NYC Department of Transportation Testimony Before the City Council Committees on Transportation and Infrastructure and Oversight and Investigations September 12, 2023

Good afternoon Chair Brooks-Powers and Chair Brewer and members of the Committees on Transportation and Infrastructure and Oversight and Investigations. I am Ydanis Rodriguez, Commissioner of the New York City Department of Transportation. With me today are Eric Beaton, Deputy Commissioner for Transportation Planning and Management, and Rick Rodriguez, Assistant Commissioner for Intergovernmental and Community Affairs. We are also joined by Agnes Rusin, Assistant Commissioner for Payments, Billing, and Refunds from the Department of Finance. Thank you for the opportunity to testify on behalf of Mayor Eric Adams on the New York City Streets Plan.

DOT continues to work hard and creatively with available resources to deliver highquality, high-impact projects that advance the goals laid out in the NYC Streets Plan. We have a number of transformational projects underway or recently completed that will help people, goods, and services move around this city in a safe, efficient, and environmentally responsible way.

This morning, DOT released a Curb Management Action Plan that lays out strategies to better design and manage the curb lane to reflect the increasingly wide range of needs of residents, workers, visitors, business owners, and all New Yorkers. The plan includes actions DOT will be taking at the curb to improve deliveries, pickups and drop-offs, bike parking, public space, and more. The priorities in this plan will help reduce congestion, enhance safety, and create a more livable city.

Turning to buses, DOT is undertaking a number of bus priority and accessibility projects that will improve commutes for more than 225,000 daily bus riders. These include projects on:

Northern Boulevard in Queens;

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- Gun Hill Road and University Avenue in the Bronx;
- Livingston Street in Brooklyn;
- Third Avenue in Manhattan; and
- Washington Bridge connecting Manhattan and the Bronx.

We are also undertaking a number of transformative bike and public space projects. To share some highlights, in Manhattan, we recently completed a phase of our Broadway Vision, which added new plazas, shared streets, and two-way bike connections on Broadway between 25th and 32nd Streets, with the next phase from 21st Street to Union Square now in development. We also recently announced the start of construction on a 10-foot-wide protected bike lane on 10th Avenue in Hell's Kitchen along with new pedestrian islands and redesigned intersections.



Wider Bike Lane at 9th Avenue, Manhattan

In the Bronx, we are making bicycle improvements in Soundview, including installing protected bike lanes on Soundview Avenue.

In Brooklyn, we will install the longest protected bike lanes ever installed in East New York, along with pedestrian safety improvements, on Cozine, Wortman, and Louisiana Avenues. We are also transforming the popular Open Street on Berry Street into a bike boulevard, with two-way cycling, loading zones, pedestrian enhancements, and a plaza.

And in Staten Island, work is underway on a safety project on Lincoln Avenue through which we will install improved markings, signs, and curb extensions.

Thank you to all the Council Members who supported, gave feedback, and helped promote productive conversations on these projects.

We also continue our nation-leading programs to install Accessible Pedestrian Signals to help New Yorkers who are blind or low vision navigate the city and Transit Signal Priority to speed up buses.

We are so proud of this work that is transforming New York City Streets. But we need the Council's support to go further. We have faced challenges identifying bus and bike lane projects that have robust local support. For this reason, following this hearing, we will be reaching out to each Council office with a survey asking you for suggestions of locations where you would like to see bus and bike projects in your districts. We look forward to receiving your feedback and working together to advance the goals of the Streets Plan. In addition to the above projects, DOT is reimagining public space across New York City in ways that are not quantified in the Streets Plan and which were prioritized and fasttracked as a result of the pandemic.

Now in its fourth year, Open Streets continues to be the nation's largest and most successful car-free program. DOT remains focused on expanding and improving the program, with now 200 locations across the five boroughs. We are also committed to formally redesigning successful Open Streets corridors as bike boulevards, pedestrian plazas, and shared streets.



Open Street at Vanderbilt Avenue, Brooklyn

The agency is also working to set up the largest outdoor dining program in the country—Dining Out NYC.



Dining Out NYC at 78th St. & Amsterdam Ave, Manhattan

And this year, we also had the most ambitious Summer Streets program ever, more than doubling its size and bringing the program to all five boroughs for the first time, and the largest Car-Free Earth Day.



Summer Streets, Eastern Parkway, Brooklyn



Summer Streets, Richmond Terrace, Staten Island



Summer Streets, Park Avenue, Manhattan



Summer Streets, Vernon Blvd, Queens

We also continue to harden bike lanes, including on Borinquen Place in Brooklyn and Goethals Road North in Staten Island, which do not count towards the Streets Plan benchmarks.



Bike lane hardening at Clinton Street, Manhattan

Legislation

Turning to the legislation before the Council today.

Preconsidered bill T4007

First, the Preconsidered bill sponsored by Chair Brooks-Powers. This bill would require DOT to include an investment roadmap in the New York City Streets Plan that includes investment by community district. DOT shares the Council's commitment to ensuring we are making investments equitably, and we are working towards a city where demographics such as race, income, or language will no longer be able to be used to predict transportation access and mobility outcomes.

In the NYC Streets Plan, DOT laid out Priority Investment Areas (PIAs) that will help focus our investments to where they can have the greatest impact. The PIAs are based on three inputs: demographics, density, and previous levels of DOT investment, and are measured at the neighborhood level using the city's 195 Neighborhood Tabulation Areas. You can see a map of the PIAs included in my testimony. We would be happy to discuss this bill further with the Council and work with you to implement projects in areas that have had less investment previously.

Map of Priority Investment Area Tiers included in the NYC Streets Plan Update, released February 2023



Prioritization Tier	Tier 1 33%	Tier 2 33%	Tier 3 33%
Total Population	3.15 mil	2.70 mil	2.56 mi
Total Jobs	740,000	825,000	2.5 mil
Avg % Non-White	90%	74%	38%
Avg % Low Income	27%	14%	10%



Sources: 2014-2019 American Community Survey, 2018 LEHD, and NYC DOT

DOT is continuing to invest in communities across the entire city. But the agency is now prioritizing street design investments in higher-need neighborhoods based on the PIA tiers—while still being guided by data such as crash histories and slow bus speeds. You can see an example of how we will overlay the Vision Zero Priority Corridors, Intersections, and Areas as well as transit and bike priority projects with the PIAs in the maps included in my testimony.

This Administration is committed to creating a more equitable city and we are doing better at investing in underserved communities. But we also recognize that there is so much more to do. We look forward to continuing to partner with the Council to advance projects in districts with less investment previously.



Example of Safety & Vision Zero Priorities Overlayed with Priority Investment Areas

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Introduction 261

Turning to Intro. 261 sponsored by Council Member Menin. This bill would require DOT to establish a curb extensions program and implement curb extensions at a minimum of five intersections in each borough.

Through the Vision Zero Borough Pedestrian Safety Action Plans, DOT uses crash data to determine the locations most in need of safety enhancements. We then implement targeted safety treatments that produce the greatest safety benefits at those locations. While curb extensions are an important tool in our toolbox, we urge the Council to allow our engineers to retain flexibility to determine where safety treatments are needed and which treatments are most effective in those locations. It is important to evaluate locations holistically, rather than needing to account for a certain number of a specific type of treatment. As always, we welcome your partnership in identifying locations of concern and implementing critical safety projects.

Introduction 738

Next, Intro. 738 sponsored by Public Advocate Williams. This bill would require DOT as part of the interagency roadway safety plan to consider placing Traffic Enforcement Agents (TEAs) in certain areas. Traffic Enforcement Agents play an important role in street safety. Through the Vision Zero Task Force, DOT and NYPD coordinate closely on roadway safety and we welcome further discussions with the Council and NYPD about how TEAs can be deployed to enhance safety.

Introduction 885

Next, Intro. 885 sponsored by Council Member Narcisse. While the Administration appreciates the Council's intent to protect New Yorkers from overly punitive measures, we are concerned that the legislation would have unintended consequences. Specifically, this legislation would disrupt a carefully constructed escalating penalty scale that incentivizes 70 percent of violations to be resolved within 90 days of issuance. The City has gone a long way to ensure that customers have options to resolve their parking violations and debt, including the Pay or Dispute app that allows motorists to get a hearing and upload evidence using their cell phones, and the rollout of self-serve parking payment plans earlier this year.

Introduction 1026

Finally, Intro. 1026 sponsored by Council Member Ung, which would require the City to establish a task force to study options for potential locations for a bus depot in Flushing, Queens. We agree that a bus depot would benefit the neighborhood and look forward to discussing this further with the Council, the Department of City Planning, and the MTA.

Conclusion

In conclusion, I would like to thank the Council for the opportunity to testify before you today. We look forward to your partnership in getting critical projects in the ground in your districts. We now welcome your questions.



NYC Council Testimony - Committee on Oversight and Investigations Jointly with the Committee on Transportation and Infrastructure September 12, 2023

Antonya Jeffrey New York State Director Fines and Fees Justice Center 185 West Broadway, New York, NY 10013

Good Afternoon Committee Chair Selvena Brooks-Powers and esteemed members. I first want to thank Council Member Mercedes Narcisse for sponsoring Intro 0885/2023 and for the opportunity to testify today. Also, thank you to the NYC Council for being partners in the push for fines and fees reform dating back to the successful elimination of phone call fees at Rikers, making NYC the first in the country to make all jail phone calls free, and important legislation to end fees for credit card payments by people in custody. I look forward to continued partnership with the Council on fines and fees reform to end the criminalization of poverty, particularly in New York's low income, and Black and brown communities. I have confidence that the Council will continue to be an advocate for eliminating fees and ensuring fines are equitable as reflected in the overwhelming support for Intro 0885/2023 by almost the entire Council including many of you, Council Member Keith Powers, Council Member Catalina Cruz, Council Member Lincoln Restler and others, who have been trusted partners in previously related reforms, as well as NYC Public Advocate Jumaane Williams who has demonstrated support to decriminalize poverty on all levels of government. Thank you.

My name is Antonya Jeffrey. I am the New York State Director for the Fines and Fees Justice Center (FFJC), a national organization that seeks to reform the use of fines and fees that harm communities and distort justice. In addition to our national work, FFJC works in four focus states, including New York, building replicable models for comprehensive reform; that is for eliminating all justice fees, ensuring fines and equitable, and ending draconian collection practices that punish and criminalize poverty. In our focus states, FFJC has staff in the communities that build broad coalitions to reform fines and fees practices, starting with those that are most harmful to impacted communities. As FFJC's New York State Director, I lead

FFJC's state and local campaigns throughout New York. I'm here today because we support the immediate passage of Intro 0885/2023 sponsored by Council Member Mercedes Narcisse, which would automatically waive certain additional penalties for a parking violation if a vehicle owner responds to a notice of violation between forty-five and ninety days of its issuance. This reform is a good first step, but it is not enough. The Council's goal should be to eliminate all justice fees, to ensure that any fine imposed is proportionate to both the offense and individual, and ultimately to end the system of taxation by citation that has a disparate impact on low income New Yorkers and particularly communities of color. Historically in New York, people who can not afford to immediately pay a parking ticket rack up late fees on top of the original parking fines. With limited means, these late fees continue to accumulate, making it impossible to pay the underlying fine which can lead to their vehicle registration being revoked or suspended, their car being booted or towed, or even repossessed. Even in NYC, many people need to drive to access work, and meet other basic needs and losing the ability to drive can mean losing your livelihood.

