

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON TRANSPORTATION

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May 29, 2013
Start: 1:30 p.m.
Recess: 1:55 p.m.

HELD AT: Council Chambers
City Hall

B E F O R E:
JAMES VACCA
Chairperson

COUNCIL MEMBERS:

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

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

Kate Slevin
Assistant Commissioner
New York City Department of Transportation

Jeffrey Friediani
AAA New York

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2 CHAIRPERSON VACCA: Okay. Welcome
3 everyone. We will now convene this hearing of the
4 Committee on Transportation May 29th, 2013. I am
5 Councilman James Vacca. I am chairman of this
6 committee, and today we will be hearing testimony
7 on proposed Intro 1042-A in relation to
8 deactivating muni meters when parking rules are
9 not in effect or receipt paper is not available.
10 This legislation is sponsored by Council Members
11 Greenfield, Gentile and myself as well as at least
12 15 other council members. I want to welcome
13 everyone here, and for those of us in New York
14 City who drive cars, we know all too well the
15 challenges that come with parking at muni meters.
16 The citywide implementation of muni meters has
17 freed up more parking spaces and thanks to a bill
18 that was passed by the Council last year, it has
19 also made it possible for drivers to transfer the
20 time that they pay if they decide to drive
21 elsewhere; however, muni meters are not without
22 their flaws. For one, muni meters print receipts
23 for customers once they pay for parking, but these
24 machines often run out of paper. I have heard
25 countless stories from drivers feeding muni meters

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2 only to discover that the machine cannot print
3 their receipt. The drivers are then forced to pay
4 at another muni meter. Furthermore, muni meters
5 will accept money during the hours when drivers
6 are not required to pay for those spaces. Drivers
7 put their hard earned money in these meters to be
8 able to park, not to be taken for a ride. When
9 parking is up to three dollars per hour, New
10 Yorkers can't afford to feed meters when it is
11 unnecessary or when they cannot provide the proof
12 that they need that they indeed paid the meter.
13 Intro 1042 combats these issues. This bill will
14 ensure that drivers are getting what they pay for
15 and that they don't pay for what they don't get.
16 This proposed legislation will simply call on the
17 Department of Transportation to reprogram muni
18 meters to not accept money when the meter cannot
19 print receipts and not to take the money when the
20 hours are such that the parking meter rules are
21 not in effect. I look forward to today's
22 testimony. I think the legislation is clear as a
23 bell. If a muni meter does not have paper in it
24 then that muni meter should shut down and not
25 accept payment from a driver. If a muni meter's

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2 time has expired and it is not supposed to be fed,
3 it should shut down at that point. We want this
4 legislation because there is too many places in
5 our city where the driver goes to park his car he
6 is faced with a multitude of parking signs and no
7 parking signs and sometimes parking signs, so
8 therefore, we want legislation that when that
9 meter has had its time expired, it will shut down
10 and to not accept money from a driver, and when
11 there is no paper in the machine that machine,
12 that muni meter, shuts down because the driver has
13 no way of knowing whether or not the machine has
14 paper or not. If it shuts down, it has no paper,
15 the driver can then go to the next muni meter, get
16 the paper, pay and put it in his car. So it is
17 very simply stuff. Alright. So without further
18 to do, I want to introduce my colleague, Council
19 Member Van Bramer who has arrived, and I will call
20 upon Deputy Commissioner Kate Slevin, and hear
21 testimony from the Department of Transportation.

22 ASSISTANT COMMISSIONER SLEVIN:

23 Thank you. I love it that you always give me a
24 promotion whenever I show up here. Good
25 afternoon, Chairman Vacca and members of the

