

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON TRANSPORTATION

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May 26, 2015
Start: 01:19 p.m.
Recess: 02:07 p.m.

HELD AT: Committee Room - City Hall

B E F O R E:
YDANIS A. RODRIGUEZ
Chairperson

COUNCIL MEMBERS:
Daniel R. Garodnick
James Vacca
Margaret S. Chin
Stephen T. Levin
Deborah L. Rose
James G. Van Bramer
Mark S. Weprin
David G. Greenfield
Costa G. Constantinides
Carlos Menchaca
I. Daneek Miller
Antonio Reynoso

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

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2 CHAIRPERSON RODRIGUEZ: Transportation
3 Committee... [background comment] I am Ydanis
4 Rodriguez, Chair of this committee and I am joined by
5 my colleagues, Council Member Menchaca,
6 Constantinides, Vallone, Johnson, Levin, Van Bramer,
7 Miller, Chin and Reynoso.

8 Today we will vote on three bills, all
9 designated to make our city safer and better equipped
10 to manage truck traffic on our streets.

11 Earlier this year, after the first
12 cyclist death of 2015, I called upon the
13 administration to restart the conversation
14 surrounding side guards, and Int. 198, introduced by
15 my colleagues, Council Member Corey Johnson, Julissa
16 Ferreras and myself. Only weeks later the City
17 announced its policy to install side guards on all
18 City vehicles larger than 10,000 pounds. This
19 legislation not only requires that policy by law, but
20 also expanding to private garbage carriers.

21 According to a study conducted by the
22 Transport for London, installing side guards on
23 trucks reduced deaths by 61 percent and serious
24 injuries by 13 percent for cyclists.

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2 In the age of Vision Zero we must work
3 hard to protect our pedestrians and cyclists. With
4 this piece of legislation we take the stand requiring
5 side guards for the largest city fleet in the nation.
6 I will cast my vote in memory of Hoyt Jacob, the New
7 Yorker killed this January in Long Island City and
8 all cyclists who have lost their lives in our city.

9 The next two bills relate to the way
10 trucks utilize our streets, sometimes illegally, as
11 well as how our city manages safety on truck routes.

12 The first bill, Int. 315-A, introduced by
13 Council Member Vallone, requires the City to study
14 the compliance of trucks in adhering to the City's
15 Designated Trucks Network and throughout routes.

16 A common concern among our constituencies
17 is that trucks leave their designate route and begin
18 to utilize residential streets, putting more people
19 and drivers in danger. This study, which Council
20 Member Vallone will discuss in greater detail, will
21 ensure that fewer trucks enter areas they should not,
22 making streets safer and more efficient for all
23 users.

24 The final bill, Int. 641-A, introduced by
25 Council Member Chin and myself, requires a separate

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2 study by the Department of Transportation related to
3 pedestrian and cyclist safety on truck routes,
4 sparked by the overuse of trucks through a street
5 like Canal Street in Council Member Chin's district.
6 This bill will allow the City to gather data as to
7 the causes of the overuse, including tolling
8 practices. Trucks are bulky and lower visibility on
9 the streets, leading to the heightened rate of
10 casualties along this route. Examining how trucks
11 use this street and others across our city could
12 limit these high numbers and keep people safer.

13 We are learning with Vision Zero that
14 small changes here and there can make designated
15 difference in saving lives, particularly when it
16 comes to trucks understanding that they present a
17 greater danger to pedestrians and cyclists and cars;
18 funneling them through the proper streets will make
19 for a safer city. This will also clear up streets
20 for other drivers, allowing them to get to their
21 designation more quickly. We will continue to
22 further these policies where appropriate until we see
23 the number drop to zero. We can see tangible results
24 already and we are not finished. I thank my
25 colleagues for their efforts in achieving these goals

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2 and I am proud to endorse a yes vote when we will
3 take to the floor, but first I will call my
4 colleague, Council Member Chin for an opening
5 statement.

6 COUNCIL MEMBER CHIN: Thank you, Chair.
7 Good afternoon. I am Margaret Chin, Council Member
8 for Lower Manhattan and sponsor of Int. 641, which
9 the Committee is voting on today. I want to thank
10 Chair Rodriguez and Council Member Van Bramer for
11 sponsoring this legislation with me.

12 In my district we suffer from heavy
13 through traffic. If you go to Canal Street you'll
14 see the big trucks and the cars all crossing
15 Manhattan; this is because Canal Street, though it
16 goes through a mixed-use residential neighborhood, is
17 a designated major truck route. It's gotten worse
18 since the Holland Tunnel changed its policy to allow
19 smaller trucks to use the tunnel, but the biggest
20 change was when the tolling was increased on the
21 Verrazano Bridge, which incentivized trucks to come
22 through our district to save money. I remember when
23 this change was put in place; I had an office on
24 Canal Street and there was a layer of soot on the
25 window the very next day. Now we have chaos at every

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2 pedestrian crossing and we regularly see fatalities
3 there and along some of the other designated truck
4 routes in my district.

