

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON TRANSPORTATION

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November 4, 2010
Start: 10:53 am
Recess: 01:10 pm

HELD AT: Committee Room
250 Broadway, 16th Floor

B E F O R E:
JAMES VACCA
Chairperson

COUNCIL MEMBERS:
Gale A. Brewer
Daniel R. Garodnick
G. Oliver Koppell
Jessica S. Lappin
Darlene Mealy
Michael C. Nelson
Ydanis A. Rodriguez
Deborah L. Rose
Vincent M. Ignizio
Eric A. Ulrich

A P P E A R A N C E S

David Woloch
Deputy Commissioner for External Affairs
NYC Department of Transportation

Ryan Russo
Assistant Commissioner for Traffic Management
NYC Department of Transportation

Paul Steely White
Executive Director
Transportation Alternatives

Marc Brumer
On behalf of
Scott Stringer
Manhattan Borough President

Jack Brown
Spokesman
Coalition against Rogue Riding

Susan Raskin
Co-chair
Penn South Houses

Lester Marks
Director of Government Affairs
Lighthouse International

Maria Hanson
Pedestrians for Accessible and Safe Streets

Barbara Backer
Chairperson pro-tem
Our Streets Our Lives

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

Martin Treat
Co-founder
CHEKPEDS

Christine Berthet
Co-founder
CHEKPEDS

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CHAIRPERSON VACCA: Good morning.
I apologize for being late, so this is my fault.
Traffic was such. I do want to welcome everyone
to our Committee on Transportation of the New York
City Council.

[Pause]

CHAIRPERSON VACCA: Good morning.
My name is James Vacca and I'm Chairperson of the
Committee on Transportation for the New York City
Council. I want to welcome you all here today.
We're going to have a hearing on four bills
related to pedestrian safety. It's a very
important issue to me. The legislation we're
going to consider today, I feel, will go a long
way to empowering citizens who want to fight for
traffic calming measures in their own community.

One of the most common complaints
we hear as council people are people concerned
about not just pedestrian safety but safety of the
motorists themselves. By making information
available to the general public, we will be able
to empower community boards and council persons
and individuals to fight for what they feel is
right for their neighborhoods, to fight for

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2 improvements in road conditions.

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We have a lot of people out there today, who because of the way they drive, they have become part of the problem as opposed to part of the solution. Making our streets safer for pedestrians is a very high priority with me. It precedes my service here in the Council. I was a district manager for a community board for 26 years, prior to coming here.

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So I know how people are concerned about this. I know it's become an increasing problem. I know the DOT is looking at various solutions to making our roads safer. We on the Council feel that we have recommendations for legislation that would make information more available to the public and therefore empower them to fight for their communities.

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These bills, which I'll describe in detail now, would require DOT to provide that information about how we can make our streets safer and how DOT makes its decisions concerning traffic calming devices, and whether or not those decisions are to approve or to disapprove recommendations that are made, and what happens at

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2 the end of the day when a survey is finished that
3 DOT may make. So what we're basically talking
4 about today is a proactive approach to addressing
5 traffic related safety issues.

6 Proposed Intro 370-A is introduced
7 by Council Member Lappin and it would require DOT
8 to provide a comprehensive report on traffic
9 crashes involving pedestrian fatalities or serious
10 injury every five years, published traffic stat
11 information on its website regarding crashes to be
12 updated weekly and develop an interagency roadway
13 safety plan.

14 Intro 374, introduced by Council
15 Member Rosie Mendez, would require DOT to compile
16 data regarding crashes among bicycles and between
17 bicycles, pedestrians and other vehicles. The
18 city has been expanding its bike lane network at a
19 very fast pace and there may be more crashes
20 between bikes and pedestrians and other entities,
21 however, there is no one keeping statistics about
22 this at this point.

23 Proposed 370-A, which I introduced,
24 would require DOT to create standards for the
25 placement and installation of traffic calming

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2 devices, such as speed bumps, median barriers and
3 raised roadways, intended to provide pedestrian
4 safety and to publicize those standards. Many of
5 these traffic calming devices have been installed
6 all across the city and it's good to know what
7 criteria DOT uses for their placement and
8 installation.

9 Intro 377-A, which I also
10 introduced would require DOT to provide detailed
11 explanation about its determinations from a
12 traffic analysis requested by a Council Member,
13 community board or member of the public.

14 It's very frustrating to ask for a
15 stop sign or a traffic light or a speed bump on
16 blocks or at certain intersections that you know
17 to be dangerous and to then get a letter from DOT
18 saying it's denied because it does not meet the
19 warrants. That happens a lot.

20 I want to know exactly why it was
21 denied. I don't think the answer that it doesn't
22 meet warrants is adequate. I'd like the public to
23 be aware as to why DOT came to the conclusion they
24 came to. I'd like to see a synopsis, basically,
25 of traffic studies that they made.

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2 I think people are entitled to an
3 explanation and a rationale. That's what goes
4 into the second piece of legislation that I
5 introduced.

6 So we'll now hear from the bill
7 sponsors. I think you heard from me enough. I'm
8 sponsoring two of the bills. So I've given you a
9 little preview as to why I'm proposing what I have
10 put forth. Let me now hear from Council Member
11 Lappin about her bill.

12 COUNCIL MEMBER LAPPIN: Thank you,
13 Mr. Chair. The bill that I'm proposing today, the
14 goal of the legislation is to give the public,
15 public information. It's my understanding that
16 there is data being collected, both from the
17 city's department, the police department, from the
18 state DMV, the state DOT about pedestrian crashes,
19 injuries, fatalities, across the city.

20 We would like the public to know
21 where there are dangerous intersections or hot
22 spots. We all know anecdotally in our communities
23 where they are and avoid those corners. But we
24 would like to have the data to show affirmatively
25 where those corners or intersections are, so that

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2 we as communities can be empowered to work with
3 our elected officials, to work with government, to
4 make those corners safer.

5 As you mentioned, we've had a
6 hearing on this bill already in the Public Safety
7 Committee. Based on feedback we received from the
8 administration, we have amended the bill and
9 tweaked it and we are having essentially a second
10 hearing today on the amended version of the bill,
11 which has been modified from its original form in
12 ways that the administration sought. I look
13 forward to hearing their testimony today.

14 CHAIRPERSON VACCA: Thank you. I
15 do want to indicate how strongly traffic calming
16 plays into safety. I do want the public to know
17 that as chairman of this committee, this is a high
18 priority with me. For too long, wherever I go in
19 the city, I see issues that have to be addressed
20 and I do know that DOT has tried to be creative
21 and innovative in addressing these issues.

22 But we in the Council still see a
23 need out there, an unmet need, to further slow
24 down traffic. And to make sure on a block by
25 block basis that we make our city safer. So these

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2 bills represent, in my opinion, a focus that the
3 Council needs to have as we go forth.

4 I'd like to call upon our speakers
5 from the administration who are here. However,
6 let me first introduce my colleagues. To my
7 extreme right is Oliver Koppell from the Bronx.
8 Sitting next to him is Council Member Debi Rose
9 from Staten Island. To my extreme left, it's the
10 first time you're sitting to my extreme left,
11 Vincent Ignizio from Staten Island, who should be
12 on my right. Also, we have Dan Garodnick from
13 Manhattan and Jessica Lappin from Manhattan.

14 COUNCIL MEMBER KOPPELL: Mr.
15 Chairman, before we hear from the administration,
16 I would just like to ask you to add my name to two
17 of the bills where my name is not included as a
18 sponsor, 377-A and 376-A. I am a sponsor of the
19 other two bills.

20 CHAIRPERSON VACCA: It will be
21 done.

22 COUNCIL MEMBER KOPPELL: In
23 addition, I would like to ask you and the
24 committee staff to look at a measure that is
25 before the committee. Unfortunately, in my view,

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2 not before us today, that deals with traffic
3 calming devices at crosswalks. It's something
4 that is unfortunately not on the agenda today
5 because it fits in with this. But I would ask the
6 counsel to look at it and get back to me
7 concerning that. I don't have that number in
8 front of me. I can talk to them about it.

9 CHAIRPERSON VACCA: Our counsel
10 Phil Hom will get back to you, Oliver.

11 COUNCIL MEMBER KOPPELL: Thank you.

12 CHAIRPERSON VACCA: Thank you,
13 Council Member. David Woloch is here, Deputy
14 Commissioner for External Affairs from the
15 Department of Transportation and Ryan Russo,
16 Assistant Commissioner for Traffic Management at
17 DOT. We'll now proceed with their testimony.
18 Thank you.

19 DAVID WOLOCH: Good morning. I'm
20 David Woloch, Deputy Commissioner for External
21 Affairs at the New York City Department of
22 Transportation. With me here today is Ryan Russo,
23 DOT's Assistant Commissioner for Traffic
24 Management.

25 Overseeing one of the most complex

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2 urban transportation networks in the world, DOT's
3 number one priority is safety. Accordingly, we
4 thank the Council for inviting us here to discuss
5 Intros 370, 374, 376 and 377 relating to traffic
6 safety, and to describe what we've already
7 achieved and the new directions we are taking.

8 Today's hearing represents our
9 shared commitment to making our streets safer for
10 the millions of motorists, pedestrians and
11 cyclists that traverse the City every day. Over
12 the past 15 years, pedestrian fatalities in New
13 York have declined at a rate more than three times
14 faster than the national average.

15 NYC's overall traffic fatality rate
16 is less than one-third the national, and less than
17 half the rate of the next 10 largest U.S. cities.
18 Proud to be a leader in traffic safety, this
19 distinction has only encouraged us to set the bar
20 higher.

21 In 2007, as part of our agency's
22 Strategic Plan, Commissioner Sadik-Khan set a goal
23 of reducing traffic deaths by 50 percent by 2030.
24 In 2009, traffic fatalities hit their lowest level
25 in recorded history, representing a remarkable 35

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2 percent decrease from 2001. We have also seen a
3 steady decrease in traffic-related injuries during
4 the last decade, with an overall reduction of
5 approximately 40 percent since 2001.

6 We continue to pursue new and
7 innovative strategies and build upon our past
8 successes, because quite simply, even one traffic
9 fatality or serious injury in this City is one too
10 many.

11 In accordance with Local Law 11 of
12 2008, we recently released a landmark Pedestrian
13 Safety Study and Action Plan, our roadmap for
14 creating even safer streets. Through this
15 rigorous examination of eight years of accident
16 data, we identified the underlying causes of
17 crashes, which will allow us to direct resources
18 where they will be most effective. As I will
19 describe, we are moving forward with ambitious new
20 programs to reengineer streets, increase public
21 awareness, and to chart a new course to make the
22 safest streets in the nation even safer.

23 Our work over the past few years
24 has provided a significant start. Both children
25 and older adults are a major focus in the safety

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2 work we do and our efforts for these most
3 vulnerable street users represents the largest
4 traffic calming initiative ever undertaken in this
5 country.

6 As the Committee is aware, we've
7 completed safety improvements at 135 priority
8 schools with capital work ongoing, and studies are
9 now underway for 75 additional school locations.
10 Additionally, we will be rapidly expanding the
11 number of reduced speed zones around schools,
12 implementing at least 125 by the end of 2011.

13 As part of our Safe Streets for
14 Seniors Program, we have implemented improvements
15 geared to older adults in ten neighborhoods, with
16 another ten to come over the next two years. From
17 Fordham to New Dorp, from the Lower East Side to
18 Brighton Beach, we have made dramatic safety
19 enhancements through adjusted signal timing, the
20 installation of medians, improved street geometry
21 along with a host of other improvements.

22 We also continue to pursue the
23 installation of speed reducers throughout the five
24 boroughs, an effort that's been championed by
25 Chairman Vacca. With an addition of approximately

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2 75 new installations every year, we now have a
3 total of over 1,500 speed reducers on city
4 streets.

5 In addition to these programs,
6 we've been making aggressive traffic safety
7 improvements at a growing list of intersections
8 and corridors across the city. Park and East 33rd
9 in Manhattan; Empire Boulevard in Brooklyn;
10 Laconia Avenue in the Bronx; Luten Avenue on
11 Staten Island; and Rockaway Boulevard in Queens.
12 The list goes on.

13 More and more roads throughout the
14 city are receiving the kind of safety improvements
15 so many communities have asked for including
16 refuge islands, road diets, sidewalk extensions,
17 bicycle lanes, lane reconfigurations, signal
18 timing modifications, markings, signs and parking
19 regulation modifications.

20 The kinds of safety improvements
21 we're implementing are fully detailed in DOT's
22 Street Design Manual, which was released last
23 year. It includes information about effective
24 roadway design and guidelines for traffic calming
25 devices. We have provided additional information

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2 on DOT's website which can be found on our FAQ
3 page called "Slowing Down Traffic: Traffic Calming
4 Information".

5 So while we support the Council's
6 goal offered in Intro 376 to make standards clear,
7 we have taken significant steps to meet this
8 objective. However, we are eager to speak further
9 about this legislation with the Council and any
10 additional action needed to better communicate our
11 guidelines to New Yorkers.

12 Intro 377 also addresses the
13 public's understanding of how DOT determines what
14 safety improvements are needed where. As I've
15 described, and will elaborate on shortly, DOT has
16 become even more dedicated in our approach to
17 traffic safety and more efficient at using the
18 tools we have to make our streets as safe as they
19 can be.

20 As our eyes and ears on the street,
21 public feedback is integral to this process.
22 Whether through mail, email, 311, or even Twitter,
23 New Yorkers are not shy. Every year we engage in
24 over 4,000 studies in response to their requests.
25 To conduct this volume of analysis, we stretch our

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2 resources as far as we can to hit as many
3 locations, and install as many improvements as
4 possible every year.

5 As you know, our Borough
6 Commissioners and their staffs, one of the
7 strongest agency outreach organizations in the
8 City, are available precisely to help our
9 constituents navigate through the Department and
10 get the information they need.

11 While we cannot issue 4,000 written
12 summaries of our analysis every year without a
13 significant impact on our performance, our borough
14 offices are here to provide a personalized
15 service, a service I know has worked so well for
16 members of the Council. That said, we are
17 certainly eager to discuss this further with the
18 committee and consider what we can do to improve
19 our ability to communicate with constituents.

20 In order to continue the work we've
21 been doing, while meeting even more ambitious
22 safety goals, we have developed a roadmap: DOT's
23 Pedestrian Safety Study and Action Plan. Using
24 state-of-the-art data and statistical modeling
25 techniques, researchers examined hundreds of

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2 factors that could be associated with the cause of
3 over 7,000 pedestrian injuries. This undertaking
4 is unprecedented in terms of its scope and depth
5 of research. However, we do continue to rely on
6 crash data to determine where we focus our work.