The Fines and Fees Justice Center (FFJC) is working to end the use of criminal legal system fees and ensure that any fines are imposed and collected fairly. In New York, we are working with partners to lead a campaign that could eliminate the mandatory surcharge and other mandatory fees, end the unconstitutional practice of incarcerating people who can't afford to pay, and end the practice of garnishing people's commissary accounts to pay fines and fees. These are all current practices that disproportionately impact low income families and communities of color. New York's most egregious fee, the mandatory surcharge is assessed on every conviction including traffic tickets. As its name suggests it cannot be waived or reduced, often leaving New Yorkers trapped in an unending cycle of debt. The fees we are discussing today are in some respects even worse. These aren't imposed on every conviction, but on tickets that are answered, but unpaid. These fees are a poverty penalty that make paying fines most expensive only for people who can't afford to quickly pay. They are similar to the mandatory surcharge and other fees our coalition is working to eliminate at the state level, as they serve explicitly as revenue raisers on the backs of New Yorkers least able to afford them and are often uncollectible. With rising inflation, increasing expenses and no increase to minimum wage, over 60% of New Yorkers struggle to meet their basic needs with little to no discretionary income to pay fines and fees. As our government systems have resumed a sense of normalcy post Covid-19 pandemic, New Yorkers have not. Compounding public health and economic crises have become commonplace for most, and New Yorkers need their money to meet their basic needs, which means we must abolish predatory fees. Currently, the system traps hundreds of thousands of New Yorkers in debt by imposing exorbitant fees in addition to fines with no regard for a person's economic circumstances. The reality is, we have two tiers of justice, one where people with means can pay out of the system with little to no impact on their livelihood and another, where those with lesser means are trapped in crippling debt that also has grave consequences on their

ability to drive, take care of their families, put food on the table and meet other basic needs like childcare and health care. Poverty is not a crime. But if you can't afford to pay fines and fees, you quickly become criminalized.

Additionally, these fees are not in the interest of justice. Parking violations are the only violation adjudicated by the Department of Finance; all other administrative violations such as sanitation, municipal etc. are adjudicated by the Environmental Control board or the Office of Administrative Trials and Hearings (OATH). This creates perverse incentives for both the judge and the Department of Finance to collect and decline to waive fees even in the most justifiable cases.

This past April, the Department of Justice issued a revised "Dear Colleague"¹ letter, from the Department of Justice to State Chief Justices, to guide courts on their constitutional obligations when assessing and collecting fines and fees. The letter denounces the use of fees within the criminal legal system and states, "Eliminating the unjust imposition of fines and fees is one of the most expeditious ways for jurisdictions to support the success of youth and low-income individuals, honor constitutional and statutory obligations, reduce racial disparities in the administration of justice, and ensure greater justice for all." Further, the DOJ explains in the letter that the due process and equal protection principles of the Fourteenth Amendment prohibit "punishing a person for his poverty." and that "when a person already cannot afford a basic need, such as housing, a fine or fee of any amount can be excessive in light of that person's circumstances, and thus may not be appropriate even if legally permitted". The Department of Justice's recommendations would certainly support the elimination of fees like those addressed in Intro. 0885/2023.

The New York City Council should continue to establish best practices around fines and fees. This includes assessing a person's socioeconomic circumstances before issuing a fine, and eliminating fees all together. The Department of Justice supports this notion, asserting in the revised Dear Colleague letter that, "As a best practice, jurisdictions should consider collecting fines and fees by, for instance, adopting penalty-free payment plans, offering amnesty periods during which individuals can have warrants canceled and fees waived, or connecting individuals who cannot afford to pay fines and fees with workforce development and financial counseling programs. Jurisdictions may also consider waiving or reducing the debt of a person unable to pay the debt .. [or not] imposing punitive financial obligations in the first place."

¹ United States Department of Justice, Assistant Attorney General Kristin Clarke, Principal Deputy Assistant Attorney General Amy Soloman, Director, Office for Access to Justice Rachel Rossi, Dear Colleague Letter, dated April 20, 2023, <u>https://www.justice.gov/opa/press-release/file/1580546/download</u>.

In regards to the fees addressed in Intro 0885/2023, the Department of Finance established this has not waived any of the penalties in more than ten years, when prior to 2009 judges exercised that option, extracting wealth from communities hardest hit by the economic turmoil resulting from Covid-19. In turn, fees like these are unlikely to yield significant revenue as they are disproportionately imposed on people who cannot afford to pay. Thank you for the opportunity to testify today and for the overwhelming support of this legislation. We urge the council to quickly pass intro 0885/2023 to make steps towards eliminating predatory fees in our courts and criminal legal systems.



2 Broadway, 16th Floor, New York, NY 10004 (212) 878-7087 mail@pcac.org

ANDREW ALBERT CHAIR · MTA BOARD MEMBER (PUBLIC ADVOCATE) BURTON M. STRAUSS JR. VICE CHAIR (MAYOR)

- MAYOR VACANT VACANT VACANT BIKE/PED VACANT
- BROOKLYN PUBLIC ADVOCATE STUART GOLDSTEIN SHARON KING HOGE CHRISTOPHER GREIF KAREN HAMILTON BRONX CICELY HARRIS MARISOL HALPERN VACANT QUEENS MANHATTAN VACANT TRUDY L. MASON STATEN ISLAND SCOTT R. NICHOLLS

Testimony to the New York City Council Committee on Transportation and Infrastructure **Oversight Hearing on the NYC Streets Plan Implementation** September 12, 2023

Good afternoon. I'm Lisa Daglian, Executive Director of the Permanent Citizens Advisory Committee to the MTA (PCAC). Created by the New York State Legislature, PCAC is the official voice of riders of New York City subways, buses, the Staten Island Rail, Long Island Rail Road and Metro-North. Thank you for holding this hearing today on issues critical to transit riders around the five boroughs.

When the Streets Plan was first announced last year, we were thrilled to hear about the city's ambitious pledge for 150 miles of new bus lanes and busways by the end of 2025. Bus lanes and busways have been proven to substantially speed up buses-and with New York City's buses among the slowest in the nation, we can't wait until they finally move faster than a chicken. We've heard from riders and we ourselves have experienced time and time again the frustration, inconvenience, and real-life consequences of riding a bus and constantly being stalled behind cars, trucks, or delivery vehicles. The Streets Plan commitments will make a major difference for riders, and we are all counting on Mayor Adams, NYCDOT, and the City Council to ensure that milestones are met. This is especially true on Fordham Road, a busway whose time has surely come.

Unfortunately, the city is currently far behind its Streets Plan bus lane targets. Of the 150 miles committed by 2025, with 50 miles targeted by the end of 2023, only 6.8 miles have been completed. Bus stop upgrades-important to ensuring that bus infrastructure is fully accessible, protected from the elements, and also including bus time poles— are also sorely behind schedule with only 14 completed in 2022 out of that year's target of 500. We propose expanding Zoning for Accessibility to include bus stop upgrades, to incentivize developers to foot the bill and complete installation when there may not be an eligible subway station nearby.

We support Int 0261-2022 requiring curb extensions at certain dangerous intersections, which would help keep bus riders and other pedestrians safe when crossing the street.

We do not support Int 0885-2023 waiving some penalties for parking violations if the driver responds between 45 and 90 days of getting a ticket. As the city aims to expand bus lanes and bus lane enforcement, it's important that we expand penalties for parking or making deliveries in bus lanes-not reduce them.

We support Int 1026-2023 creating a task force to evaluate potential locations for a new bus depot in Flushing, and hope that the community will have input while also prioritizing the need for an effective bus depot for all Queens riders and bus drivers.



2 Broadway, 16th Floor, New York, NY 10004 (212) 878-7087 mail@pcac.org

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We support T2023-4007 adding an investment roadmap to the streets master plan, which will help ensure that investment in upgraded street infrastructure benefits communities all around our city and promotes equity.

As transit riders, PCAC strongly supports Congestion Pricing — or more appropriately, "Decongestion" Pricing. It will reduce traffic, improve air quality, and raise vital funds for critical transit projects. While we eagerly await implementation, it's essential that the city works to prepare our streets for the many New Yorkers who will turn to transit and other modes of transportation instead of driving. That means speeding up the Streets Plan rollout, expanding and enforcing bus lanes, and working closely with the MTA to strengthen our transit network. Thank you.

Joint NYC Transportation and Infrastructure & Oversight and Investigations Committee Hearing Testimony of Transportation Alternatives Sep 12, 2023

Good afternoon, and thank you to Chair Brooks-Powers, Chair Brewer, and the members of the Transportation and Infrastructure and the Oversight and Investigations committees. My name is Elizabeth Adams and I am the Deputy Executive Director for Public Affairs at Transportation Alternatives.

Transportation Alternatives believes that our streets belong to the people of New York City, and we work with New Yorkers in every borough to build a future that rises to the needs of our communities. Thank you for convening this joint hearing on the progress of the Streets Plan and the bills under consideration for today.

Streets Plan

The Streets Plan is both a legal requirement and our guiding document for mobility infrastructure improvements. A fully-implemented Streets Plan will create safer streets, support more efficient travel, advance mobility justice, and fight the climate emergency.

The Streets Plan includes yearly benchmarks, based on the requirements identified in Local Law 195. As of today, the City is far behind. In 2022, the City failed to meet the required numbers of both protected bike lanes or bus lanes. So far this year, the city continues to lag behind. DOT has built only 4.6 miles out of 30 required bus lane miles and 10.7 out of 50 required protected bike lane miles. The Streets Plan also sets requirements to expand pedestrian space, upgrade bus stops, improve the accessibility of our intersections and street space, and more – and these improvements are critical for making our streets safer and more pleasant for all. Without a public and transparent tracking system, the public is left in the dark about where many of these metrics stand.

As a legally-required mandate, DOT needs to comply this year. We recognize the challenges DOT faces, but there are projects that have been approved by community boards that have not yet moved from 2022 – and we are nearing the end of 2023.

DOT was given \$900 million in taxpayer funds to implement the Streets Plan, yet is behind on multiple key metrics. What is DOT's plan to comply this year?

Bills under consideration today:

- Int 2023-4007: The public needs transparent and up-to-date information on the progress of the Streets Plan. To that end, we applaud Chair Brooks-Powers' new bill adding an investment roadmap to the Streets Plan, especially with its focus on increasing investments in environmental justice communities and communities with low levels of current investment. Annually identifying the level of investment in each community provides much needed information to the public. TA recommends making these reports an annual requirement, to start in 2024 rather than 2026.
- Int 0261-2022 requires curb extensions at certain intersections. Curb extensions are critical safety infrastructure, and are proven to reduce pedestrian injuries by <u>more than 16%</u>. Currently, DOT already exceeds this number of annual curb extensions and we encourage the bill to be significantly expanded beyond five intersections per borough per year.
- TA supports Int 1026-2023, which establishes a task force to identify locations for a bus depot in Flushing.