5 This bill is not about truck drivers and
6 whether they drive safely; it's about taking a bigger
7 urban planning look at how truck route designation
8 and tolling policies can unintentionally impact
9 pedestrian and bicycle safety on the ground.

10 I lastly want to thank Kelly Taylor for
11 her hard work on this legislation and ask my
12 colleagues on the Committee to vote in favor. Thank
13 you.

14 CHAIRPERSON RODRIGUEZ: Great. Now let's
15 hear from Council Member Vallone.

16 COUNCIL MEMBER VALLONE: Thank you, Chair
17 Rodriguez. Let me begin by saying **00:07:00 [speaking**
18 **Chinese]**, which says, Happy Birthday to Margaret
19 Chin, my sister and my friend. I know it's nice
20 reaching 29, so we celebrate your birthday.

21 On this bill, how many times have we
22 heard residential streets are supposed to be
23 residential, and that's what led to this bill and
24 also, part of the reasoning on this bill was a
25 refusal to put up no through commercial truck traffic

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2 signage, which has led to the Police Department's
3 inability to enforce this basis principal. So here
4 we have a study that goes beyond just a study and
5 that's why I'm proud of this bill. So based on the
6 DOT's traffic route study this is what's gonna
7 happen; the Department shall institute measures
8 designed to increase truck route compliance based on
9 best practices for roadway design and operation,
10 including but not limited to converting two-way
11 streets to one-way streets, posting of signs
12 regarding the permissible use of certain routes by
13 trucks, as appropriate, and education and outreach of
14 the trucking industry -- so a lot of that has to do
15 with our GPS system. The Department shall post on
16 the Department's website and submit to The Speaker of
17 the Council such study, including the locations of
18 such measures no later than January 1, 2017 and
19 included in this legislation is input from not just
20 the Council Members, but from the community boards
21 and civic leaders, to make sure that we all have a
22 say in this.

23 So the bottom line is that designated
24 truck routes are established for a particular reason
25 and we need to ensure that the NYPD is able to

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2 enforce these restrictions. I am very proud the bill
3 is being voted at the Committee today and I look
4 forward to working with my colleagues to see it
5 passed. Thank you again to the Chair, Kelly Taylor
6 as our Counsel for Transportation, Laura Popa, Lyle
7 Frank, my Chief of Staff, Jonathan Szott, and my
8 unyielding and unbelievable Policy and Legislative
9 Director, Ahmed Nazaar. Thank you, Ahmed. Thank
10 you, Chair.

11 CHAIRPERSON RODRIGUEZ: Thank you. Now
12 let's hear from my colleague, Council Member Johnson.

13 COUNCIL MEMBER JOHNSON: Thank you, Chair
14 Rodriguez for holding this vote today and I wanna
15 thank you and Council Member Ferreras-Copeland for
16 your sponsorship of this legislation, your co-
17 sponsorship.

18 Side guards save lives. Pedestrians and
19 cyclists involved in collision with large trucks can
20 be pulled between the vehicle's wheels, causing
21 serious and in many cases fatal injuries. In recent
22 years New York City has seen a number of such
23 incidents often involving City-operated or privately
24 owned garbage trucks. While there is no official
25 data available on the number of fatal incidents

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2 involving garbage trucks, advocate-compiled
3 statistics suggests that such vehicles have among the
4 highest fatality rates of any vehicles operating in
5 our city. Last July, less than a year ago, one of my
6 neighbors who I used to see walking her dog every
7 single day on my very block in front of my building,
8 was run over by a garbage truck and killed on my
9 block.

10 While side guards are required on certain
11 vehicles in the United Kingdom, Japan and many
12 members of the European Union, they are fairly rare
13 in the United States, despite their proven ability to
14 reduce fatalities in collisions with pedestrians and
15 cyclists. For example, after side guards were
16 required on trucks in the United Kingdom, the
17 fatality rate for pedestrians and cyclists involved
18 in collisions with trucks decreased by 20 and 61
19 percent respectively. In early 2015 New York City's
20 Department of Citywide Administrative Services
21 released a report prepared by the U.S. Department of
22 Transportation's Volpe National Transportation
23 Systems Center reviewing the use of side guards and
24 containing recommendations for implementing a pilot
25 side guard program in the New York City fleet. The

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2 report identified medium and heavy-duty vehicles that
3 could benefit from side guard installation, such as
4 Department of Sanitation collection trucks and salt
5 spreaders, as well as vehicles that should be exempt
6 from side guard requirements, including special
7 purpose vehicles, street sweepers, fire engines and
8 car carriers.

9 In February of 2015, the City announced
10 it would retrofit 240 vehicles with side guards per
11 the Volpe report's recommendations. While I applaud
12 the administration for this first step, we need to go
13 further, both within our City fleet and those private
14 vehicles with the highest fatality rates. Under this
15 bill, which we are voting on today, all large
16 vehicles in the City fleet, including Department of
17 Sanitation collection trucks and City-licensed trade
18 waste hauling vehicles weighing over 10,000 pounds,
19 would be required to have side guards by January 1,
20 2024. Owners or operators of trade waste hauling
21 vehicles that fail to install side guards would be
22 subject to penalties of \$10,000 per vehicle and
23 license revocation or denial. In total, this bill
24 would require side guards on approximately 10,000
25 vehicles operating in the city. This bill will save

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2 lives. These provisions will save lives and I am
3 proud that we are passing it today. I wanna thank
4 you, Chair Rodriguez; the first hearing we had on
5 this was in April of 2014, so it's taken a long ways
6 to get here. I wanna thank my Legislative Director,
7 Louis Cholden-Brown and Committee Counsel Kelly
8 Taylor for her tireless, tireless, tireless work on
9 this bill. I ask my colleagues to please vote aye.
10 Thank you.