7 To be clear, we are not the
8 originators of this data, NYPD is the city agency
9 that collects and compiles crash information. For
10 this reason we defer to them for comment on Intro
11 374 which requires the compilation of annual bike
12 crash data and section 2 of Intro 370, requiring
13 the weekly posting of NYPD summons and crash data.
14 Their position on the latter was shared at the
15 committee's April 28th hearing.

16 At DOT we continue to take steps to
17 make our studies available to the public and to
18 use data to inform our decision making. The
19 Pedestrian Safety study provided us with key
20 information on where, when, who and how accidents
21 are happening. While time does not permit us to
22 present all the findings, I urge you to read the
23 full report and I do want to offer some of the key
24 findings today.

25 Despite the fact that arterial

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2 streets make up only 15 percent of our road
3 network, over 60 percent of pedestrian fatalities
4 occur on these roads. We have also found that in
5 crashes that kill or seriously injure pedestrians,
6 driver inattention was cited in 36 percent; and
7 that failure to yield to pedestrians resulted in
8 27 percent.

9 In addition, the study found that
10 serious crashes between 3 and 6 a.m. are nearly
11 twice as deadly as they are during other times.
12 This gets at one of the most critical findings of
13 the report: speed kills. Yet, overwhelmingly and
14 alarmingly, we have found many New Yorkers don't
15 know the standard speed limit in the City: 25,
16 40, 55, the guesses are all over the map. The
17 answer is 30, and it's a threshold that makes
18 sense.

19 Consider this: pedestrians hit at
20 40 mph have a 70 percent chance of dying, while at
21 30 mph they have an 80 percent chance of
22 surviving. This is why so much of the work we
23 need to undertake on the engineering, enforcement
24 and education fronts must address the issue of
25 speeding. The Study and Action Plan lays out our

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2 anti-speeding programs and other recommendations
3 for improving safety.

4 Key initiatives we will be
5 undertaking at DOT include making improvements to
6 60 miles of corridors each year; addressing safety
7 on major two-way streets in Manhattan; creating a
8 pilot for neighborhood 20 mile per hour zones; and
9 installing countdown pedestrian signals at 1,500
10 locations citywide.

11 The study's enforcement
12 recommendations include the NYPD targeting of
13 speeding and failure to yield. We have worked
14 with the police department to secure a grant from
15 the Governor's Traffic Safety Committee for these
16 activities as well as enforcement of cyclists who
17 violate traffic laws. The study also calls for
18 collaboration between DOT and the Police, a
19 partnership that has in fact been bolstered in
20 recent years.

21 In addition to the consistent
22 communication taking place between DOT Borough
23 Offices with Borough Commands and precincts, we
24 hold monthly coordination meetings between senior
25 DOT staff and NYPD Traffic Division leadership.

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2 In fact the kind of dialogue called for in Intro
3 370, with NYPD and others, already takes place and
4 has already been laid out in our Safety report.

5 While we will continue to engineer
6 and enforce safer streets, the fact is that too
7 many crashes result from behavior such as driver
8 inattention, speeding, and driving under the
9 influence. As called for in our study, we are
10 continuing to expand public communication through
11 marketing campaigns, such as "Look", encouraging
12 users to safely share the road; and "You the Man",
13 targeted at those most likely to drink and drive.

14 We recently unveiled an iPhone app
15 to reduce drunk driving by giving New Yorkers safe
16 choices for getting home after a night on the
17 town. It uses the iPhone's GPS to identify the
18 closest TLC-registered car services and the
19 nearest subway stations. Moreover, we've created
20 new ads addressing the speeding issue raised in
21 the report, which have begun to air and which you
22 can find on our website.

23 We have also increased our
24 messaging in respect to responsible cycling. We
25 are in the process of creating a series of three

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2 public service announcements, addressing cycling
3 on the sidewalk, riding against traffic and not
4 yielding to pedestrians. We anticipate these ads
5 will air in the spring, when cyclists are
6 returning to the streets in larger numbers.

7 I should note that this will
8 complement other outreach materials we have
9 developed such as our Bike Smart brochure, the
10 NYPD's cyclist enforcement efforts described
11 earlier, and legislation we would like to work
12 with the Council on to further address behavior by
13 commercial cyclists.

14 Our focus on cyclist compliance is
15 yet another new direction we are taking to better
16 protect all road users in the five boroughs and
17 undoubtedly as we move forward, there will be new
18 strategies. This is why we support the concept
19 addressed in part one of Intro 370, requiring the
20 department to update the Pedestrian Safety Study
21 and Action Plan every five years.

22 We want to continue to work with
23 the Council to move forward on the many safety
24 paths we've embarked on and to ensure that the
25 pace will continue to accelerate in the years

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2 ahead. Only through this collective vigilance
3 will we meet our 2030 goal of reducing traffic
4 fatalities and create truly safe streets in our
5 city.

6 Thank you for inviting us to
7 testify and we'll be happy to answer any questions
8 at this time.

9 CHAIRPERSON VACCA: Thank you,
10 Commissioner. Mr. Russo, do you wish to testify?
11 You're just here to support, basically? Okay. I
12 do want to mention Mike Nelson, my colleague has
13 joined me, to my left, and Council Member Gale
14 Brewer is here, to my left.

15 Commissioner, a couple of
16 questions. Regarding 377-A, and I know you had
17 concerns about the surveys that you make and the
18 amount of work that would be needed to respond to
19 everyone. Let me just clarify. You mentioned
20 that there are 4,000. You get 4,000 requests a
21 year for speed calming measures?

22 DAVID WOLOCH: It's a startlingly
23 large number, I agree. This includes things like
24 requests for new traffic signals, requests for
25 speed reducers, requests for multi-way stop signs,

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2 requests for traffic signal time to be adjusted at
3 existing traffic signals, requests for changes to
4 curb regulations, for more meters to be placed,
5 for loading zones to be included. It's a very
6 large universe, I agree.

7 CHAIRPERSON VACCA: How do you
8 compare that 4,000 this year with what you
9 received last year, five years ago? Tell me how
10 that number compares with previous years.

11 DAVID WOLOCH: That's an
12 interesting question. We'd have to go back and
13 look at that. Frankly, it's a total number we had
14 not tallied until recently. But we can go back
15 and look at that.

16 CHAIRPERSON VACCA: I would think
17 that that's a very high number. I would think
18 that that number is increasing.

19 DAVID WOLOCH: My guess is it has
20 increased over the years.

21 CHAIRPERSON VACCA: Now, my
22 legislation, 377-A, does not require you to
23 respond with a total explanation to all of those
24 4,000 request. It requires you to give an
25 explanation based on a request you get from a

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2 community board or a council person. There are
3 many individuals who call as citizens. They call
4 311 and they make a request. But unless they
5 submit a request in writing to your agency
6 indicating to you they want an explanation, you
7 would not be required to give an explanation in
8 those cases.

9 So I do think that the number we're
10 talking about under my legislation would be much
11 smaller than the 4,000. I'd like you to look at
12 how many of the 4,000 requests that you received
13 last year came from community boards and council
14 persons.

15 The basis for my suggesting this
16 level of response is that in both cases, community
17 boards and council people are city agencies, we
18 represent city government. One part of city
19 government, in my view should be communicating
20 with others, giving us reasons for your findings.
21 I understand if citizens just call 311 and give
22 you an instance that they saw, and they don't make
23 a written request. I understand that that may not
24 be something you feel obligated to give a detailed
25 explanation on. So how do you respond to that

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insomuch as looking at your position on this matter in that context?

DAVID WOLOCH: A few thoughts. Our interpretation of the way the bill is written is that in part b, it refers to any traffic analysis that had been requested by a member of the public. So our sense is it refers to the whole universe. I think the larger question, which I think you raised in the beginning of the hearing is that in general when we give answers and we say no to something and we're not explaining why, that there's a communication gap. I think we agree that we can do more to try to close that gap. I think part of the challenge is doing that in a way that's not going to create so much work that we actually end up being less productive.

CHAIRPERSON VACCA: It does state in section b that regarding members of the public who request a study that you should give it within seven days upon receipt of a written request. So that's what I wanted to clarify.

The reason I developed this legislation is because when you're dealing with a community board or a council person, especially,

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2 if you are rejecting a traffic light on First
3 Avenue and Fifth Street, and you give us the
4 reasons, then we may say well DOT may be right, in
5 your explanation. But perhaps, based on the
6 reasons you gave, First Avenue and Seventh Street
7 would be a better location, from a visibility
8 point of view, because of the number of cars that
9 go there as opposed to the previous location.

10 We want to be part of the
11 discussion. I think the community boards and
12 council people have that interest or should have
13 that interest if they don't. I certainly
14 recognize the fact that this administration has
15 made traffic calming high on their agenda, DOT and
16 the mayor. So I'd like to work with you on those
17 bills. I do think there's room for us to
18 implement something like this which long-term will
19 go a long way to making our city safer.

20 I indicated the 4,000 as a
21 reiteration of the number you gave. How are
22 records kept by DOT? Do you keep records of these
23 complaints computerized, on paper? How does the
24 311 requests get to you? How do you keep them as
25 opposed to a letter or an email you may get from a

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2 councilperson, community board or constituent? So
3 how do you keep records? How do we know that your
4 records are complete and that we're getting
5 statistics that reflect the various ways people
6 use to call in a request for traffic calming?

7 DAVID WOLOCH: There are basically
8 two pieces of this. There are the many different
9 places where the requests are coming in through.
10 Obviously, anything that comes in to 311, there's
11 inherently a good system there to track that.

12 Requests will also come in via
13 letters, which will get routed through our borough
14 offices. Requests will come in verbally,
15 particularly to our borough offices. Requests
16 will come in by email. Some of those universes I
17 think are better tracked than others.

18 The verbal requests that are made
19 to staff at the department, that come up at
20 meetings, I think it's fair to say are probably
21 not tracked as rigorously in the same way as, say,
22 everything that comes in through 311.

23 On the other end is where those
24 requests go. One of the points I'd like to stress
25 is that there are many different parts of the

1
2 department that are doing studies in response to
3 these requests. The requests really run the
4 gamut.

5 As I described earlier, there are
6 lots of different types of requests that come in
7 to address not just traffic calming but issues on
8 our streets. We have different parts of the
9 agency that do those different studies. We have a
10 traffic signal division which will do all the work
11 related to traffic signal placement, traffic
12 signal timing. They have a system to manage that.

13 We have borough engineers in each
14 borough who will address issues related to curb
15 regulations. They too have a system to track the
16 work that they do. So I just wanted to make it
17 clear there's not just one system that all these
18 requests are coming into, because there's
19 different types of work that's being asked for.

20 CHAIRPERSON VACCA: But we the
21 public should have no doubt that you have a
22 totality of those requests, that you have been
23 able to keep all these requests, regardless of how
24 they've come in. You have a totality of those
25 requests.

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2 DAVID WOLOCH: We do. It's a
3 question of pulling together all of those
4 different pieces. I think you're question about
5 looking back and seeing how those numbers have
6 evolved over time is a good one. We'll look into
7 that.

8 CHAIRPERSON VACCA: I was also
9 concerned, and now I'm going to 376 for a minute,
10 about letting the public know about what warrants
11 are. I know we use that term so much. What is a
12 warrant? I know, for example, if you want a speed
13 bump in your block, many people think that a speed
14 bump is a good idea. To the best of my knowledge,
15 DOT has a policy that speed bumps cannot be on bus
16 routes and speed bumps cannot be inn front of
17 someone's driveway. So I wouldn't say that's a
18 warrant, but that's a criteria that you have
19 before you go ahead and install a speed bump. You
20 would address the request with that in mind.

21 A warrant, I know, is something a
22 little different. But a warrant would be needed
23 before you put a traffic light up. I want to be
24 clear about what a warrant is. I was looking to
25 see if there was anything on the DOT website that

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2 would explain to people by what standards do you
3 use when you consider a request. It may help a
4 member of the public who is saying I want a speed
5 bump on my block and I want it in front of 300
6 Main Street. If that's a bus route, the member of
7 the public or anyone of the community board may
8 not even bother to submit that request based on
9 what you have on the computer indicating your
10 standards.

11 So number one, do you think it's
12 helpful to put some type of guideline on the
13 internet so that people can be guided in the type
14 of request they make? Number two, when we talk
15 about warrants and standards, are many of these
16 warrants and standards national warrants, national
17 standards we're talking about? Or are these a
18 mixture of national standards and DOT standards
19 based on your agency's policies?

20 DAVID WOLOCH: A lot of good
21 questions. A lot of different parts to the
22 answer. Let me start with the question, as you
23 put it, to guide constituents when they want to
24 bring us issues.

25 I think one important undercurrent

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2 of all of this is the most useful dialogue starts
3 when you or community boards or constituents bring
4 us a problem that's happening on a street rather
5 than immediately suggesting a solution. I think
6 part of the dynamic is that many, many people will
7 think that a traffic signal is the solution to any
8 problem. Sometimes it is and sometimes it isn't.

9 The best way to start the dialogue
10 is by starting with "there's a problem here."
11 Actually, there was a great example of that that
12 we worked on in your district on St. Theresa
13 Avenue where you and the community came to us with
14 a problem and we figured out the best approach to
15 dealing with it.

16 In terms of making the information
17 available about what our guidelines are for these
18 different devices, I think you're absolutely
19 right. We do have information up on our website
20 about speed reducers, about traffic signals. I
21 think there is undoubtedly more we can do to
22 improve the placement on our website, and more we
23 can do to push that information out to the
24 Council, to community board, civic groups.

25 One of the steps that we've taken

1
2 towards that, which we've begun to talk about is
3 DOT Academy, which is a presentation we've pulled
4 together and we've done it for a number of your
5 staff members over the past couple of years where
6 we explain these processes. I think there's more
7 of that we can do in your communities.

8 In terms of the specific criteria,
9 let's delve into that a little bit, because I
10 think sometimes it gets a little confusing. The
11 warrants just refer to federal guidelines, as
12 least as we use them, for traffic signals and
13 multi-way stop signs. That's where you hear us
14 use the term "warrants."

15 I think it's a great example of an
16 arena where there is probably more we can do to
17 explain how the warrants work and what they mean.
18 When we say we're not going to be putting in a
19 traffic signal because it doesn't meet the
20 warrants, explaining what that means.

21 RYAN RUSSO: David covered a lot of
22 the ground, but in terms of speed humps, our
23 criteria is posted on the DOT website. I think we
24 share a lot of the same goals in that we want as
25 educated a public as possible so that they send

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the issue to us in a way that helps us address it.

Like David said, in terms of the issue and the solution dichotomy, a lot of times if people send us issue they'll often be routed. Now, we have a whole correspondence unit. You are interested in sort of the tracking. All requests, 311s and correspondence are tracked on an agency-wide basis, including non-traffic safety issues and they're routed to the appropriate units to deal with those particular issues.