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2 Transportation Committee. My name is Kate Slevin,
3 and I am the assistant commissioner of
4 intergovernmental affairs for the New York City
5 Department of Transportation. I am joined by
6 Bruce Shalor [phonetic], DOT's deputy commissioner
7 for traffic and planning. Thank you for the
8 opportunity to testify in support of Intro 1042,
9 which seeks to prevent muni meters from accepting
10 payment when deactivated or unable to print
11 receipts. Our muni meter system is comprised of
12 13,000 meters for more than 85,000 on street
13 spaces throughout the five boroughs. Since
14 completing the conversion of all single space
15 meters to muni meters in February, DOT continues
16 to find ways to innovate our parking program. For
17 example, we recently introduced a pilot in the
18 Bronx allowing drivers to pay for parking by
19 phone, along with a map that illustrates available
20 free parking spaces. We also worked with Speaker
21 Quinn and Council Member Garodnick to make parking
22 regulations easier to understand by redesigning
23 signage with simpler language that improves
24 readability. Our park smart program and the
25 availability of NYC parking cards are also part of

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2 the agency's effort to make it easier for New
3 Yorkers to park. Intro 1042 would further these
4 efforts by requiring meters to be unable to accept
5 payment while parking rules are not in effect
6 except up to one hour before regulations start.
7 This bill would also mandate that all meters be
8 programmed not to accept payment while the meter
9 is missing receipt paper. Not all of our meters
10 currently have this capability, but we expect to
11 have our system fully upgraded within the next two
12 years. In summary, DOT is happy to support Intro
13 1042 as another way to make it easier to park in
14 New York City. Thank you for your interest in
15 simplifying parking for New Yorkers, and we would
16 be happy to answer any questions you have at this
17 time.

18 CHAIRPERSON VACCA: Thank you. I
19 want to mention we have been joined by Council
20 Member Ignizio. I don't have any questions. I
21 have never attended a hearing like this where
22 there are no questions. I think DOT and I are in
23 agreement, which doesn't happen to much either, so
24 I am going to take advantage of the agreement.
25 Commissioner, I am promoting you too. You should

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2 be promoted. Council Member Ignizio, do you have
3 a question?

4 COUNCIL MEMBER IGNIZIO: Good
5 afternoon. My questions are--first off, I think
6 it is great we are all on the same page, and maybe
7 you answered the question in your testimony. As
8 you saw, I just walked in because I was in budget
9 hearings, but over the next two years, what will
10 the protocol be if somebody gets a ticket when
11 there is no receipt paper or if these things occur
12 and people get the ticket based on it is there a
13 defense that you guys are allowing the
14 constituencies to fill out in order to send to you
15 guys so they will not be charged?

16 ASSISTANT COMMISSIONER SLEVIN:

17 Well, right now if the muni meter does not have
18 paper in it about half of them are shut off or
19 deactivate, so they already have the capability.
20 If you happen to have one that doesn't have that
21 capability and it remains on you can submit your
22 receipt for a refund if you feel like you should
23 have gotten the parking, but if you go to pay, it
24 is not working, you are supposed to go to another
25 muni on that block and pay there, and then you can

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2 submit the receipt for a refund and call 311, and
3 they'll explain how you can do that.

4 COUNCIL MEMBER IGNIZIO: I
5 appreciate it. Just as a side since we are
6 talking about muni meters, there is some areas in
7 my communities that we are working on to try to
8 get--we have small towns in Staten Island, and we
9 have the old fashioned two hour parking that
10 commuters come and park all day long there and
11 because we don't have a way to determine when the
12 car got there and when it left, those cars
13 maintain there, and they don't even get tickets,
14 so that is something that I am working with your
15 office on, and hopefully we can continue to
16 pursue. Thank you, Mr. Chairman.

17 CHAIRPERSON VACCA: Thank you,
18 Councilman Ignizio. I do want to welcome the
19 sponsor of the bill, Council Member Greenfield,
20 and would you like to say a couple of words,
21 Council Member?

22 ASSISTANT COMMISSIONER SLEVIN: We
23 support the legislation. That is the Cliff Note
24 version.

25 COUNCIL MEMBER GREENFIELD: I

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2 actually have a quick question, and then I will
3 just talk about the bill. There is going to be a
4 discrepancy in terms of the turnover, right, in
5 terms of some of them you are going to be able to
6 do right away and other meters you won't be able
7 to? It's based on what, the date when the meters
8 went into operation?

