

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON TRANSPORTATION

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December 2, 2015  
Start: 10:28 a.m.  
Recess: 12:25 p.m.

HELD AT: Council Chambers - 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  
David G. Greenfield  
Costa G. Constantinides  
Carlos Menchaca  
I. Daneek Miller  
Antonio Reynoso  
Donovan J. Richards

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

Ryan Russo  
Deputy Commissioner  
Transportation Planning & Management  
NYC Department of Transportation

Jeff Lynch  
Assistant Commissioner  
Intergovernmental & Community Affairs  
NYC Department of Transportation

Dennis Fulton  
Inspector  
Transportation Bureau  
New York City Police Department

Steven Costas  
Director  
Bureau of Cleaning and Collection  
NYC Department of Sanitation

Gale Brewer  
Manhattan Borough President

Steve Vaccaro

Paul Steely White  
Executive Director  
Transportation Alternatives

Joanna Smith  
Cyclist  
Safe Streets Advocate

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

Eric McClure  
Executive Director  
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Julia Ehrman

Sharon Pope Marshall  
Outreach Manager  
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Andrew Ogulnik  
Project Associate  
Columbus Avenue Business Improvement  
District

Jack Brown  
Spokesperson  
The Coalition Against Rogue Riding

[gavel]

CHAIRPERSON RODRIGUEZ: Good morning, welcome everyone to today's hearing of the Transportation Committee; I am Council Member Ydanis Rodriguez, Chair of the committee and I am joined by my colleagues, Council Members Van Bramer, Chin, Mendez and Vacca.

This morning we will hear a series of bills designed to further our commitment to street safety. These bills are meant to strengthen existing laws, increase transparency and better account for the safety of cyclists, pedestrians and drivers alike. While we have made considerable progress under the Vision Zero Initiative, started by Mayor Bill de Blasio and supported strongly by Speaker Melissa Mark-Viverito and my colleagues and especially members of this committee, the recent spike of deaths and injuries, including several hit-and-run crashes show the need for continued vigilance on this issue. We hope to hear from the administration and public about ways in which we can strengthen existing laws, as well as improve the bills we have before us today.

1  
2           Before we begin, we must remind ourselves  
3 of the impact of our work here and keep in our  
4 thoughts and prayers those who have fallen victim to  
5 the dangers that persist on our streets; the death of  
6 Rukhsana Khan, a mother killed in Brooklyn as her  
7 family was planning the Thanksgiving dinner, or  
8 Yvette Molina in East New York, killed by a hit and  
9 run driver on Thanksgiving Day, or Luis Perez and his  
10 10-year-old grandchild, killed while trick or  
11 treating, whose family was left devastate this past  
12 Halloween, and the many, many more whose lives we  
13 cannot allow to be lost in vain. I remind everyone  
14 that the work we do here when addressing these issues  
15 is meant to save lives.

16           I would like to thank Transportation  
17 Alternatives and Families for Safe Streets in their  
18 leadership on this issue.

19           I am pleased to say that the results over  
20 the past two years show we are doing just that;  
21 however, we cannot let up; we must continue to drive  
22 the change in culture that places the almost  
23 importance [sic] on carefully driving, full awareness  
24 on the street and deliberate action against those who  
25 flaunt [sic] our city's loss.

1  
2 The first two bills we will hear today  
3 introduced by Council Member Van Bramer and myself,  
4 aim to strengthen and provide greater transparency to  
5 a law we passed nearly one year ago. Intros. 0603  
6 and 0604 express the seriousness with which this  
7 Council takes hit and run offenses.

8 Intro. 0603 will increase the civil  
9 penalties assessed against hit and run drivers who  
10 damage property, injure others, cause serious bodily  
11 harm and kill; particularly against repeat offenders.  
12 The most serious of these hit and run crashes causing  
13 death would assess a fine of no less than \$5,000 for  
14 the first offense and no less than \$10,000 for any  
15 subsequent offense. Of course, no money will pay the  
16 cost of hurt to those families who lost a loved one.

17 Intro. 0603 adds an additional reporting  
18 requirement to Local Law 50 of 2014, which requires  
19 the NYPD to report information on hit and run crashes  
20 to the Council. The bill requires the NYPD to report  
21 on the Notice of Violation issued to hit and run  
22 perpetrators as well as to the amount of civil  
23 penalties paid in each instance, broken down by  
24 damage caused.

1  
2 The next bill, Intro. 0219, sponsored by  
3 Council Member Mendez, will create a bicycle safety  
4 task force with input from the Council, the Mayor and  
5 several city agencies.

6 Intro. 0696, sponsored by myself, will  
7 require the NYPD to report on all bicycle crashes  
8 that result in serious injuries of death in our parks  
9 and on our streets. This bill will help us to better  
10 understand how and where cyclists are most in danger  
11 of being involved in crashes so that we can best  
12 account for their safety and the safety of all who  
13 use our streets.

14 Intro. 0787, introduced by Council Member  
15 Lander, seeks to clarify the circumstances under  
16 which an abandoned bicycle can be impounded by the  
17 Department of Sanitation. This bill will require a  
18 notice to be posted at the location of the supposed  
19 abandoned bike listing the details under which the  
20 bike was found to be abandoned and where the bike can  
21 be recovered if the owner seeks to do so. The bill  
22 will also impose a fine between \$25 and \$100 to be  
23 paid by the bike owner. The bill allows for the bike  
24 owner to seek resources via a hearing before the  
25 Environmental Control Board.

1  
2 Finally, Intro. 0863, sponsored by  
3 Council Member Rosenthal, will increase the font size  
4 and visibility on the back of the delivery cyclist's  
5 reflecting safety vest to allow for better  
6 identification of such cyclists.

7 We hope the representatives from the  
8 administration here today will provide quality  
9 feedback, as well as their reasons for support or for  
10 not supporting each bill.

11 Be fore we begin I would like to thank my  
12 committee staff, Counsel Kelly Taylor, Policy  
13 Analysts Jonathan Masserano, Gafar Zaaloff and  
14 Russell Murphy, who starting tomorrow I'm proud to  
15 welcome back into my office as my Deputy Chief of  
16 Staff for Legislation and Communication, as well as  
17 my Chief of Staff, Carmen de la Rosa.