So if someone just says I want a stop sign, it goes to the correspondence unit and then it goes to the operational unit that does the study for the stop sign.

Now, if it's a broader problem, like a speeding problem, the issue will get routed. We have planning units that can conduct studies to look at a range, a portfolio of solutions to develop. We can look at historical crash data and decide is this street having larger problems than other streets nearby. We can take a more comprehensive look, so going to the planning units.

In terms of the speed humps, again,

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2 it's another unit that has a criteria that does an
3 engineering investigation of that street and
4 whether it meets the criteria. The criteria
5 itself was developed from guidelines set by the
6 Institute of Transportation Engineers for speed
7 humps.

8 That criteria, we can get into it
9 in more detail if you have follow-up questions,
10 but we've developed it, we've published it and
11 we've made modifications such as reducing the
12 speeding threshold near parks and schools so that
13 parks and schools are more likely to have speed
14 humps approved. We've done that over time.
15 Because of that, we've been growing fast how many
16 speed humps are being implemented.

17 CHAIRPERSON VACCA: Thank you. For
18 the record, that's Ryan Russo. I wanted to
19 identify you for the record. Our first question
20 from the Council comes from Council Member Lappin.

21 COUNCIL MEMBER LAPPIN: Thank you,
22 Mr. Chair. Before I forget and we move on to my
23 bill, I also wanted to sign on to 377-A and 376-A
24 and iterate my support for your bill. Because not
25 only is it helpful to get information when they

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2 refuse to put these in place, but it's also
3 helpful when they put them in and the community
4 doesn't want them and we don't know why they've
5 put them in. We are having a hard time getting
6 that information as well. So I think it can be
7 helpful on both ends.

8 I'm going to go through your
9 testimony and discuss the bill. First of all, you
10 had urged all of us to read the full report of the
11 pedestrian safety study which came out over the
12 summer. I have. It was excellent.

13 It was actually in the course of
14 reading the report after the press conference that
15 I was surprised to discover, though pleased, that
16 the administration had unexpectedly embraced two
17 of my bills. One creating an Office of Road
18 Safety, which you detail as your interagency
19 coordination plan and also my Traffic Stat concept
20 which you discuss as your corridor and
21 intersection rankings, in that section of your
22 report.

23 I'm going to go specifically into
24 those two. I have, in introducing this bill last
25 week, taken my Office of Road Safety Bill and the

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2 Traffic Stat bill and some changes you are seeking
3 to Local Law 11 and incorporated all three of
4 those concepts into the piece of legislation that
5 we are hearing today. And instead of creating a
6 separate Mayoral Office of Road Safety, at your
7 suggestion, we created a more flexible
8 coordination, sort of interagency coordination,
9 which is exactly what you lay out in your
10 pedestrian study.

11 I guess first what I wanted to say,
12 as a statement before I get to my questions, is
13 you mentioned in your testimony that you are
14 deferring to the police department to comment on
15 the second section of the bill which they did at
16 an earlier April 28th hearing. I just wanted to
17 say, from my perspective, and I think I can speak,
18 not for the chair, but for some other's
19 perspective that we disagreed with the police
20 department's testimony quite strongly.

21 They said basically they didn't
22 think the public could handle the truth. I think
23 the public can handle the truth and I think the
24 public should and is going to get the truth.
25 There's no reason why they shouldn't.

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2 You said that you are not the
3 agency that collects this data, that the police
4 department is. It's my understanding that you get
5 information from the police department and the
6 state DMV and then use that data when you rank
7 corridors. Is that correct?

8 DAVID WOLOCH: Correct. There are
9 two ways that we get data. We get data from the
10 police department and that comes from their
11 accident reports. They collect some of the data
12 from those accident reports. That information is
13 relatively up to date. It's an ongoing process.

14 We get data from State DOT which
15 comes from State DMV. They in turn get their data
16 from those same PD accident reports. So the
17 police department sends them up to State DMV and
18 they enter that data into a more robust data
19 system. We don't get that information on a
20 regular basis. I think we've discussed this at
21 previous hearings. There's a big time lag. So we
22 get that data after the fact.

23 COUNCIL MEMBER LAPPIN: What's the
24 time lag?

25 DAVID WOLOCH: Right now, it's

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about a year. In years past, it actually had been multiple years. The state's gotten much better. I think part of the difficulty for us is that we're sort of beholden to them. So hopefully that pace can accelerate and we can get closer and closer to up to date information and similarly, hopefully it doesn't go back the other way. Right now, we're at a good place with folks in Albany. It's changed over the years.

COUNCIL MEMBER LAPPIN: How often do you get the information?

DAVID WOLOCH: Right now, my understanding is it's once a year. We're sort of getting an annual data.

COUNCIL MEMBER LAPPIN: But you meet with the police department once a week or once a month to go over traffic information?

DAVID WOLOCH: Meeting with the police department? That was in terms of the state. The police department we meet with regularly. I think the testimony alluded to this. We have been meeting with them regularly to go over data and where we think PD can be helpful and where they think there's work for us to do.

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2 COUNCIL MEMBER LAPPIN: I'm sorry
3 you meet with them haphazardly, you meet with them
4 on a regular basis? I mean, we're going a little
5 bit into this interagency coordination. So how
6 often do you meet with them?

7 RYAN RUSSO: You could put it in
8 three buckets. The PD has their TrafStat meetings
9 where they have their borough commands in which
10 the Traffic Division of PD works with its
11 precincts on issues of improving safety and
12 traffic enforcement issues. Our borough
13 commissioners attend those meetings.

14 The precincts have the opportunity
15 there to identify any issues that they believe are
16 engineering issues to bring to the department's
17 attention. So at the TrafStat meetings, they
18 rotate through the different borough commands:
19 Manhattan North, Brooklyn North, et cetera.

20 We also do on sites. When they
21 have accident prone locations, they ask us to meet
22 on site and we do field work with them. We'll go
23 out and visit a site and work on solutions
24 together. Now we've also been meeting the
25 leadership of the Traffic Operations division and

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the Traffic division of PD we've meeting on about a monthly schedule to supplement those efforts to, again, talk about problematic locations, sticky locations, things where maybe the more routine process with the precincts and the borough commissioners hasn't yet yielded a solution that we're all satisfied with. It's also an opportunity for us to discuss problems that we've come across as the Department of Transportation that we feel the police can be helpful at.

So they'll have chronic locations they've tried to solve the problem with enforcement. When they ultimately think it's an engineering solution, they'll give those issues to us. It'll go the other way where we'll look at it and we don't think we have necessarily a clean engineering solution and ask them to prioritize. That's how that's worked.

So in these three different buckets, certainly the rate is at least once a month.

COUNCIL MEMBER LAPPIN: Great. Let me take a step back, because I have a lot of questions. When they bring intersections to you,

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2 where is that information coming from? When you
3 came you with your 30 most dangerous
4 intersections, where did that information come
5 from? The PD or from the state?

6 DAVID WOLOCH: I think you mean the
7 20. That's required out of a Local Law that we
8 collaborated on. That comes from the state.

9 What we will try to do when the
10 issue isn't what happened yesterday but the issue
11 is what's happening over a longer period of time,
12 we will use the data in the state system. There's
13 more information there. It's a more robust
14 system. So where we can, we will use that data.
15 So, for instance, when we come up with the 20
16 locations, that's what we'll use.

17 COUNCIL MEMBER LAPPIN: Which is
18 why the bill focuses now on DOT providing the
19 information, because when you and staff met in
20 September, I think it was made clear that you have
21 more robust information because you have the
22 police department's information plus you have the
23 state's information. So you can provide the
24 public with more than what the police department
25 alone could provide the public.

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2 DAVID WOLOCH: We have access to
3 the state's system when we need it. I think
4 what's called for in the bill is data to be
5 updated on a weekly basis. That's something that
6 we couldn't do. As I said, we don't have state
7 data from this past year. We have it from the
8 previous year. When we do our analysis, we're
9 able to--

10 COUNCIL MEMBER LAPPIN:

11 [interposing] You get the more robust data yearly.
12 How frequently do you get the police department's
13 data? Because you're meeting with them, he just
14 said, at least once a month. It sounds like
15 multiple times a month. So from the police
16 department you're getting information weekly or at
17 a minimum monthly it sounds like.

18 DAVID WOLOCH: Even more frequently
19 than that.

20 COUNCIL MEMBER LAPPIN: So you
21 certainly have data that could be shared with the
22 public on a weekly or monthly basis. Your more
23 robust data, which would be interesting would take
24 longer to obtain and to post.

25 DAVID WOLOCH: Correct. The PD

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2 data we have access to what's happened recently.
3 The state data, for instance, we don't have for
4 the past year.

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COUNCIL MEMBER LAPPIN: I

6 understand. There's data that the public could
7 have that would be more robust but would take
8 longer, but certainly we could have some
9 information on a more frequent basis.

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DAVID WOLOCH: I should point out

11 the state data is available on the web to a
12 certain extent. Not by individual location but
13 citywide aggregated data.

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COUNCIL MEMBER LAPPIN: Right, but

15 that's not as helpful.

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DAVID WOLOCH: Borough aggregated.

17 I just wanted to make that clear.

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COUNCIL MEMBER LAPPIN: People

19 really want to know in their communities, in their
20 neighborhoods, block by block if possible, where
21 these are happening.

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In your study, in your interagency

23 coordination piece, you say that you have formed a
24 permanent inter and intra agency working work
25 group, a task force that meets monthly to develop

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2 policy, coordinate campaigns and projects,
3 promulgate standards and best practices and
4 coordinate funding which sounds pretty similar to
5 what's in my bill. So is there a difference
6 between what I'm proposing in this legislation and
7 what you say you've already done? This task force
8 that's meeting monthly. Is the task force meeting
9 monthly? Who is a part of it other than DOT and
10 PD at this point?

11 DAVID WOLOCH: That refers to the
12 collaboration with the police department.

13 COUNCIL MEMBER LAPPIN: So is your
14 permanent inter and intra agency working group
15 meeting or not meeting? Has it met yet?

16 RYAN RUSSO: This is referring to
17 the meeting--

18 COUNCIL MEMBER LAPPIN:
19 [interposing] That's what you referring to with
20 your--

21 RYAN RUSSO: [interposing] The
22 leadership of the traffic divisions within the two
23 agencies.

24 COUNCIL MEMBER LAPPIN: Are there
25 other agencies participating?

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2 RYAN RUSSO: No.

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COUNCIL MEMBER LAPPIN: So what
4 you're doing in practice, is that different from
5 what I'm proposing or is it the same in the
6 legislation?

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DAVID WOLOCH: It's certainly very
8 similar and I think to some extent what you're
9 asking for we've laid out in this

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COUNCIL MEMBER LAPPIN: So I assume
11 then you would support this. I mean, as I have
12 reworked my original bill, my intention was to put
13 into this legislation something more similar to
14 what you had asked us to do which is what you seem
15 to be doing. So I would assume then you would be
16 supportive of this section of the bill.

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DAVID WOLOCH: I guess the question
18 becomes are we really adding enough value here if
19 we've already done it. It would be hard to have a
20 problem with that.

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COUNCIL MEMBER LAPPIN: It would be
22 hard to oppose what you are doing.

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DAVID WOLOCH: Correct.

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COUNCIL MEMBER LAPPIN: What you
25 have recently begun doing.

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2 DAVID WOLOCH: But it then begs the
3 question what's the point of it. It certainly
4 wouldn't pose a big problem for us. I think the
5 question why is this needed is worth asking.
6 There's an implication that in fact we're not
7 working with the police department. There's a
8 need to require us to work with the police
9 department.

10 COUNCIL MEMBER LAPPIN: Well when I
11 first proposed the bill, you hadn't done this yet.
12 So certainly when I first introduced the
13 legislation, it was an unmet need. I'm glad that
14 you have since then created this and so that's why
15 we are incorporating it into this comprehensive
16 sort of traffic safety bill.

17 DAVID WOLOCH: I think perhaps an
18 unarticulated need. I think we've gone to greater
19 lengths to clarify how we've been working with the
20 police department.

21 CHAIRPERSON VACCA: Thank you,
22 Council Member Lappin. Thank you, Commissioner.
23 The sponsor is not here, but I did want to go over
24 Intro 374 quickly. Although quickly is not an
25 appropriate word, I think it deserves a little

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2 more attention. I think it deserves significant
3 attention because bicycling has become an
4 increasing mode of transportation in our city.

5 There is a concern here on the
6 Council that we don't have a means to review
7 bicycle accident data. We don't have the
8 wherewithal to look at how these accidents are
9 occurring and to what degree. When you speak of
10 the grid of the City of New York, bicycling is an
11 important component.

12 Now what's your position on this
13 bill, a little more in depth beyond your
14 testimony? Where are we when it comes to getting
15 bicycle accident data? Do you maintain this is
16 the police department as well? That's what I got
17 from your testimony.

18 DAVID WOLOCH: It's a similar
19 issue. The data for motor vehicle crashes
20 involving bicycles is collected by the police
21 department, put on what are called MV104 forms and
22 sent up to Albany.

23 CHAIRPERSON VACCA: Now, do you
24 know, does the police department advise New York
25 City DOT of bicycle accident locations so that

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2 you, when you do traffic studies, have not just an
3 idea of car accidents but bicycle accidents? That
4 may mitigate you effectuating a traffic calming
5 measure.

6 DAVID WOLOCH: That's certainly
7 something that we'll look at with the police
8 department highlighting those locations for us.
9 As we've been taking many, many steps to increase
10 cycling in the city, that's becoming more and more
11 of an important issue.

12 CHAIRPERSON VACCA: I think that
13 this bill identifies a significant gap that exists
14 when we assess traffic safety. If we don't have
15 these statistics available on bicycle-related
16 accidents, then the studies that DOT may make are
17 not all-inclusive. I really think that we have to
18 find out how to get the data, how to use it.

19 I think people have to be aware of
20 bicycle accident locations that are prone to occur
21 or prone to exist. I think this legislation
22 begins to address that. I know in your
23 conversation with Council Member Lappin, you were
24 talking about things you may do administratively
25 where council legislation may now codify what you

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2 do. But in this case, I don't think that we've
3 even started doing what we should be doing. Do
4 you agree that perhaps we are behind the eight
5 ball when it comes to this mode of transportation
6 and the reality that there are accidents being
7 caused right now by this?

8 DAVID WOLOCH: I think, as I said,
9 we've taken enormous steps over the past few years
10 to increase cycling in the city and provide safer
11 streets for cyclists in the city. As we've done
12 that, there are a whole host of issues that we
13 have to address along with that. I think the idea
14 that there are new safety issues that have to be
15 dealt with that relate to the cyclists themselves
16 and their following traffic laws is an important
17 issue and that they're driving bikes as safely as
18 possible.