9 ASSISTANT COMMISSIONER SLEVIN:

10 It's based on the meter itself. Some of them
11 remain on all the time, and the newer models are
12 able to be programmed to do what the legislation
13 says, but we hope to have all of the meters
14 upgrades within two years.

15 COUNCIL MEMBER GREENFIELD: You are
16 going to program those newer models remotely or
17 you have to do them one by one?

18 ASSISTANT COMMISSIONER SLEVIN: I
19 believe remotely.

20 BRUCE SHALOR: We can change the
21 on/off remotely. We have been working--

22 CHAIRPERSON VACCA: [interposing]
23 Just ID yourself. I am sorry.

24 BRUCE SHALOR: I am Bruce Shalor,
25 and we have been working with meters that I

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2 believe are in the area you represent to do a test
3 to make sure that when we turn them on and off
4 they are going off at the right time, and they are
5 performing as we expect, and then we will be able
6 to roll this out with all of the new meters
7 citywide, and then as we get the additional meters
8 to replace the older model of muni meter, which we
9 first started installing in the '90s I believe, we
10 will then be able to turn them on and off as well.

11 COUNCIL MEMBER GREENFIELD: Will
12 there be some sort of message on the screen that
13 says meter not operational or meter out of paper
14 or something like that, or is it just simply not
15 going to accept--

16 BRUCE SHALOR: I think they will
17 just be off.

18 COUNCIL MEMBER GREENFIELD: Okay.
19 So just won't do anything.

20 BRUCE SHALOR: Right. So people
21 should look at the sign. The meter itself has the
22 rate, the hours that the meters are in effect
23 obviously are at the sign to govern to curb front
24 in front of them, so it's really the signs and the
25 meters' work in concert to convey the information

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2 the motorist needs to know. The sign is always
3 on.

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COUNCIL MEMBER GREENFIELD: Yes,
5 not always understandable though.

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[crosstalk]

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COUNCIL MEMBER GREENFIELD: I
8 appreciate it, but with a law degree from a
9 prestigious law school even I have a tough time
10 sometimes deciphering the exact hours of the
11 signs, especially in places like Manhattan, which
12 are tough. I know you have made some progress,
13 but obviously we are not there yet. I will say
14 that I am certainly pleased to have the
15 Department's support. I think this is something
16 that is really long time in the making. It is a
17 very frustrating experience for someone to show up
18 at a meter and throw the money in, and what people
19 don't realize is a lot of people don't have credit
20 cards, so you got some quarters there, and you
21 finally throw your quarters in and today it is a
22 lot of quarters. You guys have been upping the
23 meter rates. So you are throwing those quarters
24 in, and you press the button, and you are waiting
25 and nothing happens, and after you hit the machine

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2 a few times, your hand hurts, you realize that
3 nothing happened either, and now you are out of
4 quarters, so even if you want to go across the
5 street to get the meter, and I will tell you one
6 particular horror story that I heard of. Of
7 course, it is a relative horror story for a car
8 driver, not in the grand scheme of things. But a
9 driver on Coney Island Avenue in Brooklyn between
10 Avenue I and Avenue J she told me that she was
11 with her kids and she got out on Coney Island
12 Avenue and she went to the meter, and she put a
13 dollar in the meter, and she pressed the button,
14 and it didn't come out. So the next closest meter
15 was across Coney Island Avenue, like a four lane
16 avenue, so she took all of her kids and she
17 trekked all the way across the street, and she
18 went to the meter, and she put in another dollar,
19 and no receipt came out, and so these are the
20 kinds of things that are really frustrating New
21 Yorkers. I think in general muni meters have many
22 positives, but it has been these little kinks that
23 have been really frustrating, especially when a
24 muni meter does not have a receipt and you lose
25 your money, and quite frankly, I have yet to meet

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2 anyone who has been able to tell me they have been
3 able to actually recover money. Do you know the
4 process of how you get the money back? Now never
5 mind the fact that you have got to sit on 311 for
6 a half an hour and obviously, you know, if you
7 lost a dollar, it is not a great worth of your
8 time to do that, but do you know the process of
9 how someone could recover the money if they in
10 fact lost the money at the meter, which happens
11 rather frequently?