18 I now offer Council Member Van Bramer an  
19 opportunity to speak on Intro. 0603 and 0604.

20 COUNCIL MEMBER VAN BRAMER: Thank you  
21 very much, Chair Rodriguez; it is very good that we  
22 are hearing Intro. 0603 and 0604 today, two important  
23 pieces of legislation that I'm proud to introduce  
24 along with Chair Rodriguez, legislation that toughens  
25 civil penalties against repeat hit and run drivers



1  
2 and require the NYPD to report how often these  
3 penalties are levied.

4           These bills build upon Local Law 50,  
5 which I introduced with Chair Rodriguez last year  
6 after seeing the hurt of the families of Luis Bravo  
7 and Kumar Raghunath [sp?], who were killed by hit and  
8 run drivers in my district; the Council passed that  
9 bill last year, creating civil penalties for hit and  
10 run drivers, but increasing the fines for repeat  
11 violators, as Intro. 0603 does, gives appropriate  
12 penalties to our city's most reckless drivers. The  
13 Chair gave the outline of the fines, but up to  
14 \$10,000 fines for repeat offenses in case of death  
15 and serious injury. And while these fines are not  
16 meant to measure the value of the lives lost, they  
17 act as a deterrent to our city's most dangerous  
18 drivers.

19           In the Vision Zero era we have to make  
20 sure that the worst of the worst face real  
21 consequences for repeat offenses and while most hit  
22 and run drivers are not repeat offenders, some are.  
23 Take Jack Montelbano, a truck driver who was  
24 convicted of a hit and run that killed 69-year-old  
25 Shu Ying Liu in 2013. According to Manhattan

1  
2 District Attorney Cy Vance, Montelbano fatally struck  
3 another person before leaving the scene at the very  
4 same Hell's Kitchen intersection in 2008, but that's  
5 not all; he was also in a third hit and run crash  
6 after which he registered a blood alcohol content of  
7 0.18, more than twice the legal limit. In fact,  
8 there is a perverse incentive in New York for drunk  
9 drivers to flee the scene, since criminal penalties  
10 for hit and runs are less severe than criminal  
11 penalties for driving under the influence.

12 At the state level, a debate is raging  
13 over a bill that would stiffen criminal penalties for  
14 hit and run drivers, with the goal of closing this  
15 drunk driver loophole. In the meantime, the City can  
16 and must do what it can to strengthen penalties for  
17 these egregious cases. We need to send the message  
18 loud and clear; if you are in a crash, don't leave  
19 the scene or the consequences will be severe.

20 The second bill that I've introduced with  
21 Chair Rodriguez, Intro. 0604, requires the NYPD to  
22 expand its existing hit and run reporting to the  
23 Council by including how often civil penalties are  
24 levied in hit and run cases and the amounts paid.

1  
2 I wanna thank Chair Rodriguez for his  
3 leadership on these issues, for working with me on  
4 these two bills and I look forward to all of my  
5 colleagues joining us in supporting these two  
6 important bills. Thank you very much, Chair  
7 Rodriguez.

8 CHAIRPERSON RODRIGUEZ: ...Van Bramer and  
9 now I offer Council Member Mendez an opportunity to  
10 speak on Intro. 0219.

11 COUNCIL MEMBER MENDEZ: Thank you,  
12 Mr. Chair and thank you for this hearing on Intro.  
13 0219. I am introducing this bill at the request of  
14 the Borough President; it is a bill that she carried  
15 in the last legislative term and I think it is a bill  
16 that makes sense and it's time is due.

17 Bicycle riding has increased in the city  
18 certainly as modes of transportation; we've created  
19 lots more infrastructure, so it would make sense that  
20 we create a bicycle safety task force that would  
21 mandate hearings in each borough, five hearings a  
22 year and we would have different people appointed  
23 from the Mayor and the Speaker and advocates on this  
24 task force that can look at trends and look at what's  
25 needed to ensure that pedestrians and cyclists are

1  
2 safe in today's streets and throughout this entire  
3 city in all five boroughs. Thank you, Mr. Chair.

4 CHAIRPERSON RODRIGUEZ: ...Member Mendez; I  
5 now offer Council Member Lander an opportunity also  
6 to speak on Intro. 0787.

7 COUNCIL MEMBER LANDER: Thank you,  
8 Mr. Chair for convening this important hearing and in  
9 general for your work on improving cycling and  
10 pedestrian and driver safety as well across the city.

11 I'm pleased today we're hearing Intro.  
12 0787, which would strengthen the ability of  
13 Department of Sanitation to address abandoned  
14 bicycles; right now the law provides that they have  
15 the ability to remove derelict bicycles, but those  
16 are only bicycles which are mangled, crushed; have  
17 all their parts removed so that if a bicycle is  
18 relatively intact, it doesn't matter how long it's  
19 abandoned, it could be there for years; currently the  
20 department doesn't have the authority or power ever  
21 to remove it and we need a system to change that so  
22 we keep bike parking available for bikes that are  
23 being used.

24 I look forward to hearing the Department  
25 of Sanitation's testimony; I understand the concerns

1  
2 about the impoundment system that's currently  
3 proposed in the legislation and would be happy to  
4 work with you to see if we can find some alternative  
5 so that we can achieve the goal in a different  
6 method, and I also have heard from advocates and  
7 understand the concern about making sure that ghost  
8 bikes, which are important memorials in the city,  
9 wouldn't be covered by the legislation. So thank you  
10 for the opportunity to hear it; I look forward to the  
11 testimony and to working together to achieve a good  
12 outcome.

13 CHAIRPERSON RODRIGUEZ: Great. Thank  
14 you. And we will offer the opportunity to my  
15 colleague, Council Member Rosenthal to say a few  
16 words when she gets here, but now I would like to  
17 welcome the representatives from the administration  
18 here, from the DOT, NYPD and the Department of  
19 Sanitation and ask our Committee Counsel to  
20 administer the affirmation; then invite them to  
21 deliver their testimony.