The City Council rightfully recognized the crushing epidemic of traffic violence in 2021, and passed the Streets Plan to build the infrastructure needed to achieve Vision Zero. Last year, the City Council fully funded the Streets Plan to make these critical safety improvements possible. Despite a legal mandate and ample funding, DOT is failing to meet their legal requirements.

This is unacceptable.

More New Yorkers will die and be seriously injured because of this failure to act. TA's new <u>serious injury dashboard</u> shows that 4,224 New Yorkers were seriously injured between only January 2022 and June 2023 – numbers that are sure to increase without street improvements. DOT must create a plan to fully comply with the Streets Plan.

Thank you to the City Council for holding this hearing and for introducing legislation to make our streets safer for all road users. We look forward to seeing improvements on our streets imminently.



Testimony of Alia Soomro, Deputy Director for New York City Policy New York League of Conservation Voters City Council Committee on Transportation and Infrastructure Oversight Hearing on the NYC Streets Plan September 12, 2023

Good afternoon, my name is Alia Soomro and I am the Deputy Director for New York City Policy at the New York League of Conservation Voters (NYLCV). NYLCV is a statewide environmental advocacy organization representing over 30,000 members in New York City. Thank you, Chairs Brooks-Powers and Brewer, as well as members of the Committees on Transportation and Infrastructure and Oversight and Investigations for the opportunity to testify today.

NYLCV believes that all New Yorkers should have access to clean and sustainable modes of transportation to improve our City's air quality and combat climate change. Efficient and accessible mass transit, pedestrian and cyclist safety, and smart street design are crucial to achieving these goals. NYLCV fully supported the passage of Local Law 195 in 2019, which directed the New York City Department of Transportation (DOT) to issue and implement a transportation master plan every five years to improve the safety, accessibility, and quality of the City's streets for all New Yorkers. The law requires DOT to install 250 miles of protected bike lanes and 150 miles of dedicated bus lanes, 500 bus stop upgrades, 1,000 intersection signal improvements, 400 intersection redesigns, 500 accessible pedestrian signs, in addition to improving pedestrian spaces, commercial loading zones, and parking spaces. NYLCV included this law in our annual NYC Policy Agendas and 2019 NYC Council Environmental Scorecard.

With a comprehensive citywide vision, New Yorkers can more easily pursue sustainable and safer modes of transportation, move away from our dependency on vehicles, reduce air pollution, and breathe cleaner air as a result. This law is also another tool to help our City reduce greenhouse gas emissions and help meet the State's greenhouse gas emission reduction targets laid out in the Climate Leadership and Community Protection Act (CLCPA). Lastly, implementing the NYC Streets Plan is vital as we near the full implementation of congestion pricing.

The City made great strides with the passage of this law. NYLCV appreciated the City's first iteration of the NYC Streets Plan published in 2021 with goals that prioritized safety, equity, accessibility, and sustainability. In 2022, DOT exceeded the LL195 benchmarks for transit signal priority and intersection redesigns and came close to the 2022 benchmark target of 30 miles of protected bike lanes (26.3 were completed). We also commend the Administration for prioritizing projects that champion safe pedestrian, cyclist, and public space improvements, like the Broadway Vision Plan. However, the City is far behind on many milestones laid out in the

Streets Plan, which they have <u>acknowledged</u>, despite receiving millions of dollars in City funding in 2022.¹ For instance, although the 2022 benchmark target for protected bus lanes was 20 miles, only 4.4 were completed that year.

While the Covid-19 pandemic disrupted many aspects of the Plan's initial implementation, NYLCV urges the City to get back on track to timely and equitably implement installing protected bus and bike lanes, especially as we near the full implementation of congestion pricing. Simply put, congestion pricing will not result in the declines in congestion and air pollution that we expect—and need—it to if the City does not invest in protected bus lanes with signal prioritization, protected bike lanes that allow for fast, safe commutes into the central business district in Manhattan and between residential and commercial hubs in the outer boroughs, and creative repurposing of street space that is currently given over to cars. The investments that London made in buses ahead of their congestion pricing plan taking effect and the investments in both buses and bikes that they have made throughout the program's existence are instructive for New York.

In implementing the Plan, the City must work closely with the MTA to prioritize improving bus service, since New York City buses serve a <u>greater share of low-income and minority</u> <u>households</u> compared to other modes of transportation, including subways. Additionally, the City and MTA should expedite routes in communities with the longest and slowest bus commutes, increase access to affordable multimodal strategies to bolster the public transportation system in the City with prioritization of low-income and transit desert communities, and improve and expand safe bicycle infrastructure, including bike lane construction and safe e-bike charging stations. Lastly, the City must prioritize hiring and staff retention and early engagement with elected officials and key neighborhood stakeholders.

Timely implementing the NYC Streets Plan is more crucial than ever if we are to improve the safety, accessibility, and quality of our transportation network and our City's streets. NYLCV urges the City to fully and equitably implement and fund the NYC Streets Plan and realize the full benefits of congestion pricing.

Thank you for the opportunity to speak.

¹ See Committee Report, Department of Transportation (March 9, 2023), <u>https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=6027987&GUID=53B870B4-7790-47FE-A86D-9</u> <u>E9D88805E79&Options=&Search=</u>.



Jean Ryan's testimony on Int 0261-22 and DOT Oversight Hearing – 9-12-2023

Intro 0261-22 on Curb Extensions at Dangerous Corners

I am Jean Ryan, President of Disabled In Action of Metropolitan NY, DIA for short. We are in favor of Intro 0261-22 to put curb extensions in 5 dangerous intersections in each borough, but why only 5? That is the absolute minimum and is just a drop in a very big bucket. Every day pedestrians are hurt or have very close calls crossing the street in the crosswalk. Some are killed like the woman in Chinatown last Friday. Daylighting should be everywhere a vehicle could turn into an intersection.

Oversight Issues (Not a Complete List)

DOT needs to step up and do better in the following ways:

- Fix missing or non-ADA compliant pedestrian ramps faster in all neighborhoods in all boroughs. For example, Broadway in Manhattan was surveyed in 2015 by then Manhattan Borough President Gale Brewer and most corners were unacceptable. Eight years later, conditions are the same, and many corners are totally not able to be traversed in a wheelchair and we must go in the street with traffic!
- Set all traffic lights to give seniors and people with disabilities a fair chance at safely crossing the street by using leading pedestrian intervals as well as walking speeds set to 2.5 feet per second instead of the current settings of 3.5 to 4 feet per second.
- Do daylighting at every intersection so pedestrians can be safe. At the very least, do not allow parking on or near corners.
- Absolutely do not allow any parking at any T intersection pedestrian ramps.
- Fix inaccessible bus stops such as the ones on Shore Road in Bay Ridge, Brooklyn that have been like that for many years.
- Fix broken sidewalks and have a better program to correct sidewalks defects that trees cause. A crack should not be allowed to become 6 inches wide or 6 inches high and impassable.
- Redo streets and roads that have more potholes and patches on them than smooth surfaces. They are too hard on people's spines and on vehicles. The right lane of the northbound FDR drive is awful.

None of these issues are new to the DOT or the city council or to average citizens. We must make our city better for our citizens and for visitors.

Jean Ryan pansies007@gmail.com ###-###-####

New York City Council Hearing

September 12, 2023

Testimony of Hindy L. Schachter, Families for Safe Streets

My name is Hindy Schachter. I am a lifelong New York City resident. As a senior citizen driver, cyclist, and pedestrian I see the need for safe streets from multiple perspectives, but each vantage requires the city to fulfill its legally mandated master plan for the use of streets, sidewalks and pedestrian spaces. Reaching this goal will enhance travel for motorists, cyclists and walkers alike. That is why I support the city council hastening compliance with is master plan that will finally put in place the extensive street redesign New York City needs.

While the plan has many vital provisions, in my testimony today I want to focus on its mandate to create additional protected bike lanes. I started riding a bicycle on the streets of Manhattan in the 1970s. My first cycling forays came well before the advent of bike lanes or share-the-road signs. Often as I pedaled with my husband, Irving Schachter, a driver would open his window and yell, "Get off the street. You belong on the sidewalk." As my husband could easily ride over 20 mph, the drivers were not responding to our lack of speed; they simply refused to share the road. We became members of Transportation Alternatives because we wanted to educate motorists and change driving culture. From our first forays we both believed change was possible; I continue to believe that change can and will come today.

My husband was also a lifelong New York City resident. He was a driver, a cyclist and a pedestrian who felt comfortable in all three roles. He was a runner who won age group awards in New York Road Runner races. In 2013, he completed his first New York City marathon at the

age of 74. In summer 2014, he set aside time each week for three Central Park runs as preparation for the upcoming November race.

On Sunday August 3, 2014, he and I set out to run in the park. We ran five miles together at my pace—his warm up. At E. 69th Street and East Drive I then left; my exercise time was over. He planned to complete 13 additional miles at a somewhat faster pace. He was almost finished with an 18 mile run when a 17 year old cyclist veered at speed into the runner's lane and collided with Irv. A moment was all it took to end a life still primed for athletic accomplishment.

One way to analyze this tragedy is to focus on the cyclist's individual flaws, particularly his lack of concern with the consequences of entering a pedestrian only lane. Such an approach has merit in that it reminds everyone that the cyclist's action was not an accident—entering the lane at speed was a deliberate (and wrongheaded) choice. But focusing on the individual alone will not solve the problem of traffic crashes. The underlying cause of our current traffic crash epidemic is faulty street/road design and a culture that minimizes the need to hold accountable people who kill and maim on the road. And let us not forget that although my husband died because of a cyclist's error, this type of crash is an extremely infrequent occurrence. Almost all traffic deaths come because of the actions of motorists and a master plan for the use of streets will be particularly effective at changing driver behavior.

I testify before you today to honor my husband's memory by tackling the problem of faulty street design. Such a campaign means working to create a city in which his death and the death of so many other collision victims will be unthinkable. To this end I ask the City Council to pass a bill that will put front and center the need to require transportation administrators to meet common sense benchmarks that study after study shows improve safety. Administrators are

busy people with many divergent responsibilities. A master plan that emphasizes safe streets should focus their attention on meeting common sense goals but so far the city has been ignoring mandated benchmarks and sweeping difficult safety problems under the rug. What are we waiting for? Every delay can only enable additional tragedies. In Manhattan where I live we need river-to-river protected bicycle lanes. Southern Brooklyn needs bike lanes. Many parts of the Bronx need protected bike lanes. The only outcome of not adhering to the master plan with explicit safety oriented benchmarks is the strong probability that more people will share my horrible experiences, the likelihood that additional people will lose a beloved partner. Those of us who have lost loved ones call for swift passage of a bill that will enable the redesign of our dangerous streets.

For many years Irv and I cycled together throughout New York City cheering when a new protected bike lane opened and yet also wondering why each neighborhood was treated differently in the ability to get the infrastructure necessary for safe cycling. Irv never lived to see a master plan with the 10 year goal of connected bike lanes in every neighborhood. I would like to be able to ride on such a connected series of bike lanes with my granddaughters. Having connected bicycle infrastructure throughout the city would be a monument to equality of all neighborhoods and to our children's safety.