12 ASSISTANT COMMISSIONER SLEVIN: I
13 know you call 311 and there is a process laid out
14 to do that.

15 COUNCIL MEMBER GREENFIELD: So that
16 is it pretty much. Do you have any idea how many
17 of these you have actually reimbursed?

18 ASSISTANT COMMISSIONER SLEVIN: I
19 don't but we could look into that for you and
20 follow up.

21 COUNCIL MEMBER GREENFIELD: 'Cause
22 we have had people call us and tell us they would
23 call 311, but we have never had anyone
24 successfully actually get reimbursed, but then
25 again, the postage is probably more than the check

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2 that would be made out for, but we are certainly
3 pleased, and we are grateful, and it is something
4 that I have been asking both the commissioner and
5 your staff for quite a while now, and we
6 appreciate your willingness to work with us and
7 negotiate with us, and we think this is a common
8 sense solution that is going to make life easier
9 for New Yorkers, and will end what for lack of a
10 better term, we call the gotcha tickets, which you
11 are trying to do the right thing, and despite your
12 best effort, you still get a parking ticket, so
13 thank you very much.

14 ASSISTANT COMMISSIONER SLEVIN:
15 Thank you.

16 CHAIRPERSON VACCA: Thank you,
17 Council Member, and we have been joined by Council
18 Member Gale Brewer.

19 COUNCIL MEMBER BREWER: I saw
20 people riding their bikes today.

21 CHAIRPERSON VACCA: Very good,
22 Gale. That is good to know. Now we can go on.
23 Yes?

24 COUNCIL MEMBER IGNIZIO: Yes, one
25 quick thing. Just to be clear to the - - just

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2 because the muni meter is off where your car is
3 parked, you are still responsible for getting a
4 ticket from the nearest muni meter box in the
5 area. It is off the old bag over the regular
6 single meter, and that means it is out of order
7 and you are no longer responsible. You are still
8 responsible to have that ticket. It is just you
9 have to go to the--the receipt, but you have to go
10 to the nearest box that is functional.

11 ASSISTANT COMMISSIONER SLEVIN:

12 Correct, and if they are all out on that block,
13 which doesn't happen very frequently, but it does
14 happen on a rare occasion, then that is when you
15 are able to park without paying any meters.

16 COUNCIL MEMBER IGNIZIO: Okay.

17 Thank you. I just wanted to be clear.

18 CHAIRPERSON VACCA: And the old
19 meters I understand at least 1,000 of them will be
20 bicycle racks. Is this still true?

21 ASSISTANT COMMISSIONER SLEVIN:

22 There are about 25,000 single space meter pulls
23 remaining and we are in the process of removing
24 those, but about 12,000 of the poles will be
25 transferred into bicycle racks.

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2 CHAIRPERSON VACCA: 12,000 of the
3 old meters will be bicycle racks?

4 ASSISTANT COMMISSIONER SLEVIN:
5 Correct.

6 CHAIRPERSON VACCA: All in my
7 district, eh? Do you anticipate that--is this
8 part of the bike share or separate from bike
9 share?

10 ASSISTANT COMMISSIONER SLEVIN:
11 It's separate.

12 CHAIRPERSON VACCA: It is separate
13 from bike share, so these could be used by livery
14 bicyclists or anyone else?

15 ASSISTANT COMMISSIONER SLEVIN: Any
16 bicycle. Yes.

17 CHAIRPERSON VACCA: Any bicycle.
18 Okay.

19 COUNCIL MEMBER GREENFIELD: and you
20 are actually going to put in a new piece of metal
21 right, you are going to convert the metal?

22 ASSISTANT COMMISSIONER SLEVIN:
23 It's a conversion. Yes.

24 COUNCIL MEMBER GREENFIELD: You are
25 going to actually have to take it out and put

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2 something else in. Okay. Got it. Do you have
3 designs for that or do you know what they are
4 going to look it?