11 CHAIRPERSON RODRIGUEZ: Thank you my
12 colleague. Anybody else have anything to say before
13 we take a vote? If not; I just wanna say that today
14 we are following Boston; Boston was the first one who
15 installed the side guards; however, those three bills
16 not only were addressing the side, but also we are
17 addressing important issues that will mandate our
18 city to provide those data and with those three bills
19 that we are voting today, we are taking Vision Zero
20 to a higher level.

21 Before taking a vote I would also like to
22 say Happy Birthday to our colleague, Council Member
23 Chin and wish her a happy birthday.

24 I would like to thank my Committee staff,
25 Counsel Kelly Taylor, Policy Analysts Jonathan

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2 Masserano, Gafar Zaaloff and Rosa Murphy, and my
3 Chief of Staff, Carmen de la Rosa and Legislative and
4 Communication Director Lucas Acosta.

5 I would also like to congratulate Gafar
6 on his completion of law school at the New York Law
7 School and wish him good luck on the bar exam this
8 coming summer. [applause]

9 I now call on the clerk to please read
10 the roll.

11 COMMITTEE CLERK: Committee Clerk Matthew
12 DeStefano, Committee on Transportation, roll call
13 vote on Int. Nos. 198, 315 and 641. Council Member
14 Rodriguez.

15 CHAIRPERSON RODRIGUEZ: Aye and I would
16 like to add my name on Int. 315 [background comment]

17 COMMITTEE CLERK: Council Member Chin.

18 COUNCIL MEMBER CHIN: Aye on all. Can
19 you please add me [background comment]?

20 COMMITTEE CLERK: Yes. Council Member
21 Levin.

22 COUNCIL MEMBER LEVIN: 'Kay. Council
23 Member Van Bramer.

24 COUNCIL MEMBER VAN BRAMER: Aye on all.
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2 COMMITTEE CLERK: Council Member
3 Constantinides.

4 COUNCIL MEMBER CONSTANTINIDES:
5 Congratulations to all my colleagues. I vote aye on
6 all.

7 COMMITTEE CLERK: Alright. Council
8 Member Rose.

9 COUNCIL MEMBER ROSE: Aye on all.

10 COMMITTEE CLERK: Council Member
11 Menchaca.

12 COUNCIL MEMBER MENCHACA: Aye on all.

13 COMMITTEE CLERK: Council Member Miller.

14 COUNCIL MEMBER MILLER: I vote aye on
15 all.

16 COMMITTEE CLERK: Council Member Reynoso.

17 COUNCIL MEMBER REYNOSO: Permission to
18 explain my vote.

19 COMMITTEE CLERK: Yes.

20 COUNCIL MEMBER REYNOSO: I would just
21 like to say, especially regarding Council Member
22 Chin's legislation, looking to move New York, I would
23 really start addressing a lot of these shortcuts that
24 trucks are taking to get to free tolls as opposed to
25 going the more appropriate routes that would actually

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2 charge them a toll. And wanna say with Council
3 Member's Johnson's legislation that I hope that the
4 MTA is looking at what we're doing here today and
5 that they will consider putting these safety measures
6 on their buses as well. And congratulations to
7 Council Member Vallone, and I vote aye on all.

8 COMMITTEE CLERK: By a vote of 8 in the
9 affirmative, 0 in the negative and no abstentions,
10 all three items have passed.

11 CHAIRPERSON RODRIGUEZ: Thank you my
12 colleague and we will leave the roll open for the
13 next 30 minutes.

14 [background comments]

15 COMMITTEE CLERK: Continuation of roll
16 call vote, Committee on Transportation, items Int.
17 198-A, Int. 315-A; in Int. 641-A. Council Member
18 Levin.

19 COUNCIL MEMBER LEVIN: Aye on all.

20 COMMITTEE CLERK: 'Kay, the vote now
21 stands at 9 in the affirmative, 0 in the negative; no
22 abstentions. Thank you.

23 [pause]

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COMMITTEE ON TRANSPORTATION

COMMITTEE CLERK: Continuation of roll call vote, Committee on Transportation, Int. Nos. 198-A, 315-A; 641-A. Council Member Greenfield.

COUNCIL MEMBER GREENFIELD: Aye on all.

COMMITTEE CLERK: The final vote, 10 in the affirmative, 0 in the negative; no abstentions; the items have been adopted.

COUNCIL MEMBER GREENFIELD:

Transportation Committee meeting is hereby adjourned.

[gavel]

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date June 5, 2015