22 COMMITTEE COUNSEL: Will you please raise  
23 your right hand? Do you affirm to tell the truth,  
24 the whole truth and nothing but the truth in your  
25 testimony before the committee today and to respond

1  
2 honestly to council member questions? [collective  
3 affirmations] Thank you.

4 RYAN RUSSO: Great. Thank you. Good  
5 morning. Good morning, Chairman Rodriguez and  
6 members of the Transportation Committee; I am Ryan  
7 Russo, Deputy Commissioner for Transportation  
8 Planning and Management for the New York City  
9 Department of Transportation. I'm joined here by  
10 Jeff Lynch, our Assistant Commissioner for  
11 Intergovernmental and Community Affairs. Thank you  
12 for inviting us to testify this morning and for your  
13 continued partnership on many important  
14 transportation initiatives across the city. Today  
15 I'll be testifying on three of the bills, Intro.  
16 0219, 0696 and 0863.

17 I would like to start with Intro. 0219,  
18 which would create a bicycle safety task force to  
19 examine bicycle utilization and infrastructure and to  
20 develop recommendations on how to make New York City  
21 more bicycle friendly.

22 Since this bill was first introduced nine  
23 years ago, biking in New York City has changed  
24 dramatically and we have become a leader in cycling  
25 nationally. All of our hard work was recognized by

1  
2 "Bicycling" magazine, which named New York City as  
3 the best biking city in the country in 2014.

4           In recent years we've seen tremendous  
5 growth in cycling; with our bike-share network  
6 expansion we now have over 450 stations, with more  
7 than 7500 bikes through the city, which New Yorkers  
8 are using more than ever before. Near 39,000 bike-  
9 share trips per day were recorded this October, a  
10 growth of 46% compared to October 2014. Today New  
11 Yorkers can ride on our over 1,000-mile network and  
12 this year we are on track to build nearly 13 miles of  
13 protected on-street lanes, an unprecedented pace.

14           Even with all this progress, DOT is  
15 aggressively pursuing Mayor de Blasio's ambitious  
16 goal of doubling cycling trips in New York by 2020.  
17 To achieve this, we must stay focused on building out  
18 the city's bike lane network and finishing the  
19 rollout of our next phase of Bike Share, both of  
20 which involve extensive community engagement.

21           I wanna thank many of you who have  
22 supported these efforts in your neighborhood; this is  
23 how we make New York City a safer, more bike friendly  
24 city. Every month DOT is engaging with community  
25 boards, elected officials and other community leaders

1  
2 and stakeholders throughout the city on bike network  
3 projects. Our recent Jamaica Bay Greenway project is  
4 just one example of the many projects that shows our  
5 extensive planning and community engagement process.  
6 For this project we conducted 12 workshops with 6  
7 different community boards over the course of a year,  
8 reaching Canarsie, Spring Creek, Howard Beach, Ozone  
9 Park, Broad Channel, Marine Park, and Sheepshead Bay.  
10 We are currently engaged in similar community  
11 outreach efforts for bike network expansion projects  
12 on Amsterdam Avenue, Queens Boulevard, the areas  
13 around the Harlem River bridges and many other  
14 streets in the city.

15           Next on our bike-share expansion DOT has  
16 been conducting an extensive community engagement  
17 process with elected officials, community boards and  
18 local groups to site stations. We hold workshops  
19 with residents and board members throughout the  
20 expansion zones and encourage New Yorkers to use our  
21 suggested station portal online.

22           For example, we hosted a Manhattan CB11  
23 workshop in June with Speaker Mark-Viverito and other  
24 elected officials and just released our draft site  
25



1  
2 plan yesterday. We will be hosting our upcoming  
3 Manhattan CB9 workshop in two weeks.

4           Additionally, DOT takes every opportunity  
5 to promote bicycling safety and safe cycling and we  
6 have partnered with many of you in the Council for  
7 our safety events. To date, over 145,000 New Yorkers  
8 have been fitted with free bicycle helmets. We've  
9 distributed thousands of bells and bicycle lights  
10 along paths and bridges; in the last 10 years we've  
11 also given out 3 million bicycle maps to inform New  
12 Yorkers of the safest streets for cycling and of the  
13 rules of the road. We have distributed over 600,000  
14 Bike Smart guides in three languages outlining those  
15 rules and giving cyclists critical safety  
16 information.

17           We are proud to say that we have produced  
18 three public awareness campaigns focused on rules of  
19 the road for cyclists and safe interactions between  
20 motor vehicles, cyclists and pedestrians.

21           DOT is also working to expand bicycle  
22 parking for New Yorkers. Just recently we testified  
23 at a Housing and Buildings Committee hearing on  
24 several bills to expand bicycle parking options and  
25

1  
2 we look forward to working with the Council on these  
3 bills.

4           Again, while we deeply appreciate the  
5 Council's support for our efforts and respect the  
6 intent of this bill, DOT is already dedicated to  
7 working closely with communities to achieve the goals  
8 set forth in Intro. 0219. We believe focusing our  
9 resources on the bike network and bike-share  
10 expansion, as well as safety and public education  
11 campaigns is the most effective way to make cycling a  
12 real transportation option for more and more New  
13 Yorkers. If Intro. 0219 were to pass, resources and  
14 staff would be diverted from the crucial work  
15 previously discussed to focus on the mandates of the  
16 task force.

17           Moving on to Intro. 0696; it would  
18 require DOT to include information about the location  
19 of bicycle crashes in our annual Bicycle Crash Data  
20 Report. As required by Local Law 13 of 2011, we have  
21 been publishing the reports on our website. These  
22 reports include information on crashes involving only  
23 bicycles, crashes between bicycles and motorized  
24 vehicles and crashes between bicycles and  
25 pedestrians. This data, which is collected by the

1  
2 NYPD, includes the number of injuries resulting from  
3 such crashes and groups information by borough and  
4 police precincts.