19 We're trying to address this on
20 many new fronts. I think you're right, we're in
21 the beginning here. There's a lot more that has
22 to happen. There's a lot more in terms of the
23 enforcement that the police department has to do.
24 There's a lot more that has to happen in terms of
25 the education work that we have to do, and not

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2 just the traditional education work that we've
3 done on safety over the years, but we now have to
4 reach the cyclists themselves in ways that we
5 haven't before. So we're starting to do that.

6 We collaborated a couple of years
7 ago with Council Member Brewer on commercial
8 cyclist legislation. That was a good first step.
9 I think there's more that we can do in that arena.
10 Certainly, the data collection is another piece of
11 the puzzle. No question, there is a lot of work
12 for us to do here. We're moving on that path.

13 CHAIRPERSON VACCA: Could you tell
14 me approximately how many bicycle-related
15 accidents we had in New York City last year? Do
16 you have an approximate number of how many
17 bicycle-related accidents occurred last year?

18 DAVID WOLOCH: I don't have it with
19 me, but I can get you the data for motor vehicle
20 crashes involving bicycling. For the most part
21 this varies year to year. The fatality rate for
22 cyclists has overall stayed surprising constant.

23 RYAN RUSSO: Flat.

24 DAVID WOLOCH: Despite the fact
25 that cycling is increasing dramatically, which is

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a good sign.

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CHAIRPERSON VACCA: I want you to look at Intro 374. I understand your testimony. I understand that you may feel this is a police department matter. But the legislation states that this law would not go into effect until January 2012. So we have, under this legislation, 15 months to get our act together and to post the information that the law requires.

I think that that gives your agency and the police department time. You're both city agencies. I know you say they may do this and they may say you do this, and maybe this is a state issue because the State of New York has developed forms that they are giving the city, according to what you stated before, Commissioner. On those forms bicycle accidents can be reported.

But when you have legislation like this that gives you a window like that, I really think we have to commit ourselves to doing this. I would hope before January 2012 we could do it, but that's the outside date that the legislation sets. I think that's realistic and I'd like you to look at this. I'd like you to see how we can

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2 better identify issues relating to bicycle safety
3 and bicycle accidents: where and what type of
4 accidents.

5 I think it's becoming an increasing
6 concern in New York City and I don't think that we
7 can just say it's somebody else's job. It's got
8 to be our job as a city. This is what's being
9 talked about in communities throughout our city
10 today. We seem to have an unregulated mode of
11 transportation basically, according to what you've
12 just said, Commissioner. This is largely
13 unregulated except for a bill that Council Member
14 Brewer introduced regarding commercial bicyclists.

15 People are using bicycles but we
16 don't seem to have any way of knowing where
17 accidents are occurring or what type of accidents.
18 How can we better educate bicyclists if we don't
19 have that information at our fingertips?

20 DAVID WOLOCH: I think you're
21 absolutely right. The city is changing. This is
22 an issue in a way that it was not an issue a few
23 years ago. Again, as I said, on multiple fronts,
24 we need to be working towards addressing both the
25 safety of cyclists as they're on our streets and

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2 the safety hazards that they may pose for
3 themselves and for others. It's an issue we're
4 eager to work with you on.

5 CHAIRPERSON VACCA: I'd like to
6 work with you on that legislation. I do think
7 that until we know the extent of the problem we
8 really cannot sit down and work on policy in a
9 meaningful way. We have to know the extent of the
10 problem. That bill I think goes to what is the
11 extent of the problem, and then we can go into
12 locations where the problems occurs and look at
13 traffic calming measures that could be implemented
14 at those locations. I'd like you to consider
15 that.

16 I'd like to mention Council Member
17 Mealy has joined us and Council Member Rodriguez
18 has joined us. Our next Council Member is Council
19 Member Garodnick.

20 COUNCIL MEMBER GARODNICK: Thank
21 you, Mr. Chairman. Mr. Woloch, it's nice to see
22 you. I'll preface what I'm going to say here by
23 the fact that you know that I do respect the DOT
24 and the work that you all are doing to try to
25 improve city streets for pedestrians, bicyclists,

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2 cars, et cetera.

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Unfortunately, your testimony today didn't really address in great detail the four pieces of legislation that are pending before this committee today. I don't know the history of this discussion. I don't know why that is exactly. On a couple of matters you defer to the NYPD. I don't know if the NYPD will be here to testify today, do you?

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DAVID WOLOCH: My understanding is they will not. I think they had testified previously, at least on one of the bills.

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COUNCIL MEMBER GARODNICK: Right, so then part of this--

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DAVID WOLOCH: [interposing] I think let their position on data be known.

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COUNCIL MEMBER GARODNICK: I remember that they did. They do not like to disclose data of the NYPD. We understand that and we don't agree with their position on that. I will make a point to the mayor then, which is that for one agency to come to hearing discussing specific pieces of legislation, to point a finger at another agency to say well we're going to defer

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2 to them on that and not have a specific statement
3 from that agency at the same hearing is really
4 unacceptable for our ability to do our work.

5 The Council and the Mayor generally
6 enjoy a very positive working relationship, but we
7 can't possibly operate when one agency is pointing
8 to another and the other one is pointing to this
9 one at the last hearing.

10 DAVID WOLOCH: I don't think they
11 pointed to us at the last hearing. I think they--

12 COUNCIL MEMBER GARODNICK:
13 [interposing] They just said no.

14 DAVID WOLOCH: They said no.

15 COUNCIL MEMBER GARODNICK: They
16 said no, which is why we're here today.

17 DAVID WOLOCH: The specific
18 requests that have been of the police department
19 in the original legislation was just moved to this
20 piece of legislation and our name was slapped at
21 the top of it. It's still the police department's
22 data. It's the same issue. I can't speak for
23 them.

24 COUNCIL MEMBER GARODNICK: But you
25 have the data, right?

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2 DAVID WOLOCH: We have access to
3 their--

4 COUNCIL MEMBER GARODNICK:
5 [interposing] Great. So let's talk about the data
6 that you have in your possession from the police
7 department. Does the DOT have any position about
8 whether it is a good or bad thing to publish on
9 its website information about moving violations,
10 traffic crashes, traffic related fatalities?

11 DAVID WOLOCH: When it comes to our
12 information, to the data generated by DOT, and
13 there are many different pieces of that, we've
14 been taking ample steps to push data out.

15 There's still more we can do, but
16 we've done a lot to put information on our
17 website, make it available for the public, make it
18 available to third parties that can use that data
19 to create other tools for the public. We've done
20 that for parking data, for construction permit
21 data, a whole host of different data sets that we
22 have.

23 My opinion about what any other
24 city agency should or should not post is not
25 really relevant here.

1
2 COUNCIL MEMBER GARODNICK: Let me
3 just stop you for a second. You're describing it
4 as your data, their data. This data is not really
5 proprietary to one specific agency or another.
6 This is data that belongs to the public. This is
7 data that is collected by city agencies which are
8 hired by the public to do it.

9 So to sit there and say that you
10 don't think that the DOT should act on another
11 agency's data doesn't really make sense when
12 you're sitting on this side of a table saying what
13 difference does it make? We don't care who's
14 disclosing the data. The data is important and
15 has a critical public purpose here.

16 I guess what I want to know from
17 you is there any reason that you can think of from
18 the DOT why this information should not be public,
19 other than the fact that it was not collected by
20 the DOT? Is there any reason why moving
21 violations, traffic crashes and traffic-related
22 fatalities should not be data that is shared with
23 the public regularly?

24 DAVID WOLOCH: If you're talking
25 about the police department data, again I would

1
2 say that's a question for them. In terms of the
3 data that we are using, we are taking many steps
4 to push that out. There's certainly more we can
5 do, and we're happy to work with the Council on
6 that and work with the Council to push more of our
7 data and the data that we're using out. I can't
8 vouch for all the data that's generated by another
9 agency.

10 COUNCIL MEMBER GARODNICK: So I
11 hear from you no reason why the DOT believes that
12 this data should not be made public other than the
13 fact that perhaps the DOT does not believe in the
14 accuracy of information that is collected by the
15 NYPD. Is that correct?

16 DAVID WOLOCH: No, I don't think
17 that's what I said.

18 COUNCIL MEMBER GARODNICK: Then I
19 don't want to mischaracterize, but let me hear
20 what you're saying again. The question was,
21 philosophically, from the DOT, is there any reason
22 why this information should not be public. The
23 answer I thought was I can't speak to the data
24 that is collected by the NYPD and I won't. So
25 help me understand what that means.

1
2 DAVID WOLOCH: What that means is
3 it's their information and the question of what
4 information they should put out is a question for
5 them.

6 COUNCIL MEMBER GARODNICK: I think
7 I am probably not going to get the concrete answer
8 to this one, so I'm going to put that aside for a
9 moment and go on to another bill, which is 377-A.
10 This is Chairman Vacca's bill about providing some
11 sort of an explanation for when you get these
12 requests. We know you get a lot of requests; you
13 said 4,000 of them. I certainly know that we
14 generate a fair number of those.

15 DAVID WOLOCH: At least 1,000 of
16 them.

17 COUNCIL MEMBER GARODNICK: At least
18 1,000, exactly, what was I thought. So my
19 apologies to you, but it is correct that people do
20 like to know why their requests have been turned
21 down. So what I'd like to know from you is when
22 you go out, and you all do go out, when you get
23 requests you actually do investigate these,
24 correct?

25 DAVID WOLOCH: Yes. I'm glad you

1
2 mentioned that and I think it's worth dwelling on
3 that for a minute. We have lots of our own
4 thoughts about where improvements can be made, and
5 certainly we act on them from time to time.

6 But when requests come in from the
7 public, even though we would rather they come to
8 us with a street and say we have a problem here
9 and how can we solve it, we're still going to get
10 lots of requests for specific traffic calming
11 devices or other tools on our streets all the
12 time. We're going to honor those requests. Even
13 if we have our doubts about it, we will study
14 them. It's an important part of what we do. A
15 lot of the change that happens on the streets is a
16 result of these requests. This is a critical part
17 of our function.

18 COUNCIL MEMBER GARODNICK: So to
19 your credit, DOT does go out and takes a look and
20 considers all of these requests, which we very
21 much appreciate. But it seems to me that the
22 additional work created for you all to add a line
23 in the letter back to a constituent to say we did
24 not think a speed bump in the middle of Fifth
25 Avenue was appropriate because whatever. You've

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2 made that determination internally, obviously. So
3 to explain that in one line to a constituent, in
4 light of what you have already to, seems to be
5 such a small amount of effort.

6 DAVID WOLOCH: If it were just one
7 line for each of these 4,000 studies that could
8 accurately encapsulate these decisions, that would
9 be something that sounds very reasonable and would
10 be, I think, much easier for us to do. But one
11 line for a lot of this wouldn't do the trick.

12 Actually, the traffic signal is a
13 good example. We have that one line in our
14 traffic signal letters, and I think, as the Chair
15 articulated, that response is in many cases not
16 satisfying. I think we understand that. Again, I
17 think there's more we can do on that front.

18 When we say it doesn't meet the
19 warrants, what does that really mean? There's a
20 sentence, but that sentence doesn't really explain
21 the problem. We've done this, I mean articulated
22 a little bit of this in the testimony and I think
23 it's worth going into.

24 Our borough offices will spend a
25 lot of time when questions come in from you and

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2 when questions come in from community boards, when
3 questions come in from New Yorkers asking for more
4 detailed explanations. We will work and pull that
5 together. I do mean work, and this may be a
6 little bit surprising, but when you pull together
7 a summary of the warrants for a traffic signal
8 that we talked about earlier and why they weren't
9 met, there's a lot of information there. It's not
10 necessarily that simple.

11 When we do pull it together, it
12 actually tells a clear story. If we could snap
13 our fingers and do that for every single one, that
14 would be very valuable I think. It would be very
15 hard to do that all the time and not cut in to the
16 actual work. That's part of the challenge here.

17 There is no question that we can do
18 a better job in terms of explaining why we're
19 coming to these decisions. But we don't want to
20 do that on the back of the kinds of improvements
21 that we're making. We don't want to make fewer
22 improvements to the streets. We don't want more
23 people to be injured because we cut down our
24 workload.

25 So again, I think this is not an

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2 issue to be shoved to the side. I mean, we want
3 to engage with you on this. I think it's a
4 valuable goal and I think it's one that, in
5 fairness to my department, we probably have not
6 paid enough attention to over the years and I
7 think we can do more. We want to work with you on
8 that.

9 COUNCIL MEMBER GARODNICK: On Intro
10 374, this is the bicycle data bill that the
11 chairman was discussing a few moments ago, I'll
12 pose the same question to you about whether or not
13 there is any reason why data should not be
14 compiled and collected and reported on crashes
15 between bicycles, between bicycles and scooters
16 and other vehicles and pedestrians. Is there any
17 reason why the public should not have access to that
18 information, at whatever date is the appropriate
19 and reasonable date?

20 DAVID WOLOCH: When it comes to the
21 police department's, you should talk to them.

22 COUNCIL MEMBER GARODNICK: On Intro
23 376-A, in your testimony you said that you support
24 the goal. This is Chair Vacca's bill about
25 requiring the DOT to establish standards for

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approval and placement of traffic calming devices.
You noted in your testimony that there already are
very strong and clear standards that exist today.
Is that right?

DAVID WOLOCH: Correct.

COUNCIL MEMBER GARODNICK: So do
you support this bill?

DAVID WOLOCH: I think our position
on the bill is that we have guidelines and
standards in place. So we've accomplished I think
at least a chunk of the bill. I think the piece
of it that we need to work on, and we can talk
about if legislation is necessary to take us down
this road, is the piece at the end. Actually,
it's a very similar topic to the last one.

What else can we do to communicate
what these guidelines and standards are to New
Yorkers? I think there's similarly an area where
we can do more. We have this information, for
instance, up on our website. I mean, people can
get our design manual. Is that really enough?
Probably not. I think there's more that we can do
to cull out certain pieces of that and to work
with you, to work with community boards to make

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2 sure that the menu of things, and it's a growing
3 menu and I think we should talk a little bit about
4 that. That the menu of tools that we have is
5 clear to anyone who's interested.

6 That information is there. I think
7 there's more we can do. I think there's more we
8 can do on our website. I think there's more we
9 can do working with you to push that information
10 out to constituents. As I mentioned earlier, and
11 Councilman, I can't remember if you were here for
12 this part, we've created DOT Academy which is part
13 of that dialogue or it can be part of that
14 dialogue. We'd like to work with you to use that
15 more frequently.

