the  
9 city since we're on the subject of you know coming  
10 up with different strategies? So if a company like  
11 UPS who I heard through the grapevine wanted to  
12 actually move their entire fleet to electric they,  
13 they can't do it at this moment because of the lack  
14 of EV charging stations around the city. So that's  
15 something you're looking at as well.

16 MICHAEL GILSENAN: That, that whole  
17 issue is being addressed by the Mayor's Office of  
18 Sustainability so...

19 COUNCIL MEMBER RICHARDS: And DEP is not  
20 part of that conversation?

21 MICHAEL GILSENAN: We're on the fringes  
22 a little bit.

23 COUNCIL MEMBER RICHARDS: Okay.

24

25



1  
2           MICHAEL GILSENAN: Okay. So I couldn't  
3 speak to you from a point of knowledge just... so I  
4 wouldn't want to give you some information...

5           COUNCIL MEMBER RICHARDS: Okay. But I  
6 would appreciate it if you actually follow the  
7 backup on that with the Office of Sustainability  
8 and...

9           GERALDINE KELPIN: Could I just add one  
10 more piece?

11          COUNCIL MEMBER RICHARDS: Mm-hmm.

12          GERALDINE KELPIN: There is legislation  
13 that DOT is responsible for and we do sit on that  
14 committee.

15          COUNCIL MEMBER RICHARDS: Okay.

16          GERALDINE KELPIN: It's a little bit  
17 different. It's looking at you know ways to  
18 increase charging and the whole electric vehicle  
19 environment. But that... that's a small portion on  
20 the larger MOS effort.

21          COUNCIL MEMBER RICHARDS: Yeah, should  
22 be a major piece. And then just lastly and this is  
23 just for NYPD because the area is Springfield  
24 Gardens in Southeast Queens where we seem to get a  
25 lot of truck traffic there's a lack of real

1 enforcement. And I appreciate the 105 precinct and  
2 I think the 103<sup>rd</sup> did an action. They do an action  
3 every once in a while, but these vehicles actually  
4 need to get towed. These heavy duty trucks. And  
5 from my knowledge there's only about two heavy duty  
6 trucks that can really tow these commercial liners  
7 out of communities that are idling and sitting in  
8 communities. So can you speak to what is the  
9 strategy the NYPD is going to use. And I can assure  
10 you that you know if we actually go serious you  
11 could probably get 245 summonses in one day with  
12 these trucks. So I'm interested in knowing what is  
13 the strategy going to be to ensure these commercial  
14 trucks who are damaging the environment... we have  
15 high asthma rates in these communities. Our  
16 children can't breathe. The seniors are having  
17 issues breathing because of idling trucks, what are  
18 we going to do differently to address these  
19 commercial trucks that are idling in our  
20 communities? And DEP. I'm not going to let you off  
21 the hook either. And how closely are you really  
22 working together to ensure we're addressing this  
23 issue? That's my last question Mr. Chairman. I'm  
24 sorry to gripe, but this is a major issue in our  
25

1  
2 community and you know we deserve better air  
3 quality.

4 MICHAEL PILECKI: So we... So I'm sure  
5 you're all aware of the NYPD's CompStat process  
6 that was implemented years ago to reduce crime.  
7 Similarly, a traffic stat process was started many  
8 years ago. The purpose of which was to reduce  
9 accidents, injuries, and fatalities throughout...

10 COUNCIL MEMBER RICHARDS: And where's  
11 this traffic stat at?

12 MICHAEL PILECKI: So traffic stat is  
13 conducted down at headquarters in the same room  
14 where the CompStat is...

15 COUNCIL MEMBER RICHARDS: No, I get  
16 that. But where can the public see traffic stat?

17 MICHAEL PILECKI: Oh you would have to  
18 take that up with... I guess...

19 COUNCIL MEMBER RICHARDS: I can see  
20 CompStat. I'm very good at searching CompStat every  
21 two weeks but... traffic stat I've never heard of.

22 MICHAEL PILECKI: Yeah I, I guess you  
23 could reach out to the Chief of Department's Office  
24 perhaps.

25 COUNCIL MEMBER RICHARDS: Okay.

1  
2           MICHAEL PILECKI: So in that forum the  
3 precinct executive officers in each borough are  
4 brought down on the rotation basis to discuss  
5 accident reduction within their individual  
6 precincts. I have representatives that attend those  
7 meetings as well. So with regard to the issues that  
8 are brought up at those meetings by the precinct  
9 commanders we act jointly with them and we conduct  
10 operations if you will to target specific problems.  
11 And one of the problems is illegal parking of 18-  
12 wheelers in Queens. And we several times a month  
13 conduct an enforcement operation overnight with  
14 precinct commands. So that's been done for, for  
15 quite a while now. So what we could do is obtain  
16 information regarding, as you mentioned before  
17 hotspots where busses tend to park and layover and  
18 have our traffic agents go into those areas and  
19 address that to issue that way.

20           COUNCIL MEMBER RICHARDS: So I have a  
21 commitment from you on the record to actually not  
22 just do an operation because operations come and  
23 go...

24           MICHAEL PILECKI: No.  
25

1  
2 COUNCIL MEMBER RICHARDS: ...but if, but  
3 if the agents actually were serious about this they  
4 can actually address this issue every day.

5 MICHAEL PILECKI: Yes, absolutely.

6 COUNCIL MEMBER RICHARDS: Yeah.

7 MICHAEL PILECKI: Yeah.

8 COUNCIL MEMBER RICHARDS: Okay great. So  
9 we'll...

10 MICHAEL PILECKI: Not just citywide.

11 COUNCIL MEMBER RICHARDS: Okay. Alright.  
12 Thank you. Alrighty [phonetic], I look forward to  
13 conversation off the line. Thank you Mr. Chairman.

14 CHAIRPERSON CONSTANTINIDES: Thank you  
15 Council Member Richards and, and never feel the  
16 need to apologize for doing your job. I appreciate  
17 the great work that you do and I appreciate all the  
18 great questions that you have so please keep them  
19 coming when they have them. At this point you know  
20 I think we definitely want to move forward on both  
21 of these bills. We want to find a path forward and  
22 we're going to take more testimony today but I look  
23 forward to having a, a conversation with the  
24 administration, both DEP and NYPD in seeing how we  
25 can move these two pieces of legislation forward in

1  
2 a, in a way that's going to make sure that we  
3 combat idling and all the health effects that go  
4 along from idling together. So I know that we had  
5 that shared goal and we, I'm looking forward to  
6 getting that done. With that I'll, I'll conclude  
7 questions for this panel and, and I'll call the  
8 next panel up.

9 MALE: Thank you.

10 MALE: Thank you.

11 CHAIRPERSON CONSTANTINIDES: Alright so  
12 we have Jordan Venezuela please come forward and be  
13 heard, Khalil Hall, Ellen Burton [sp?], and Kenzie  
14 Crowley. Oh. Oh I'm, I am so sorry if we can hold  
15 off with that panel. I apologize. Jenny.. Jenny  
16 Lynn, George Pakenham, Isabelle Silverman, and Karl  
17 Storchmann. If that panel can come forward, please.  
18 Please come sit at the front here. And our  
19 Legislative Attorney Samara Swanston will swear  
20 you...

21 [background comments]

22 ATTORNEY SWANSTON: Can you please raise  
23 your right hands. Do you swear affirm to tell the  
24 truth, the whole truth, and nothing but the truth  
25 today?

1  
2 CHAIRPERSON CONSTANTINIDES: ...right here  
3 and then move forward. Okay. Mm-hmm, absolutely,  
4 sounds good.

5 ISABELLE: Yep, good. Okay. Good  
6 afternoon Chairperson and Council Members. My name  
7 is Isabelle Silverman. I used to work for the  
8 Environmental Defense Fund where I started the  
9 whole idling work and, and so that's what I'm... when  
10 I left Environmental Defense Fund to go to  
11 Switzerland for a year and came back I still work,  
12 I'm still working on this issue but more as an  
13 independent citizen and environmental attorney then  
14 working for EDF. I just actually quickly walked out  
15 with NYPD to ask them a question about the traffic  
16 enforcement agents which now I will build into my  
17 testimony that is a little different than what I  
18 wrote here. And basically the jest of my testimony  
19 is that clearly this law is basically not enforced.  
20 I mean those numbers, two and a half thousand,  
21 Council Member Richard Donovan pointed out. It's,  
22 it's laughable. 99 tickets by the DEP in 2015? And  
23 here we have idling happening on every city block.  
24 So how are we going to increase these numbers on  
25 idling enforcement. Because warning the drivers

1           would you please turn off your engines it's not  
2           working. The idling is still happening in the city.  
3           So would T, would NYPD just testify that they're  
4           actually telling the drivers, giving them the  
5           curtesy to first turn off their engines is not  
6           working. And I would like to have the curtesy of  
7           clean air. And so we really need to work together  
8           on enforcement. The problem is enforcement lies  
9           within the executive branch of government and you  
10          guys are the legislative branch of government so  
11          how are you getting the executive branch of  
12          government to enforce this law. And this is why  
13          we've been here so many times testifying on this  
14          issue and NYPD and DEP testifying and nothing  
15          changes. So how can we get this changed? Okay so  
16          I'm starting with the introduction lack of  
17          enforcement. The law has been on the books since  
18          1971. And I think we can all agree that the only  
19          way drivers who will get the message that idling is  
20          spewing unnecessary toxic pollution into the air is  
21          by getting them to, to enforce the law. Recognizing  
22          that unnecessary idling is a serious public health  
23          issue we're here today to find a solution as to how  
24          city council can get NYPD and/or citizens through  
25