5           Currently not all of the data requested  
6 under Intro. 0696 is available to include in this  
7 report. Given this concern, DOT is willing to  
8 further discuss with the Council the challenges of  
9 the data sources needed to achieve the goals of  
10 Intro. 0696.

11           Lastly, Intro. 0863 requires commercial  
12 cyclists to wear apparel with identification  
13 information in 2" reflective lettering, rather than  
14 the currently mandated 1" lettering. Businesses  
15 using commercial cyclists are already subject to many  
16 regulations. Currently commercial bicyclists must  
17 complete a safety course and the business must  
18 provide the commercial bicyclist with a unique  
19 3-digit identification number that is displayed on  
20 their vest. The businesses must also provide safety  
21 equipment, retro-reflective upper body apparel with  
22 the business' name on the back, a helmet, bell and  
23 light.

24           DOT has partnered with community boards  
25 and many of you in the Council on over 40 delivery

1 bicyclist forums serving over 4,000 businesses.

2 These forums allow us to educate small businesses on  
3 the requirements of the law. We're thankful for your  
4 partnership on three recent forums which were  
5 co-sponsored by Council Members Rosenthal, Kallos and  
6 Mendez.  
7

8 When the original law went into effect,  
9 DOT provided thousands of businesses with free sample  
10 retro-reflective vests; these vests are equipped with  
11 a clear pocket on the back where the company's name  
12 and bicyclist information can be inserted on a  
13 template provided by DOT; this is an easy way for  
14 small businesses to comply with the law.

15 The requirements in Intro. 0863 would not  
16 allow businesses to continue using the vests that DOT  
17 provided and would require businesses to purchase new  
18 vests or alter the ones that they currently have or  
19 be subject to fines.

20 We are interested in hearing input from  
21 small businesses and cyclists participating in the  
22 program who will be responsible for complying with  
23 these new regulations.

24 RYAN RUSSO: Thank you, Chairman  
25 Rodriguez and members of the committee; we'd be happy

1  
2 to answer questions after the testimony from our  
3 sister agencies.

4 DENNIS FULTON: Good morning, Chair  
5 Rodriguez and members of the Council.

6 I am Inspector Dennis Fulton of the  
7 Transportation Bureau of the New York City Police  
8 Department. On behalf of Commissioner William J.  
9 Bratton, I would like to thank you for this  
10 opportunity to speak to you about two of the bills  
11 before you today, Intros. 0603 and 0604.

12 As you know, as part of the Vision Zero  
13 Initiative, there is an intense and comprehensive  
14 focus within the administration and the Police  
15 Department on enhancing traffic safety and preventing  
16 vehicle collisions. Notably, there has been  
17 significant enforcement directed at speeding, as well  
18 as failing to yield to pedestrians. The number of  
19 speeding summonses issued citywide has increased  
20 13.8% from 2014 and the number of failure to yield  
21 summonses issued citywide has increased 15.1% from  
22 2014. Local Law 50 of 2014, which was passed by the  
23 Council and signed into law by Mayor de Blasio,  
24 created civil penalties for drivers who leave the  
25 scene of an incident without reporting; drivers who

1  
2 violate the law may receive a Notice of Violation  
3 (NOV), which is returnable to the Environmental  
4 Control Board. The law encourages compliance with  
5 one of the most basic responsibilities of driver; to  
6 stop and provide their identifying information if  
7 they have cause to believe that they hit someone or  
8 something, causing personal injury, death or property  
9 damage.

10 Intro. 0603 would strengthen that law by  
11 increasing civil penalties for repeat offenders; the  
12 bill hold the most irresponsible drivers accountable  
13 to the basic decency that one would expect from those  
14 operating motor vehicles on our crowded streets.

15 Intro. 0604 would amend the Police  
16 Department's quarterly report to the Council,  
17 capturing collisions involving critical injury where  
18 the driver left a scene without reporting. The bill  
19 would require that the Police Department provide the  
20 number of NOVs (Notice of Violations) issued for  
21 leaving the scene of an incident, as well as the  
22 amount of penalties that have been paid. While the  
23 Police Department is open to the goals of greater  
24 transparency that the bill seeks to achieve, we  
25 believe the bill as currently drafted poses

1  
2 significant operational challenges for the  
3 department. The department has the ability to track  
4 NOVs issued in connection with collisions involving  
5 critical injury where the driver left a scene without  
6 reporting. The department does not have the ability  
7 to track Notices of Violations (NOVs) issued citywide  
8 pursuant to Local Law 50 or the ability to  
9 disaggregate the data in a manner that the bill  
10 seeks.

11 Furthermore, the department does not  
12 maintain records related to NOVs or track whether  
13 NOVs have been paid or not. Notwithstanding these  
14 potential challenges, we welcome the opportunity to  
15 work together on this legislation. Thank you for the  
16 opportunity to speak with you today and I'm also  
17 pleased to answer your questions after subsequent  
18 testimony.

19 STEVEN COSTAS: Good morning, Chair  
20 Rodriguez and members of the Committee on  
21 Transportation. I am Steven Costas, the Director of  
22 Bureau of Cleaning and Collection for the New York  
23 City Department of Sanitation. Thank you for this  
24 opportunity to comment on Intro. No. 0787 under  
25 consideration by the committee this morning.

1  
2 In 2010, the department promulgated rules  
3 which we revised in 2011 in direct response to the  
4 increased number of derelict bicycles affixed to  
5 public property, including but not limited to traffic  
6 signs and bicycle racks installed by the Department  
7 of Transportation throughout the city. The  
8 department's rules established criteria that the  
9 agency uses in order to classify certain bicycles  
10 that are affixed to public property as derelict and  
11 allows for their removal and disposal. Under the  
12 criteria, a bicycle will be deemed derelict only if  
13 it is affixed to a public property and the bicycle  
14 meets three or more of the following criteria: it  
15 appears to be crushed or not usable, missing parts  
16 other than the seat and front wheel, which are  
17 typically removed by a bicycle owner to prevent  
18 theft, including but not limited to handlebars, pedal  
19 or pedals, rear wheel and chain, it has flat or  
20 missing tires; the handlebars or pedals are damaged  
21 or the existing fork frames or rims are bent or 75%  
22 or more of the bicycle, which includes handlebars,  
23 pedals and frames, are rusted, along with the chain  
24 affixing such bicycle to public property.