Joint NYC Transportation and Infrastructure & Oversight and Investigations Committee Hearing Testimony of Families for Safe Streets Sep 12, 2023

Good morning, and thank you to Chair Brooks-Powers and the members of the Transportation and Infrastructure and the Oversight and Investigations committees. My name is Kate Brockwehl. I am a member of Families for Safe Streets, and co-chair of our Policy and Advocacy Committee. Families for Safe Streets is an organization composed of individuals who have either lost loved ones to traffic violence, or who have themselves been grievously injured.

The Crisis

Traffic violence is a crisis that impacts so many of us. Crashes <u>kill more New Yorkers</u> every year than gun violence. More than 1,000 pedestrians, including 100 children, have been killed in NYC since the launch of Vision Zero in 2014. Black, Latino, and Asian NYers make up a disproportionate share of cyclists killed.

In total, an astonishing <u>30% of New Yorkers</u> have been injured in traffic violence, and 70% know someone who was either injured or killed. And for every person who dies on NYC streets, eleven – like me – are severely injured.

I Am a Survivor

I was hit by a car on Houston Street on December 31, 2017.

It was a frigid day, about 5 degrees, and overcast, without a single ray of sun to potentially cause glare for me or a driver; the sidewalks and roads were dry. I was running boring holiday errands. I was in the crosswalk, with the walk light. My phone was zipped in my jacket pocket; I didn't have earphones in. I wasn't distracted, or inebriated, or any of the other things that people often say to blame pedestrians after a crash occurs.

I saw the driver - I stopped on the northwest corner of Houston at Elizabeth, looked both ways, on a one-way street, for bikes, and I tried to make eye contact with them. However, due to the design of the street, they were 100 feet away from me.



I was about two-thirds of the way to the median when four thousand pounds of metal, rubber, and plastic crashed into me.

The driver had been stopped at the top of Elizabeth waiting to turn left, then accelerated; I'm not sure when they hit the brakes, but, objectively, the car wasn't going very fast, and I'm relatively lucky it was a sedan. That said, the force of the vehicle hitting my left leg caused something called a closed degloving injury: the shearing force tore the layers of muscle, fascia, and viscera apart from the skin tore my lateral meniscus. I felt my leg tear apart.

When I look back on the crash, though I am still traumatized by it, I also feel anger and sadness and frustration because every crash like this is preventable.

In 1940, Houston Street was widened to facilitate Robert Moses's plan to build a highway connecting the Williamsburg and Manhattan Bridges to the Holland Tunnel. It was a street that was dangerous by design.

Yet, it is also just one of hundreds of similarly designed streets across New York - a disproportionate number of which are located in lower income neighborhoods, and in communities outside Manhattan.

These are the streets that New York City must systematically redesign, prioritizing the safety of our communities while building out better transit options.

This was the legally mandated promise of the Streets Plan, and why it is so important to get the plan back on track.

We Are Falling Dangerously Behind

The Streets Plan sets legally required annual benchmarks for street redesigns that prioritize safety and transit improvements, yet the city has not kept up with its obligations.

To date in 2023, the City has built only 4.6 miles out of 30 required bus lane miles, and 10.7 out of 50 required protected bike lane miles.

It is unforgivable that life saving projects are stalled around the City. Commonsense and desperately needed plans like the *Fordham Road Busway* and the *McGuinness Blvd Safety Redesign* are stuck in limbo, with no convincing justification as to why.



Every day we fall short of implementing the legal requirements of the Streets Plan is a day where someone, somewhere, is losing a life - or a limb, or the ability to sleep without nightmares - due to governmental inaction. Toward that end, we are calling on the council to do everything within your power to ensure that these legally mandated benchmarks are kept.

We agree with the assessment from Transportation Alternatives that bills under consideration today:

- **T2023-4007 (FSS supports):** The public needs transparent and up-to-date information on the progress of the Streets Plan. To that end, we applaud Chair Brooks-Powers' new bill adding an investment roadmap to the Streets Plan, especially with its focus on increasing investments in environmental justice communities and communities with low levels of current investment. Annually identifying the level of investment in each community provides much needed information to the public. FSS recommends making these reports an annual requirement, to start in 2024 rather than 2026.
- Int **0261-2022** (FSS supports): Curb extensions are critical safety infrastructure, and are proven to reduce pedestrian injuries by more than 16%. Currently, DOT already exceeds this number of annual curb extensions and we encourage the bill to be significantly expanded beyond five intersections per borough per year.
- Int 1026-202 (FSS supports): establishes a task force to identify locations for a bus depot in Flushing.



Regional Plan Association

Chairman Raymond J. McGuire

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New York One Whitehall St, 16th Floor New York, NY 10004

New Jersey

60 Union Street, Suite 1-N 179 Nassau St, 3rd floor Newark, NJ 07105 Princeton, NJ 08542

Connecticut Two Landmark Sq, Suite 108 Stamford, CT 06901

212.253.2727 | rpa.org

September 12, 2023

Testimony on Streets Plan; Int. No. 0261-2022; Int. No. 0738-2022; Int. No. 1026-2023; T2023-4007

Thank you to Council Chair Brewer, Council Chair Brooks-Powers, and all the members of the Committee on Oversight and Investigations and Committee on Transportation and Infrastructure, for holding this important hearing on the NYC Department of Transportation's Streets Plan and other efforts to improve pedestrian safety, transit, and accountability across the City.

My name is Maulin Mehta, and I am the New York Director at Regional Plan Association (RPA). RPA has long sought to rethink our streets to address broader goals to improve the public realm. In our Fourth Regional Plan, we called for prioritizing people over cars on city streets, and have detailed the public benefits we could create if we <u>re-envision(ing) our right-of-way</u> to develop better natural, social and transportation systems. We are excited to see the council looking at ideas around planning, safety, and enforcement to further these goals.

Fourth Regional Plan Recommendation #23:



Street design and management practice should be turned upside down to prioritize pedestrians, cyclists and transit users, followed by goods movement shared services and finally, the private automobile.

Less than a quarter of all New York City street space is dedicated to sustainable modes of transportation today; by 2040, it should be 80 percent. Source: RPA

While the effort to improve our streets and sidewalks, enhance sustainability mobility and protect pedestrians are laudable, we believe a more streamlined approach is necessary. We do have some specific comments related to the pieces of legislation being considered today, but overall we think it is critical to utilize the Streets Plan to coordinate the many on-going and planned DOT projects and programs that address the concerns we all share. We support efforts to track and organize investment and implementation of the Streets Plan. It's clear that the NYC DOT is not meeting the targets in the Streets Plan, which is disappointing. We urge DOT to present a clear explanation of the challenges they face meeting the targets, and what they would need, in terms of resources, staffing and political support, to meet the goals. Some suggestions include:

- Allow NYCDOT to report on all efforts related to safety, enforcement, mobility, and other areas that Local Law 195 requires and explain in its update report how new projects and programs, and their related metrics, align with the original intent of the Streets Plan.
- Allow NYCDOT to utilize the Streets Plan update report to highlight critical obstacles the agency is grappling with, including staff vacancies, budgetary challenges, staff capacity and training needs, community opposition, and other relevant concerns that limit the agency's ability to fully meet the targets set forth in Local Law 195.
- Work with NYCDOT to identify why and how legislation could amend Local Law 195 to better reflect shared objectives and provide a more flexible framework for the agency to meet targets moving forward.

Similarly, we feel strongly that any new legislation proposed should, if applicable, enhance the efficacy and comprehensive planning nature of the Streets Plan, rather than adding potentially duplicative or contradictory requirements for the Agency. Legislation should consider some key questions such as:

- Does the Streets Plan already have requirements related to the intent of this legislation?
- Does this proposal enhance or limit NYCDOT's flexibility in addressing the core concerns we have?
- Does this legislation require additional resources staff capacity, expertise, financial or otherwise and is there a way to streamline existing requirements and responsibilities to reduce the net need for new resources?

Regarding the legislation being considered in the hearing, we offer the following comments:

- Int. No. 261-2022 is intended to create a Curb Extension program at DOT. It would specifically
 require the agency to identify the most dangerous intersections and implement curb extensions
 at five locations per borough each year. While we support the intent behind this legislation, to
 make our streets safer, we believe it is important to not be prescriptive in how the agency
 addresses intersection safety issues. Curb Extensions are one tool among many to address
 pedestrian safety, and we believe it is critical for the agency to maintain flexibility in addressing
 safety concerns on a case-by-case basis, taking into account local circumstances, traffic flows,
 opportunities for addressing multiple challenges, etc. RPA therefore does not support the
 components of this bill that provide a prescriptive engineering approach to a complex
 problem.
- Int. No. 0738-2022 is intended to amend DOT's required interagency planning to improve roadway safety and reduce traffic injuries and deaths. This legislation would require

consideration of placing traffic enforcement agents in areas as part of the menu of options DOT considers in addressing roadway safety. Since agents are already a tool that DOT is able to utilize, and typically these agents are part of the NYPD, we would like some clarity on how this legislation is distinct from other vision zero efforts. We would also like to see legislation more closely coordinate with the Streets Plan for a more comprehensive planning approach to roadway safety and design. **RPA would support this piece of legislation to the extent it compliments and doesn't duplicate existing efforts already in place under vision zero or the Streets Plan.**

- Int. No. 1026-2023 is intended to create a task force to identify potential opportunities for a bus depot in Flushing, Queens. The idea of a bus depot has been floated over the years, and this legislation would establish a task force with agency leaders to identify the practicality of creating a depot and locations where it might make sense. Given the amount of bus traffic and transfers taking place in Flushing, studying the options make sense before deciding on a path forward.
 RPA supports this piece of legislation to study the feasibility of a bus depot in one of the most transit-rich neighborhoods in the City. However, we suggest that the task force and report include the following:
 - Incorporate a study of how the existing College Point bus depot might address the challenges present in Flushing.
 - Study if other opportunities exist for improving on-the-ground challenges, such as better enforcement, loading zones, etc.
 - Identify a range of other cost effective solutions for bus parking and resting areas for drivers.
 - Address how non-MTA buses could also be incorporated into the solution.
- **T2023-4007** is intended to add an equity in infrastructure investment and investment roadmap component to the Streets Plan updates. **RPA supports efforts to improve transit equity and address concerns related to historical disinvestment and environmental justice.**

Thank you again for your time and consideration of our testimony. As always, RPA is ready to serve as a resource in furthering our shared goals of better transit, safer streets, and a better quality of life for all New Yorkers.