1 citizens... citizens' complaints to enforce the  
2 idling law after 45 years of non-enforcement. As  
3 committee chair Constantinides pointedly said  
4 regarding the biofuel bills last year, I'm quoting  
5 you now, we're still in a crisis when it comes to  
6 the need to reduce asthma and the need to reduce  
7 emissions. Everything that we can do to reduce  
8 emissions we will. So what are we going to do now.  
9 We thought we solved the enforcement problem when  
10 in 2009 the New York Police Department gave all  
11 traffic enforcement agents the authority to issue  
12 idling tickets. Before then only the general police  
13 officers could issue idling tickets. Given how  
14 common idling is we figured that roughly 2,000  
15 traffic enforcement agents could issue at least  
16 five tickets a day. That's nothing. Five tickets a  
17 day? That's 15 minutes of idling observation that a  
18 TEA would have to do which would come out to about  
19 2.5 million idling tickets annually, not 3,000 and  
20 about 280 million in revenues. However, NYPD.. okay  
21 wait, now this part I just confirmed. I spoke to  
22 the head of the TAs that was here to testify,  
23 Michael Pilecki, and I asked him why is it that  
24 whenever I walk up to a level one traffic  
25

1 enforcement agent he or she is telling me that  
2 they're not authorized to issue idling tickets.  
3 Because I have done that at least 30 times. Every  
4 single time they look at me as if I was from the  
5 moon. What am I talking about, idling, huh, huh no  
6 we are not authorized to issue these tickets, other  
7 level, levels are. So actually one of the questions  
8 I would have wanted to ask NYPD, the levels of TAs  
9 who is issued to give idling tickets. Now, Michael  
10 Pilecki just told me outside all the TAs are, are  
11 actually authorized to issue idling tickets. And he  
12 was surprised to hear that his level 1 TAs have no  
13 idea about this and are not issuing these tickets.  
14 So this is something that we should dig a little  
15 deeper. Obviously these level one TAs are not  
16 giving idling tickets. That's why we have so few.  
17 And as we just heard I think they're a little bit  
18 afraid of the confrontation. Because they're not  
19 armed. You know sticking on a meter, expired meter  
20 ticket... you can do this without the driver there.  
21 That's much easier. So I have a solution for that.  
22 And then we have heard they give a lot of... like 8  
23 million parking tickets. We heard from the DEP how  
24 many they issue. I'm skipping over this. Pollution  
25

1  
2 created by illegal idling, the EDF actually did a  
3 report on this. We went out in the field, observed  
4 idling behavior and we extrapolated some numbers.  
5 So for example 40,000 cars could drive from midtown  
6 to JFK airport with the gasoline wasted daily by  
7 New York City idlers. Unnecessary idling in New  
8 York City causes as much smog forming pollution as  
9 nine million large trucks driving from Hunts Point  
10 to the Bronx. I'm preaching to the choir here. I  
11 know you guys also think we should reducing it. So  
12 here are my ideas. Intro 325. That's the Council  
13 Member Garodnick bill. And now I'm speaking freely  
14 because from what we just heard I need to change my  
15 testimony a little bit. I can submit it later in  
16 writing. So Council Member Garodnick's idea to  
17 change the handheld device that actually they could  
18 issue these ECB summonses, they also call them NOV's  
19 that go to the environmental control board. That  
20 seem not so rarely stake, what we just heard from  
21 NYPD. NYPD actually suggested why don't you just  
22 increase the ticket... price. They said it's 100  
23 dollars a ticket when a TA gives an idling ticket.  
24 And NYPD just testified why didn't you just  
25 increase that. I think that's actually a good idea.

1  
2 Because the ECB summons and the notice of  
3 violation, the affidavit, that's a completely  
4 different animal than what a TA is giving to a car  
5 idling, driver idling. So I would suggest that  
6 Garodnick's, Council Member Garodnick's bill is  
7 altered to increase the fine for idling to why not  
8 300. It's killing people you know. Soot pollution  
9 is actually killing people. New York City  
10 Department of Health is estimating 3,000 people die  
11 prematurely because of soot pollution. And then,  
12 then here's my second idea. And that goes at the  
13 executive branch versus legislative branch where  
14 you guys actually don't have that much power  
15 telling NYPD what to do because it's in their  
16 discretion to enforce the law or not enforce the  
17 law. How about this? How about you change Intro 325  
18 and mandate that NYPD establish a special unit of  
19 let's say 500 traffic enforcement agents, all these  
20 traffic enforcement agents are doing is issuing  
21 idling tickets and they go out in pairs. So you  
22 know we just heard they're not armed, this  
23 confrontational... send them out in pairs. So you  
24 have 250 pairs of TEAs going out every single day  
25 and all they do is issue idling tickets and they're

1  
2 trained to issue idling tickets. And I don't know  
3 if you can legislate that. I think you should, you  
4 should be able to. Of course the mayor has to sign  
5 it into law but who is against that. That's not  
6 citizens then running around... These are TEAs that  
7 are trained. So... and I would think they wouldn't  
8 get assaulted if they're in pairs. And there's so  
9 many in one block you could actually have one issue  
10 a ticket here and one issue another one here.  
11 That's my input on Intro 325. So the increase  
12 ticket price. Have NYPD create a special TA unit  
13 just for enforcement. And of course they will pay  
14 for itself. You know they will... cover, the salary  
15 of those 500 TAs will be paid within a month. And  
16 then Intro 717. Council Members have voiced concern  
17 over Intro 717. So let's look at different ways we  
18 could amend Intro 717 to alleviate these concerns.  
19 We should also keep in mind that the amendments to  
20 Intro 7... Intro 717... could also be set up as a pilot  
21 and then reevaluated by city council. So 717 is  
22 based on the citizen enforcement provision we  
23 already have, right. We know that. Now, what are  
24 people mostly concerned about with Intro 717? It's  
25 that I, as a citizen, now all of a sudden have a

1 financial incentive to turn somebody in for idling  
2 because I'm getting half of the ticket price. So I  
3 think the burden of evidence needs to be quite  
4 high. Because let's say I'm the... let's say you're  
5 the ECB judge and this whole thing comes to a  
6 hearing where I'm claiming this person idled for  
7 three minutes and the ECB judge needs to decide  
8 what is true. The driver is saying no I didn't idle  
9 for three minutes and I'm saying he did idle for  
10 three minutes, what is true? So now my burden of  
11 proof so that this person's really idle to be quite  
12 high. And then so I'm suggesting that Intro 717 is  
13 required a picture and a sworn statement that is  
14 emailed to the DEP. Right now it's on paper. That's  
15 wasteful through whole... to send everything by paper  
16 and printing every... so a still picture that is date  
17 and time stamped and a sworn statement. It can't be  
18 notarized of course if I'm emailing you unless I'm  
19 doing it as a PDF, I could do it as a PDF and email  
20 it. Then it could also be notarized. And a picture  
21 of the stopwatch because you actually need to you  
22 know use your stopwatch on your phone and really  
23 measure if it's over three minutes and one minute  
24 in school zones. And then the whole idea of video,

1  
2 I actually think yeah transmitting video to the DEP  
3 by email, that doesn't work. IT's too much data.  
4 It's not practical. But you could require that the  
5 citizen has to bring video on his camera or her  
6 camera to the ECB hearing. I don't think that's  
7 overly burdensome because somebody's getting a  
8 ticket based on my sworn statement so that then the  
9 ECB judge could actually look at the video on my  
10 camera, and of course it would have to be a thermal  
11 camera that you can actually see the exhaust in the  
12 summer and with that, would that be enough proof  
13 for... person to get a ticket. So the required  
14 evidence I think we need to look at and yeah it has  
15 to be practical and still enough proof. And then  
16 the DEP training we just heard about today, yeah  
17 they said five training sessions are too big, too  
18 much. I, of course I can understand that it's too  
19 burdensome. I find it very interesting, I find it  
20 very important that these citizens are trained and  
21 even certified. You can only... I would say you can  
22 only bring... Hello Council Member Rosenthal. I would  
23 say... I'm almost done by the way. You can only bring  
24 a citizen complaint if you have been certified by  
25 the DEP and trained because you don't want people

1 running around not doing what they're doing, not  
2 knowing what they're doing. So training  
3 certification very important. We would have to add  
4 of course to the current law that 50 percent of the  
5 fine will go to the citizen. We have that. Yes, of  
6 course we would like it to see it expanded to  
7 passenger vehicles despite DEP's testimony today  
8 that they think we shouldn't go also for test...  
9 passenger vehicles. I would think than... the city...  
10 in this city you can... you know together with NYPD  
11 they could figure out who owns the vehicle based on  
12 the license plate. They just testified that that's  
13 hard. But I think it should be doable. And then we  
14 have of course the issue of anonymity. So the  
15 complainant, the person, the citizen that is  
16 bringing the citizen complain is not staying  
17 anonymous most likely. If this is coming to a,  
18 before an ECB judge and there is a hearing the  
19 citizen actually needs to be comfortable have his  
20 or her name revealed to the person who was idling.  
21 And this is another burden of proof and hurdle to  
22 go through for a citizen to do because not  
23 everybody's going to be comfortable confronting the  
24 idler that is now getting a ticket because I  
25



1 testified he or she idled. So we really... if we do  
2 this very carefully with 717 this could actually  
3 work and people could be comfortable with this.  
4 Yeah, but like I just said people are uncomfortable  
5 when they think people will just do it to make a  
6 quick, a quick buck and they know let's, let's film  
7 or let's take a picture and submit it to the DEP  
8 and then make some money. That doesn't work. It has  
9 to be reliable evidence. And maybe when the notice  
10 of violation goes out to the person idling that  
11 notice of violation should not have the name of the  
12 citizen that submitted the complaint just to  
13 protect the citizen. But I think at the ECB hearing  
14 the name would come out of the citizen. Then also  
15 finally education came up today. How about this.  
16 When a notice of violation goes to the person  
17 idling how about that piece of paper says you know  
18 what and the reason why we are concerned about  
19 idling is because of air quality and wasted fuel  
20 and climate change so that there's, that the person  
21 idling actually understands why this is bad and why  
22 he or she is getting fined. Because often when I  
23 approach drivers they, and I ask them excuse me  
24 could you please turn off your engine 80 percent of  
25

1  
2 the time they look at me dumbfounded and they say  
3 why. I mean that's what we are dealing with here.  
4 And education you know doesn't always work because  
5 there are always new people coming to New York City  
6 that don't know about the law. So what the NYPD is  
7 doing, giving them the curtesy of telling them to  
8 turn off your engine, that's just not working. So  
9 yeah everything is in my written testimony and I  
10 will submit it to, to you by email. Thank you very  
11 much for your time.