1  
2 The department's rules specifically  
3 exclude ghost bikes from the derelict bicycle  
4 criteria. Once the department makes the  
5 determination that a bicycle is derelict, a notice is  
6 affixed to the bicycle advising the owner that such  
7 bicycle must be removed within 7 days from the date  
8 of the notice. This notice also states that failure  
9 to remove such bicycle within the designated time  
10 period will result in the department removing and  
11 disposing of the derelict bicycle. The rules do not  
12 authorize the department to remove for disposal from  
13 public property any ghost bikes or bicycles that do  
14 not meet the derelict bicycle criteria.

15 Additionally, nothing in the department's  
16 rules precludes the immediate removal of any bicycle,  
17 including but not limited to, a derelict bicycle or  
18 ghost bike or the taking of any action by any city  
19 agency if the presence of such bicycle creates a  
20 dangerous condition by restricting vehicular or  
21 pedestrian traffic or is otherwise in violation of  
22 the law.

23 Since the program's inception in October  
24 of 2010, the department has removed 975 derelict  
25 bicycles throughout the city. To date, for the

1  
2 current fiscal year, the department has removed 228  
3 derelict bicycles. Based on our field observations  
4 and experience, two-thirds of all derelict bicycles  
5 are concentrated in four community districts --  
6 Manhattan 2, Manhattan 3, Brooklyn 1 and Brooklyn 6,  
7 accounting for 67% of all derelict bicycles removed.

8 Intro. No. 0787. Specifically, as to  
9 Intro. No. 0787, this legislation would require the  
10 removal of any bicycle that is affixed to a public  
11 property not less than 36 hours after a notice has  
12 been affixed to such bicycle. The impounded bicycle  
13 would then need to be stored and an owner could only  
14 redeem the bicycle if he or she pays all costs of  
15 removal and storage as set forth by the rules by the  
16 Police Department. An owner would also be required  
17 to pay any outstanding civil penalties associated  
18 with the abandonment of such bicycle before it can be  
19 released to him or her.

20 The department has several concerns  
21 regarding this legislation. First, the 36-hour  
22 notice period is an unrealistic timeframe for the  
23 department administer operationally as well as for  
24 bicycle owners. Additionally, the department does  
25 not have the field personnel that would be necessary

1  
2 to administer a system that involves tagging the  
3 bicycle, monitoring the bicycle during the notice  
4 period and subsequently removing the bicycle because  
5 our field officers change daily due to scheduling,  
6 deployment and assignments.

7           Lastly, the department does not have the  
8 required space to store such abandoned bicycles  
9 necessitated by the legislation. The department  
10 understands and appreciates the intent of the bill  
11 sponsor in putting forth this legislation, especially  
12 the need to ensure the adequate bicycle parking is  
13 available at locations throughout the city, including  
14 Department of Transportation installed bicycle racks.

15           We look forward to working  
16 collaboratively through an interagency effort for the  
17 City Council to come up with an operationally  
18 feasible solution to deal with bicycles that remain  
19 in public areas for lengthy periods of time. Thank  
20 you for this opportunity to testify today; I will now  
21 be happy to also answer questions that you might  
22 have.

23           CHAIRPERSON RODRIGUEZ: Thank you; I have  
24 a few questions and my colleagues also have other  
25 questions and before I start in with questions, I

1  
2 wanted to take this opportunity to congratulate one  
3 of my former students, Carlos Suerro [sp?], who is a  
4 cyclist and he was recognized as the New Yorker of  
5 the Week last week for running a bicycle repair  
6 center at the school where I used to be a teacher for  
7 13 years before being elected to the Council. So I  
8 know that seeing that we have New Yorkers focusing on  
9 expanding a bicycle initiative, not only the Midtown  
10 area but in the outer boroughs, also sends a strong  
11 signal to all of us that there's expansion of more  
12 New Yorkers who are switching to bikes and this is  
13 like, it's gonna be another source of transportation  
14 as we have been expanding in the last couple of  
15 years.

16 My first question, which is related to  
17 accidents involving cyclists; how many cyclists have  
18 been hit by all the vehicles in 2015 that ended with  
19 those crashes and how many of those crashes ended in  
20 death and what is the number in 2015 compared to  
21 2014?

22 RYAN RUSSO: For cyclist fatalities,  
23 which is more readily available, we have... all of 2014  
24 there were 20 cyclist fatalities and 2015 year-to-  
25 date there have been 13.

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CHAIRPERSON RODRIGUEZ: Thirteen?

RYAN RUSSO: Correct.

CHAIRPERSON RODRIGUEZ: And what other...  
in that report, do you have other information on  
accidents involving cyclists that did not end with...  
[crosstalk]

RYAN RUSSO: Sure.

CHAIRPERSON RODRIGUEZ: a number of  
people being dead?

RYAN RUSSO: Well the... for severe  
injuries, that data comes through the state, so it  
takes a while for that, and the year's not over, so  
what we do have is 2014 information that's relatively  
recent, so we can compare 2013 to 14; in 2013 there  
were 420 severe injuries to cyclists and in 2014,  
even though the fatality number was higher than  
average, the severe injuries to cyclists fell by 14%  
to 361 the first year of Vision Zero in this  
administration.

CHAIRPERSON RODRIGUEZ: Do you expect to  
see a reduction even though you don't have the  
complete data by 2015?

RYAN RUSSO: That's the hope.

1  
2 CHAIRPERSON RODRIGUEZ: Okay. How does  
3 the NYPD collect the data involving cyclists?