New Jersey 179 Nassau St, 3rd floor Princeton, NJ 08542 212.253.2727

60 Union Street, Suite 1-N Newark, NJ 07105 212.253.2727 **Connecticut** Two Landmark Sq, Suite 108 Stamford, CT 06901 212.253.2727 Good afternoon Chair Brooks-Powers, Chair Brewers, and members of the Committees. My name is Ken Podziba, and I'm the President and CEO of Bike New York. Bike New York empowers New Yorkers to transform their lives and their communities through bicycling. Our vision is to increase ridership, empower youth to lead healthy, productive lives, remove barriers to cycling, and advocate for and expand services to reach more New Yorkers. All of our programs are about helping the most vulnerable populations improve their lives through bicycling, including training formerly incarcerated New Yorkers to become bike mechanics who then secure good-paying jobs maintaining Citi Bikes. We've also been encouraging New Yorkers to donate their old bikes so that we can refurbish them and give them to asylum seekers who are in desperate need of transportation. So much of the work we do is about changing the culture of how people get around the city and helping to reimagine what streets and public spaces can and should be used for. I'm thrilled to share that Bike New York provided free bike education and safety programs throughout the five boroughs for over 30,000 New Yorkers last year, and second, we organize annual events, including the Five Boro Bike Tour, which is the largest charitable bike ride in the United States.

Much of our success is due to the partnership we have with the City of New York and the Department of Transportation. The goals laid out in the NYC Streets Plan are crucially important to encourage the transition to more sustainable and healthier modes of transportation. But those goals alone are not enough. In order to go farther, we have to build our coalition to recognize and include not only transportation advocates, but partners in public health, public space, and education.

We've been lucky to have such a strong relationship with Commissioner Rodriguez and the team at DOT, and I know the Commissioner would agree with me: In order to truly realize the goals of the NYC Streets Plan, we will need to look much more holistically at how we utilize the public realm. Yes, we need more protected and wider bike lanes, but we also need an expansion of Open Streets, plazas, and thoughtful curb management strategies. One event we were very excited about was Summer Streets which, for the first time, under the leadership of Commissioner Rodriguez, was in all five boroughs and opened nearly 20 miles of streets to New Yorkers this year in five Summer Saturdays in July and August. This is the largest event of its kind in the world, and we were very proud to be partners.

I want to thank the Chairs and the Committee Members for bringing the spotlight on this critical topic and look forward to all of us working together to improve the safety, accessibility, equity, and quality of city streets for all New Yorkers.



WRITTEN TESTIMONY

NYC CITY COUNCIL Committee on Transportation Oversight: Streets Plan Update

9/12/23

Chair Selvena Brooks-Powers and Transportation Committee members,

Open Plans, a non-profit dedicated to safe and livable streets, respectfully submits this testimony regarding the Streets Plan Update Oversight Hearing.

The NYC Streets Plan is a monumental document that recognizes that in order to make a more livable city, pedestrian, active transportation, and public transportation infrastructure must be more robust. The Plan provides specific, city-wide, legally mandated benchmarks geared towards comprehensively planning this infrastructure.

However, the City has neglected to meet a number of its legally-mandated Streets Plan benchmarks. Last year, the City <u>failed to meet</u> both its mandated 20 miles of bus lanes and 30 miles of bike lanes. Thus far, there has been little to no accountability for not meeting these benchmarks despite the Council's mandate to do so. It is crucial that the City be held to task to make our streets work for all users, especially given the almost \$1 billion in funding provided to DOT specifically for this purpose. The lack of transparency on where, how, and even whether any of that funding has been spent makes it impossible for advocates and the Council to monitor progress.

Aside from that funding, we have serious budgetary concerns given the up to 15% budget cuts announced by the Mayor for all City agencies, but most relevantly how it relates to Streets Plan benchmarks. With these looming cuts, it would be helpful for DOT to detail how the Streets Plan can be realized, and in what ways they will prioritize and spend existing and future capital. Specifically, DOT should confirm that the previously benchmarked \$1 billion over five years for the Streets Plan will still be used as such and will not be redirected given these budget cuts. (Separately,

we believe that a 15% budget cut - and even a 5% budget cut - is untenable and we support the Council's efforts to ensure all city agencies are adequately funded.)

There are two additional pieces we believe are essential to the success of the Streets Plan. Firstly, the city must remove barriers for public space partners and neighbors to activate our streets by reforming the SAPO and NYPD permitting process. Public space partners have to jump through endless hoops and bureaucracy in order to help actualize the goals put forward in the Streets Plan. Further partnership with these partners to facilitate street activation while reforming these permitting processes would go a long way in creating more open space in line with the Streets Plan.

Secondly, it will be crucial to tie in the efforts of the Streets Plan with congestion pricing. In order for the congestion pricing program to be truly effective, there must be improvements in pedestrian, active, and public transportation options. New Yorkers from every neighborhood in the city must have real car-free options for how to get around both in their neighborhoods and into the Central Business District. Without these improvements, there is a risk of the program not performing to its fullest potential. While responsibility for these improvements rests with DOT and the MTA, it will also depend on Council Members in every district being strong advocates and supporters of these projects.

Regarding the bills being heard at this hearing, Open Plans' position is as follows:

- Intro 261 We strongly support this bill, and any efforts to make our streets safer through daylighting. Curb extensions should be created by widening the sidewalk with concrete. To the extent that a curb extension is created with paint alone, it must also include a physical intervention to prevent illegal parking. Examples of such interventions include bollards, planters, boulders, or bike parking. In addition to these proposed mandated curb extensions, DOT should continue to voluntarily daylight and add curb extensions to intersections across the city.
- Intro 738 We support more intentional and specific placement of traffic enforcement agents in order to help prevent traffic crashes. However, we should continue to look beyond policing to prevent traffic violence, and instead consider the ways in which our current infrastructure fosters dangerous driving, and the ways we could improve it.

- Int 885 Drivers are rarely held to account for their actions, including violations of the law. We oppose this bill that would continue the trend of changing the rules in favor of drivers; drivers who break the law shouldn't be given more of a free pass.
- Int 1026 We support expanding transit options and infrastructure in the outer boroughs. It's important that any new bus depot in Flushing is in line with neighborhood needs. We should continue to increase the number of options, accessibility, and frequency of public transit options in the outer boroughs.
- T2023 We support further transparency, along with the tangible goals and deadlines presented in the Streets Plan. We hope that more robust reporting on current and future spending can help the Council hold the City accountable for its legally-mandated benchmarks presented in the Streets Plan. However, all too frequently DOT either fails to file required reports or fails to meet required benchmarks. Another required report is unlikely to make a difference unless there is true accountability.

We look forward to continuing to work with the Council, City, and DOT to actualize the Streets Plan and make our city's streets work for all users.

Sincerely, Open Plans

Sara Lind Co-Executive Director sara@openplans.org

Jackson Chabot Director of Advocacy and Organizing jacksonchabot@openplans.org

Michael Sutherland Policy Analyst michael@openplans.org



New York City Council Committee on Transportation and Infrastructure September 12, 2023 Testimony of Eric McClure, Executive Director, StreetsPAC

More than 20 months into the initial NYC Streets Plan, the city is coming up woefully short.

While the Department of Transportation has made admirable progress in some areas, notably in redesigning intersections and implementing transit-signal priority and accessible pedestrian signals, and, much to its credit, establishing large-scale Open Streets and Open Dining efforts unanticipated in the pre-pandemic Streets Plan, the City has nevertheless failed to deliver on the Plan's most high-profile benchmarks: the creation of 150 miles of separated or camera-enforced bus lanes and 250 miles of protected bike lanes.

As of the end of 2022, only 4.4 miles of protected bus lanes and 26.3 miles of protected bike lanes were complete. More than eight months into 2023, just 2.4 additional buslane miles have been added to the total, according to <u>tracking by Riders Alliance</u>, along with just 10.7 miles of protected bike lanes, according to <u>monitoring by Transportation</u> <u>Alternatives</u>. Even allowing for quibbling over measurement methodology, it's clear that the city isn't close to meeting Local Law 195's benchmarks.

While some of the shortfall can be attributed to the pandemic, and to resulting staffing and budget challenges, much of it can be chalked up to failures of political will. The lion's share of this falls on City Hall – the backtracking and re-backtracking on the redesign of Brooklyn's dangerous McGuiness Boulevard is one glaring example – but the City Council and civic leaders are not without blame, embodied by the lack of progress on the Fordham Road busway.

The failure to deliver on the Streets Plan's bus- and bike-lane benchmarks will be underscored when congestion pricing is implemented next year, as *Motherboard's* Aaron Gordon explains in a <u>thoughtful piece published yesterday</u>. The rollout of congestion pricing in London and Stockholm came in tandem with significant transit and micro-mobility upgrades, the carrots to tolling's stick. Big improvements in bus service and more safe cycling options could greatly ease the transition for people who opt to leave their cars at home to avoid new congestion charges, and it's a policy failure that we're not much farther along in offering up those alternatives. It's especially important to make meaningful transit investments in neighborhoods served most poorly by the existing system.
Political interference with DOT's work will also undoubtedly exacerbate staffing and morale challenges within the agency. There are many hardworking, deeply dedicated people at DOT committed to making commutes faster and safer, but if they see years of planning and design and outreach undermined with regularity, it's inevitable that they will find other places to do that work.

As we've testified before, the Streets Plan can also go a long way toward addressing inequity in the City's transportation networks. New Yorkers of color, especially African Americans and residents of low-income neighborhoods, are <u>disproportionately</u> <u>victimized by traffic violence</u> and subjected to long commutes. That's a crucial reason why it's incumbent on the Council, and we in the advocacy world, to make certain that City Hall and DOT meet the benchmarks laid out in the Streets Plan and ensure that it is fully funded.

The city can also do much better in helping to facilitate activity in our streets, by fixing the Byzantine process of securing permits. SAPO requires months of lead time for simple street-closing permits, issues approved permits just days before long-planned events, and often rejects permits arbitrarily. The NYPD permit process is somehow even worse, requiring paper checks and in-person payment. In 2023, there's no reason this process shouldn't be electronic, which would make life easier for both applicants and police.

Int. 0261-2022 - Support

We support Int. 0261-2022, which would require the city to identify intersections that pose the greatest danger to pedestrians based on crash data, and to implement curb extensions prohibiting parking within 15 feet of a crosswalk in at least five such intersections in each borough per year. While we know the Department of Transportation is generally uncomfortable with mandates, it's very likely already doing what's required by this bill. But we strongly urge the City Council, and the Adams administration, to aim higher and abandon the City's exception to the state law that prohibits parking adjacent to intersections. Yes, parking can be challenging – the city is dense. But that density is precisely why all our street corners should prioritize pedestrian visibility over driver convenience.

Int. 0738-2022 - Support

We also support Int. 0738-2022, which would require DOT to specifically consider placement of traffic enforcement agents in certain areas in developing suggestions as part of the interagency roadway safety plan mandated by Local Law 12 of 2011. While street design is the most important aspect of roadway safety, there is a role for TEAs to play, and DOT is best suited to advise on their deployment.

T2023-4007 – Support

Finally, we also support T2023-4007, which would require DOT to include an investment roadmap as a component of the Streets Plan. The proposed investment roadmap would measure existing levels of investment in safety-related street infrastructure in community districts, and provide a plan for how the Streets Plan would offer redress for historical underinvestment in certain communities and environmental justice areas. This is also something that the Streets Plan is likely addressing already, so we encourage DOT and the and the bill sponsors to negotiate a mutually satisfactory outcome. And while we strongly support efforts to achieve equity in street design, any investment roadmap should be nuanced enough to account for instances in which Community Boards and Council Members act as obstacles to, rather than facilitators of, street-safety projects.