16 COUNCIL MEMBER GARODNICK: The last
17 comment I will make is apropos of the discussion
18 of data and to whom it belongs and how to make
19 sure that it is accessible to the public, in the
20 Technology Committee we are working to move a bill
21 that's sponsored by Council Member Brewer, which
22 is the open data bill which would make essentially
23 all of this data public and be across agencies and
24 try to deal with the situations that we're
25 struggling with today.

1
2 But I wanted to thank Council
3 Member Lappin, Chair Vacca and Council Member
4 Mendez for their sponsorship of these bills. I
5 would like to ask the Chair to add my name to all
6 four of them: 370-A, 377-A, 374 and 376-A. I
7 thank you very much, Mr. Chairman, for the time.

8 CHAIRPERSON VACCA: Thank you,
9 Council Member Garodnick. Just to reemphasize
10 that I do intend to work with the administration
11 towards getting bills here that we can pass at the
12 Council. I do think it's important. I look
13 forward to working with you. It's a topic that
14 I'm going to pursue. Council Member Ignizio?

15 COUNCIL MEMBER IGNIZIO: Yes, thank
16 you very much. Let me open just by the broader
17 conversation, not necessarily to you, David. This
18 administration seeks to codify administrative
19 policies when it suits their political needs.
20 When they want to be on an issue or not on an
21 issue that they have administratively, the mayor
22 will ask the Council to codify. Then it's
23 necessary and needed because future generations;
24 we want to make sure we keep it for future
25 generations.

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2 But in matters like this where this
3 Council believes it ought to be codified, the
4 testimony we heard today is it might not be
5 necessary. That's why I think the legislature
6 ought to determine what it believes is necessary
7 to codify or not, without regard for the
8 administration's role. My hope is that this
9 Council will work with the administration, but
10 when they are not cooperative, will serve its role
11 to the public and pass bills with or without its
12 consent.

13 That being said, the warrants that
14 we're referring to are the eleven federal
15 warrants, correct?

16 DAVID WOLOCH: Eight.

17 COUNCIL MEMBER IGNIZIO: Eight
18 federal warrants, I'm sorry.

19 DAVID WOLOCH: For traffic signals.

20 COUNCIL MEMBER IGNIZIO: Are these
21 warrants on the DOT web page that people can read?
22 I don't know.

23 DAVID WOLOCH: They are. Again, I
24 think there's more we can do to make those readily
25 available.

1
2 COUNCIL MEMBER IGNIZIO: Clearly, I
3 guess, a benefit would be while maybe not a total
4 comprehensive analysis or reason why x street
5 didn't get its light, surely something can be done
6 in the course of the work you're already doing to
7 have A, B, C, D, E, F and G and the reasons why,
8 dictated by A, B, C, D, E, F and G.

9 Then you would get a letter,
10 instead of saying unwarranted at this time because
11 of federal warrants, it would say unwarranted at
12 this time because dot-dot-dot and underneath it
13 you would just see an A and a description of the
14 A. Maybe that's not a great description and maybe
15 it doesn't encapsulate weather conditions and
16 maybe it doesn't encapsulate multiple cars or
17 maybe it doesn't encapsulate everything, but it
18 gives you some more information than nothing.

19 DAVID WOLOCH: It absolutely would
20 give you more information than nothing. What you
21 said sort of highlights the particular challenge
22 with traffic signals. The way we do these studies
23 is the criteria, if any one of them gets met, then
24 the traffic signal will go in. So the explanation
25 of why a traffic signal is denied, and that

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2 happens more frequently than we say yes to it.

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COUNCIL MEMBER IGNIZIO:

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Understandably so.

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DAVID WOLOCH: There are eight

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pieces of that. Each of the eight warrants is not

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met.

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COUNCIL MEMBER IGNIZIO: Maybe you

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can come up with a code of this is why.

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DAVID WOLOCH: I think it's fair to

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say that everybody who puts in a request for a

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traffic signal and gets notified isn't necessarily

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familiar with what the warrants are. Maybe

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there's more we can do to articulate what these

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things were that we looked into. Again, there are

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things we will come and talk to the committee

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about and we will say, listen, we are confident we

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have done all we can. I think there is certainly

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more we can do. We're happy to keep working with

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you on that.

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COUNCIL MEMBER IGNIZIO: Just for

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the record, we don't have to listen to the federal

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warrants. We choose as a city to utilize the

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guidelines of the eight federal warrants. A lot

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of people think it's in the United States

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2 Constitution that we have to follow eight warrants
3 whether we give a traffic light or not. That's
4 what DOT and the police department would have us
5 believe. That's not the truth, and the public
6 should know that. We choose that this is the
7 better system that we're going to utilize and we
8 believe it's in accordance with us receiving
9 federal dollars and we think it's a more
10 appropriate way. It's not having to do with
11 federal dollars? You shook your head.

12 RYAN RUSSO: It has to do with
13 safety. Studies have pretty much proven if you
14 put in traffic control devices that are
15 unwarranted, they won't be followed. If they're
16 not followed, you have crashes. The dollars, my
17 biggest concerns would be the safety, that's our
18 number one goal. We want to approve things that
19 make sense.

20 Two is the liability risk that you
21 put the city under. To put in unwarranted traffic
22 control devices is a lawyer's dream in terms of
23 once crashes happen there and we're installing
24 traffic control devices that are unwarranted--

25 COUNCIL MEMBER IGNIZIO:

1 [interposing] I think you're misunderstanding me.
2 I'm not saying don't have criterion. I'm saying
3 we as a city at some point decided we're going to
4 utilize this. It's not the only criteria which we
5 can use if we so chose. We can alter that and in
6 other municipalities around the country, they
7 don't all use the federal warrant system in
8 totality.

9
10 The thing that strikes me that we
11 get from our constituents a lot is as soon as
12 something happens, as soon as a kid dies on a
13 street, all of the sudden everything that wasn't
14 warranted is now warranted. I'll give you an
15 example. Luten Avenue, we had asked for islands
16 and lights on Luten Avenue for many years, which
17 is in Tottenville, right in front of Tottenville
18 High School in my district. We were told no, it's
19 unnecessary, unwarranted.

20 A young girl had died there,
21 tragically, and I don't believe it was because of
22 reckless driving, quite frankly, excessive speeds.
23 I am grateful to DOT for being very proactive and
24 nearly eight months later we did have lights and
25 islands and whatnot.

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2 But to our public, and to the
3 constituents, they're looking at that with
4 cynicism saying if that child had not been killed,
5 would that island or would those lights be there.
6 I can honestly say, in my 14 years in government,
7 the answer would have been no. So does a fatality
8 bring something to a whole new level? The number
9 was 50, you were at 40 prior. A fatality, well
10 that brings you to 60 and we're going to put them
11 in right away. That's the cynicism that I have
12 quite frankly and I think a lot of my constituents
13 do.

14 DAVID WOLOCH: I mean, I've got to
15 tell you, for better or worse, that's not the case
16 when it comes to traffic signals. It would be
17 easier if it was, frankly, and we would want it to
18 be. But a fatality, only in so far as it counts
19 as an accident, which would get counted in one of
20 the warrants. But it doesn't. That particular
21 light--

22 COUNCIL MEMBER IGNIZIO:
23 [interposing] Surely you've heard the cynicism
24 that I'm saying to you. It's not new.

25 DAVID WOLOCH: This is precisely

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2 why we have this system. As Ryan articulated, you
3 want to put in the signals where they're needed
4 and not just where there's a perception. I think
5 if there's one bad crash, and as you noted here,
6 this is one that happened because of a reckless
7 driver.

8 COUNCIL MEMBER IGNIZIO: True.

9 DAVID WOLOCH: That doesn't
10 necessarily mean that a signal is going to make
11 things safer for people going forward.

12 COUNCIL MEMBER IGNIZIO: Right.

13 DAVID WOLOCH: Now, in this case,
14 we did the analysis. I'm not sure offhand if the
15 analysis had been done in previous years and
16 hadn't met the warrant and perhaps it was.

17 COUNCIL MEMBER IGNIZIO: It was.

18 DAVID WOLOCH: But in this case it
19 did meet the warrant and that's why we put in the
20 signal. There's no question that Luten Avenue was
21 brought to our attention in a way following this
22 crash that hadn't been happening before.

23 COUNCIL MEMBER IGNIZIO: Sure. As
24 it should.

25 DAVID WOLOCH: So, at the end of

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2 the day, we have a system. Part of this revolves
3 around you and other elected officials and civic
4 groups and community boards bringing us problems
5 and we're going to focus on them. But when it
6 comes to the traffic signals, we have this one
7 standard.

8 COUNCIL MEMBER IGNIZIO: I don't
9 know if that does bring it and I wanted to ask
10 that question because I always get from my
11 constituents well, if somebody dies, that bumps up
12 the number. When it's so nebulous about how we
13 get lights or speed bumps, that's what people call
14 into question.

15 Finally, I know there's the 18-
16 month rule of we're not going to study for 18
17 months. Was there ever any thought of having a
18 running tally or whatnot of saying these are the
19 intersections that have been checked or have been
20 reviewed, have been studied and when? Is that too
21 labor intensive to actually put up there? The
22 corner of First Street and Second Street was
23 studied in 2006, not eligible for review until
24 blank.

25 DAVID WOLOCH: Look, I think that's

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2 something we could--

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COUNCIL MEMBER IGNIZIO:

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[interposing] Is it labor intensive? I don't know
5 if it is.

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DAVID WOLOCH: I think that's

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something we could certainly look into.

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COUNCIL MEMBER IGNIZIO: Right. I

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appreciate it. I'm as concerned with my

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colleagues with regards to data. I realize you

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can't speak to it and it's not yours. Ultimately

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I hope that my colleague Gale Brewer's bill passes

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and we can really have agencies that are committed

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to transparency, even when the information may not

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be as good as we want it to be. Thank you, as

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always, and I return back to the chairman.

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CHAIRPERSON VACCA: Thank you, Mr.

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Ignizio. Council Member Brewer?

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COUNCIL MEMBER BREWER: Thank you

20

very much. Just one comment. When you said you

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send the form to Albany. Is that by paper?

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DAVID WOLOCH: We don't. The

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police department does. I believe that is by

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paper.

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COUNCIL MEMBER BREWER: Okay.

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2 Something to work on. The other issue, just when
3 people were talking, it occurs to me that the
4 thousand requests that come from the East Side for
5 traffic suggestions. It's probably three times
6 that amount from the West Side.

7 DAVID WOLOCH: I guess that's the
8 other 3,000.

9 COUNCIL MEMBER BREWER: Yes. My
10 question would be then in order to curtail that
11 number. Every time I walk down the street,
12 there's another suggestion. Every time, I then
13 have to follow-up with a letter. So something to
14 think about. This has been studied, the left turn
15 signal is not relevant and for the following
16 reasons. That would save me 30 letters and many
17 responses.

18 So it is something to consider if
19 we're thinking about time savings on the other
20 end. In other words, you're trying to say time is
21 involved in putting the information up. I'm
22 saying time is involved in making the same request
23 over and over, because that's what happens in
24 reality. Everybody has a better idea, which isn't
25 really a better idea.

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2 The third question is we passed, as
3 you know, Local Law 23 in 2008. That's the law
4 that talks about performance indicators on key
5 corridors and how DOT is or is not meeting those
6 performance indicators. I think the report was
7 due November 1st. Is that report able to answer
8 some of these questions? Is that report coming?
9 Do you have any knowledge of that report?

10 DAVID WOLOCH: That report will be
11 out soon. You have the reports from the last two
12 years in response to that law. I think we're very
13 pleased with the way that our compliance with
14 Local Law 23 has panned out. The sustain streets
15 index, which you're talking about, I think has
16 certainly been a good tool for us and a good way
17 for us to articulate what's actually the impact of
18 the many projects that we're pursuing.

19 COUNCIL MEMBER BREWER: Obviously
20 the notion of that report is what's causing the
21 pollution, congestion, how can we mitigate it and
22 so on. Obviously, volume data, speed data, not
23 crash data per se, but is there some melding of
24 what we're talking about today and what's included
25 there? It's not the full force, but it's part of

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2 it.

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DAVID WOLOCH: Absolutely. There is crash data for those projects that were done to address safety.

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COUNCIL MEMBER BREWER: Not

citywide.

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DAVID WOLOCH: A number of them are. I think it's been a good mechanism for us to articulate what's actually happening with these projects.

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COUNCIL MEMBER BREWER: What I'm saying is that since we did pass that, is it not equally easy to pass some of them in some form, the legislation that's being discussed today? Because there are relevant overlaps here in a positive way.

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DAVID WOLOCH: I think there is certainly overlap. I think what we do for Local Law 23 and the sustain streets index is we present data that we've been looking at very closely as part of these corridor projects where we making improvements. So we showed the data before, the data that in many cases led us or led up or led the community to come to us and ask for a street

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2 to be calmed, for instance, and then we will look
3 at the data afterwards. It's a narrow data set.
4 It's a data set that we've looked at closely and
5 that we can vouch for.

6 COUNCIL MEMBER BREWER: So it's
7 slightly different, you're saying, that what is
8 being presented today.

9 DAVID WOLOCH: Yes. I mean I think
10 what is being presented today, and I think the
11 goal is a good one, is to take a much larger data
12 set and open that up. Again, not our data, but
13 even leaving that aside, I think it's a different
14 question.

15 COUNCIL MEMBER BREWER: On 71st
16 Street and elsewhere, and Broadway, you are
17 putting in the countdowns, which I think people
18 are very pleased with. How does the accessible
19 pedestrian signals, which are the ones for people
20 who are visually challenged and the rest of us,
21 how do they fit into some of these discussion?

22 RYAN RUSSO: Currently, we put
23 accessible pedestrian signals near facilities for
24 the visibly disabled. We're reviewing the
25 programs in other cities, in terms of how they

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2 deploy the signals, in terms of the language in
3 the ADA. We're going to develop a modified policy
4 to be used for those signals.

5 COUNCIL MEMBER BREWER: We have a
6 bill on that, 183, just so you know. Also, one of
7 the concerns that was raised at a meeting recently
8 is that people are afraid, who are visually
9 challenged, to go to intersections where they
10 would go if in fact there was some way of
11 crossing. So if you're stating we don't have many
12 people using this intersection who are visually
13 challenged, the reason is because nobody dares go
14 there. So that's putting the cart before the
15 horse situation. So we need to not look at it
16 that way. We need to have a different type of
17 metric. I would like to have that studied in a
18 very comprehensive fashion. There's a huge amount
19 of interest in that.

20 Finally, I appreciate the dollars
21 that are going to be used from the state to look
22 at bike safety. Do we know where those dollars
23 are going to go? Are those like neighborhoods
24 that have bicycle lanes, or don't, or what's the
25 criteria?