12 CHAIRPERSON CONSTANTINIDES: Thank you  
13 as well.

14 GEORGE PAKENHAM: Mr. Chairperson,  
15 Council Members...

16 CHAIRPERSON CONSTANTINIDES: Before I,  
17 before I, you start your testimony we're joined by  
18 Council Member Rosenthal of Manhattan. I'm so happy  
19 to see you.

20 COUNCIL MEMBER ROSENTHAL: [off mic] Can  
21 I, can I just say a word.

22 CHAIRPERSON CONSTANTINIDES: You can say  
23 more than one, you can say two if you'd like.

24 COUNCIL MEMBER ROSENTHAL: [off mic]  
25 Thank you. I'm just going to say... [on mic] a word.

1  
2 I just want the record to know that I am deeply  
3 sorry that I was not here on time. We have a, an  
4 emergency going on in my district that I had to  
5 spend some time dealing with. You have my undivided  
6 attention. I have an excellent staff person who  
7 sent me a lot of information about what the  
8 administration had to say. And so I'm going to save  
9 my opening statement for later. But I mostly want  
10 to apologize chair to you, and to the committee and  
11 to the public for being late.

12 GEORGE PAKENHAM: Isabelle Silverman's a  
13 tough act to follow so I'm going to do my best. Mr.  
14 Chairperson, council members, Council Person  
15 Rosenthal thank you for the opportunity to testify  
16 today. As you just heard Isabelle Silverman  
17 presented a thorough review of the legal issues  
18 surrounding Bill 717. She's an attorney and those  
19 issues are her strengths. And I fully support her  
20 testimony and want to share my experience  
21 submitting citizen's complaints to the Department  
22 of Environmental Protection this past spring and  
23 summer. I'm also a filmmaker who created the  
24 documentary film Idle Threat. And the film explores  
25 my discovery in 2006 of a 1971 three-minute idling

1  
2 law only to find the law was not being enforced by  
3 NYPD. So I began to enforce the law myself as a  
4 concerned citizen by asking drivers to turn their  
5 engines off and handing them an NYC idling law card  
6 on an individual basis. My documentary film has  
7 been screened dozens of times at films, film  
8 festivals, public forums, and colleges. Case in  
9 point the film inspired several NYU student  
10 activists to attend this hearing in the form of a  
11 civics lesson. Can you all raise your hand from  
12 NYU? An NYU professor was hoping to give his  
13 testimony but he was called away and another  
14 colleague from NYU is going to give Professor  
15 Storchmann's testimony. And that'll happen shortly.  
16 But the film has also helped create awareness on  
17 college campuses that not, that now have become  
18 idle free as a result of watching the film. When  
19 Council Member Rosenthal introduced bill 717 18  
20 months ago media of all sorts from radio to print  
21 to TV covered the story. And if you didn't see on  
22 Friday NBC local news had a very interesting story  
23 on this particular topic and it played at least  
24 three times as far as I know. The reason we're here  
25 today is because NYPD's traffic enforcement agents,

1 or TEAs are basically not enforcing the idling law.  
2 They have issued only one to two tickets per agent  
3 per year it seems which is in contrast to the  
4 nearly 10 million parking tickets that are given  
5 every year. Clearly idling enforcement is not a  
6 priority for Chief Chan who is heading up the TEAs.  
7 City council has no control over what NYPD deems a  
8 priority. But city council can amend the existing  
9 citizen's complaint law so the DEP, so DEP  
10 certified citizens can get compensated for the time  
11 spent submitting a complaint. This spring the  
12 administration created a radio, and a billboard,  
13 and a bus ad campaign as to the perils of engine  
14 idling. I hope you all saw some of that propaganda.  
15 Such public outreach might convince some people to  
16 turn their engines off but from my perspective only  
17 true enforcement will help spread the message that  
18 idling is illegal in New York City more than three  
19 minutes and more than one-minute school zone. So  
20 the pilot program of existing citizen's complaint  
21 law as stated before citizens' complaints are, are  
22 for illegal idling are already permitted by law.  
23 This spring Ms. Silverman and I submitted batches  
24 of citizens' complaints to the DEP, at a hearing to  
25

1  
2 DEP guidelines. We used this form. If you haven't  
3 seen this form you need to. But I think you seen it  
4 last spring Council Person Rosenthal and you got  
5 this whole ball rolling so thank you for that. The  
6 evidence included a completed form and a, and a  
7 photograph of the license plate which had to be  
8 time stamped and dated. And so the device for that  
9 is a simple cell phone. A few complaints, the first  
10 few complaints we submitted resulted in a bus  
11 company paying a 350 dollar fine before the, the  
12 control board hearing so we never had to appear in  
13 court. Of critical importance is that throughout  
14 this process Isabel and I were never harmed nor  
15 spoken to about our observation activity and we're  
16 probably never even noticed. Videotaping over the  
17 three minutes, over the three-minute period would  
18 however in my view be too obvious and could lead to  
19 confrontation. This is why, why required video  
20 evidence as I feel should be removed from Intro  
21 bill 717 and replaced with the evidence such as  
22 time stamped photography and notarized affidavit.  
23 However, in this pilot program we thought we should  
24 receive a percentage of the 350 dollar fine. As it  
25 turned out that citizen, that citizens can only get

1 up to 25 percent of the fine if the source of the  
2 violation is manufacturing or an industrial  
3 facility. So we got no pay. And this is, and just  
4 imagine an industrial, or industrial facility or  
5 manufacturing facility are few and in sharp  
6 contrast to the million cars that are in New York  
7 City, the 13,000 tax season is 6,000 busses, all  
8 mini carbon polluters in their own right.  
9 Specifically, on Intro Bill 717 all city council,  
10 all city, City Council Member Rosenthal's bill does  
11 is add one sentence that would allow the citizens  
12 to get 50 percent of the fine when the complaint is  
13 brought for idling violations. This bill stipulates  
14 citizens would be paid 50 percent of a 350 fine for  
15 compensation for their time, their effort, and  
16 their civic involvement. In terms of reduction of  
17 greenhouse gasses the bill will help NYC reduce its  
18 greenhouse gas emissions to achieve the ambitious  
19 goal of reducing emissions by 80 percent by 2050. I  
20 request that city council duly consider Council  
21 Member Rosenthal's bill. Citizens will act on  
22 environmental issue which the NYPD is more or less  
23 indifferent to. Citizens will act because they  
24 care, because they recognize the senseless waste,  
25

1 and the pollution that they have to inhale. They  
2 will act because it is in their own interest to do  
3 so. In Ms. Rosenthal's bill New Yorkers will be  
4 justly compensated for their efforts. In addition,  
5 I request that the DEP recognize the importance of  
6 this effort and work with Council Person  
7 Rosenthal's office to implement Intro 717 if it  
8 becomes law. Citizens' complaints will only be  
9 effective with the adequate training and the  
10 manpower in order to create an orderly  
11 certification and processing system. In closing I  
12 remind all listeners here today that it was only  
13 two years ago that 400,000 people marched from  
14 Columbus Circle to the Javits Center. They marched  
15 because they wanted to send a clear message to the  
16 UN, to this city, and to the world that the people  
17 of New York demand a more sustainable and carbon  
18 free world. Thank you.

19  
20 JENI LIN: Dear respected Committee on  
21 Environmental Protection, the Infrastructure  
22 Division, and everyone here today. My name is Emily  
23 Jeni Lin and I'm a junior at New York University. I  
24 am also the Director of NYU Net Impact  
25 Collaborative Experience and I am here today to



1 share my thoughts on air pollution caused by idling  
2 in New York. Throughout my life I have had the  
3 privilege to live in four different countries and  
4 that has given me a very unique perspective on the  
5 opportunities that life offers. I think that  
6 through everything that I've seen the most valuable  
7 opportunity is the chance to live happily and  
8 healthily. I used to love playing outside and  
9 reading on random benches on the street. However,  
10 if I go outside now into the streets of New York I  
11 would probably end up coughing the entire time.  
12 Last year my common cold turned into bronchitis and  
13 the doctor told me that it was a combination of  
14 tiredness and inhaling polluted air. That illness  
15 followed me for about six months and its aftermath  
16 effects are still with me today. Whenever I get a  
17 cold my lungs hurt when I cough and it lasts for  
18 over two weeks. You might be thinking that's not so  
19 bad, it's just coughing. Imagine that you are  
20 writing an email or an essay and you try to read it  
21 back to yourself but you can't because you can't  
22 finish a sentence without coughing. Imagine that  
23 you see an adorable animal on the street and you  
24 want to squeal but you can't because your throat