4 DENNIS FULTON: The officer will respond  
5 to a scene where a bike collision occurred and we  
6 would take a state report, the police accident  
7 report; it would be entered into our database; now  
8 that is a state report and it's required from DMV and  
9 when a motor vehicle is involved with a bicycle. A  
10 couple years ago we changed how we report bike  
11 collisions; now we're not required to put it on the  
12 police accident report, but it has more information  
13 than what we used to cover, so we have a bike  
14 database now with only bike collisions, where a bike  
15 was involved with another bike or a bike involved  
16 with a pedestrian, so there's two separate databases  
17 that we currently have.

18 CHAIRPERSON RODRIGUEZ: And my other  
19 question is related to... it's a comment and question  
20 related to the hit and run; do you feel, because my  
21 experience being involved, you know as a council  
22 member, but just like with many families that they  
23 have lost a loved one related to hit and run, is that  
24 what we heard from some of the DAs is that they  
25 expect that the state law provides more tools in

1  
2 order for them to be able to prosecute those  
3 irresponsible drivers who are involved in the hit and  
4 runs; like, do you think that... are you comfortable  
5 with what we have right now, the tools that we have  
6 to go after, to follow those investigations, the hit  
7 and run, or do you think that the city should expect  
8 more tools to be able to go after the bad drivers?

9 DENNIS FULTON: Certainly we appreciate  
10 the City Council enhancing the laws to act as a  
11 deterrent; the NYPD, part of our responsibilities  
12 with crime or crimes like leaving the scene is to  
13 make arrests; we wanna proceed criminally because we  
14 understand the severity of people that leave the  
15 scene; they're leaving the scene for a reason,  
16 they're trying to get away and the Police Department,  
17 we act within the current structure that we have, but  
18 we're always appreciative of the City Council  
19 enhancing these leaving the scene laws to make the  
20 laws stronger.

21 CHAIRPERSON RODRIGUEZ: Yeah. I always  
22 have to bring back the case of someone, Josbel  
23 Rivera, who was hit by a driver and the Fox5 news,  
24 they had the video where the driver is, a few minutes  
25 after he hit that person, he walk and put his car on

1  
2 fire in order to get rid of the evidence, and what we  
3 heard from the DA was, even though we were able to  
4 capture that image and that person later on in the  
5 process in the Bronx and facing the judge, he  
6 recognized that he hit something; he didn't take  
7 responsibility to say, I hit that individual, but  
8 minutes after he went and put the car on fire and the  
9 image is there, so what we got from the DA is;  
10 unfortunately the state law puts some limitation on  
11 how much we can do in this case. So it took like  
12 three years in order to put that individual behind  
13 bars, even though the image and all the proof was  
14 there. So how do you feel like -- and what we heard  
15 again is that we need more from the state, because we  
16 don't have all the tools that we want in order to go  
17 and prosecute.

18 DENNIS FULTON: Again, we always  
19 appreciate the discussion of enhancing and given  
20 additional tools; our Collision Investigation Squad  
21 would handle the most egregious collisions where  
22 someone suffered a fatality or a critical injury and  
23 they do an intensive comprehensive investigation for  
24 these particular collisions where fatalities occurred  
25 and when leaving a scene; they would do their



1  
2 investigatory steps and I know that they do a very  
3 methodical investigation and the tools that they  
4 currently have, they do a pretty good job; I mean we...  
5 I believe they have 28 leaving the scene arrests this  
6 year out of 48, so we do make over 50% arrests. The  
7 department itself has made, and this is for lower  
8 tier leaving the scenes, 483 arrests for leaving the  
9 scenes this year and this would involve any leaving  
10 the scene, usually with injury. But to answer your  
11 question, we would appreciate to... anything that the  
12 Council would like to offer we would take back and we  
13 would definitely consider it.

14 CHAIRPERSON RODRIGUEZ: How many cases  
15 doe you have open so far in 2015 of drivers that have  
16 been involved in hit and runs that still we have not  
17 been able to put those people behind bars?

18 DENNIS FULTON: Like I said, in the most  
19 egregious cases and they're the ones that we really  
20 will do a comprehensive investigation; we have 28  
21 arrests on a total of 48 leaving the scene. So we do  
22 have 20 that are still being investigated. Like you  
23 brought up, a lot of these cases take some, there's  
24 video; they do go back and try to get witnesses and  
25 sometimes, and even with other crimes; robberies and

1  
2 stuff, these cases are solved months and sometimes  
3 years later, but right now it's 28 arrests out of 48  
4 occurrences.

5 CHAIRPERSON RODRIGUEZ: And those 28 are  
6 for this year or for the last couple of years; I  
7 couldn't... [crosstalk]

8 DENNIS FULTON: This is for this year.

9 CHAIRPERSON RODRIGUEZ: For this year.

10 DENNIS FULTON: Yes.

11 CHAIRPERSON RODRIGUEZ: Yeah. And I just  
12 hope that... you know, first of all, I am very happy to  
13 see the level of partnership that we have established  
14 with the administration, DOT, NYPD and the whole  
15 administration on Vision Zero, but I just hope that  
16 we can still do more and quickly; I know that  
17 sometimes we don't have all the tools that we need,  
18 but you know, if... especially someone who leaves the  
19 scene where that person could end up being dead, you  
20 know I just... for me, I just hope that at some point  
21 we continue working with the new technology; all the  
22 other tools, because we need to be sure that the  
23 message is clear, you know, but I don't know what is  
24 the alert that we have to establish, but you know,  
25 someone who hit a person, a cyclist or a pedestrian,

1  
2 and made the decision to leave that scene for me is  
3 like, it's... we know it's unacceptable, but it's more  
4 I hope that we can have a plan to increase the  
5 resources to be able to go after those individuals  
6 quickly.

7 DENNIS FULTON: We certainly appreciate  
8 the Council on their passion for Vision Zero and we  
9 look forward to working with you guys in the future  
10 to enhance these laws and to give us, you know,  
11 strengthen our investigatory capabilities, so we  
12 agree, these are egregious offenders and they need to  
13 be arrested and charged accordingly.

14 CHAIRPERSON RODRIGUEZ: Right. Thank  
15 you. I know that my colleagues have many questions,  
16 but I would like to recognize Council Members  
17 Constantinides, Menchaca and Rosenthal and first  
18 provide the opportunity to Council Member Rosenthal.  
19 Is she still here? No?