New York City Council Committee on Transportation and Infrastructure Public Hearing Tuesday, September 12, 2023

Testimony of Gib Veconi Chair, Prospect Heights Neighborhood Development Council, Inc.

Good afternoon. My name is Gib Veconi, and I chair the Prospect Heights Neighborhood Development Council. For the past four years, we have operated Open Streets on Underhill Avenue and Vanderbilt Avenue in Brooklyn. These programs began as pandemic relief efforts, but have since evolved into much more.

Underhill Avenue, which is a Vision Zero priority street and home to a public lower school and a playground for young children, saw car crashes fall by more than 50% after the Open Streets program began. It has since led to a pedestrian plaza being established at the avenue's north end, which is now used for passive recreation, and popular weeknight programming for adults and children.

While helping local restaurants survive pandemic indoor dining restrictions, the Vanderbilt Avenue Open Street was adopted by residents in ways we didn't anticipate. People came with blankets and picnics. Families brought tables and chairs to have dinner in the street together. We've even had more than half a dozen couples celebrate weddings there. Thousands of people from all over the city now visit Vanderbilt Avenue on weekends, representing a significant economic benefit for local business. Of the twenty-two restaurants that are part of our program, more than half are minority- and woman-owned. Their success in turn has enabled them to increase local employment. This year, we will produce more than a hundred programming events as part of our Open Streets programs, providing visibility and honoraria to a diverse array of local artists and minority and woman entrepreneurs.

In nearly twenty years of community organizing in Brooklyn, I have never seen a City program that has offered the level of agency and self-determination to a local community that Open Streets has provided. It has been transformational in terms of creating new public space, improving economic outcomes for local business, fostering safer streets, supporting the City's climate and sustainability goals, and building a stronger sense of community. I hope the Council sees the opportunity to support existing Open Streets programs, as well as to extend their benefits to more communities in New York City.

Thank you for the opportunity to share this testimony.

Subject: Attachments: Testimony for 9/12/23 Transportation Hearing Testimony - 3 versions of the Same Ticket - Newly Discovered Altered Ticket - Ticket # 8624746127.pdf

Testimony for 9/12/23 Transportation and Inf. Hearing

From: Glen Bolofsky <glen@parkingticket.com> Sent: Monday, September 11, 2023 1:23 PM

Subject: [EXTERNAL] follow up Intro 885

Testimony

Intro 885 is a great bill, and we strongly support it as it will help people deal with so many, and such high priced parking ticket fines!!! Regarding the prospective language of the bill, Instead of the word "owner", counsel may wish to consider:

(1) language in the attached ticket(s) are:

"THE OPERATOR AND OWNER OF THE ABOVE VEHICLE ARE CHARGED AS FOLLOWS;"

(2) NYS VTL –

§ 238. Notice of violation. 1. The notice of violation shall contain information advising <u>the person charged</u> of the manner and the time in which he may plead either guilty or not guilty to the violation alleged in the notice. Such notice of violation shall also contain a warning to advise the person charged that failure to plead in the manner and time provided shall be deemed an admission of liability and that a default judgment may be entered thereon. The form and wording of the notice of violation shall be prescribed by the director.

If the above, and the attachment may be entered into evidence for me, that would be greatly appreciated.

Thank you sirs,

Glen Bolofsky, CPA, CEO Parkingticket.com 16 Arcadian Avenue Paramus, NJ 07652-1291

NY: 212 387 9565 NJ: 201 291 7878 Fax: 201-540-2142 Email: <u>glen@parkingticket.com</u>

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(1) Downloaded From NYC DOF on June 10th 2020. The Parking Meter Field Number is Inserted - See Comments THE GILY OF NEW TOTK

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The City of New York Notice of Parking Violation

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HONORABLE COUNCIL MEMBERS

MY NAME IS JOSEPH FAMA AND I AM A FORMER ASSISTANT COMMISSIONER AND DIRECTOR OF FISCAL AFFAIRS OF THE NYC PARKING VIOLATIONS BUREAU.

THANK YOU FOR THE OPPORTUNITY TO ADDRESS YOU CONCERNING INTRO 0885-2023. LET ME FIRST STATE THAT I AM STRONGLY IN FAVOR OF THIS PROPOSED LEGISLATION AND I APPRECIATE THIS COMMITTEE'S WORK ON THIS BILL. I ALSO WISH TO RECOGNIZE THE EFFORTS OF COUNCIL MEMBER NARCISSE AND COMMITTEE CHAIR BROOKS – POWERS IN OBTAINING 45 COUNCIL MEMBER SPONSORS OF THIS BILL.

THE FUNCTION OF THE BILL IS TO REQUIRE AT HEARING THE DISMISSAL OF PENALTIES ACCRUED FOR PARKING VIOLATIONS WHEN A DECISION OF GUILTY IS RENDERED BY THE ADMINISTRATIVE JUDGE. THE INTENT OF THIS BILL IS TO PROVIDE RELIEF AND EQUITY FOR THE CITIZENS OF THE CITY.

THE BILL IS INTENDED TO PROVIDE FINANCIAL RELIEF TO THE CITIZENS OF THIS CITY BY ELIMINATING AN UNNECESSARY FINANCIAL PENALTY. PENALTIES ARE INTENDED TO COERCE COMPLIANCE WITH PARKING VIOLATION FINES NOT TO EXTRACT ADDITIONAL DOLLARS FROM PEOPLE'S POCKETS. INDIVIDUALS APPEARING BEFORE A JUDGE FOR HEARING, IN PERON, BY MAIL OR THROUGH THE WEB ARE MAKING EFFORTS TO COMPLY AND RESOLVE NYC PARKING VIOLATIONS AND DO NOT NEED TO BE COERCED. THE VAST MAJORITY OF NEW YORKERS ARE GOOD, HARD-WORKING, CITIZENS TRYING TO DO THE RIGHT THING AND THAT SHOULD BE RECOGNIZED BY THE CITY WITH THE DISMISSAL OF ANY ACCRUED PENALTIES.

INDIVIDUALS WHO ADJUDICATE PARKING VIOLATIONS AT HEARING HAVE A VERY HIGH RATE OF PAYMENT AFTER HEARING. PENALTY RELIEF IS A WAY TO ENCOURAGE CITIZENS TO ADDRESS THEIR PARKING VIOLATIONS AT HEARING. THE CITY SHOULD BE MAKING EVERY EFFORT TO ASSIST INDIVIDUALS WISHING TO RESOLVE THEIR TICKETS. THIS BILL WILL FOSTER AN ATMOSHERE OF COOPERATION AND GOOD GOVERNMENT WHICH WILL RESULT IN MORE VIOLATIONS BEING SATISFIED AND BRING REVENUE TO THE CITY WITHOUT EXPENSIVE COLLECTION EFFORTS.

THIS BILL ALSO ADDRESSES ISSUES OF EQUITY. THE CITY OFFERS PARKING TICKET RELIEF TO COMMERCIAL ENTITIES THROUGH VARIOUS COMMERCIAL PROGRAMS, THE STIPULATED FINE PROGAM AND THE FLEET PROGRAM. THE STIPULATED FINE PROGRAM ENABLES COMMERCIAL ENTITIES TO PAY PARKING VIOLATIONS WITH AN AUTOMATIC REDUCTION BELOW THE FINE AMOUNT. THE COMMERCIAL FLEET PROGRAM PROVIDES AN ADDITIONAL PENALTY FREE PERIOD FOR COMMERCIAL ENTITIES TO RESOLVE THEIR TICKETS. CURRENTLY, THERE IS NO PROGRAM TO PROVIDE ANY RELIEF FOR THE AVERAGE NEW YORKER TO ASSIST WITH THE COST OF PARKING VIOLATIONS. THIS BILL WILL PROVIDE A MEASURE OF EQUITIBLE RELIEF FOR CITIZENS IN LINE WITH RELIEF PROVIDED FOR COMMERCIAL ENTITIES.

FINALLY, THE MAYOR HAS ESTABLISHED A PRIORITY FOR HIS ADMINISTRATION TO REMOVE OR REDUCE WHAT HE CALLED NUCIENCE BUSINESS FEES. THIS BILL WILL ELIMINATE ACCRUED PENALTIES AT HEARING FOR PARKING VIOLATIONS, A MAJOR NUCIENCE FOR NEW YORKERS.

I STRONGLY URGE THIS COMMITTEE TO VOTE AFFIRMATIVELY FOR THIS BILL AND REQUEST THAT THE SPEAKER MOVE IT FOR A VOTE BY THE CITY COUNCIL. To whom it may concern

My name is Luda Demikhovsky. I'm motorized wchair user and legally blind.it is very important that we have curb cuts whenever it possible. As Board member of DIA -Disabled In Action we fight for it more than 20 years. PWD can be fall from wchair, blind can fall because they can't find end of sidewalk. I'm twice almost killed myself because I didn't see end of sidewalk. City already spent much money to fixed curb cuts, fixed sidewalk but seems it works just for short time. It has permanently fixed or does new. The same as city make traffic light on cross streets. Thank you. From: Sent: To: Subject: miriam fisher <fisherfreund@hotmail.com> Tuesday, September 12, 2023 7:11 PM Testimony [EXTERNAL] Fw: City Council Committee Hearing on Transportation and Infrastructure 9/12/2023 10 a.m

To The City Council Transportation and Infrastructure Committee

I am a longtime advocate for traffic reduction, less congestion, pollution, safer streets, the goal of Vision Zero. My late husband, Dr. Peter Freund, was one of the founders of AutoFree New York, partly in response to me being hit by a taxi in 1984, in a coma for 9 days, a life-altering event that has created life-long disability, 3 spinal surgeries and facing more, and hearing loss.

There are numerous concerns and issues that would create a safer environment for everyone, especially those with disabilities and seniors. Sidewalk and street safety are vital. Curb extensions are needed at all intersections, not just the limit in the bill being considered 0261-2022. There are bad and missing curb cuts, slow installation of audible traffic signals, poor traffic signal configuration for pedestrian safety, lack of daylighting, parking at pedestrian ramps, inaccessible bus stops with no benches or awnings protecting from weather and the extreme heat we've become more familiar with this past summer.

The pandemic has catalyzed a major change in transit patterns, an astronomical increase in biking in NYC, which I applaud. I support more and better, safer bike lanes, and decrease in car traffic. However, biking also has engendered practices which endanger seniors, people with disabilities, all pedestrians.

The "new normal" has become bikes frequently running red lights, on the sidewalk, wrong way. The cars are often pointed to as the "bad guys," causing more accidents, injuries and deaths, which is accurate. I was hit by a yellow cab and in a coma, permanent injuries, lifelong hospitalizations and multiple back surgeries and hearing loss. But finger pointing at cars as the primary culprits minimizes and trivializes the dangers of pedestrians injured and killed by bikers and doesn't help safety issues.