1 would force you to cough if you tried. Imagine that  
2 you had to take a bunch of medicine and not talk  
3 for the entire day to ensure your ability to give a  
4 five-minute speech without coughing. That's what I  
5 did today. Yes, without a doubt the aftermath of my  
6 bronchitis is awful yet still I am one of the lucky  
7 ones. There are many people living in New York City  
8 today who are in far worse lung conditions than I  
9 am and we have the ability to make their lives  
10 easier. New York is one of the most polluted cities  
11 in the United States and studies show that lives  
12 are reduced to up to two years due to air poor,  
13 poor air quality. Imagine losing two years with the  
14 ones you love because of air pollution. Idling in  
15 New York City results in over 130,000 tons of  
16 carbon dioxide emissions each year and wastes over  
17 12 million gallons of gasoline and diesel. All the  
18 wasted fuel costs drivers over a 28 million dollars  
19 annually. Imagine wasting about 30 percent of your  
20 gas money on idling. If we do nothing now we may  
21 not be able to make a change later even if we  
22 wanted to. When I lived in Shong-Hi everyone around  
23 me has walked into school in facial masks. The  
24 PN2.5 particles in the air were so bad that I  
25

1  
2 couldn't see two cars in front of me when I was on  
3 the school bus. I have seen what it, what a  
4 struggle it is to combat air pollution of such  
5 severity but in New York here we have the privilege  
6 to reverse air pollution with much simpler efforts.  
7 Please, help give New York City its clean air back.  
8 Whether you look at socially, look at it socially  
9 or economically idling is detrimental to the  
10 wellbeing of our community therefore I invite you  
11 to take action today by doing the following.  
12 Communicate the negative impacts of idling to your  
13 friends and to your family. Work with fleet  
14 managers and drivers to advance the use of anti-  
15 idling practices and technologies. Lastly simply  
16 support this bill and turn off your own engine when  
17 waiting. These may seem like small things but  
18 ultimately it's the small things that add up and  
19 accumulate to make a big change. Clean air is one  
20 of the fundamental qualities of our world that  
21 every human being should have the right to obtain.  
22 With clean air people living in New York City will  
23 be able to live more healthily. As the European  
24 Commissioner for Environment said we used to, we  
25 wish to be wealthy and healthy and not sick and

1  
2 poor. Pretty hard to disagree with huh. There is a  
3 lot that we cannot control but we can control our  
4 own actions. Turn off your engine and support this  
5 bill. Encourage others to do the same. I  
6 wholeheartedly believe that if every single one of  
7 us here today did one thing to alleviate the issue  
8 pollution in New York City will be reduced in no  
9 time. It doesn't take a lot of effort but it will  
10 make all the difference. Change begins with an  
11 individual and we need your help. This is an issue  
12 that we all need to take seriously and to, and take  
13 action to change starting today. Please join me in  
14 the movement to restore clean air to New York City.  
15 Thank you very much for your time.

16 KHALIL HALL: Good afternoon Chairperson  
17 and Council Members. My name is Khalil Hall and I  
18 would like to thank you for giving me the  
19 opportunity to testify today. In front of me I have  
20 the written testimony of my NYU Economics Professor  
21 Karl Storchmann who like George said was  
22 unfortunately unable to be here today. Can you hear  
23 me okay? Professor Storchmann's testimony I will  
24 read excerpts of it as follows. As many others I  
25 feel enormously bothered by excessively idling

1 vehicles as they pollute the air with exhaust and  
2 noise. For many bus, truck, van, and automobile  
3 drivers it seems to be a common practice to let  
4 their vehicle idle for more than three minutes. In  
5 fact, idling times of 30 minutes and more are not  
6 uncommon. My testimony lays out the almost total  
7 lack of enforcement of New York City's idling law  
8 and how concerned citizens can be empowered to help  
9 with the enforcement. Only consistent enforcement  
10 will convey the message to drivers that excessive  
11 idling is illegal in New York City. My testimony  
12 shows the importance of expanding the current  
13 policy of citizens' complaints to passenger  
14 vehicles and awarding certified and trained  
15 citizens with half of the ticket price to  
16 compensate them for their time and expenses when  
17 gathering evidence on illegal idling behavior. New  
18 York City has a 3-1-1 website where idling vehicles  
19 can be reported which I'm sure many of you are  
20 aware of. In late 2015 and early 2016 I videotaped  
21 and reported 43 idling incidents on this page. I  
22 filled out the form on the website and also  
23 mentioned that I have video evidence. The 3-1-1  
24 website forwards idling complaints to the  
25

1 Department of Environmental Protection, DEP.

2  
3 However, the DEP has never contacted me. When  
4 tracking my complaints later I've always found this  
5 message. The Department of Environmental Protection  
6 did not observe a violation of the New York City  
7 air noise code at the time of inspection and could  
8 not issue a notice of violation. If the problem  
9 still exists please call 3-1-1 and file a new  
10 complaint. If you are outside of New York City  
11 please call 2-1-1 New York. Closed. Complaint  
12 number listed there. It seems as though the DEP  
13 copies and pastes the same responses to every  
14 single report. My 43 complaints alone would have  
15 amounted to fines worth at least to 15,000 dollars.  
16 As far as NYU activities in the spring of 2016 I  
17 made New York City vehicle idling a class topic. My  
18 280 students of the two urban economics classes I  
19 teach covered six street, six street blocks near  
20 Washington Square from 9:00 a.m. to 6:30 p.m. for  
21 over two weeks and tracked every commercial vehicle  
22 that stopped, parked, or idled that way we built a  
23 large database in order to analyze the determinants  
24 of idling. We also videotaped several hundred  
25 idling trucks and busses and reported them to the

1  
2 DEP via the 3-1-1 website. Many students supported  
3 their idling reports to the DEP with evidence by  
4 launching a YouTube channel where footage of idling  
5 violations have been posted. They have also added  
6 the DEP case number to each posting. You will find  
7 the first videos under the channel Idle NYC. In the  
8 course of this semester, this fall semester the  
9 YouTube channel will certainly be filled up by 500  
10 plus videos. The result of the reports and  
11 postings, all of this has been to no avail. The DEP  
12 closed every single case with the same notice I  
13 posted above. Meanwhile our activities have  
14 expanded to areas outside of my classroom. Many  
15 professors of multiple departments at NYU have  
16 become involved and so have various student  
17 organizations from environmental science over to  
18 journalism to film departments. Documentary  
19 filmmaker George Pakenham has done several screens  
20 of his film Idle Threat which we saw in our econ  
21 class. And we are now in the process of getting  
22 CUNY professors and their students involved. You  
23 can see here there's a chart on the written  
24 testimony and according to the database almost all  
25 cases were closed like I said just like and

1 including my own and my students' reports. Had the  
2 violations been fined the resulting income for the  
3 city would have been in excess of 15 million  
4 dollars and many tons of pollution would have been  
5 saved. Instead it seems New York citizens are being  
6 offered a platform to complain but no one will  
7 follow-up let alone enforce existing regulations.  
8 What is the purpose of the 3-1-1 idling vehicle  
9 complaint page? To me and my students it seems as  
10 if the DEP as well as the NYPD is either unwilling  
11 or incapable of enforcing any anti-idling  
12 regulation. Bill 717 would give New York citizens  
13 the tools to overcome 45 years on non-enforced  
14 anti-idling laws and would set a signal also to  
15 others in metropolitan areas. On a personal note I  
16 stand here before you, or I am here before you  
17 today to urge you to pass this legislation for what  
18 I think can be broke down to two basic reasons. The  
19 first on a more microcosmic scale is because it  
20 would tremendously improve the livelihood of us  
21 residents of New York. I know better than to call  
22 myself a New Yorker because I haven't been for 10  
23 years, here for 10 years yet, I've heard that's the  
24 cutoff but regardless improving the air quality in  
25



1 New York City I think is of paramount concern.  
2  
3 Vehicle exhaust fumes from cars and trucks and taxi  
4 cabs are actually, that are actually running taint  
5 the air quality enough as it is. It is entirely  
6 unnecessary to couple that with idling engines. As  
7 an asthmatic myself I know firsthand how much of a  
8 health burden excess pollution that triggers  
9 attacks can be. Not to mention the studies that  
10 show that in urban areas with heavy pollution  
11 children are much more likely to be diagnosed with  
12 asthma in the first place. The other aspect I think  
13 is critical we consider is the large scale effect  
14 that this legislation could have. In my university  
15 classrooms we are convinced that global climate  
16 change is in fact not a hoax and that it has been  
17 directly linked to increased air pollution and that  
18 unprecedented...

19 CHAIRPERSON CONSTANTINIDES: We agree on  
20 that one.

21 KHALIL HALL: ...and that unprecedented  
22 steps must be taken immediately to preserve the  
23 future. It is my understanding that other cities  
24 across the country are watching this right now to  
25 see if this kind of action is feasible and so that

1           they can take similar action that would in turn  
2  
3           improve the air quality across the entire nation. I  
4           think that it is feasible and I hope that you will  
5           too. Thank you.

6                         CHAIRPERSON CONSTANTINIDES: Thank you  
7           all for your testimony. I appreciate especially the  
8           students. I appreciate your activism and your  
9           informed testimony here today to make us aware. I  
10          mean I've said previously you know we need to... we  
11          take climate change very seriously here in the city  
12          council. We've been working very diligently to  
13          combat the effects of climate change and we cannot...  
14          not leave any stone unturned in the fight against  
15          it. And whatever we can do we have to do it and do  
16          it quickly because we... as President Obama says  
17          we're the first generation that's feeling the  
18          effects of climate change and the last generation  
19          that can do anything about it. So we have to do  
20          that work and do that work quickly. So I, I, I... we  
21          are working with you and, and looking forward to  
22          finding those solutions especially when it comes to  
23          idling. So I want to thank you all for your  
24          testimony today and I, I did have some questions  
25          but you've, you've pretty much answered them. I was

1  
2 going to ask you have you ever done this type of  
3 thing before but you are out there on the front  
4 line doing the work. And I appreciate that. And so  
5 I will excuse this...