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2 DAVID WOLOCH: The funding is going
3 to the police department. They're using it for
4 three kinds of enforcement: speeding, failure to
5 yield and then the third is dealing with bicycle
6 behavior. I can't recall the number, but I think
7 it's like ten different precincts around the city
8 where the police department will--

9 COUNCIL MEMBER BREWER:

10 [interposing] And that's up online?

11 DAVID WOLOCH: I'm not sure if it's
12 online or not. We can certainly reach out.

13 COUNCIL MEMBER BREWER: Could you
14 put it online?

15 DAVID WOLOCH: Well, again, sort of
16 a similar question. This is a question about how
17 the police department deploys its resources.

18 COUNCIL MEMBER BREWER: I know.
19 But the reason I say that is just the same follow
20 up. I'm the biggest bicycle advocate you can
21 imagine, as you know. But we are barraged with
22 we're not doing all the things that this grant
23 will enable us to do. Bicycles don't follow
24 anything, blah, blah, blah. So if you put this
25 information up online, then when people complain

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2 that DOT and the police department do nothing,
3 here's something to help us. A suggestion.

4 Also, it could help gather some of
5 these statistics, with or without the legislation
6 that could help all of us who are trying to be
7 supportive of what you're doing. We don't have a
8 lot to go on without that kind of information
9 being publicly available. I support the
10 legislation, but this is an interim step, a
11 suggestion.

12 DAVID WOLOCH: Let us bring that
13 back to the police department. I'm happy to do
14 that.

15 COUNCIL MEMBER BREWER: Thank you.

16 COUNCIL MEMBER LAPPIN: I'm taking
17 over for Chair Vacca for a moment and taking
18 privilege before I bring up the next panel. You
19 keep saying that it's not your data, that it's the
20 police department's data. But it is your data and
21 you yourself said today you have a more robust
22 version of the data because of what you get from
23 the State DMV and DOT. So you have this
24 information, the police department has this
25 information. They're using it for TrafficStat.

1
2 You're meeting with them once a month to go over
3 it. It's being shared between the two of you.
4 You are then enriching it. So I bristle when you
5 say it's not our data because it is your data.
6 You have this data. You have access to this data.
7 You make this data, using your words, more robust.

8 DAVID WOLOCH: The data that's
9 referenced in the bill is the police department's
10 data. You're right, we have access to state data
11 which I agree is more robust. We have not used
12 all of that data. We use portions of it for the
13 work that we're doing. But I think, at the end of
14 the day, there is probably further discussion we
15 can have about the data that we're using and
16 further steps we can take to make it available.

17 You may have been out of the room
18 when we spoke about Local Law 23 and the
19 sustainable streets index, but I think that's a
20 good example where we've taken accident data for
21 corridors where we've been doing work and put that
22 out and showed the before and showed the after. I
23 think we're certainly interested in taking more
24 steps like that.

25 COUNCIL MEMBER LAPPIN: We will

1
2 keep talking because the Council is very
3 interested and wants to give the public access to
4 public information and we're going to do that.

5 Thank you very much.

6 The next panel is Paul Steely White
7 from Transportation Alternatives and Marc Brumer
8 from the Borough President of Manhattan, Scott
9 Stringer's office. I wanted to note that we've
10 been joined by Council Member Eric Ulrich of
11 Queens.

12 [Pause]

13 PAUL STEELY WHITE: Good morning.
14 My name is Paul Steely White. I'm the Executive
15 Director of Transportation Alternatives. We are a
16 nonprofit advocacy organization with over 8,000
17 dues paying members and over 35,000 active
18 supporters working for safer streets for New York
19 City's pedestrians and cyclists.

20 Our organization strongly supports
21 the intent of Introductions 0370 and 0374, which
22 will enable government agencies to more precisely
23 and efficiently focus their limited resources, and
24 will ultimately improve the safety of millions who
25 walk, bike and drive in New York City.

1
2 We strongly believe, however, that
3 the NYPD, not the DOT, is the logical agency to
4 report on this data. As retired NYPD Chief of
5 Transportation Michael Scagnelli said in his
6 testimony at the April 28 hearing on this subject,
7 "I strongly believe that one way to help reduce
8 traffic injuries and fatalities on New York City
9 streets is for the NYPD to make traffic injury,
10 fatality and summoning data open and available to
11 the public. The simple fact is that this
12 information already exists in a form that could be
13 easily released and made available to the public
14 and other agencies focused on reducing traffic
15 casualties."

16 According to the Bloomberg
17 administration, 2009 was the safest year on
18 record, and we know that the NYPD has the numbers
19 to back that up. However, the general public does
20 not have access to the data that supporting this
21 statement. We still do not know where the crashes
22 in 2009 occurred, why they occurred, what types of
23 vehicles were involved in each of these crashes
24 and the volume of summonses issued by the NYPD for
25 each type of moving violation.

1
2 As proposed in Intro 370, weekly
3 reports of crash and summonsing data by borough
4 are a step in the right direction, but borough-
5 wide data is a very blunt instrument.
6 Transportation Alternatives strongly urges the
7 police department to publish weekly, precinct-
8 level traffic safety reports, similar to their
9 CompStat system and the legislation just passed by
10 the City Council requiring hate crime and domestic
11 violation stats to be regularly reported. Think
12 about it: right now, community groups and elected
13 officials like yourselves are often forced to make
14 decisions that directly affect life and death,
15 based on information that is, at best, a few years
16 old.

17 In addition to summonses and
18 fatalities, the Police Department should also be
19 required to report on traffic injury data and
20 speeding-related casualties. This will enable
21 them and other government agencies to direct their
22 limited resources in a much more efficient and
23 transparent way. Whatever limited resources are
24 required to enable the systematic publication of
25 existing crash and summonsing data will pale by

1
2 comparison to the ultimate gains made in
3 efficiency and safety. For those who question
4 whether this is cost effective, consider that
5 traffic crashes cost New York City \$4 billion
6 annually. That's a city number.

7 Transportation Alternatives also
8 supports the Council's goal, as evidenced in 376
9 and Intro 377 of improving dialogue between
10 agencies and the public. As outlined in the DOT
11 Street Design Manual, each change to street design
12 is rooted in safety and undergoes an intensive
13 review process within DOT, yet a better job
14 communicating these deliberations will better
15 educate the public and interested officials and
16 empower all parties as insightful partners in the
17 conversation to improve our city.

18 Safety improvements are necessary
19 improvements and the sooner we can install traffic
20 calming devices, the faster we can all work
21 together to reduce the 70,000 injuries that occur
22 on our streets every year.

23 As first announced in Sustainable
24 Streets, DOT's strategic plan, the DOT Academy was
25 intended to educate communities about DOT's

1
2 priorities and processes. We are not sure if this
3 program still exists. I believe David Woloch
4 alluded to it earlier, so it's refreshing to know
5 that DOT Academy does still exist and we look
6 forward to them ultimately finally rolling that
7 out.

8 We often work with elected
9 officials, individuals and representatives from
10 community groups who contact our office asking for
11 help to make sense of why their request for a
12 speed hump, for example, was denied. Too often
13 requests are responded to with general, template
14 like language that ignores the specificity of the
15 location. Residents also often take issue with
16 the dates and times traffic studies are conducted.

17 While we support clear and
18 consistent standards for installations of traffic
19 calming devices, we are aware of the diversity of
20 the unique neighborhoods in the city, the need to
21 be sensitive to context and are very cautious that
22 additional processes could be hindrances to the
23 accelerated pace of installation of these
24 lifesaving and injury preventing devices. The DOT
25 has committed to installing these devices in the

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Pedestrian Safety Study and Action Plan.

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The overarching issue with all of these bills is poor communication between the DOT and the public about how specific decisions are made. Sustainable Streets and its annual progress reports, the Street Design Manual and the Pedestrian Safety Study and Action Plan provide the framework, but now New Yorkers need to better understand how these goals and agency initiatives relate to their street, their neighborhood and their letter from the Borough Commissioner that says "a speed hump is unwarranted at this time."

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New Yorkers will always debate some elements of how a street changes and we believe that debate is healthy. More facts, more data and more site specificity provided by the NYPD and the DOT will only serve to better inform these debates. In this era of doing more with less, the City must find ways to better communicate how it will direct shrinking enforcement resources and limited capital dollars for street improvements to the areas where they will make the biggest impact.

Thank you.

25

MARC BRUMER: Again, my name is

1
2 Marc Brumer and I'm testifying on behalf of the
3 Manhattan Borough President Scott Stringer.

4 Thank you Chairman Vacca and
5 members of the New York City Transportation
6 Committee for holding this important hearing on
7 four pending transportation-related introductions.
8 Although I support all four measures, I would like
9 to use this testimony to specifically address a
10 bill introduced by Council Member Rosie Mendez,
11 that is Intro 374.

12 Last month, my office drew broad
13 attention to the issue of bike lane safety with
14 the release of an unscientific survey that found
15 1,781 bike lane blockages and other infractions
16 during morning and evening rush hours at eleven
17 Manhattan locations.

18 Among the measured categories most
19 relevant to this legislation, observers noticed
20 741 instances of pedestrians encroaching upon bike
21 lanes, over 275 occurrences of motor vehicle
22 blockages, including 50 taxi, livery and pedi cabs
23 and 35 instances of city-owned vehicles blocking
24 the lanes, 242 cyclists were riding the wrong way
25 in a bike lane, 237 cyclists were riding through

1
2 red lights, and there were 42 instances where
3 cyclists rode on the sidewalk on streets with a
4 bike lane. Observers even noted a collision
5 between a cyclist and pedestrian in a midtown bike
6 lane.

7 What my study was unable to
8 formulate was the precise level of danger that
9 unclear bike paths and general disrespect for bike
10 lanes and the rules of the road posed to cyclists,
11 pedestrians and motorists alike. However, the
12 unscientific results of my bike lane study, along
13 with recent tragedies such as the one on October
14 22, the dooring fatality in an East Harlem bike
15 lane. They all suggest that there is significant
16 room for bike lane safety improvements.

17 Regrettably, a lack of reliable
18 data on a citywide level prohibits an empirical
19 approach to making bike lane improvements or
20 increasing law enforcement in bike lanes. For
21 these reasons, I strongly urge the passage of
22 Intro 374.

23 By compiling and disseminating
24 bicycle crash information by community district,
25 policy makers and interested community members

1
2 will be able to make data driven judgments on the
3 efficacy of local bike lanes. New data resulting
4 from Intro 374 will lead to smarter enforcement of
5 bike lane obstructions, quicker improvements to
6 problems with bike lanes, clearer community
7 awareness of bike lane safety issues and a less
8 polarized public discourse on the purported safety
9 or danger of certain bike lanes and corridors.

10 I am a strong supporter of bike
11 lanes and the environmental, health and quality of
12 life benefits that properly functioning bike lanes
13 provide. However, it is clear to me that not all
14 of our bike lanes are operating at their maximum
15 potential and the City is in the dark about which
16 bike lanes need the most urgent attention. This
17 dearth of information puts the safety and well
18 being of cyclists and pedestrians at risk.

19 I commend Council Member Mendez for
20 introducing this bill and urge all members of the
21 New York City Council to support this important
22 legislation. For my part, I look forward to
23 working together with the City Council
24 Transportation Committee and other interested
25 stakeholders to ensure that New York City's bike

1
2 lanes reach their highest potential. Thank you
3 for the opportunity to testify. Thank you, Mr.
4 Chairman.

5 CHAIRPERSON VACCA: Our next two
6 speakers are Jack Brown, Coalition Against Rogue
7 Riding and Susan Raskin, Co-op Council and South
8 Houses.

9 [Pause]

10 CHAIRPERSON VACCA: Mr. Brown, do
11 you want to start?

12 JACK BROWN: Thank you. My name is
13 Jack Brown. I'm the former owner of the Hi Ho
14 Cyclery, which was at 165 Avenue A in Manhattan.
15 I'm currently the spokesman for the Coalition
16 Against Rogue Riding.

17 The Coalition against Rogue Riding
18 is a community-based organization and we came
19 together in April 2009 to address the scourge of
20 reckless bike riding, which was creating an
21 atmosphere of jeopardy on the city streets and
22 sidewalks. I'm limited in time, so I'm going to
23 suggest that what we are dealing, to partly
24 paraphrase Borough President Markowitz, is an
25 exercise in zealotry constituted by a callous

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2 indifference to public safety and a deprivation of
3 the services of the NYPD for enforcement by this
4 administration.

5 To address some of the
6 representatives of the offices that have been
7 here, I would like to just hit some bullet points.
8 First of all, I think that 374 is absolutely
9 vital. There has been a conspicuous lack of
10 information, both available and in any genuine
11 attempt made to generate it. 311, which might be
12 a way of gathering statistics, is completely null
13 and void.

14 I submitted to the record an
15 article that appeared in the "Times" November,
16 which detailed that in 2002 when Mayor Bloomberg
17 appointed Ray Kelly, they stopped making
18 statistics available relating to crimes anywhere
19 lesser than rape. We will just accept that for
20 the moment.

21 I would submit to you that there
22 has been no reasonable attempt to establish a
23 responsible bike culture prior to this
24 administration, during this administration, and
25 certainly any efforts that were made under the

1
2 present DOT commissioner have floundered and
3 essentially failed.

4 I would also submit, and I will
5 protect my source, which is an elected public
6 official, that one of the people who testified
7 here earlier, Paul Steely White, who is the head
8 of Transportation Alternatives, that it was
9 Transportation Alternatives that did not want any
10 enforcement by the NYPD towards cyclists.

11 So the NYPD essentially was called
12 off. There was no effective sustained
13 enforcement. Certainly community boards, certain
14 communities made a cry and they got what amounts
15 to temporary enforcement.

16 Enforcement is the bottom line,
17 that's just the bottom line. In cities that have
18 established responsible bike cultures, it takes
19 time and it takes consistent enforcement and
20 education. That was not taking place in New York
21 City. The advocates operate more like lobbying
22 organizations. Commissioner Sadik-Khan at a
23 breakfast at the Rudin Center is selling the bike
24 improvements as good for property values. Well,
25 graffiti got attention when it was, at that point,

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2 assumed to be harming property values. If it's
3 helping property values now, what about public
4 safety, what about the atmosphere of jeopardy,
5 what about elderly people being virtually
6 housebound, what about toddlers being subject to
7 bike riders going from one place to another as
8 fast as they can? That means something. The
9 human values mean something.

10 New York City cannot exist on
11 commerce alone. You need people to drive
12 commerce. I would also submit, the previous
13 testimony, a year ago I had three conversations
14 with a representative of Borough President
15 Stringer's office. After the third conversation,
16 I was assured, I was promised that there would be
17 a task force which we have somewhat feebly alluded
18 to here. I was asked to give him one week, around
19 the time of the election. I never heard from him
20 again.

