

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON CONSUMER AFFAIRS

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December 6, 2011
Start: 11:50 a.m.
Recess: 11:57 a.m.

HELD AT: Council Chambers
City Hall

B E F O R E:
DANIEL R. GARODNICK
Chairperson

COUNCIL MEMBERS:
Charles Barron
Leroy. G. Comrie, Jr.
Karen Koslowitz
G. Oliver Koppell
Michael C. Nelson
Julissa Ferreras

CHAIRPERSON GARODNICK: Good

morning everyone and welcome to the Committee on Consumer Affairs in the New York City Council.

Today's date is Tuesday, December 6th. My name is Dan Garodnick. I have the privilege of chairing this Committee. I am joined today by Council Members Mike Nelson, Karen Koslowitz, Charles Barron, Oliver Koppell and we are going to hear in a moment from Council Member Koslowitz, who is the sponsor of the bill that is on today's agenda relating to bicycle parking in garages.

On November 23rd of this year, the Committee held a hearing on Intro 720, a bill that seeks to amend the law relating to bicycle parking in garages. While there is little disagreement that bicyclists should continue to have the option of parking their bikes in garages and parking lots, we cannot ignore the fact that the number of bicycle spaces that is actually utilized on a given day is less than 1%. Intro 720 provides garages and parking lots greater flexibility in parking and securing bicycles by eliminating what was the bicycle space dimensional requirement namely a requirement that spaces of 2x6x3 feet in

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2 volume be reserved for bikes, requiring instead
3 that garage and parking lot operators maintain
4 equipments such as bicycle racks, hooks, poles,
5 locks and chains to park and secure bikes. During
6 the November 23rd hearing while witness testimony
7 was almost entirely supportive of Intro. 720,
8 concerns were voiced by a garage operator whose
9 customers rather than his garage attendants secure
10 their bicycles using their own locks and chains,
11 thus the equipment maintenance requirement of
12 Intro. 720 would have had for some garages and
13 parking lots provided less bicycle parking
14 flexibility than the current law. With that in
15 mind, Intro. 720 was amended. 720-A maintains all
16 the substance of 720, but allows garages and
17 parking lots to permit people to lock up their own
18 bicycles using their own equipment provided that
19 those garages need to have sufficient locks,
20 chains or other devices with which to secure
21 bicycles should the bicyclist not have his or her
22 own. So, how did I do Council Member Koslowitz?

23 COUNCIL MEMBER KOSLOWITZ: Actually
24 you did very well. I'm now going to read my
25 statement. - - laid it out, so I appreciate it,

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and I look forward to a positive vote.

CHAIRPERSON GARODNICK: Terrific.

Well, that was easy enough. I think Council Member Koppell has something to say. Council Member Koppell?

COUNCIL MEMBER KOPPELL: Thank you.

As the sponsor of the law that requires garages in New York to park bicycles I was concerned that we change the requirements; however, I believe that the current law allowing more flexibility to garages does not eliminate the availability of parking spots for bicycles and I think therefore it's a good compromise. I believe that the requirement for bicycles is being expanded at the current time under the original law to include smaller parking lots, if I'm not mistaken, so that requirement is going into effect, which is a good thing. I think that the Council should continue to monitor how this law is working and whether increased use is going to be occurring because the studies that have been done are already somewhat old, although the parking garage operators say that the year-old study is still essentially accurate. One thing that was interesting at the

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2 hearing we had was that the Edison Parking outfit,
3 which charges only \$1 a day found that in some
4 garages actually all the spaces were used. I
5 think we should consider perhaps some sort of
6 regulation on maximum pricing because if operators
7 price it too high, they're going to—and they may
8 already be discouraging use and that may be a way
9 for them to avoid responsibility under the law
10 rather than a commercially reasonable decision. I
11 think we've got to look at that. I know many of
12 shy away from price controls. At the same time,
13 I'm concerned that pricing may be a camouflage for
14 not complying. With that, I will vote yes with
15 the concerns that I've expressed on the record.

16 CHAIRPERSON GARODNICK: Thank you,
17 Council Member Koppell. Let me just note that
18 we've been joined by Council Member Comrie and
19 Council Member Barron.

20 COUNCIL MEMBER BARRON: Well,
21 Council Member Koppell expressed my concerns.
22 It's the pricing. They could easily price you out
23 of it, so any study that we do... and we have no
24 regulation on the pricing. I guess if we do study
25 and see what happens when the price is one way and

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2 what happens when it's another way, I think that
3 can get to the essence, and I won't belabor my
4 thoughts 'cause I'll - - .

5 CHAIRPERSON GARODNICK: Thank you,
6 Council Member Barron, and with that seeing no
7 other comments from members of this Committee, I
8 will ask the counsel to call the roll on proposed
9 Intro. 720-A.

10 COMMITTEE CLERK: William Martin,
11 Committee Clerk. Roll call vote Committee on
12 Consumer Affairs, Council Member Garodnick?

13 CHAIRPERSON GARODNICK: Thank you.
14 I vote aye and recommend an aye vote.

15 COMMITTEE CLERK: Nelson?

16 COUNCIL MEMBER NELSON: Aye.

17 COMMITTEE CLERK: Barron?

18 COUNCIL MEMBER BARRON: Aye.

19 COMMITTEE CLERK: Comrie?

20 COUNCIL MEMBER COMRIE: I want to
21 just second the concerns that were expressed by
22 Council Member Koppell on this bill. I agree with
23 him 100%. I hope that those precautions will be
24 taken as we look into this further. Aye on all.

25 COMMITTEE CLERK: Koppell?

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COUNCIL MEMBER KOPPELL: Aye.

COMMITTEE CLERK: Koslowitz?

COUNCIL MEMBER KOSLOWITZ: Of course I vote aye.

COMMITTEE CLERK: By a vote of six in the affirmative, zero in the negative and no abstentions, item is adopted. Members, please sign the Committee Report.

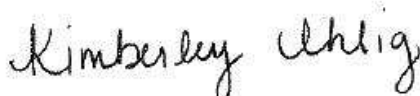
CHAIRPERSON GARODNICK: Thank you very much and congratulations to Council Member Koslowitz and we will look forward to continuing this conversation. With that, this Committee is adjourned.

[gavel]

C E R T I F I C A T E

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

Signature

Handwritten signature of Kimberley Uhlig in cursive script, written over a horizontal line.Date 1/2/11