Pedestrians have been killed by bikers. In August 2023, a 44 year old pedestrian was killed by a hit and run biker at about 7pm on 22nd/8th Av in Chelsea, where there are good and protective bike lanes and a block from my home. The media reported the death of the actress Lisa Banes after being hit by a biker; the restaurant owner on the Upper West Side when crossing from parking to the sidewalk; a senior crossing on 23rd St/6th Av. A senior with osteoporosis who is knocked over and breaks a hip has a life-changing serious injury and statistical increased likelihood of death). My physical therapist told me of the many persons hit by bicyclists he works with in rehab, and a nurse in Bellevue described the head injuries and people needing wheelchairs she works with. After my most recent back surgery, my balance is shaky, I've had several near hits and was advised not to even cross the busy 8th Ave. in Chelsea, after surgery, after my therapist and I saw so many red light runners. I often have to wait until a second green light comes on before I see no bikes and feel

safe to cross, disenfranchising my right the cross when my light is green. There was a flurry of emails in the digital journal NEXTDOOR CHELSEA, where for days subscribers catalogued their hits and near hits, injuries, many unreported so not in official statistics. An article in ABC 7, 8/16/19, stated "169 pedestrians injured by bicyclists, up 14% from last year." And this was before the pandemic and the astronautical increase in biking. Citibike recently reported 100,000 bikers daily in NYC.

I have been at meetings with my local police precinct, which claims they are on top of this. But when meeting police officers in the street, and we see one red light after another passed, they have shared that they are instructed not to chase after the bikers, as this would cause chaos and injuries of bystanders, and the bikers aren't licensed with identification. I watched bikers race by my street when children were leaving school for the day and a police officer only said I should report it to the Precinct one block away, after the bikers sped away.

There is no organized plan to monitor bikers systemically except reported highly selective ticketing in certain neighborhoods, often poorer ones with fewer bike lanes.

I have reached out to biking/safety organizations such as Transportation Alternatives, in person, by emails and at webinars, the problem acknowledged by them but no public outreach to members. I have testified of my concern at Manhattan Community Boards 4 and 5 Transportation Committees. A letter was sent from the Transportation Committee of CB4 on March 11, 2021 to Dept of Transportation Commissioner Pincar, urging "instilling a culture of compliance." Also recommended was reconfiguration of the traffic lights to be synchronized so bikers don't have to keep starting and stopping, which leads to more red light running, Green Wave to afford pedestrians and also bicyclists longer to cross the street, and "leading pedestrian intervals." Changes in traffic signals have been done in Europe and in other NYC boroughs outside Manhattan with documented increases in safety.

I recommend enforcement of traffic regulations through a Street Ambassador Program, not the NYPD.

The City Council hearings focused on traffic violence from cars, and not concerns of traffic violence of bikers against pedestrians, often minimized and described as "low," but which implicitly denigrates the value of any lost lives. Any preventable death is too many.

Reporting of hits and injuries is problematic and doesn't reflect the numerical reality and the seriousness of an injury. A fall may not manifest a serious fracture such as hips until later. How can this be addressed?

Downstate NY Adapt, a disability activist organization, submitted testimony on March 2022 (and previously), to the to the Transportation Committee of the City Council, stating that "everyone operating a vehicle should have to take training on how to safely operate their vehicle...and ...to display a license... would make these operators... more accountable... especially where there were traffic cameras that would issue tickets..." The argument made by some bike groups that licensing (and helmets) would reduce the number of participation cyclists and that there is more safety for bikers in numbers, is both questionable and irrelevant today, with the exponential increase in thousands of cyclists in NYC since the pandemic. Dropouts of cyclists who won't comply with rules are those best off the road.

Two city council members have supported licensing ebikes, which is a start though all bikes are linked with accidents and deaths. Council member Robert Holden, introduced

a bill in October 2022, Intro 0758-2022. Senator Brad Hoylman -Sigal and Assembly member Tony Simone also have introduced bills on licensing which deserve review and support.

Mayor Adams has said to the media in January 2022, "Stop if you see a pedestrian crossing the intersection ...This does not mean slow down...It means stop... Drivers and cyclists must fully stop..." STOP.LET THEM CROSS. " is suggested as a mantra of guidance. How can this be implemented and monitored?

The campaign for more cameras to monitor car drivers who are crossing red lights would also serve to monitor and dissuade bikers, especially if licenses are displayed for accountability and transparency.

The goal is Vision Zero, ZERO, NONE, no injuries and DEATHS. All deaths are valued and to be counted and a loss of life.

Miriam Fisher

NY NY 10011

Dear Members of the NYC Council,

As a Prospect Heights resident and a strong supporter of improved street safety infrastructure and open streets initiatives, I am writing to provide my testimony on the Streets Plan. It is evident that Vision Zero, while well-intentioned, has not achieved its intended goals, as pedestrian and cyclist fatalities have increased since its inception. To address these pressing safety concerns, it is imperative that we implement significant changes to our street infrastructure. Moreover, I urge the council to expedite the creation of legally-mandated safety infrastructure to ensure swift progress and save lives.

One crucial aspect of improving street safety is the establishment of genuinely protected bike lanes that are physically separated from vehicular traffic. These lanes not only protect cyclists but also encourage more sustainable modes of transportation. Additionally, prioritizing buses on our streets is essential for efficient public transportation. To achieve this, strict enforcement and penalties for those obstructing buses, which carry dozens of passengers, must be put in place.

Furthermore, our limited curbspace should be utilized more efficiently. Instead of primarily serving as storage for personal vehicles that only occasionally move for street cleaning, we should explore alternative uses such as containerized trash disposal and parklets.

Finally, the Open Streets program has proven to be a valuable neighborhood asset for residents, local small businesses and their employees. To ensure its sustainability, we need continued expansion and funding that does not rely mainly on community volunteers' efforts.

In conclusion, I strongly urge the NYC Council to prioritize street safety improvements, protected bike lanes, bus priority, efficient curbspace utilization, and the sustainable expansion of the Open Streets program in our city's Streets Plan. These measures are vital to enhancing the safety, accessibility, and quality of life for all residents of New York City.

Sincerely,

Phillip Godzin Prospect Heights Resident



Caldwell Enrichment Program, Inc.



1288 Rev James A. Polite Ave. Bronx NY 10459 caldwellprograms@gmail.com Yolanda Hardy - Director Barbara Castro – President

Re: Committee on Transportation ad Infrastructure

Sept 11, 2023

To whom it may concern,

We continue to support NYC DOT Public Spaces initiative regarding Open Streets and Summer Street programming services. Communities partnering with NYC DOT together have an excellent record of creating public spaces both seasonal and permanent by working together. NYC is becoming a more cohesive place to enjoy outdoor activities throughout the 5 boroughs. In many cases the community can and has advised upon changing traffic signs and infrastructure that can and have saved lives as well as beautify the community in which they live.

Until recently, programs for our youth were not just scarce but inaccessible. We see the Caldwell Enrichment Program Inc. as being strategically located nestled in a buzzing residential neighborhood. Our organization was started in 2012 to focus on youth at risk and curate them into youth at promise, we have included the community at large in our programming.

NYCDOT Trans Alt/ has helped our Open Street on Jennings Street program to add value programming in The Bronx NY. This is a neighborhood which is in great need. During the summer months and out of school times, both children and youth can be seen participating in recreational activities. The addition of Artists, authors, Hip Hop dance instructor and the circus ae some of the programming we have obtained to add value to their out of school times. Parents stop by to check on their children or enjoy the programming as well.

We started SAFEHOOD sports team, they won basketball trophies this year, and we have added football and soccer games to our sports roster. This means our teams have been able to travel to other communities safely, and other communities have entered ours.

We are collectively envisioning spaces inclusive of people rather than vehicles. The South Bronx community was deeply impacted by Covid-19. "The Bronx, which has long grappled with lower-than-average life expectancy and high incidence of chronic health conditions like asthma and diabetes, those infected with coronavirus die at a rate three times higher than those who live just a river away in Manhattan." <u>https://www.amny.com/new-york/bronx/bronx/residents-twice-as-likely-to-die-from</u> covid-19-in-nyc/.

If you have any questions or concerns, I can be reached at ######### or by email <u>caldwellprograms@gmail..com</u>.

Sincerely,

Y. Lonnie Hardy, Director

September 15, 2023

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

Subject: Written Comments in Response to the New York City Council's Committee on Transportation and Infrastructure and the New York City Council's Committee on Oversight and Investigations Hearing Held on Monday, September 12, 2023.

Dear Brooks-Powers and Chair Brewer;

My name is Kathleen Collins, I am a native New Yorker and a congenital quadruple amputee who uses a wheelchair. I am on the Board of Disabled In Action of Metropolitan New York, and a Co-Coordinator for Downstate New York ADAPT, two grassroots organizations. These two organizations mission is to eliminate discrimination against people with all types of disabilities and advocate for the civil rights of people with all types of disabilities, including, but not limited to, the right to live and fully participate in the larger community.

We support Int. 0261-2022 and believe that curbs extension should be installed at all curbs in New York City where there is an on-street parking lane available so that pedestrians will be able to cross in as safe a manner as possible at all such intersections and not just intersections that at this time are the most dangerous. We recognize that this cannot occur overnight and that such extensions should be installed at the most dangerous intersections first but it should not stop there.

Further, we believe that the minimum installed each year at intersections should be increased to at least 30% each year of those intersections where there is an on-street parking lane available in each Borough that the Department of Transportation identifies as the most dangerous and with the most pedestrian traffic so that this work gets completed as quickly as possible so many more lives can be saved. The final goal should be that all intersections where there is an on-street parking lane available have curb extensions and thus, result in a safer City for all pedestrians and drivers alike.

Since this is an oversight hearing, I am submitting comments regarding daylighting, bus stops, buses, pedestrian ramps, and T-intersections.

Daylighting:

With respect to daylighting, we support the removal of the parking spaces closest to all intersections since this will increase visibility to oncoming traffic at intersections and reduce the danger for everyone, pedestrians, cyclists and drivers. It is clear that daylighting will lead to safer streets in New York City.

Bus Stops:

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

Buses:

It is wonderful that the City is thinking about the environment with electrically powered buses. However, these buses are quiet and cannot be perceived by New Yorkers who have low vision, are blind or blinddeaf. Thus, we strongly recommend that the City have some sound emanating from these buses so that we New Yorkers can be aware of these buses' presence. Similarly, we are concerned about the fact that electric scooters and bicycles pose the same problem, that is, not being able to hear them approaching. Further, we would like to know have you considered the issue of how these batteries will be safely disposed of without harming the environment?

Pedestrian Ramps:

As people with disabilities know too well, there are many sidewalks and pedestrian ramps that are dangerous and, at times, impassible. People using wheelchairs and mobility devices must look down to inspect the sidewalk condition in real-time and are forced to forego enjoying their surroundings in order to move safely and independently. Too many times, years have gone by without sidewalk or pedestrian ramp improvements despite the fact that this violates New Yorkers with disabilities', who are taxpayers and voters, civil rights.

-4-

T-Intersections:

Finally, parking should be prohibited at all T-intersections because this would improve the safety of pedestrians and drivers. We were happy to hear that the Department of Transportation has proposed a rule that would prohibit vehicles from blocking pedestrian crossing points where a pedestrian ramp exists at unmarked crosswalks. We would like this proposed rule apply to all T-intersections. In sum, it is time that we make our streets truly accessible and safe for everyone. Thank you for giving me the opportunity to submit these comments.