21 The best understanding that I could
22 come out of why there was no further mention was
23 that Transportation Alternatives and the
24 Department of Transportation refused to
25 participate in such a task force. It was

1
2 subsequent to that that a big push was made on the
3 bike lanes on First and Second Avenue. So it's
4 clear that the intention of this administration is
5 to establish all the bike amenities, all the bike
6 infrastructure. And mind you, I am not anti-bike,
7 I ride a bike. That's one of the reasons I'm
8 doing this. But I am pro-responsible bike
9 culture. This is a toxic brew that we're dealing
10 with.

11 Anyway, I'm not going to belabor
12 this. Time is limited. I guess I'm going to
13 conclude and just let it go at that.

14 CHAIRPERSON VACCA: Thank you.
15 Introduce yourself please.

16 SUSAN RASKIN: My name is Susan
17 Raskin. I'm Co-chair of the Co-op Council of the
18 Penn South Houses, United Mutual Development
19 Corporation. But we're the big co-op between
20 Eighth and Ninth Avenue, from 23rd Street to 29th
21 Street. We have 2,820 families living there. In
22 a way, I feel as if I don't belong here at this
23 particular discussion.

24 I agree with the previous speaker
25 in so many ways, because with us it's not even a

1
2 question of printed matter. We make complaints
3 over and over and over and nobody listens to us.
4 We have over 65 percent of the people there are
5 elderly. We're a NORC community. We're the first
6 NORC community in the country. Things I
7 personally have spoken to and written to the
8 Department of Transportation representative, we
9 have now bike paths on Eighth Avenue and Ninth
10 Avenue. Ninth Avenue was the first.

11 So the best thing about it for
12 pedestrians was that we had the left turn signals
13 for pedestrians only. Everyone else had to stop
14 and the pedestrians cross for I don't know how
15 many seconds. But it was a safe thing. This was
16 on Ninth Avenue where we have had a number of
17 accidents and a number of casualties over the
18 years. So this was a good thing. As far as I'm
19 concerned, it was the best feature of it. Without
20 going into people not stopping other times, but
21 for pedestrians it was very safe.

22 Then they came out with the plans
23 to start the Eighth Avenue bike path in September.
24 And before it started at the Community Board 4,
25 Transportation Committee, while the committee was

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2 in favor of the bike path, they made a strong
3 statement about the fact that they were not
4 putting those pedestrian safety lights in anymore
5 and no on Eighth Avenue. When we asked why, well
6 they were doing it on--I think it was Houston
7 Street. That's a downtown cross street. It had
8 the bike path. They didn't put them in and they
9 didn't feel there was a need for it. That's the
10 biggest thing, for us, for a pedestrian to have
11 that crossing light. It's not there. We
12 complained about it.

13

14 Another feature was that we have a
15 lot of people using Access-A-Ride buses. In the
16 midtown area there's an organization that has a
17 CART bus. It's the Foundation for Seniors, I
18 think. They do, on a local basis, what Access-A-
19 Ride does. There's no place for them to stop now
20 on Eighth Avenue. I think on one spot on Ninth
21 Avenue. We have three buildings.

22

23 If I can just finish this. So the
24 two points in particular were the light for the
25 pedestrians and the second part about the Access-
A-Ride buses. I wrote, I called, I sent an email,
specifically giving the addresses of those

1
2 buildings and nothing came of it. Everything is
3 being painted. But those buses don't know where
4 to stop anymore. I don't know where else to talk
5 about it. Anyway, thank you.

6 CHAIRPERSON VACCA: Thank you. Our
7 next speakers will be Maria Hanson, Pedestrians
8 for Safe and Accessible Streets; Lester Marks,
9 Lighthouse International and Barbara Backer, Our
10 Streets Our Lives.

11 [Pause]

12 CHAIRPERSON VACCA: Mr. Marks?

13 LESTER MARKS: Good afternoon,
14 Chairman Vacca and members of the Transportation
15 Committee. My name is Lester Marks and I am the
16 Director of Government Affairs at Lighthouse
17 International.

18 As you may know, Lighthouse
19 International was founded in 1905 and is dedicated
20 to preserving vision and to providing critically
21 needed vision rehabilitation services and advocacy
22 to help people of all ages overcome the challenges
23 of vision loss. Lighthouse recently joined the
24 Pedestrians for Safe and Accessible Streets, also
25 known as PASS Coalition. This is a growing

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2 coalition of organizations calling for the
3 increased installation of accessible pedestrian
4 signals throughout the city.

5 I'd like to just, I guess, point
6 out first that the city's plan that they released
7 in August 2010 makes no reference at all of
8 disability. In all 50 pages, there's not one
9 mention of a person with a visual impairment or a
10 person with disability. We think that speaks
11 volumes. It's something that this committee
12 should definitely seek to address.

13 My colleagues will talk about the
14 importance of accessible pedestrian signals. But
15 according to the U.S. Department of Transportation
16 Federal Highway Administration Best Practices
17 Design Guide, "accessible pedestrian signals
18 provide redundant audible, vibrotactile, and/or
19 transmitted information about the status of the
20 coinciding visual pedestrian signal. Providing
21 crossing information in a variety of formats
22 enhances recognition and understanding of the
23 information by all pedestrians, particularly
24 individuals with vision or cognitive impairments
25 and young children."

1
2 The city has a plan to install
3 1,500 countdown signals which is fine and we don't
4 oppose that, but we also feel that there should be
5 a commitment to install accessible pedestrian
6 signals.

7 I would like to also add that the
8 coalition, immediately after the plan was released
9 in August, sent a letter to the Mayor and the
10 Transportation Commissioner requesting a meeting
11 to discuss this issue. We are still waiting to
12 hear back. So that's three months now. We feel
13 that this is an issue that should be addressed.

14 The final thing I'll mention is
15 thank you, Council Member Brewer, for sponsoring
16 the bill 183 and for being the first one to really
17 mention people with visual impairments and a
18 person with a disability and bringing them into
19 this discussion. They're vital to this discussion
20 and they definitely should be a part of this
21 discussion going forward.

22 We look forward to working with the
23 Chair, Council Member Brewer and members of this
24 committee to bring this issue to the forefront.
25 Thank you.

1
2 CHAIRPERSON VACCA: Thank you. Ms.
3 Hanson?

4 MARIA HANSON: Hi. I'm Maria
5 Hanson. I represent PASS, Pedestrians for
6 Accessible and Safe Streets. With the changing
7 geometry and all of these supposed safety
8 improvements for pedestrians in New York City, we
9 find that virtually every one of these
10 improvements makes it more and more dangerous for
11 blind, visually impaired and deaf/blind
12 pedestrians to travel in New York City.

13 Complicated phasing patterns of
14 traffic lights, such as delayed greens, lead
15 pedestrian intervals, the turning lanes, the bike
16 pathways, the changes, the medians that they're
17 putting in, the movement of crosswalks somewhere
18 down the middle of the block, concrete barriers,
19 one thing after another is dangerous for us
20 because we have no access either via accessible
21 pedestrian signals or tactically or any other way
22 that such changes exist, that they've been made or
23 how traffic works.

24 There are a lot of intersections
25 where different lanes get the green at different

1
2 times, delayed patterns. We don't have that
3 information. Council Member Garodnick talked
4 about access to data that he felt was so
5 important. We feel that access in a timely
6 fashion to when it's safe to cross and the
7 direction of the traffic is absolutely essential.

8 It was mentioned by Mr. Woloch that
9 some of these signals are installed near blind
10 agencies. This is so patently discriminatory on
11 its face that why should we be ghettoized. I
12 don't live by the Lighthouse. I live near
13 Christopher Street, Sheridan Square. That's where
14 I need the accessible pedestrian signal.

15 We've requested a signal, I would
16 say at least five years ago, by the animal medical
17 center, 62nd and York, which has a turning signal.
18 Virtually ever guide dog handler in the five
19 boroughs and the surrounding metropolitan area
20 uses that hospital for primary veterinary care.
21 When we go there, our dogs are not at their best.
22 They either don't want to go there, they're on
23 medication, they're sedated, et cetera. We don't
24 live there but that's a very rational place to put
25 such a signal.

1
2 We need data that includes when
3 there are accidents whether there was accessible
4 information at that signal. Thank you.

5 I will say one other thing. It's
6 essential that we be part of the planning process
7 when this stuff is installed. DOT doesn't know
8 what we need. We know what we need. We're the
9 experts.

10 CHAIRPERSON VACCA: I want to
11 question you for a minute. You're talking about
12 accessible pedestrian signals.

13 MARIA HANSON: That's just one type
14 of thing.

15 CHAIRPERSON VACCA: But were you
16 also talking about audible?

17 MARIA HANSON: Accessible
18 pedestrian signals used to called audible traffic
19 signals. It's the same thing. They give either
20 audible tones, verbal messages or vibrating
21 signals. But that's not the only thing. There
22 are tactile warnings strips, there are other
23 things. You know, these medians that they're
24 putting in over by the bike lanes, we can be
25 crossing an avenue and we think we're across and

1
2 there's more to go or the curbs have disappeared.
3 There's not tactile markings. There's a whole
4 panoply of things that would make it safe for us
5 to cross. We live all through this city. We
6 should not be regulated to a signal here or there.
7 If other people can have traffic humps and all
8 these other things, it's even more important that
9 we be provided with this information in a timely
10 fashion.

11 CHAIRPERSON VACCA: Let me say
12 this. I'm very interested in this. I'm now
13 emailing Deputy Commission Woloch.

14 MARIA HANSON: He's not here?

15 CHAIRPERSON VACCA: No, he's not
16 here. I'm emailing him right now. I want an
17 answer.

18 MARIA HANSON: If you would set up
19 a committee and include us, we would love to work
20 with you.

21 CHAIRPERSON VACCA: My first
22 statement to you is that Mr. Marks had indicated
23 in his testimony that he wrote to Commissioner
24 Sadik-Khan four months and has not received a
25 response.

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2

MARIA HANSON: Oh yes, PASS did.

3

It was August 24th. We wrote to Sadik-Khan and the six borough DOT commissioners, because there are two in Manhattan. We wrote to a bunch of other politicians and we have heard nothing.

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CHAIRPERSON VACCA: You've heard

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nothing from the two borough commissioners you wrote to?

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MARIA HANSON: Borough

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Commissioners, Scott Stinger has responded and Gale Brewer.

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CHAIRPERSON VACCA: That's the

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Borough President.

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MARIA HANSON: No, I'm saying the

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DOT commissioners.

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CHAIRPERSON VACCA: I understand.

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That's what I'm asking you. You have not received a response from the DOT commissioners in the boroughs?

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MARIA HANSON: No, no, no, from the

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six of them or Sadik-Khan. And they feel that

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they know that there can be one or two places that they can throw these in, but they're absolutely

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25

useless. They'll put these signals in on the

1
2 wrong corner of the intersection, not where the
3 turning lanes are or where the real danger is.
4 It's a token gesture and it's meaningless.

5 CHAIRPERSON VACCA: He's getting an
6 email from me right now. I'm completely it.

7 MARIA HANSON: Thank you.

8 CHAIRPERSON VACCA: I'm interested
9 in this and I want to know. You say it was August
10 24th.

11 MARIA HANSON: August 24th.

12 COUNCIL MEMBER BREWER: Just note
13 who did respond, Mr. Chairman.

14 CHAIRPERSON VACCA: I heard.

15 MARIA HANSON: Yes, Gale Brewer
16 responded and Scott Stringer are our heroes.

17 CHAIRPERSON VACCA: All right, Gale
18 who?

19 [Laughter]

20 CHAIRPERSON VACCA: Thank you, and
21 I'm on it. Thank you.

22 MARIA HANSON: Thank you, I
23 appreciate that.

24 CHAIRPERSON VACCA: Thank you.
25 Identify yourself please for the record.

1
2 BARBARA BACKER: I don't to get on
3 Frisco's tail here. Good morning. My name is
4 Barbara Backer. I am Chairperson Pro-tem of the
5 Our Streets Our Lives, a citizen advocacy group
6 for safer streets and pedestrian safety.

7 Thank you for holding this hearing
8 on these proposed items. We support the intent of
9 these Intros. Pedestrian injuries and fatalities
10 related to traffic can and must be deterred. I
11 shall address two of the Intros specifically in my
12 testimony and offer suggestions for each.

13 First, in Intro 370-A, we applaud
14 the recommendation that studies be done to develop
15 strategies to improve pedestrian safety based on
16 analysis of traffic crash data. These strategies
17 "include developing pedestrian safety strategies
18 geared towards specific users."

19 Our suggestion here is that the
20 installation of accessible pedestrian signals, I
21 shall refer to them as APSs, be specifically
22 designated here. New York City has and is
23 continuing to make major changes in traffic
24 patterns and configuration of intersection
25 changes. While these changes may indeed

1
2 facilitate safe crossings for sighted people, they
3 can present obstacles to visually impaired people
4 who rely on a different set of cues to cross the
5 street.

6 In addition, the ADA, American
7 Disability Act, program access provisions have
8 required accessible signals on a programmatic
9 basis for more than 18 years. It behooves New
10 York City to come into compliance with this part
11 of the ADA's requirements, based on best practice
12 reasoning, cost effectiveness. It cost less to
13 install APSS while new traffic changes are being
14 made. Most important, the value of human life.

15 I'd like to give an example here.
16 I do some work in the Bronx. I exit the subway at
17 167th Street and the Grand Concourse. I have to
18 cross the street. I'm a sighted person. To cross
19 an eight-lane street, the Grand Concourse, which
20 is a beautiful street but it's eight lanes wide.
21 There are two medians that have been installed.
22 It takes me, as a sighted person, two lights to
23 cross that Grand Concourse. If I did not have
24 sight, I would get to one median and wouldn't know
25 where to go from there because I still would have

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2 another two lanes to cross and then another four
3 lanes to cross. In this case, there needs to be
4 accessible pedestrian signals on such medians and
5 on such wide streets.

6 Second, in Intro 376-A, and
7 considering the location of where traffic calming
8 devices such as APAs be installed, it is important
9 to consider the change in demographics that is
10 occurring and will be occurring in New York City
11 in the next 20 years. The Department of City
12 Planning briefing booklet 2000 to 2030 states.

13 CHAIRPERSON VACCA: Keep going.

14 BARBARA BACKER: States that while
15 the overall population is expected to increase
16 13.9 percent between 2000 and 2030, the elderly
17 are projected to increase by 44.2 percent by 2030.
18 By 2030, every baby boomer will be at least 65
19 years old, and the share of the population that is
20 elderly will increase from 11.7 percent in 2000 to
21 14.8 percent in 2030.

22 Consider also that as people age,
23 they are at increasing risk for eye disease and
24 visual impairment. Therefore, special safety
25 considerations, including the installation of APSS

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2 for the large increase in this age cohort as well
3 as for visually impaired people of all ages must
4 include the entire city. Seniors and visually
5 impaired people are not limited in their travels
6 to locations around senior citizens, nursing homes
7 and rehab centers. We're all over the city.

