

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON TRANSPORTATION

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October 11, 2012
Start: 10:10 a.m.
Recess: 10:50 a.m.

HELD AT: Committee Room
City Hall

B E F O R E:
JAMES VACCA
Chairperson

COUNCIL MEMBERS:
Gale A. Brewer
Daniel R. Garodnick
David G. Greenfield
Vincent M. Ignizio
Peter A. Koo
G. Oliver Koppell
Jessica S. Lappin
Ydanis A. Rodriguez
Deborah L. Rose
James G. Van Bramer

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2 CHAIRPERSON VACCA: I'd like to
3 welcome everyone, today is October 11th, 2012 and
4 I'm James Vacca, I'm Chair of the City Council
5 Transportation Committee, and today the Committee
6 will be voting on a number of bills related to
7 commercial bicycles. I want to thank those who
8 have joined me as co-sponsors on these bills,
9 Council Member Brewer, Council Member Van Bramer,
10 Council Member Garodnick and Council Member
11 Lappin. I also want to thank the Bloomberg
12 Administration and the agencies for working with
13 me on these bills. I want to thank the advocates
14 and more specifically the Hospitality Alliance,
15 Transportation Alternatives, the Restaurant
16 Opportunity Center of New York and the Stuart C.
17 Gruskin Foundation, who gave invaluable input into
18 the legislation. The Committee will be voting on
19 four bills that together will make things safer on
20 our streets. They will add to the laws that are
21 existing and make them easier to be enforced.
22 Proposed Intro 683A, sponsored by Council Member
23 Van Bramer is a commonsense bill that will make
24 things safer. Under current law, vests are
25 required to be provided by businesses, but there

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2 is no requirement that they be retro-reflective or
3 that the cyclist actually wears his vest. This
4 bill will insure that the vests are retro-
5 reflective and thus easier to see at night and on
6 cloudy days, and will also require the vest to be
7 worn. Intro 896, sponsored by Council Member
8 Brewer along with Council Members Garodnick,
9 Lappin and myself, will give enforcement authority
10 over commercial cycling laws. Currently only the
11 New York PD may enforce these laws, and they may
12 understandably have other things to do. I want to
13 thank DOT for stepping up and making this an
14 important item for them as well. Now to the bills
15 that I'm honored to be the lead sponsor on.
16 Proposed 783, Stuart's Law, named for the late
17 Stuart Gruskin, will require commercial cyclists
18 to complete a bicycle safety course prior to
19 riding a bicycle on behalf of a business, and it
20 will be up to the businesses to make sure that
21 this is followed. The DOT will be required to
22 post a curriculum on the website for all to see.
23 A business will be required to keep a record of
24 all of their cyclists and when they completed the
25 course. They can be penalized by both New York PD

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2 and DOT if they don't. I of course want to thank
3 Nancy Gruskin for all her hard work and leadership
4 on this issue. Finally, Proposed 910A, which I'm
5 co-sponsoring with Council Members Brewer,
6 Garodnick and Lappin, will make changes to the
7 current commercial bicycle laws. Most
8 importantly, the legislation provide for civil
9 penalties of \$100 for any violations of the law,
10 along with additional penalties of \$250 for every
11 30 days that the violation of law remains. This
12 will cover everything from requiring that there be
13 a lamp and a bell on the bicycles to there being a
14 roster of the cyclists employed by the businesses,
15 to insuring that helmets are provided for
16 cyclists, and that there be proper ID on the bikes
17 and the cyclists. In addition, the definition of
18 bicycle has been expanded to cover the various
19 methods that delivery persons use to get around
20 our city. I want to thank everyone who supported
21 these bills and who helped in their formulation.
22 Do any Council members wish to be heard? If not ...
23 oh yes, Council Member Gale Brewer.

24 COUNCIL MEMBER BREWER: I want to
25 thank the Chair, I want to point out that these

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2 bills not only make it safer for pedestrians and
3 people who are walking, pedestrians, but I think
4 it's a very innovative way to try to deal with
5 some of the challenges of making our streets
6 safer. I really commend the Department of
7 Transportation, I commend those individuals who
8 are walking door-to-door to talk to the merchants.
9 I have to say, I've done it with them, and I think
10 it also fosters positive relationships between
11 government and the businesses, because the
12 businesses, as we know, are very concerned about,
13 you know, too much government regulation, and
14 here's an example of education before we do
15 anything in terms of summonses or violations. And
16 all of the Chair's bills and Council Member
17 Garodnick and Lappin and others who have worked on
18 this issue, I think we know the challenges, I have
19 to say particularly Manhattan, but I know you have
20 commercial deliveries in the Bronx too, and I look
21 forward to riding a bicycle with Chair Vacca.

22 CHAIRPERSON VACCA: Thank you.

23 Council Member Lappin.

24 COUNCIL MEMBER LAPPIN: Well, I
25 want to thank the Chair and also Council Members

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2 Garodnick and Brewer, we've been working on this
3 issue for years and years and years, and I just
4 want to say, I hope that these work, and I hope
5 that the Department of Transportation takes this
6 seriously, and not just the safety of the bike
7 riders, but the safety of the pedestrians as well,
8 and that this is a real helpful effort.