Sincerely,



Comments by Christopher Schuyler, Senior Staff Attorney New York Lawyers for the Public Interest To the New York City Council, Committee on Transportation and Infrastructure Jointly with the Committee on Oversight and Investigations On September 12, 2023 Regarding Updates and Initiatives to Improve the Streets Plan

It's often said that the subway system is the lifeblood of New York City. Since the Covid-19 pandemic, that saying may be due for an update: the City's streets, sidewalks, and public spaces have a claim for that distinction. New Yorkers use these surface level spaces to get to many of the places they need to go, including work, school, medical appointments, to visit family and friends, and to engage in community activities. This is particularly true with respect to New Yorkers with disabilities, a group that, due to the inaccessibility of the subway system, has fewer transportation options available to them.

The City's streets, sidewalks, and public spaces must be accessible: not only is it the law, not only is it what people with disabilities ethically and morally are entitled to, but an accessible and safe City will enable more people with disabilities, who are disproportionately low-income, to attain employment, which in turn will broaden the City's tax base and lessen the government's burden of paying benefits to people with disabilities who have for too long been unable to fully participate in all the City has to offer.

My name is Christopher Schuyler, Senior Staff Attorney to the Disability Justice Program at New York Lawyers for the Public Interest (NYLPI). We commend the Committee on Transportation and Infrastructure and the Committee on Oversight and Investigations for holding this hearing on the status of the Streets Plan, and for considering various initiatives that will make the City safer and more accessible for all New Yorkers.

The first Streets Plan is an ambitious five-year plan, signed into law in 2019, which seeks to improve the safety and accessibility of the City's streets, sidewalks, and public spaces. Contained within the Streets Plan is a list of mandates for the City – specifically, the Department of Transportation (DOT) – to achieve. The first five-year Streets Plan, which runs from 2022-2026, and renews with new benchmarks every five years, promises:

- 500 bus stop upgrades per year, including accessibility upgrades such as ensuring a clear path to the bus stops and accessible loading platforms;
- Redesign of 2000 intersections (at least 400 per year) to meet ADA standards (including curb cuts and pedestrian ramps);
- Installation of 2500 accessible pedestrian signals at least 500 per year;
- Improved parking policies which will prioritize and promote "access to streets, sidewalks, public spaces, and mass transit" for people with disabilities;
- Continued investment in micromobility options, and
- Significant expansion of pedestrian spaces.

The stated goals of the Streets Plan are to promote (i) the safety of all street users; (ii) on-street priority for mass transit vehicles; (iii) the reduction of vehicle emissions; and (iv) access for individuals with disabilities. The Streets Plan also requires DOT to give annual reports on its progress and to engage in a public education campaign to communicate the benefits of the Streets Plan.

From DOT's report during today's hearing, we know that the agency is in danger of missing crucial and legally required benchmarks, particularly with respect to bus stop upgrades and protected bus lanes. **DOT must not be permitted to ignore its responsibilities.** Not only does it not bode well for the future of the Streets Plan if DOT is already coming up short, but all New Yorkers, including New Yorkers with disabilities, need a safer and more accessible city. The City's intersections and sidewalks, particularly in low-income and environmental justice communities in the outer boroughs, are too often in disrepair and even entirely lacking curb cuts. Moreover, improved daylighting – clearing the corners of parked vehicles to improve visibility – is crucial for pedestrian safety, particularly people who use wheelchairs and other mobility devices. Crashes involving pedestrians are on the rise, yet police citations for traffic violations have decreased year after year. People who use wheelchairs particularly need daylighting because, from a seated position, it can be challenging or impossible to see oncoming traffic when automobiles are parked right up to the corners of intersections. Lastly, **the City needs to reduce crosswalk signal speeds to 2.5 feet per second to account for slower moving pedestrians, including people with mobility disabilities.**

Enhanced parking policies will likewise improve access to streets, sidewalks, and transit options for people with disabilities. One such way is with respect to Access-A-Ride (AAR) pick-up and drop-off areas. Many of these designated areas are inaccessible for various reasons, including obstructions from the curb to the pick-up/drop-off area and because non-AAR vehicles often park in these zones. The MTA and DOT split responsibility for the AAR pick-up/drop-off areas; City Council must ensure that these spaces are open and accessible for AAR users and drivers.

The above examples describe just a few of the real-world impacts for people with disabilities, as well as seniors, children, delivery workers – essentially all New Yorkers – of successful implementation of the Streets Plan. That, taken with the fact that DOT is falling behind on its promises, support the **need for the initiative considered by the City Council for an "investment roadmap," as contemplated in T2023-4007**, sponsored by Chair Brooks-Powers. This plan would require DOT to submit an "investment roadmap" at the beginning of each five-year Streets Plan, beginning in 2026, to promote equity in infrastructure investment. The investment roadmap would measure investment in safety and accessibility, thereby enhancing street infrastructure. It will also track the incidence rate of vehicular crashes with pedestrians that result in significant injuries. Lastly, the investment roadmap would also require DOT to produce a Streets Plan that highlights investment in underserved communities and

environmental justice areas. NYLPI supports this initiative, though **we recommend that the investment roadmap specifically track the incidences of crashes involving pedestrians with disabilities.**

Separately, **NYLPI also commends the City Council for Int. 0261-2022, which will require DOT to identify intersections that pose the greatest dangers to pedestrians, and then implement curb extensions** (i.e. daylighting) at five such intersections, at a minimum, in each borough per year. **NYLPI also encourages City Council to significantly increase the number of required curb extensions per year.**

Thank you for hearing my testimony today. I urge you to consider my remarks as you fight to provide safer and more accessible sidewalks, streets, and public spaces for all New Yorkers.

Christopher Schuyler, Senior Staff Attorney New York Lawyers for the Public Interest 151 West 30th Street, 11th floor New York, NY 10001 cschuyler@NYLPI.org (212) 244-4664

About New York Lawyers for the Public Interest

For over 40 years, NYLPI has been a leading civil rights and legal services advocate for New Yorkers marginalized by race, poverty, disability, and immigration status. Through our community lawyering model, we bridge the gap between traditional civil legal services and civil rights, building strength and capacity for both individual solutions and long-term impact. Our work integrates the power of individual representation, impact litigation, organizing, and policy campaigns. Guided by the priorities of our communities, we strive to achieve equality of opportunity and self-determination for people with disabilities, create equal access to health care, ensure immigrant opportunity, secure environmental justice for low-income communities of color, and strengthen local nonprofits.



September 12, 2023

Joint Hearing on DOT implementation of NYC Streets Plan, Committee on Oversight and Transportation and Infrastructure Committee, Chairs, Gale Brewer and Selvena Brooks-Powers

Tri-State Transportation Campaign Written Testimony

Submitted by Corey Hannigan, Active Transportation Program Manager

Thank you for providing this opportunity to offer testimony on NYCDOT Streets Plan implementation and several additional pieces of proposed legislation. For thirty years, Tri-State Transportation Campaign has worked to promote sustainable transportation, equitable planning policies and practices, and strong communities in the New York City metro area through improving and expanding transit, meeting the region's climate goals, preventing traffic deaths, and making transportation equitable.

Bus and bike lane prioritization is vital

While we recognize that NYCDOT has been suffering from staff shortages and other challenges, we are deeply concerned about the lack of progress by the DOT in meeting the goals of the Streets Plan. New York City currently has the slowest buses in the United States. They are not keeping up with MTA bus network redesigns. Poor bus service disproportionately impacts immigrant and BIPOC New Yorkers who heavily rely on bus service and who need and deserve frequent and reliable transportation.

NYC is currently non-compliant with the 2019 law (Local Law 195), which states "The master plan due by December 1, 2021, shall include, at a minimum, the following benchmarks: (i) install at least 150 miles of protected bus lanes, in coordination with the metropolitan transportation authority, with such lanes located along a median where feasible, with at least 20 miles of such lanes installed during the first year of such plan and at least 30 miles installed during each subsequent year of such plan; (ii) implement transit signal priority in at least 750 intersections along bus routes during the first year of such plan and at least 1,000 intersections during each subsequent year of such plan or until transit signal priority is implemented in every intersection where such installation is feasible along every bus route where buses capable of utilizing transit signal priority are operated;"

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TSTC@TSTC.ORG



231 W 29TH STREET, SUITE 904 NEW YORK, NY 10001



TRI-STATE TRANSPORTATION CAMPAIGN



It is imperative that the DOT report on progress that has been made, detail where progress has fallen behind, and lay out a plan for coming into compliance with the law.

There have been multiple instances of busway, bus lane, and protected bike lane projects that have been rolled back or delayed (such as the Fordham Road Busway and McGuinness Boulevard redesign) or watered down in quality (such as reduced hours on the Flushing Main Street busway and significant gaps in physical barriers on the Northern Boulevard protected bike lane). These decisions are often being made at the discretion of the DOT, in direct conflict with their legally-required benchmark goals.

We have serious doubts about the likelihood that the city will meet its legally required goal of 150 miles of new bus lanes and 250 miles of new protected bike lanes by 2026.

Even before projects are rolled back, delayed or reduced, often their initial scopes are woefully inadequate. For example, the Bedford Avenue protected bike lane project stops one block short of connecting with the Brooklyn Waterfront Greenway, and only provides safety treatments for cyclists traveling in one direction.

Congestion Pricing Implementation Adds Urgency:

Research has shown that the success of congestion pricing in places like London were due in large part to the fact that new bike and bus lanes were rolled out *before* the new tolls took effect. With New York's congestion pricing program set to take effect in Spring 2024, now is not the time to be falling behind on offering residents outside the congestion zone alternative ways to move around the city.

Other bills under current consideration:

TSTC supports Int 0261-2022. However, prohibiting parking from just five intersections per borough per year is not nearly enough. Instead, we would like to see New York City align with existing State law (N.Y. Veh. & Traf. Law §1202.2.b), which prohibits parking within 20 feet of a crosswalk at any intersection statewide. Currently, New York City *overrides* this state law, making intersections less safe. Int 0261-2022 is a step in the right direction, but shouldn't be necessary in the first place.

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 TSTC does not support Int 0738-2022. Rather than more officer-based enforcement, we urge the city to emphasize its Vision Zero approach of creating safe systems. For intersections where speeding or red-light running is an issue, we prefer the placement of red light and/or speeding cameras, which avoid issues of racial profiling and human error.

We would also like to see a mechanism for enforcing laws prohibiting parking on sidewalks, in crosswalks and in bike lanes (including by NYPD officers). There is another city bill, which we do support, intended to address this issue - Int 0501-2022 - which has been stalled since April of this year.

 Tri-State strongly supports T2023-4007. Without adequate, dedicated investments in safety improvement projects, such plans amount to little more than recommendations, and the communities that need them the most are often the least-equipped to do so.

Thank you for your attention to these important matters. TSTC looks forward to continuing to work with the City Council and the NYCDOT on improving the life blood of New York City- our streets- for use by our most vulnerable street users. The safety, equity, and livability of our City depend on it.

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