5 BRUCE SHALOR: We are keeping the
6 pole that was there for the meter, and there is a
7 design that is like this roughly, and you may have
8 seen them around town. We have got a limited
9 number out. We have now a stock. We have gone
10 through the procurement process, and we have a
11 stock of them, and we are actively installing them
12 around the city. We have assessed where they are
13 needed, and have prioritized those areas, and then
14 the other poles will be coming out, so we won't
15 have any more headless poles around town.

16 CHAIRPERSON VACCA: But when you
17 have those bicycle--if you convert 12,000 of them
18 each of the bicycle racks holds several bikes.
19 What is the capacity of those racks now?

20 BRUCE SHALOR: Generally it is
21 about two. It is one on each side. Sometimes
22 people will tie several together, but an
23 individual user would just be attached to the rack
24 itself, so you would have one on each side.

25 CHAIRPERSON VACCA: So you are

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2 anticipating the capacity for 24,000 additional
3 bikes in the city. Are you looking in areas where
4 there is a usage or there is not usage? - - where
5 there are existing racks and they are not being
6 used?

7 BRUCE SHALOR: We have been looking
8 at where the meter poles were being used as racks,
9 which obviously the reason they were installed
10 back in the '50s, but so based on usage, based on
11 what we think the need is, that is where we are
12 installing the racks, and then we will remove the
13 others, but many, many places they were heavily
14 used when they had the meter head. Once the meter
15 head comes off, it is not a good idea to use it to
16 lock your bike to 'cause somebody could just lift
17 the whole contraption off, and take it away.

18 CHAIRPERSON VACCA: Okay. Yes.
19 Councilman Greenfield?

20 COUNCIL MEMBER GREENFIELD: Thank
21 you. Thank you very much. We have actually
22 gotten some complaints. I am just wondering in
23 terms of the distance between those poles and the
24 street, right, 'cause those poles were designed
25 for people to throw meters in, not necessarily for

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2 bikes, and some folks have been complaining the
3 bike a little crooked, so they end up scratching
4 the vehicles. Is that the ideal length for a bike
5 rack in terms of the space between where the pole
6 is and where the street begins?

7 ASSISTANT COMMISSIONER SLEVIN:

8 Well, there is two sides to the pole as well, so
9 you could have--there is some flexibility there in
10 terms of how you actually park the bike.

11 COUNCIL MEMBER GREENFIELD: I guess
12 my question is when you come to a community from
13 scratch and you are installing the poll for the
14 first time, right, not converting--I like the
15 conversion idea. I am not being critical. I am
16 just trying to understand it, right, so when you
17 come and you just install these poles, right,
18 sometimes they are like fashionable and they have
19 art poles and whatnot, right, it seems to me like
20 they are a little further back than where the
21 meter would actually be. Is that correct?

22 BRUCE SHALOR: I would have to
23 check on that.

24 COUNCIL MEMBER GREENFIELD: The
25 distance I guess between the curb and where--

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2 BRUCE SHALOR: I understand what
3 you are asking. I have to check on the exact--
4 when we put in a new rack, it may be a little more
5 offset. I am not sure, but I think to the point
6 of your question, if you think about other objects
7 that in the side wall [phonetic], street trees in
8 particular can be somewhat close to where you open
9 the door, and you just need to be--there is
10 occasions--

11 COUNCIL MEMBER GREENFIELD:

12 [interposing] Sure, but what happens to the
13 bicycles are especially with the wheel locks, it
14 depends on how you park them, and so if they are
15 parked crooked, which frequently are, sometimes
16 they just fall down. Even though people lock them
17 up, they just sort of fall. They come into a-- or
18 a pedestrian passes and hits the bicycle; it ends
19 up sort of protruding into the street in a way
20 that for example, a tree wouldn't, so I would just
21 encourage you to look at the design and in terms
22 of just keep in that in mind because we have
23 gotten complaints from constituents where they
24 say, well, I parked my car and a bicycle was
25 there, and then someone picked up the bicycle and

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they scratched my car and they left.

ASSISTANT COMMISSIONER SLEVIN: I will definitely take a look at that.

COUNCIL MEMBER GREENFIELD: So if you could look at that we appreciate it.

CHAIRPERSON VACCA: HOW MANY BIKE RACKS DO WE HAVE NOW IN New York City?