9 CHAIRPERSON VACCA: Council Member
10 Garodnick.

11 COUNCIL MEMBER GARODNICK: I just
12 don't want to be left out here, Mr. Chairman, so
13 let me--

14 CHAIRPERSON VACCA: (Interposing) I
15 would never do that, I'm so glad you took the mic.

16 COUNCIL MEMBER GARODNICK: Let me
17 share my congratulations and thanks to you.

18 CHAIRPERSON VACCA: Thank you.

19 COUNCIL MEMBER GARODNICK: And also
20 to my colleagues, Council Members Brewer and
21 Lappin, and to this entire Committee. This
22 challenge continues to be one of the biggest ones
23 that we see in our districts, certainly on the
24 East Side of Manhattan we note that this is
25 something that exists all around the city, so the

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2 fact that this Committee is stepping up to take on
3 this challenge is something that is appreciated by
4 our constituents, and certainly I share Council
5 Member Lappin's hope that this ... that it works,
6 and that we help to deal with those very serious
7 safety issues.

8 CHAIRPERSON VACCA: Thank you,
9 Council Member Garodnick, Council Member Lappin,
10 Council Member Brewer. Council Member Koo, do you
11 wish to speak? Council Member Koo, here, Council
12 Member. It doesn't move. Jessica, can you give
13 us that? This one doesn't move.

14 COUNCIL MEMBER KOO: I want to say
15 that we want to congratulate Chairman Vacca and
16 his primary sponsors for sponsoring these
17 important bills. But we have to make sure New
18 York City, the restaurant business, they already
19 suffer tremendously to follow all these rules and
20 regulations. But for the safety of the
21 pedestrians, I signed on to this bill too, because
22 we want to make sure the Transportation Department
23 does a very good job in education, in educating
24 the restaurant owners and the commercial
25 bicyclists about this upcoming legislation, to

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2 make sure they understand it, and so that they all
3 go for the safety courses, and so that they don't
4 have to be fined unnecessarily. So
5 congratulations to Chairman Vacca. Thank you.

6 CHAIRPERSON VACCA: Thank you.
7 Thank you, Council Member Koo, I was commenting
8 before when I was walking up the steps with
9 Council Member Rose that when they moved our
10 meeting here today, rather than 250 Broadway,
11 maybe that's an indication we're doing important
12 things. Because we haven't met in this room as a
13 Committee in a long time. So I'll take it as a
14 hint. Okay, without further discussion, would you
15 please call the roll? The Chairman recommends a
16 yes vote on all of the intros.

17 COMMITTEE CLERK: William Martin,
18 Committee Clerk, roll call vote, Committee on
19 Transportation. Council Member Vacca.

20 CHAIRPERSON VACCA: Votes aye on
21 all.

22 COMMITTEE CLERK: Brewer.

23 COUNCIL MEMBER BREWER: Aye.

24 COMMITTEE CLERK: Koppell.

25 COUNCIL MEMBER KOPPELL: Aye, and

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2 Mr. Chairman, I would ask that I be added as a co-
3 sponsor of 9 and A.

4 CHAIRPERSON VACCA: It will be
5 done, thank you, Council Member.

6 COMMITTEE CLERK: Garodnick.

7 COUNCIL MEMBER GARODNICK: Aye.

8 COMMITTEE CLERK: Lappin.

9 COUNCIL MEMBER LAPPIN: Aye, and I
10 ask that you please add me on all these bills and
11 that would be 3A, so I would like to be added on
12 all these bills.

13 CHAIRPERSON VACCA: It will be
14 done, Council Member Lappin.

15 COUNCIL MEMBER LAPPIN:
16 (inaudible).

17 COMMITTEE CLERK: Rodriguez.

18 COUNCIL MEMBER RODRIGUEZ: Aye, and
19 I would like to be added too.

20 CHAIRPERSON VACCA: Thank you, it
21 will be done.

22 COMMITTEE CLERK: Koo.

23 COUNCIL MEMBER KOO: Aye on all.

24 COMMITTEE CLERK: Rose.

25 COUNCIL MEMBER ROSE: Aye, and I'd

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like to be added on 873A and 96A.

COMMITTEE CLERK: By a vote of eight in the affirmative, zero in the negative, no abstentions, all items have been adopted. Members, please sign the Committee reports, thank you.

CHAIRPERSON VACCA: Thank you. I do not want to let the opportunity pass without thanking our Committee staff, Lyle Frank, Nivardo Lopez, and Gafar Zolaf (phonetic), who are here and who worked very hard on these bills, and as well as thanking the sponsors once again. Without further ado, I will leave this vote open for 30 minutes, and we will hold the Committee in recess until that time, and the meeting is now adjourned. Thank you. Okay, Council Member Ignizio.

COUNCIL MEMBER IGNIZIO: Yes.

CHAIRPERSON VACCA: The vote now stands at nine in the affirmative, none opposed, no abstaining.

COMMITTEE CLERK: ... zero in the negative and no abstentions. Continuation of the roll call, Committee on Transportation, Council Member Van Bramer.

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COUNCIL MEMBER VAN BRAMER: Aye on
all.

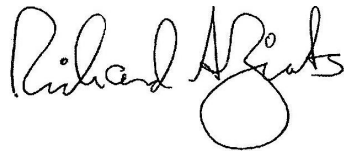
COMMITTEE CLERK: The vote now
stands at 11 in the affirmative, zero in the
negative and no abstentions. The current vote on
the Committee on Transportation now stands at ten
in the affirmative, zero in the negative and no
abstentions.

CHAIRPERSON VACCA: We're
adjourned. The Transportation Committee ... oh,
they have ten more minutes to leave it open.
Okay, are you ready, can we stop?

COUNCIL MEMBER GARODNICK: The
Committee on Transportation is now adjourned.

C E R T I F I C A T E

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



Signature _____

Date _____ October 19, 2012 _____