6 ISABELLE SILVERMAN: I just have one  
7 quick thing. His professor also checked how many 3-  
8 1-1 complaints were filed for idling and since 2010  
9 40,000 people called 3-1-1 to complain about  
10 idling. So I think your constituents will  
11 appreciate you doing something about this.

12 CHAIRPERSON CONSTANTINIDES: I think  
13 that from the big picture perspective of climate  
14 change and... and we talk about health benefits and  
15 communities. You talk about asthma. I've talked  
16 about this before but when I take my son to the  
17 doctor in the winter I've never seen a nebulizer  
18 before my son was diagnosed as an asthmatic. And  
19 then as I see the line of nebulizers in the winter  
20 time lined up for the kids to sit there and they're  
21 all waiting for their albuterol and waiting for the  
22 budesonide and all of these, these medications to  
23 be pumped into their bodies to make sure that they  
24 can breathe. And that... it's not one or two. We're  
25 talking about lines of children waiting up. That is

2 a sobering, sobering image and something that I  
3 recognize every day that we have to combat. So  
4 whether you believe climate change is a hoax I  
5 don't subscribe to that theory. We know the science  
6 is real. But looking at just health effects in our  
7 community we need to do more.

8 ISABELLE SILVERMAN: And health care  
9 cost going up.

10 CHAIRPERSON CONSTANTINIDES: And, and  
11 yes, yes.

12 ISABELLE SILVERMAN: You know because of  
13 stuff like that.

14 CHAIRPERSON CONSTANTINIDES: It is. All  
15 of those treatments aren't cheap.

16 ISABELLE SILVERMAN: Yeah, yeah.

17 CHAIRPERSON CONSTANTINIDES: So we will  
18 look, continue having these conversations with you.  
19 So I thank you for your good testimony and your  
20 activism today. Thank you.

21 [cross-talk]

22 CHAIRPERSON CONSTANTINIDES: With that  
23 I'll turn it over to my colleague Helen Rosenthal  
24 for a statement.

25

1  
2 COUNCIL MEMBER ROSENTHAL: thank you  
3 very much Council Member Constantinides. And again  
4 thank you for giving this bill a chance to be  
5 heard. It's terrific to hear from both people who  
6 have really devoted their lives to bringing carbon  
7 dioxide under control and also to hear from the  
8 students. It's really exciting the work that you've  
9 been doing. We can find a way to meet and I'd like  
10 to hear more after this hearing. I, I'm sorry I  
11 didn't have a chance to hear directly from the  
12 administration and surely would be happy to meet  
13 with them again afterwards. But what I would ask  
14 them to do is to step back and say why did the city  
15 go through the process of passing the laws saying  
16 that cars could not idle for longer than a minute  
17 in front of a school or three minutes anywhere else  
18 why, why did they think that was so important. I  
19 would guess that there were longer hearings than  
20 this one where people talked about the public  
21 health impact of idling. The fact that we can show  
22 there's a correlation between the carbon dioxide  
23 that goes in the air and asthma in children and  
24 adults, a correlation to bronchitis, to heart  
25 disease, to stroke. We passed those bills because

1 we're worried about that for our citizens. We don't  
2 want them to be exposed to what's going in the air  
3 when cars idle. I would like to help the  
4 administration enforce the law. I see what's done,  
5 what's been done so far and over the years it's  
6 admirable that DEP and NYPD have issued any tickets  
7 at all. They have some really important work to do.  
8 And I get that. So I appreciate that they have  
9 taken some steps to enforce the law. The fact that  
10 40,000 idling complaints have been registered on 3-  
11 1-1, is that since 2010? Since 2010. The disconnect  
12 between 40,000 and maybe 2,000 tickets that have  
13 been issued since that time is alarming. If we  
14 believe that idling has a real impact on our  
15 citizens, why not take this creative approach? What  
16 really is the downside to training people to in a  
17 very responsible way find the information that  
18 would identify cars that are idling and pass that  
19 along to the DEP. These people would be trained to  
20 be responsible. If they're not trained they can't  
21 participate. They just can't. If it crosses  
22 somebody's mind one day oh this is really annoying,  
23 I've seen this every day, I've heard that you can  
24 upload this information, I'm going to do that, they  
25

1 can't. They have to get trained. They have to care  
2 about it that much. They have to get trained. And  
3 when they get trained part of the training is this  
4 is not a joke. This is not about taking out some  
5 grudge you have with your neighbor on catching them  
6 idling when they park on the street. It's about the  
7 fact that the city could use a little help. The  
8 city can't and maybe shouldn't have to do it on its  
9 own. It turns out that we have plenty of citizens  
10 who want to help in achieving even the mayor's goal  
11 of reducing carbon output you know what is it 80 by  
12 2050, right. We have people who want to help better  
13 health outcomes for our citizens. Why not take a  
14 chance and do it? I've read the testimony. I don't  
15 see any alarming reason why not to do it. I only  
16 see reasons to do it. I really appreciate everyone  
17 who came out to testify today. Again, I apologize  
18 for having to take some time with another issue in  
19 my district because this is really important to me  
20 and it should be really important to this  
21 administration if they're serious about addressing  
22 the public health concerns of their residents again  
23 from asthma to bronchitis to heart disease. These  
24 are serious issues and we need to get serious about  
25

1           addressing them. So I can stay for a little bit and  
2           hear additional people. Unfortunately, I have  
3           something in my district I have to get back for. I  
4           will read everyone's testimony. I would like to  
5           meet with you after this hearing. And I really want  
6           to thank the chair for giving us an opportunity to  
7           hear this bill. I appreciate it very much.

9                       CHAIRPERSON CONSTANTINIDES: Thank you  
10          Council Member Rosenthal. Thank you for all your  
11          great advocacy and great work. So we will hear our  
12          next panel; Brandon Buchanan, Shamilla [phonetic]  
13          DiSano I'm sorry if I'm pronouncing your name wrong  
14          with a name like Constantinides I do my best, I  
15          apologize, Laura Rothwick, and Patrick Catandra. If  
16          you can all step forward please? Our Legislative  
17          Attorney Samara Swanston will swear you in.

18                      ATTORNEY SWANSTON: Can you please raise  
19          your right hand? Do you swear affirm to tell the  
20          truth, the whole truth, and nothing but the truth  
21          today?

22                      [combined affirmations]

23                      CHAIRPERSON CONSTANTINIDES: Okay. If  
24          you can start there on the end and work your way  
25          through that'd be great. Thank you.



1  
2 BRANDON BUCHANAN: [off mic] I confer.

3 CHAIRPERSON CONSTANTINIDES: Okay sounds  
4 good. Let's just keep it moving.

5 BRANDON BUCHANAN: Good afternoon. Thank  
6 you very much for allowing us to be here today. We  
7 essentially are the industry panel from the motor  
8 coaching district. But I guess I'll go first. My  
9 name is Brandon Buchanan speaking on behalf of the  
10 American Bus Association based in Washington, D.C.  
11 And we are a membership organization, about 4,000  
12 members, not only motor coach companies but also  
13 the people who plan tours, tour operators as well  
14 as the destinations that they serve, so  
15 restaurants, hotels, theatres, destination  
16 marketing organizations, many that are based here  
17 in New York. But primarily while we have a number  
18 of local operators who are going to speak about  
19 their operations I'm more interested in the  
20 interstate effects that these regulations, or this  
21 potential regulation might have particularly when  
22 it comes to deputize, essentially deputizing  
23 citizens to provide complaints or to enforce.  
24 There's a, there are a number of federal  
25 regulations that many interstate operators will

1           have to comply with. One of them primarily while it  
2           will seem like idling many, many operators are not  
3           in favor of idling. We have a number of engine  
4           control technologies particularly to engine shut  
5           offs that can be set and reset expending upon the  
6           locations that they're going to. No one wants to  
7           waste fuel. While we tend to be an environmental  
8           solution in general again as particularly when you  
9           look at interstate transportation taking up to 50  
10          or 80 cars off of the road we tend to be the, we're  
11          happy to be the environmental solution of choice  
12          for many of those travelling at, using mass  
13          transportation. But like I, as I mentioned there  
14          are a number of federal regulations, particularly  
15          related to safety and the safety of our passengers  
16          and the safety of the operation which may appear  
17          like idling but which are not. One of which is the  
18          pre-trip safety inspection which has to be  
19          conducted before a trip begins which includes the  
20          testing of the break system, the steering  
21          mechanism, and all, and all the different safety  
22          systems on, onboard of motor coach. The FMCSR for  
23          that if you did not, do not, are not aware of it is  
24          396.13. And so before any trip begins a driver must  
25

1 inspect the coach. Now we definitely would concur  
2 that unnecessary idling is something that  
3 definitely needs to be limited and eliminated.  
4 Although I would note that many of the, many states  
5 which adopted the EPA's model... idling statute back  
6 in 2005 and 2006 including New York state does have  
7 an exemption for safety and maintenance of  
8 operations. And so we hope that these deputized  
9 citizens would be trained to understand the  
10 difference between conducting a safety inspection  
11 versus idling. Similarly, as was mentioned by  
12 Council Member Rosenthal as well as yourself Mr.  
13 Chairman there's a significant difference between  
14 engine regeneration which is also a safety  
15 operation generally is done passively while the  
16 coach is moving through the streets but does on  
17 occasion have to be done actively when it's parked.  
18 We would hope as, as, as has been probably  
19 mentioned in the past that increased... parking  
20 facilities which could be possibly removed from  
21 residential areas might help alleviate some of the  
22 concerns by the residents and your constituents  
23 over motor coach idling if the bus is parked it's  
24 not going to be idling on the roadside and also  
25

2 will not be creeping through the streets. We also  
3 conducted some tests with the EPA back in 2007 that  
4 showed that the slow creeping through the streets  
5 has more than 10 times the impact on the  
6 environment than parking and shutting it off or  
7 even idling. And so we hope that, again that you'll  
8 educate, if not completely eliminate the deputized  
9 citizens and work primarily with trained  
10 professionals be it in your Department of  
11 Environmental Protection to enforce the current  
12 regulations and hope that there'll be some  
13 awareness over safety for interstate operators.  
14 Thank you.