ASSISTANT COMMISSIONER SLEVIN: I don't have that answer right now. I would be happy to follow up with you after the hearing.

CHAIRPERSON VACCA: We are getting 12,000 more. Do we have 12,000 bike racks now?

BRUCE SHALOR: The 12,000 are maintaining what were largely used as bike racks when they were meter poles, so I wouldn't think about them in addition, but sort of maintenance of what has been available--

CHAIRPERSON VACCA: [interposing] But you are taking out the meter pole and you are putting in a bike rack, so there is going to be an expense involved in that.

ASSISTANT COMMISSIONER SLEVIN: I actually saves us money. Yeah, because we are converting it rather than having to remove it.

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CHAIRPERSON VACCA: Okay.

COUNCIL MEMBER GREENFIELD: Can you turn them into benches? We get a lot of those requests. Can you turn a few of those into benches, maybe?

ASSISTANT COMMISSIONER SLEVIN: We do have a very successful city bench program.

COUNCIL MEMBER GREENFIELD: I know. I understand, but there is only like one person who works in the city bench program, and that person is like super backed up, and if you want a bench--the next available bench is like 2026.

ASSISTANT COMMISSIONER SLEVIN: If you give you your list of requests, we will touch base with that unit, and see if we can expedite it.

COUNCIL MEMBER GREENFIELD: Okay. I like how one person becomes a unit. Thank you.

CHAIRPERSON VACCA: I want to mention we have been joined by Council Member Koppell, Council Member Koo, Council Member Rose. I want to thank DOT. We have one witness from the public, Jeffrey Friediani [phonetic] of AAA New York. I do want to mention that this is Ed - -

1
2 from DOT's last meeting here, and we wish you luck
3 on your new endeavors and thank you so much for
4 coming all the time. Can we give our witness our
5 attention please? Introduce yourself, sir, for
6 the record.

7 JEFFREY FRIEDIANI: Good afternoon.
8 My name is Jeffrey Friediani. I am a legislative
9 analyst with AAA New York, and AAA New York serves
10 more than 1.6 million members residing in the city
11 of New York and adjacent counties of New York
12 State, and we too support Intro 1042-A. In recent
13 years, most municipalities have moved away from
14 traditional coin based parking meters to
15 electronic muni meters that dispense times
16 receipts to be displayed on a vehicle's dashboard.
17 While muni meters offer more convenience than a
18 traditional meter, such as accepting debit and
19 credit cards, they can also create new problems
20 for drivers, such as purchasing time at a meter
21 only to find there is no paper to print a receipt
22 and no way to receive a refund. In addition for
23 many drivers, especially those who only visit the
24 city in a car on a rare occasion, it is sometimes
25 difficult to determine if meter rules are still in

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2 effect at certain hours. As proposed in into
3 1042-A, a muni meter would be unable to accept
4 payment when meter rules are no longer in effect
5 and beginning to accept payment one hour prior to
6 when the rules retake effect. At the same time,
7 meters would not accept payment when there is no
8 paper to dispense a receipt for the driver.

9 Enacting this legislation would be a measure of
10 common sense, while ensuring drivers are being
11 treated fairly while parking on city streets.

12 Nobody should have to experience the headache of
13 finally finding a muni meter, depositing money and
14 not receiving a receipt with no option for a
15 refund. Estimates place the amount of revenue New
16 York City receives each year from parking in the
17 neighborhood of \$150 million at approximately
18 13,000 muni meters. With drivers continuing to be
19 a top revenue source for the city, implementing
20 small common sense measures such as these only
21 seem fair. Thank you.

22 CHAIRPERSON VACCA: Thank you. We
23 have been joined by Council Member Ydanis
24 Rodriguez and Council Member Dan Garodnick, who
25 has advised me he would like to add his name to

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2 the bill, so please do so at this point. There
3 being no further questions from any committee
4 member, it is now 1:55, and this hearing of the
5 Transportation Committee is hereby adjourned.

6 [gavel]

C E R T I F I C A T E

I, Kimberley Campbell 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

Kimberley CampbellDate 6/15/13