20 [pause]

21 [background comments]

22 COUNCIL MEMBER ROSENTHAL: Thank you so  
23 much, Council Member Rodriguez for holding this  
24 hearing and for being a leader on Vision Zero.

1  
2 Thanks so much to all the agencies that are here  
3 today.

4           What I'd like to share with you is  
5 concern from many of my residents who are nervous  
6 about the delivery bikes going in every which  
7 direction and residents feeling that they are at risk  
8 of being hit -- I'm gonna catch my breath; hang on  
9 one second -- okay, residents fearing that they're  
10 gonna be hit by delivery cyclists and I know the  
11 Department of Transportation has done a terrific job  
12 in providing the reflective vests for the delivery  
13 bikers and we worked together in fact a few months  
14 ago to have an open forum for our restaurateurs to  
15 make sure that they had the vests and other  
16 equipment; you know the problem is that when the  
17 delivery bicyclists are not obeying the law and  
18 riding the wrong way, which happen frequently in my  
19 district, there's sort of no recourse for it and  
20 particularly when it happens late at night. As you  
21 know, on your vests, in the back there's a plastic  
22 box and what the restaurants do is write in Sharpie  
23 the name of their restaurant and the vest number for  
24 the biker, and the problem is; people can't see that.  
25 So what this piece of legislation, 0863 would do

1  
2 would require that the lettering for the name of the  
3 restaurant and the code number of the bicyclist be 2"  
4 tall and be in reflective lettering so people can see  
5 it.

6           The concern of the industry is that, you  
7 know, it's just another regulation on a small  
8 business and I know you have concerns in the sense  
9 that you've given out so many reflective vests; you  
10 would have to give them out again or, you know,  
11 restart that whole thing; what we've been able to do  
12 is research and find that there is reflective tape  
13 that restaurants could use to put the tape right on  
14 the back of the vest today, so all they would need is  
15 the... I think the brand name is Duck tape, and to use  
16 that lettering, and I think, you know, when you sort  
17 of weigh the two issues, and I'm interested in  
18 hearing more feedback from you about this, but when  
19 you weigh, you know the difficulty of getting the  
20 reflective tape against seniors and people with  
21 mobility issues and vision issues not being able to  
22 see the bicyclists, we have to come down on the side  
23 of pedestrian safety.

24           So again, Chair Rodriguez, I thank you  
25 for giving me the opportunity to introduce this

1  
2 legislation today and I hope we can move forward in  
3 implementing this law. Thank you very much.

4 CHAIRPERSON RODRIGUEZ: Council Member  
5 Van Bramer.

6 COUNCIL MEMBER VAN BRAMER: Thank you  
7 very much, Mr. Chair and I wanna thank the NYPD for  
8 supporting my bill, Intro. 0603, which I'm proud to  
9 introduce with our chair and I think we all agree  
10 that it is perhaps the most heinous of acts to  
11 actually strike another human being, to know that  
12 you've struck another human being and then to leave  
13 that human being to die in the street when you could  
14 stop the car and call 911 and possibly save a life.

15 In the case of Luis Bravo, who was killed  
16 on Broadway in Woodside, I have stood with his mother  
17 on that street, at the very scene where he was struck  
18 at a late hour and lay in the street until someone  
19 noticed and called; she lives every day not knowing  
20 if that driver had stopped and called 911, could his  
21 life have been saved. So that's why this issue is so  
22 personal for me and for my district, but really for  
23 every single one of us in the City of New York. I'm  
24 glad to see that you've had some success in  
25 apprehending some of the hit and run drivers involved

1  
2 in these heinous crashes, but obviously there's more  
3 to be done, so I thank you for your support of Intro.  
4 0603 and look forward to that passing in this  
5 Council.

6 With Intro. 0604, the reporting bill, you  
7 had some concerns and operational concerns, so I  
8 wanted to ask you a few questions regarding the  
9 reporting so far, what we know and how we can get  
10 more information; what some of those operational  
11 challenges are that you cited.

12 So my first question's pretty basic; is,  
13 how many hit and runs have there been so far this  
14 year in New York City?

15 DENNIS FULTON: How many.. Okay, so this  
16 would be broken down into two categories; I'm gonna  
17 do that, and I could total it up too. The first is  
18 leaving the scene property damage and if I can  
19 explain what that is before I give you the numbers.  
20 So it could be minor, where a box truck was going  
21 down a narrow street and hit four or five cars and  
22 then we have the more serious, which is personal  
23 injury, where the person left the scene and then we  
24 have the most egregious, where it would enable a CIS  
25 investigation. So to answer your question,

1  
2 approximately 34,000 leaving the scene property  
3 damage; [background comment] quite a bit, and then we  
4 have approximately 4,000 leaving the scene personal  
5 injury, and the injuries vary, and the most serious,  
6 like I said before, is we had 48, where we had a  
7 catastrophic injury suffered and the person left the  
8 scene.

9 COUNCIL MEMBER VAN BRAMER: So let me..

10 [interpose]

11 DENNIS FULTON: So it would be 38,000

12 approximately total of that number.

13 COUNCIL MEMBER VAN BRAMER: So let me

14 just repeat that, because I find it staggering..

15 [crosstalk]

16 DENNIS FULTON: Sure.

17 COUNCIL MEMBER VAN BRAMER: and I'm sure

18 other people who may not be familiar with these

19 numbers will find that staggering as well -- 34,000

20 cases of drivers leaving the scene where there is

21 some property.. [interpose]

22 DENNIS FULTON: Approximately, yeah.

23 COUNCIL MEMBER VAN BRAMER: damage; 4,000

24 people leaving the scene after striking another human

25 being..



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DENNIS FULTON: That is correct.

COUNCIL MEMBER VAN BRAMER: 4,000 cases  
of that; that is absolute... [crosstalk]

DENNIS FULTON: Right, it could be the  
person injured in the car too, 'cause that...

[interpose]

COUNCIL MEMBER VAN BRAMER: Sure.