15 CHAIRPERSON CONSTANTINIDES: Thank you.  
16 Go ahead.

17 DISANO: Good afternoon. My name is..  
18 DiSano and I'm the Director of Open Loop New York.  
19 I wasn't notified until yesterday that there were  
20 this committee hearing today. We knew about the  
21 other intros in regards to DC and DOT.. yesterday.  
22 So I just put together a brief... some brief  
23 statements that I will just read through. Those of  
24 us in a double decker sightseeing busses business  
25 are subjected to rules and regulation in regards to

1           the idling laws of New York City. But a major  
2 difference is that we are also a moving target for  
3 traffic agents. Most of us currently getting  
4 between three and five tickets per day during the  
5 busy season. Giving traffic agents the  
6 authorization to issue idling tickets when they  
7 are, are already have having problems with issuing  
8 regular traffic tickets... If you want to put  
9 stricter regulations on sight seeing double-decker  
10 busses, then I would suggest amending Local Law 41  
11 because the law was introduced to help promote a  
12 green environment in New York City. The law was  
13 supposed to have companies with busses with engines  
14 built before 2006, 2007 to be retrofitted with  
15 devices that stops a double decker bus from blowing  
16 out black smoke and add into the already polluted  
17 air. The main reason being that double decker  
18 busses needed to idle at longer period of time  
19 while loading and offloading passengers in a safe  
20 manner especially during the winter months. A  
21 double decker bus frozen to a stop and idles for  
22 three minutes while loading or offloading. The  
23 engine is shut off after three minutes. The bus  
24 laws... unloads, this is another five to seven to  
25

1 minutes at the stop. It takes approximately two  
2 minutes for a double decker bus to be started. It's  
3 longer in the winter times. It will take another  
4 three to five minutes for the bus to flow safely  
5 into flowing traffic. That will depend on the  
6 experience of the driver. You are looking at  
7 approximately 8, 12, 15 minutes that a bus will  
8 idle and stand at a location. I can only assume why  
9 the agencies was monitoring for congestions,  
10 layover, and... the busses no one bothered to pay  
11 actual attention to this factor. If, for your  
12 information... retrofit costs between 12 and 15,000  
13 dollars per vehicle and another 4 to 6,000 dollars  
14 to... the system out. 16 to 21,000 dollars per  
15 vehicle to be up to code as per local law 41. That  
16 is supposed to protect those who require to idle  
17 longer than three minutes, five minutes, or longer.  
18 ...has a fleet of 38 new busses which... 2014, 2015,  
19 2016 and we are at EPA4 the highest levels... surpass  
20 the standard of the environmental committee. Why  
21 introduce a law that is supposed to help and  
22 protect us against fines and other... or financial  
23 burden to operate our double-decker sightseeing  
24 business in New York City. I asked that a committee  
25

1  
2 should consider all factors that could potentially  
3 create more problems rather than a pollution. There  
4 are currently five new laws being introduced this  
5 week; 529-1, 713-8, 950, 320... 717, all of them  
6 directed to the double decker sightseeing in the  
7 street in New York City. I'm beginning to wonder  
8 why the sightseeing business went from 43 companies  
9 in 1992 to eight in 2016. How many more there will  
10 be in the next 20 years. I think for the  
11 opportunity for, to give this information.

12           LAURA: Good afternoon. My name is Laura  
13 Rothrick and I'm here testifying on behalf of Twin  
14 America, Gray Line New York City sightseeing. Twin  
15 America provides hop on, hop off double decker  
16 sightseeing tours throughout New York City's  
17 boroughs to over one million visitors annually. We  
18 take issue with Introduction 717. And I just wanted  
19 to ad that it sounded like from what we're hearing  
20 today is the problem is not that people aren't  
21 submitting complaints, the problem is that there's  
22 not enforcement of the complaints. So I'm not sure  
23 that you know providing a financial award will  
24 solve the problem. But the other concern is that  
25 the, the bedrock of every enforcement statute in

1  
2 our juris prudence is the reliability of the  
3 evidentiary submissions. And in the context of  
4 transportation enforcement measures are taken by  
5 the trained police force, the trained traffic  
6 enforcement agents and other New York City or New  
7 York state trains regulatory personnel. Most  
8 significantly these individuals have no financial  
9 stake in the outcome of their services. On the  
10 other hand, this bill deputizes everyone and anyone  
11 trained or untrained to be the enforcer and  
12 watchdog of the NYC idling laws. And to most of  
13 those that are deputized the overriding motivation  
14 to participate is the provision of the financial  
15 reward. I know that's actually not everyone sounded  
16 like today but our concern is that more people will  
17 participate for, for financial reasons and we're  
18 afraid that that will taint the entire process. So  
19 moreover the evidence to be presented and relied  
20 upon is not otherwise reliable. Videos can be  
21 easily doctored and virtually anyone with a  
22 computer or a smartphone would be able to do so. Is  
23 it not an unfair burden on operators to have to  
24 prove that the video evidence is not genuine?  
25 Respectfully Twin America is in favor of enforcing



1 idly laws, idling laws that are reasonable written.  
2 We believe that absent a different mechanism  
3 traffic enforcement agent who currently enforce the  
4 idling law provides sufficient protection. We thank  
5 you for your consideration.  
6

7 PATRICK CATANDRA: Good afternoon Mr.  
8 Chairman, Council Member Rosenthal. My name is  
9 Patrick Catandra and I am a lifelong resident of  
10 New York City and spent my lifetime in the motor  
11 coach history. I first want to say thank you for  
12 bringing all of these issues up and working on an  
13 environment, environmental issues all these many  
14 years and thank you for the students and NYU and,  
15 and the observations that we all agree with climate  
16 change issues and changing improving environment at  
17 all times without a doubt. I mean I'm a parent.  
18 Pleased to be involved personally with  
19 transportation alternatives for many, many years  
20 and also a participant in the hyper personal car  
21 vehicle program and the electric car program  
22 vehicle. So having said that I was an office boy in  
23 1964 near the very new midtown bus terminal on West  
24 43<sup>rd</sup> Street in 1964. I have seen in this industry,  
25 motor coach tour industry. I went on to become one

1 of the franchise bus company owners here in New  
2 York City in Brooklyn, into New York City. And I've  
3 seen the, the cycles of what we're dealing with and  
4 I'm going to make a comment or two and then a few  
5 recommendations if I may quickly it'll be somewhat  
6 quick. Having gone to high school and college in  
7 New York City in the 60s... outside the city needless  
8 to say radical problems require radical solutions  
9 so I'm going to suggest one or two radical  
10 solutions for you. But first say that motor  
11 coaches, busses whether they be in transit,  
12 contract, tour, charter... are all carrying people.  
13 Those people are known as you, me, and the riding  
14 public. So often times what's perceived and, and is  
15 the bus on the block in this middle one individual  
16 I think you brought up that there were one million  
17 cars, 15,000 taxis, 6,000 busses, but we forgot to  
18 add the 36,000 new Ubers in the lift cars of sorts  
19 and the 19,000 artisanal cheese trucks because  
20 everybody wants a different kind of cheese coming  
21 in. I can say that... at the end. Notwithstanding  
22 that the reality is that having the issues that we  
23 have environmentally, we need to address these and,  
24 and I'm coming to the planning issue here. The, the

1  
2 problems we face our real. My concern about this  
3 particular bill specifically I share comments with  
4 the police department and the environmental control  
5 group that I believe in, and Mr. Buchanan from the  
6 American Bus Association that deputizing citizens,  
7 my neighbors in the neighborhood I, is of concern  
8 to me in certain areas whether it is known and not  
9 known. But the bigger issue and here's my, my  
10 summary if I may and, and the focus should be that  
11 we don't want to be punitive and we want to be  
12 proactive and we want to be participatory and  
13 collaborative. And we who carry people who are all  
14 of us in the motor coach industry, the sightseeing  
15 tour business, the motor coach tour and charter  
16 business, the transit industry. We need to plan and  
17 design streets. You know... Constance and wonderful  
18 things about planning. Many of you have seen some  
19 of those and other people around the world. But  
20 here in New York below 96<sup>th</sup> street we have a real  
21 concern. And my suggestion to you is take some of  
22 your environmental planning issues and impose some  
23 planning issues.. dedicated bus lines as Mr.  
24 Buchanan pointed out. The, the concerns of  
25 emissions are not when it's idling for three

2 minutes, it's when a bus is stuck in traffic  
3 between... I live on the upper east side between the,  
4 the 55,000 Ubers and taxis are coming down and the  
5 one million cars sitting there creating  
6 congestions. We have dedicated bus lanes and put 55  
7 people on a bus that displaces 55 automobiles or  
8 individuals who are in these black cars. Then we in  
9 turn can be a more transportation traffic flow  
10 oriented city and reduce emissions. So I'm asking  
11 you to go to the route of the problem. Create some  
12 dedicated bus lanes. Make these suggestions. Add  
13 things like that together for flow traffic flow and  
14 consider busses to be part of the solution and not  
15 part of the problem because frankly I... grown up in  
16 this business and turning 67 years of age I have  
17 done nothing but gone to community boards and  
18 gotten beat up because we're the bus guys but we're  
19 here as part of it. So not withstanding that I made  
20 some off the cuff remarks and available for any  
21 questions. Thank you.