8 We suggest that this language be
9 included in Intro 376-A as well as a
10 recommendation that DOT collaborate with advocacy
11 groups for the visually impaired to determine
12 standards and locations for the installation of
13 APSS. Thank you for the time to testify.

14 CHAIRPERSON VACCA: Thank you.
15 Council Member Brewer?

16 COUNCIL MEMBER BREWER: Thank you
17 all for your incredibly enlightening testimony.
18 Certainly I'm delighted that the chair is hearing
19 you and that he's an amazingly fabulous chair and
20 I'm sure that there will be action on this issue.
21 We have been trying for, as you know, many years.

22 My question is, given the new
23 configuration, not just of turn signals but bike
24 lanes, different kinds of pedestrian plazas and so
25 on, do you know if in other cities there have been

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2 creative approaches? I certainly know about the
3 APSS in other cities. But now with all of these
4 different types of crossings situation, do you
5 know if other cities have studied this? Obviously
6 the first order of business would be to have your
7 community involved in the planning, number one.

8 But I'm just wondering if other
9 cities have been involved with you in the planning
10 and have they come up with creative solutions in
11 addition to the APSSs.

12 MARIA HANSON: I think that I would
13 probably refer it. One of our active steering
14 people is Dr. Gene Borkin [phonetic] and he
15 teaches orientation and mobility. He is excellent
16 on this. I don't think any of us individually can
17 answer that question. But I would direct it to
18 him. He gave a presentation last Monday with just
19 incredibly dramatic video and photo footage of all
20 the different types of configurations and problems
21 of intersections that we have here in this city.
22 I can talk to him and get back to you on that.

23 COUNCIL MEMBER BREWER: That's
24 great. Thank you very much. I know Shula Warren
25 from our office was there. We will follow up.

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2 Thank you so much.

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BARBARA BACKER: I'd just like to add to Maria is that there are many cities in the United States and certainly all over Europe who have these APSs. Baltimore and San Francisco have almost entirely are accessible.

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CHAIRPERSON VACCA: I would be very interested in knowing more about those models. If there's any information you can forward Mr. Lopez from my committee.

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LESTER MARKS: Chairman, I have the San Francisco APS agreement right here. As of March 2009 the work has been done on approximately 70 intersections and over 650 APS units have been installed. Their work is ongoing. I would just point out that New York City, I think we have a handful. A handful of APSs installed in specific locations, as was referenced, only a handful. So I think there's a significant amount of work that still needs to be done here.

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CHAIRPERSON VACCA: Id' like to see a timetable from them. I'd like to know where the locations are and how they're being picked and when.

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2 LESTER MARKS: I would also add,
3 before Maria jumps in, that it's relatively low
4 cost. We're talking relatively low cost to do
5 this.

6 CHAIRPERSON VACCA: Really?

7 MARIA HANSON: Also, Baltimore, I
8 think there was a request for like a dozen or 15
9 signals and they ended up putting, I don't
10 remember the number, was it like 1,500 or 1,800
11 signals once the program got started. When these
12 intersections are being retrofitted, when you're
13 spending thousands of dollars putting in concrete
14 barriers and moving the crosswalk and doing
15 something, putting in a countdown timer which even
16 if we could hear it would be useless for us. We
17 could care less about them. But at that same
18 point, if you put in an accessible pedestrian
19 device on the signal box, it's a couple hundred
20 dollars if that. It really needs to be done here.

21 CHAIRPERSON VACCA: I agree.

22 BARBARA BACKER: One other point,
23 just as all of these medians are being installed,
24 very important, someone who is visually impaired--
25 the next time you go across a median, take a look

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2 at the floor or the ground of it. There should be
3 two feet wide on each side of little dots that
4 when you cross it your feet can feel that you're
5 on a different texture, so you have a sense of
6 that you are in a median. That's at the beginning
7 of it and at the end.

8 However, what has happened is, for
9 some reason, on some medians, DOT has only put one
10 foot in. So that it's possible, if you're a tall
11 person or just normally striding, you'll miss that
12 signal that you're stepping onto a median.
13 They've only put one foot on each side. Now
14 whether that's cost, I don't know, but that's a
15 problem.

16 LESTER MARKS: I think that this
17 issue also brings up the larger discussion and it
18 shouldn't just be limited to APSS. Just
19 configuration of ramps on a street, if you take
20 for instance there's one right by Lighthouse,
21 which is obviously frequented by people with
22 visual impairment on a daily basis.

23 If you leave, let's say the south
24 side of the 59th Street ramp, and you walk, which
25 people with a visual impairment are trained to do,

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2 to walk across the street in a straight line, they
3 will encounter directly across the street a three-
4 foot curb where the ramp is actually not lined up
5 with the ramp on the corresponding street.

6 It's things like this, just things
7 that are overlooked, that will increase the safety
8 of people with a visual impairment. So I would
9 also just add that this is a larger discussion and
10 it shouldn't just be limited to the APS. There is
11 a broader discussion here, which I know that the
12 committee is committed to. Thank you.

13 CHAIRPERSON VACCA: Let me know
14 what your agenda is in so much as people with
15 visual impairments. I'd like to be helpful.
16 First of all, Lighthouse should have total
17 accessibility because of the population you serve.
18 This curb issue annoys me. How could it be in
19 front of your place there's a curb that doesn't
20 match with the walk? It's insulting.

21 MARIA HANSON: Also, the Jewish
22 Guild, the accessible signal that was just
23 installed at 65th and Columbus which is a very
24 ambiguous strange intersection, the sound is not a
25 verbal message, it's audible like percussive

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2 sound. Somebody thought it was like a machine
3 gun. It only took the person to the island. It
4 doesn't get you across Broadway.

5 When curbs started disappearing, I
6 met an architect in my neighborhood and I have a
7 regular corner at Christopher and Bleaker and the
8 curb had gone and the texture. She said, oh well
9 what they did is when the concrete was wet, they
10 ran a rake through it so that there'll be indented
11 grooves that let's you know where you are. I
12 thought about it and I said that's really
13 interesting, but I wear shoes. I don't know what
14 genius thought a rake through wet cement would be
15 of any help to a blind person as opposed to a
16 raised mark and indented mark. So we need to be
17 consulted and be a part of this whole process.

18 BARBARA BACKER: There's a very
19 interesting thing I learned. I live in the
20 Village and believe it or not, on Sunday mornings,
21 the Village is quiet very early. A friend of mine
22 who has a guide dog, when he goes out walking,
23 even though there isn't any traffic, he won't
24 cross the street because he counts on hearing
25 traffic, which way traffic goes to judge when

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2 you're going to cross the street. It's quiet.
3 Then he has no way of knowing where there is a car
4 because there's no traffic.

5 So without that kind of signal, he
6 has to stand and wait until there's someone that
7 comes up. Although he has a guide dog who can
8 take him across quite safely once the dog gets the
9 command. But until that happens, he can't cross.
10 So he has to stand there until someone comes. So
11 it's not always just noise or obstructions. It's
12 just a plain intersection which someone can't
13 cross.

14 MARIA HANSON: There's a new type
15 of traffic signal too, a lead pedestrian interval
16 where you can come up to an intersection and what
17 they will do is the light will stop traffic in all
18 directions. Blind people listen for the near
19 traffic surge to cross safely. So if all traffic
20 is stopped, we can come up and we have no clue
21 that maybe some people are crossing and they're
22 getting a little extra time. Then when the light
23 changes supposedly to let traffic go, since it's
24 been quiet in all directions for a while, we're
25 not sure what lane or what direction is going to

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2 get the signal. So we're losing time too because
3 first of all we didn't know we can cross when
4 there was no traffic. Then we have to wait to
5 start to hear what direction we can cross in.

6 There are all sorts of new
7 complicated signals. Signals where one lane gets
8 to turn and has the light but not the lane in the
9 opposite direction. That's near animal medical.
10 We're at these intersections just confused as all
11 get out, having no idea what's going on.

12 COUNCIL MEMBER BREWER: Would it
13 also make sense when we have the hearing to
14 include the issue, which I know is relevant, I
15 think, of we have new cars. I'm sort of knowing
16 the answer to my question. The new cars and the
17 issue is that they're quiet. They're obviously
18 healthier and they're good for the environment but
19 they're not good for those who can't see and need
20 to hear. So that would be another aspect I would
21 think of any discussion. Is that correct?

22 MARIA HANSON: Absolutely.

23 BARBARA BACKER: Yes, absolutely.

24 COUNCIL MEMBER BREWER: Thank you.

25 MARIA HANSON: Thank you.

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BARBARA BACKER: Thank you.

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CHAIRPERSON VACCA: Thank you,

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everyone.

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LESTER MARKS: Thank you.

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CHAIRPERSON VACCA: Martin Treat

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and Christine Berthet of CHEKPEDS. I also see

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you. I know who you are.

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[Pause]

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CHRISTINE BERTHET: Hello?

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CHAIRPERSON VACCA: You may

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proceed.

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CHRISTINE BERTHET: My name is

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Christine Berthet. I am the co-founder, with

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Martin here, of CHEKPEDS, in addition to being on

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the Community Board 4. But today, I appear as

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CHEKPEDS, the coalition pedestrian safety in

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Hell's Kitchen and Clinton. I'll skip a lot of

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things.

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We applaud this legislation and we

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are so thankful for it. We really, really like

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it. We're like to make one or two suggestions,

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very quickly.

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Intro 370 stipulates that the DOT

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will provide a plan for addressing the findings

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2 contained in the quinquennial pedestrian study.
3 Looking at the report they just published, which
4 is very good, they announced that 30 of pedestrian
5 fatalities occurred at an intersection while a car
6 is turning left which instinctively we knew
7 because in our neighborhood this is the way most
8 of the fatalities, which have had a lot, happen.

9 In the past, the DOT has chosen, as
10 one lady said, to install a protective left turn
11 where first the pedestrian can turn with no
12 conflict and then the car turns. So it's really,
13 really safe because you are not looking in your
14 back to see if the car is coming. In our
15 neighborhood we have the New Jersey Tunnel coming
16 in and people are coming from tunnel at full speed
17 and then they come and turn on the street without
18 even slowing down.

19 In the safety plan proposed by the
20 DOT, it does not include such a measure to address
21 the safety at the turning corners. We were really
22 shocked. Instead it recommends to daylight the
23 intersection, a process that consists of clearing
24 up any obstruction at the corner which improves
25 the driver's visibility but which doesn't have a

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2 track record of reducing pedestrian fatalities.

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I would be very, very interested to understand how the DOT arrived at this recommendation and what safety tradeoffs were made. We encourage this committee to hold a hearing on that very subject because we don't believe that the best safety measure has been chosen.

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We believe that the value of the human life should be a political decision and not an engineering one based on costs, on time savings or whatever standards has been designed by the federal government to put in play no taxes when we are in New York City.

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I think there are choices, there are best of breed strategies and the report should request that the DOT provide not only their recommended strategies to address the issues but what are the best of breed strategies in the country. What is the comparison between the costs and the efficiency? Because I do believe that there are cost components there decided in time as well as in money where they decided that they don't want to slow down the traffic, they don't

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want to slow down the car turning and therefore,

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oh well, we'll wait for somebody to get killed and

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then we'll address the intersection.

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We have another suggestion about

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Intro 376 but it's along the same lines, so you

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can read that. I don't want to take up your time.

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CHAIRPERSON VACCA: That's my bill.

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CHRISTINE BERTHET: Yes, all of

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them.

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CHAIRPERSON VACCA: So you like it?

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CHRISTINE BERTHET: I love it.

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CHAIRPERSON VACCA: That's all I

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have to know.

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CHRISTINE BERTHET: Yes. I just

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want you to add some details because I don't

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believe that we are attaching. Let's add all the

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measures in that bill we tell you.

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CHAIRPERSON VACCA: Feel free to

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give your stuff to Navardo after the meeting or

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Mr. Hom.

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CHRISTINE BERTHET: We love all the

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bills. They are all wonderful.

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CHAIRPERSON VACCA: That's all I

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want to hear, I'm happy.

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2 MARTIN TREAT: Hi, I'm Martin
3 Treat, also a co-founder of the Clinton Hell's
4 Kitchen Coalition for Pedestrian Safety. I'm also
5 a member of the Hell's Kitchen Neighborhood
6 Association and the Community Board and its
7 transportation committee, although I'm not
8 reflecting their current opinion now.

9 We applaud this legislation package
10 to institutionalize the strategy to increase
11 transportation safety for all street users. These
12 Intros ensure that various agencies work in a
13 coordinated fashion to reduce deadly crashes.
14 Measurable information on the ultimate outcome,
15 such as crashes and the efficiency of engineering
16 and enforcement to eliminate them.

17 We'd like to make the following
18 suggestions, however. Intro 370 stipulates that
19 the DOT will provide crash data and summons data,
20 a process critical to measure the efficiency of
21 deterrence in addition to engineering. We stress
22 here that, knowing how many crashes resulted in a
23 summons or were referred to the district attorneys
24 office in compliance with Elle's law or Diego and
25 Hailey's laws, would be an additional level of

1 linkage with this new legislation and may help
2 accelerate the cultural change of NYPD personnel.

3 I live at 43rd and Ninth, the
4 confluence of three precincts. They change their
5 responsibilities constantly. I go to the midtown
6 community precinct councils regularly and try to
7 get information and they resist.

8 I even talked to the president of
9 one of our precinct councils last night and he
10 could not give me information on a crash that took
11 place two weeks before: who was at fault and what
12 did the police do. We are really blocked from
13 information. This legislation is going to un-jam
14 it and keep me from going out week after week. I
15 hope the access is really easy.

16 Therefore, this interagency road
17 safety plan should include representatives of the
18 public, like me and my colleagues, possibly
19 nominated by this Council or by the borough
20 presidencies and a representative of the health
21 department.

22 Finally, Into 374, the bicycle
23 crash data should be in a format and with
24 information consistent with car and pedestrian
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crash data already collected. But on the whole,

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I'm completely for this legislation and thank you

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for it.

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CHAIRPERSON VACCA: We thank you

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very much. Thank you both.

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CHRISTINE BERTHET: Thank you so

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much.

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CHAIRPERSON VACCA: There being no

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further speakers, this meeting is now adjourned.

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Nick Economou, the last speaker. I'm only

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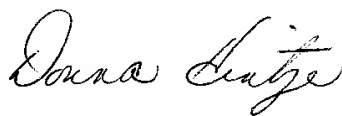
kidding. I wouldn't put you through that ladies

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and gentlemen.

C E R T I F I C A T E

I, Donna Hintze certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.



Signature_____

Date November 24, 2010