

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON CONSUMER AFFAIRS

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June 20, 2016  
Start: 10:23 a.m.  
Recess: 10:29 a.m.

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

B E F O R E:

RAFAEL L. ESPINAL, JR.  
Chairperson

COUNCIL MEMBERS:

Vincent J. Gentile  
Julissa Ferreras-Copeland  
Karen Koslowitz  
Rory I. Lancman  
Daniel R. Garodnick

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

CHAIRPERSON ESPINAL: Good morning everyone; sorry for the delay; we'll get the show on the road.

[pause]

Good morning. My name is Rafael Espinal; I'm the Chair of the Consumer Affairs Committee. I'm joined by other members of the committee; we have Karen Koslowitz from Queens, we also have Julissa Ferreras-Copeland from Queens, and we have Dan Garodnick, who is the main sponsor of this bill.

Today the committee will hold a vote on bill, Proposed Int. 1149-A, which would create a licensing scheme for ticket sellers.

On April 12, 2016, the Committee on Consumer Affairs held a hearing on Int. 1149; the hearing came following a study and recommendations from a task force convened by the City in the summer of 2015 to address quality of life issues principally involving aggressive solicitation in Times Square and its pedestrian plaza. In the course of its investigation, the task force found that similar concerns existed regarding ticket sellers. While the majority of sellers contribute positively to the tourism sector, a subset has generated dozens of

1  
2 complaints and arrests for aggressive behavior and  
3 fraudulent sales this year alone. The task force  
4 also noted that ticket sellers currently overwhelm  
5 areas of Times Square; as many as 75 to 100 persons  
6 selling tickets for sightseeing buses or comedy clubs  
7 have been regularly observed in and around Times  
8 Square.

9           Furthermore, a survey conducted by the  
10 Times Square Alliance noted that 40 percent of  
11 respondents said they had an unpleasant interaction  
12 with ticket sellers. Individual ticket sellers have  
13 been accused of intentionally misleading potential  
14 buyers by promising shows will feature prominent  
15 comedians or involve a television taping to secure  
16 purchases. In order to protect the public from bad  
17 actors, the task force recommended the creation of a  
18 new category of vendors to include ticket sellers.

19           At the April hearing, the committee heard  
20 from the industry, including sightseeing bus  
21 companies, ticket sellers themselves, the business  
22 community, and other interested parties. In response  
23 to the concerns expressed, Proposed Int. 1149-A will  
24 remove many of the location restrictions in the  
25 original bill, lower the licensing fee from \$125 to

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2 \$45 and would require DCA to study the impact of  
3 sellers on pedestrian traffic. The proposed law will  
4 continue to allow DCA to revoke the licenses of  
5 aggressive sellers or those committing fraud; it  
6 would require sellers to wear a vest or a jacket with  
7 the licensing information. Proposed Int. 1149-A  
8 would also create a rebuttable presumption that a  
9 business working with the seller is responsible for  
10 violations.

11 Before we go forward, I would like to  
12 give my colleague Dan Garodnick a chance to say a few  
13 words on the bill.

14 COUNCIL MEMBER GARODNICK: Thank you very  
15 much, Mr. Chairman for holding the vote today on  
16 Int. 1149-A, which I was pleased to introduce with  
17 Council Members Chin and Cohen.

18 As you noted, the bill will require that  
19 the Department of Consumer Affairs create a licensing  
20 scheme for a new class of vendors; namely ticket  
21 sellers, bringing much needed additional regulation  
22 to the tourism and entertainment landscape of New  
23 York City.

24 The Department of Consumer Affairs  
25 requires businesses and individuals in dozens of

1  
2 industries to obtain DCA licenses in order to operate  
3 legally, including newsstands, pedicabs, general  
4 vendors and many others, but ticket sellers, people  
5 taking cash or credit cards on a street corner are  
6 not included in these licensing requirements, despite  
7 the potential for illegal behavior, such as  
8 aggressive solicitation and even passing off  
9 fraudulent tickets as legitimate. Licensing these  
10 sellers will give consumers more assurances that the  
11 transactions they conduct are not scams and provide  
12 additional enforcement tools so that we can better  
13 target those operating unlawfully.

14 Ticket sellers are not a monolithic group  
15 and most of them are good actors; they range from  
16 direct employees of companies that offer services  
17 like bus tours who wear uniforms with their companies  
18 clearly identified, to third-party sellers hawking  
19 anything from ferry rides to Broadway shows, but  
20 some, unfortunately, do not operate above board. For  
21 instance, if someone in Times Square ever offers you  
22 a ticket to see Tina Fey at a comedy club, be very  
23 careful; it is quite possible that she will not be  
24 there that night; if someone wants to sell you a

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2 ticket for the Staten Island Ferry, perhaps also not  
3 a great idea.

4 This bill would benefit both the people  
5 looking to purchase tickets and the good actors in  
6 the industry who will be easily identifiable as  
7 legitimate sellers. This group of sellers has gone  
8 unregulated for too long; people looking to ride a  
9 tour bus, cruise the Hudson or see a show deserve the  
10 confidence that the money they spend will get them  
11 what they bought. Licensing is a simple and  
12 effective way to hold ticket sellers to a minimum  
13 operating standard so that officers can better  
14 identify people who are breaking the law. This bill  
15 will add important consumer protections and increase  
16 enforcement capabilities to the ticket-selling  
17 industry.

18 So again I wanna thank you, Chair Espinal  
19 for your interest in the subject, for having the  
20 hearing and today's vote and I certainly hope that my  
21 colleagues will vote in favor of this bill. Thank  
22 you.

23 CHAIRPERSON ESPINAL: Thank you, Dan. Do  
24 any of my colleagues have any comments? 'Kay, with  
25 that said, I the Chair recommend my colleagues to

1  
2 vote yes on this bill; would the clerk please call  
3 the roll?

4 COMMITTEE CLERK: Committee Clerk Matthew  
5 DeStefano [sp?], Committee on Consumer Affairs, roll  
6 call on Int. 1149-A. Chair Espinal.

7 CHAIRPERSON ESPINAL: I vote aye.

8 COMMITTEE CLERK: Ferreras-Copeland.

9 COUNCIL MEMBER FERRERAS-COPELAND: I vote  
10 aye.

11 COMMITTEE CLERK: Koslowitz.

12 COUNCIL MEMBER KOSLOWITZ: I vote aye.

13 COMMITTEE CLERK: By a vote of 3 in the  
14 affirmative, 0 in the negative and no abstentions,  
15 the item has been adopted.

16 CHAIRPERSON ESPINAL: Okay, we can close  
17 the roll. [background comments] With that said;  
18 this meeting's adjourned.

19 [gavel]

20 [background comments]

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C E R T I F I C A T E

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



Date July 7, 2016