22 CHAIRPERSON CONSTANTINIDES: Go ahead  
23 Council Member Rosenthal.

24 COUNCIL MEMBER ROSENTHAL: Thank you. So  
25 as I understand the current law is that a citizen

2 could videotape something right and send it through  
3 to DOT and DOT could decide what to do. But a  
4 citizen cannot do that with a, with a passenger  
5 car. So one of the really big changes in this bill  
6 is that it would allow citizens after they're  
7 trained to send in information about a passenger  
8 car which can already do now about busses and  
9 trucks. But now they'll be able to do it with the  
10 passenger car. The second change in this bill  
11 that's being proposed is the splitting of the, the  
12 fine. And, and that would be for all three; for  
13 trucks, busses, and passenger cars. I don't doubt  
14 that each of you try hard to abide by the law and  
15 work hard to make sure that you don't pollute or  
16 idle and that's not a question here. So I guess my  
17 only question is have you heard of people issuing,  
18 of people recording you, recording busses now and  
19 sending it over to DOT?

20 DISANO: Actually we have.

21 PATRICK CATANDRA: Yes.

22 DISANO: And one of the biggest issue  
23 with that is it don't necessarily present the  
24 entire picture. We had one where our busses were  
25 videotaped. What the person failed to show that

2 there were people getting on and off the bus. What  
3 people...

4 COUNCIL MEMBER ROSENTHAL: Right, if  
5 people are going on and off of course you can leave  
6 the bus on. And so did that get sorted out... [cross-  
7 talk]

8 DISANO: That got sorted out because...

9 COUNCIL MEMBER ROSENTHAL: Right.

10 DISANO: ...we were fortunate enough,  
11 fortunate enough to be in a vicinity where the  
12 building had a video camera security.

13 COUNCIL MEMBER ROSENTHAL: Very good.

14 DISANO: You know, but that's always  
15 going to be the case.

16 COUNCIL MEMBER ROSENTHAL: No it's not.  
17 And certainly at the training right, that's a  
18 critical point that when the people are trained  
19 they would have to understand what the law is,  
20 that's part of the training right. And I would  
21 suspect that... you know and I like this idea of  
22 changing it over from a video to a timestamped  
23 photo that in the case of a tour bus like that that  
24 when DEP does the training they would have to be  
25 able to address that issue. In other words, the

2 photo would have to include the door of the bus in  
3 the time stamped photo in order to capture the fact  
4 that either people are coming on and off or not.  
5 That's part of the training.

6 DISANO: I would also suggest that DEP  
7 ask or get involved with a double decker  
8 sightseeing companies and see what our restrictions  
9 are and what we do on a daily basis so this way  
10 they can have all the information they need to  
11 train their citizens.

12 COUNCIL MEMBER ROSENTHAL: I agree. And  
13 that's a good advice and I would also be happy to  
14 say that you're already doing a lot of training  
15 with your own drivers to make sure they're not  
16 idling.

17 PATRICK CATANDRA: Thank you for that. I  
18 would like to add in addition to the double-deckers  
19 which I do work with and the tour travelling  
20 transit groups as well the tour and travel industry  
21 was quoted yesterday at hearings in this building  
22 by Chief Operating Officer of the Department of  
23 Transportation Margaret Forgione and reminding  
24 people of this 340,000 hospitality jobs here in New  
25 York City that are supported by the industry. The

2 number of tour and travel busses that come into  
3 town are slowly being influenced by I'm a driver I  
4 live in Pennsylvania I don't want to come to New  
5 York City. I'm going to get beat up, yelled at, get  
6 a ticket, etcetera. So I'm, I'm looking for the  
7 long term planning here situation where... which...  
8 just explained is not just done on double-deckers,  
9 it's on tour and travel especially in the midtown  
10 downtown areas which are highly congested and  
11 there's simply no place to park. Polly Trottenberg  
12 became the commissioner recently and I explained to  
13 her a few years ago that we used to have an east  
14 side bus terminal, a lot of people don't remember  
15 that. You know but it was nearly... Queens midtown  
16 tunnel but every place in this city has become  
17 wonderfully residential. Now we have residents...  
18 work with community board 4 often. To plan around  
19 the new port authority... office, people live there.  
20 But the people have been coming and going for 55  
21 years and we need to keep that mobility. And we  
22 want to be... so what's happened here is sometimes  
23 when we're incentivizing, this is my concern and I  
24 join the police department and the environmental  
25 group along this line, individuals along this line



2 to double fines and then have a, a percentage in  
3 contingency situation. Those same people maybe  
4 could help on the planning basis because  
5 notwithstanding the punitive... I opened up...  
6 concerned more about punitive actions... someone  
7 focus is going after the bad actors. There's a lot  
8 of good actors here and we're part of the public  
9 transportation process... the private carriers...  
10 [cross-talk]

11 COUNCIL MEMBER ROSENTHAL: You know I  
12 agree with you. I think DEP should..

13 PATRICK CATANDRA: Thank you.

14 COUNCIL MEMBER ROSENTHAL: ...recognize  
15 the tour bus companies that are doing it right and  
16 the busses that are doing it right. I also think as  
17 part of the, to address your concern part of the,  
18 to address your concern that there would be  
19 vigilantism which is the word right that people are  
20 thinking that they come up with a way to nip that  
21 in the bud. Right? They must... these people must go  
22 through a training. And perhaps what we should add  
23 to it is if they, if the people start turning in  
24 tickets, turning in information where it makes it

2 clear that these people are violating the spirit of  
3 this law that their citizen watch...

4 PATRICK CATANDRA: Mm-hmm. [cross-talk]

5 COUNCIL MEMBER ROSENTHAL: ...certificate  
6 get taken away from them. And I think that's a  
7 great point and I... I would like to add that in that  
8 there be an opportunity for DEP to revoke the  
9 ability of somebody who uses it in bad faith.

10 PATRICK CATANDRA: I want to give you a  
11 model I just found out about the other day when I  
12 heard about this particular piece of legislation  
13 pending here in New York City. And one of my  
14 counterparts works in Trenton and deals with the  
15 bus companies in New Jersey which is the bedroom  
16 community of busses in the world because they're  
17 the, they carry people to Philadelphia and New York  
18 City. There was similar legislation posed in, in  
19 Trenton not too many years ago and it was called  
20 the vigilante law as you brought up that's a... just  
21 made me think of it. And they, they didn't pass it.  
22 They didn't proceed with a lot of that but they  
23 have environmental issues in every state of the  
24 union, every congested area we have environmental  
25 issues. And as it is a pop, you know population of

2 the world we have to do something about it that,  
3 that's for sure. And thank you for doing all your,  
4 your focus on it but I suggest that sometimes  
5 you're a little bit misguided in, in how we  
6 approach... planning. I'm sorry I could talk about  
7 this... but we're here... available for any comments.

8 DISANO: I just want to make one other  
9 comment is that we at Open Loop and I'm quite sure  
10 my other colleagues, the other companies, we're not  
11 against fines or regulations for idling in New York  
12 City but we do run a business that have large... that  
13 are hard to miss, they're 40-foot-long each one of  
14 them. They haul anywhere between 70 to 85  
15 passengers top and bottom. We do not maneuver as  
16 smoothly as other vehicles do in New York City. And  
17 yes, we do take up a large amount of space and a  
18 large amount of space when we turn, make left hand  
19 turns. And we are a moving target. People don't see  
20 the whole pictures when they see double decker  
21 busses, just see congestion, intrusion, and they  
22 see something that takes up a lot of their streets.  
23 You know and sometimes causes a safety hazard. We  
24 want to make sure that we are not going to be  
25 easily targeted. And the rules and regulations in

2 regards to those laws have to be... thought of. We  
3 also want to make sure that local law 41 protects  
4 us the way they were supposed to when it was  
5 introduced in that we as a company and as citizens  
6 of New York City do follow the rules and  
7 regulations because it's not just this particular.  
8 We have to deal with DMV. When I get a brand new  
9 bus I go to a DOT, DMV, DCA, EPA, and DEP. I've  
10 been doing regulatory compliance for over 20 years  
11 in New York City. I've worked with grey line,  
12 deride, big bus, and now Open Loop. So I'm very  
13 well aware of all the changes that have been made.  
14 This particular one needs to be thought of very  
15 carefully. And I am strongly suggestion that you  
16 meet with the bus company's representative, get  
17 some information that you may not have and also the  
18 people that are going to be watching should at some  
19 point get on our double decker bus and see what we  
20 do on a daily basis and see the issues that we run  
21 across and why we have to idle for longer than five  
22 minutes. And I'm not just saying do this in the  
23 summer time. I'm saying do it for each season  
24 because we go through three seasons here in New  
25 York City and I think this way the committee will

2 be more informed and be able to put out a law that  
3 makes sense.

4 COUNCIL MEMBER ROSENTHAL: I really  
5 appreciate those comments and respect you so much.  
6 I, I get how important the work you do is, I, I get  
7 how seriously you take it by making sure that you,  
8 you understand and follow all the regulatory  
9 requirements. I really appreciate that. And I mean  
10 I would be more than happy to meet with you of  
11 course. Please leave me your card. And what I'd ask  
12 you to do is think of a way that we could write the  
13 law so you could feel that it was taking into  
14 account the peculiarities of your situation. You  
15 know when I think about the importance of this and  
16 you know I happen to be somebody who like George  
17 for a period of time would give cars information  
18 about the idling law.

19 DISANO: Right.

20 COUNCIL MEMBER ROSENTHAL: My... what  
21 leaps to mind for me when I think about citizen  
22 enforcers is not the tour busses. So to the extent  
23 there's something that is unusual about the way a  
24 tour bus is and the law could be written in such a  
25 way to take that into account I have no problem

2 with that because every time I've been involved in  
3 this it's been on single passengers sitting in a  
4 car that's idling for 20 minutes.

5 DISANO: Okay.

6 COUNCIL MEMBER ROSENTHAL: Where clearly  
7 that individual if it's cold out could have just  
8 gone inside to get themselves warm, if it's hot out  
9 gone inside for air conditioning. So I'm very open  
10 to that suggestion because in no way should it be  
11 something that you perceive as you know fully  
12 targeted on your industry.

13 DISANO: Yes.

14 COUNCIL MEMBER ROSENTHAL: It's just  
15 not. So we want to put that to bed as quickly as  
16 possible. Leave me your card and...

17 DISANO: Thank you.

18 COUNCIL MEMBER ROSENTHAL: ...send me your  
19 suggestions. My email address is Helen at Helen  
20 Rosenthal dot com.

21 DISANO: Okay.

22 BRANDON BUCHANAN: If I may I do have  
23 one more that perfectly piggybacks on both your  
24 statements on vigilantism as well as not... target  
25 our industry. Because interstate operators are not

2 based in New York City on one of the peculiarities  
3 of your law is that when you get a summons you have  
4 to appear in person and for our interstate  
5 operators that's just generally speaking not  
6 feasible for the driver because they might be  
7 scheduling other trips all around the country to  
8 appear in person. And so if there was any way for  
9 this law to have a provision that could allow  
10 people to submit information for potentially engine  
11 control module data which would, could show idling  
12 and engine use remotely or without having to appear  
13 in person and have that be acceptable that would  
14 probably help combat that feeling of vigilantism.

15 COUNCIL MEMBER ROSENTHAL: Can I ask you  
16 to please send me those exact words. You know that  
17 the technology much better than I do, and I  
18 couldn't even write down what you said. So Helen at  
19 Helen Rosenthal dot com. The, the tool you would  
20 use to submit the information remotely, that would  
21 be great, really, really helpful. Thank you.

22 PATRICK CATANDRA: Thank you.

23 CHAIRPERSON CONSTANTINIDES: Alright  
24 thank you for your, thank you for your testimony.  
25 And our last panel; Kinsley Crowley, Helen Burton,

2 I think... I think Khalil Hall already testified,  
3 Jordan Venezuela. Is there anyone that's interested  
4 in, in being heard on this issue today please come  
5 forward as well. And our Legislative Attorney  
6 Samara Swanston will swear you in.

7 ATTORNEY SWANSTON: Please raise your  
8 right hand. Do you swear affirm to tell the truth,  
9 the whole truth, and nothing but the truth today?

10 [combined affirmations]

11 CHAIRPERSON CONSTANTINIDES: Please go  
12 ahead.

13 KENZIE CROWLEY: Good afternoon  
14 Chairperson and Council Members. First of all,  
15 thank you for all you do for this city and for  
16 allowing me to speak today. My name is Kenzie  
17 Crowley. I am a student at NYU and I would like to  
18 encourage you to support bill 717. At this very  
19 moment there are undoubtedly several cars even  
20 within a 10 block radius running their engine while  
21 they wait parked on the curb. The issue around  
22 vehicle idling was brought to my attention  
23 unexpectedly in an economics class just a couple  
24 weeks ago where I had the privilege of watching  
25 George Pakenham's documentary The Idle Threat and



1 listening to him speak about his work. Upon  
2 departing class, I decided to leave my headphones  
3 out for once and pay attention to the cars parked  
4 along the curb. It didn't take me long to come  
5 across a car, an NYU security vehicle in fact  
6 parked outside the building of my next class with  
7 the engine on and the driver seat empty. Idling a  
8 vehicle is costly to the driver, to the  
9 environment, and to the residents of New York City.  
10 It is estimated that New York drivers waste 28  
11 million dollars a year while leaving their engine  
12 running at the curb. Moreover, these idling  
13 vehicles emit 130,000 tons of carbon dioxide in the  
14 atmosphere all while endangering the health of New  
15 York City residents in Port Air Quality. According  
16 to a law put into effect in 1971 vehicles are not  
17 allowed to idle for more than three minutes at the  
18 curb. However, despite the generous efforts of both  
19 George Pakenham and Isabelle Silverman at the  
20 Environmental Defense Fund traffic enforcement  
21 agents and police officers are not making the  
22 enforcement of this law their priority. By moving  
23 forward with Intro 717 you would be giving the  
24 power to enforce this 45-year-old law to the people  
25

2 who bear its negligence most. Concerned community  
3 members like George Pakenham, aggravated residents  
4 like my professor, and students like myself and  
5 others who had joined me earlier today who are  
6 concerned about the dire state of the environment  
7 and are hoping for cleaner air for our future.  
8 Thank you very much for your time and for  
9 discussing this issue. I hope that you move to  
10 support bill 717.

11 JORDAN VENEZUELA: Thank you city  
12 council for allowing me to be here. My name is  
13 Jordan. I'm in favor of 717, illegal idling. I  
14 actually saw the new, a newscast short clip of it  
15 about two days ago and it just intrigued me so much  
16 I started making phone calls. Probably made about  
17 60 phone calls until I reached Ms. Swanston. Thank  
18 you for getting back to me and allowing me to be  
19 here. I thought it was a great idea to actually  
20 compensate citizens for doing this. And in my head  
21 I could always just picture you know big 16 foot  
22 trucks and those are the ones that put out the, you  
23 know the hardest fumes. You know the garment, the  
24 garment district, midtown Manhattan is just  
25 constant where you walk down the street and you're

1 breathing this in. I think it's, obviously it's  
2 leading to poor air quality, Uber adding thousands  
3 of cars you know on the pedestrian side of things.  
4 I really... I guess you know if the, it would be a  
5 judgement call... the guy's sleeping in his vehicle  
6 while the car's running then yes he deserves a  
7 fine. Everybody who would participate in this  
8 program would obviously has to be trained and  
9 certified. That's super important. And I just  
10 basically wanted to bring this up and you know I,  
11 myself as I did marketing and managing for 16 years  
12 and training teams and we would you know you'd have  
13 to have a certain five to represent a certain  
14 brand. That's it, has to be picked.. And I think  
15 this should be the same way in, in, in that sense  
16 because you can't just have an 18-year-old take a  
17 picture of a car double parked, idling, send it in  
18 and lie about it and expect to make money. You know  
19 it'll get out of control. It is a nice way to make  
20 some extra money or even a way to make money in  
21 full. Isabelle said, your... your speech was amazing.  
22 You covered everything so great job. And this young  
23 gentleman who works so hard to prove that cars are  
24 doing this, pedestrian cars and.. has received  
25

1 nothing in return, that's disappointing. I'm here  
2 because I saw you know the program. Obviously it's,  
3 it has its good points which is you know lower air,  
4 lower the poor air quality that's being spewed  
5 [phonetic] out as well as a, a monetary incentive.  
6 Other than that you know my, in my head it's all  
7 been just big trucks, not even the double decker  
8 busses which sorry I, I can't stand because there's  
9 too many of them. They're just everywhere. But you  
10 know my thing is these big trucks that are on and  
11 not even loading and unloading. I, myself, have  
12 use, have used trucks before and the newer models  
13 you don't even have to have the truck on for, to  
14 use your lift gate okay. So that's more towards the  
15 older models that spew all this, all these  
16 chemicals into the air. So once again you know I  
17 think you for allowing me to speak my part and I'm  
18 in favor of 717 and civilians being deputized if  
19 you want to call it that or trained and certified  
20 in order to do this. I think it's a great idea.  
21 It's a, sorry also it's like, it's like when you  
22 drive 36 Street, it says fines for honking 250  
23 dollars and the, the tunnel's backed up. Everyone's  
24 honking. No one's getting a fine. Okay there's a  
25

2 perfect example of, of that. Is I'm reading, I'm  
3 looking at the sign and everybody's honking for  
4 traffic. No one's getting a 250-dollar ticket. With  
5 this, this might have been, this might have been in  
6 effect for 15 20 years but no one's doing anything  
7 about it. Your ticket agents are doing at meters,  
8 bus stops, double parkings. The, the police  
9 department, they have more than enough on their  
10 plate. And to come out with a, you know a small  
11 group as, as a trial period I think is the way to  
12 go. And the only way to stop this is, the only  
13 solution is enforcement and it should be done by  
14 you know a small group of people who have been  
15 handpicked to do this and we'll, we'll see how it  
16 goes from there.

17 CHAIRPERSON CONSTANTINIDES: Okay. Thank  
18 you very much for your testimony. I appreciate you  
19 taking the time today to come here, have your voice  
20 heard, and your activism to improve our air quality  
21 and improve our city. So thank you both.

22 [cross-talk]

23 CHAIRPERSON CONSTANTINIDES: Seeing no  
24 one else that's to testify I want to thank again my  
25 colleague Helen Rosenthal for her advocacy and, and

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her leadership on environmental issues and appreciate... I'm looking forward to moving 717 and 325 forward. I want to thank our committee staff, our Legislative Attorney Samara Swanston, our policy analyst Bill Murray, our Finance Committee Analyst John Seltzer, and my own team Nick Wazowski for all of their efforts today to make this hearing happen and thank all of you for again investing in improving our city and coming here today to have your voice heard that we can reduce emissions and help preserve future generations. So thank you. And with that I will gavel this committee hearing of the Environmental Protection Committee closed.

[gavel]

C E R T I F I C A T E

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



Date October 03, 2016