DENNIS FULTON: doesn't have to be a  
pedestrian; it's a good point.

COUNCIL MEMBER VAN BRAMER: Sure, but  
still, 4,000 is 4,000.

DENNIS FULTON: It's a lot.

COUNCIL MEMBER VAN BRAMER: That's a lot  
and 48 where there was catastrophic injury, and 28 of  
those you said you had apprehended?

DENNIS FULTON: We have; they do an  
outstanding job, the Collision Investigation Squad;  
these are not... they require a comprehensive  
investigation, so they do good work and it's an  
improvement from last year, when we had 27...

[crosstalk]

COUNCIL MEMBER VAN BRAMER: Right. No,  
that is hopeful; obviously we have more work to be  
done, but it highlights how serious this issue is and

1  
2 how tragically this is happening and all too  
3 frequently; again, one of the most heinous acts one  
4 human being can do to another, leaving them.

5           So I'm especially glad that we passed  
6 Intro. 0050 last year to hold these folks more  
7 accountable, those that you are able to catch and  
8 apprehend. But now with respect to 0604 and some of  
9 your specific concerns about the reporting  
10 requirement, I believe you said the NYPD can track  
11 hit and run violations resulting in critical injury,  
12 but not hit and run violations citywide, if that's  
13 accurate; why not?

14           DENNIS FULTON: We just don't have the  
15 technical ability to track that at this point; we  
16 don't track the Notice of Violation, when issued, to  
17 these... so we don't have the technical ability. You  
18 know, the NYPD is constantly striving to better its  
19 technology, but at this point we don't have that  
20 capability.

21           COUNCIL MEMBER VAN BRAMER: Hm.  
22 Obviously I find that... did you wanna say...

23           DENNIS FULTON: Yeah, I wanted to say  
24 that Local Law No. 5, it involves the posting, like  
25 you said, on... and we release leaving the scene data

1  
2 to the public and we want to be transparent and we  
3 wanna work with this Council to do that; to be  
4 consistent with it, we can track the Notice of  
5 Violations issued by... or any enforcement done by the  
6 Collision Investigation Squad, which would fit in  
7 with Local Law No. 5, so we can do that.

8 COUNCIL MEMBER VAN BRAMER: Right, but  
9 you can't in other cases?

10 DENNIS FULTON: No, we don't have the  
11 capability at this point.

12 COUNCIL MEMBER VAN BRAMER: Is that a  
13 resource question?

14 DENNIS FULTON: It's always a resource  
15 question, Councilman, but it's technical; we don't  
16 capture that.

17 COUNCIL MEMBER VAN BRAMER: Right. So  
18 just walk me through it very speci... 'cause you're  
19 issuing NOVs, but you can't track them.

20 DENNIS FULTON: So each precinct, and  
21 this goes for all of our summonses and we do issue a  
22 lot of summonses; we don't track the location of the  
23 summons at this point from my level, so that would be  
24 the way where we get the data... that's where we would  
25 get the data to post online. Each individual

1  
2 precinct can probably tell you exactly where they're  
3 writing their summonses, but from my level, we don't  
4 have that technical... we just don't the computer  
5 system for it at this point.

6 COUNCIL MEMBER VAN BRAMER: So I have  
7 great respect for the NYPD and I'm very, very proud  
8 to work very closely with 108th Precinct and 114th  
9 Precinct; amazing, amazing men and women who save  
10 lives every day. But it just seems to me as a lay  
11 person that tracking this information, the locations  
12 of NOVs could actually be very helpful in determining  
13 trends, patterns, danger zones; even catching folks  
14 who maybe are repeat offenders, and if we have that  
15 data on the precinct level, it would seem that  
16 there's got to be a way for you all within the same  
17 organization to upload that to 1 PP.

18 DENNIS FULTON: We're constantly trying  
19 to improve the data that we have and we always wanna  
20 be transparent, so I will say that we are looking to  
21 improve in this area, so somewhere in the future.

22 COUNCIL MEMBER VAN BRAMER: I think we  
23 make the case more for this legislation passing and  
24 not less so as a result of this discussion, because  
25 it certainly seems like you've got the data, you're

1  
2 just unable to share it in a way that you clearly  
3 should be able to and I think would be very helpful  
4 in possibly even saving lives.

5 DENNIS FULTON: Agreed; I mean, as soon  
6 as we're able to, I don't think that we would have  
7 many issues with sharing the data that you require us  
8 to share.

9 COUNCIL MEMBER VAN BRAMER: And do you  
10 get data from the Environmental Control Board, from  
11 their perspective, from their end of this?

12 DENNIS FULTON: If we request it we can  
13 get data from them, but you know, once we write the  
14 summons it becomes a civil matter and they would  
15 handle that, so we normally do not request a lot of  
16 data from them.

17 COUNCIL MEMBER VAN BRAMER: But you  
18 could?

19 DENNIS FULTON: We could.

20 COUNCIL MEMBER VAN BRAMER: Right. And  
21 that would be another information-sharing exercise  
22 that could actually be helpful.

23 DENNIS FULTON: Yes.

24 COUNCIL MEMBER VAN BRAMER: Okay. So,  
25 you know, I appreciate again your full support for

1  
2 Intro. 0603 and all of us believing we need to crack  
3 down on these repeat hit and run drivers responsible  
4 or horrific collisions and crashes. And on Intro.  
5 0604, I think we should go ahead and pass this bill  
6 because there has got to be a way for the NYPD,  
7 working with the Mayor, to find the way to share this  
8 information from the precinct level to 1 PP; it's  
9 hard to imagine that the 108th Precinct has the data,  
10 has the location, has all the information, but for  
11 whatever reason can't share that with you all at 1 PP  
12 as you're all trying to accomplish the same goal,  
13 which is to make the streets of Sunnyside, Woodside  
14 and Long Island City safer.

15 DENNIS FULTON: Right. I think we're  
16 there; we look forward to working with on 0604; it's  
17 just that we don't have the ability right now; we do  
18 have the ability, like I said, which would be  
19 consistent with it, to possibly add the notes that  
20 are written by the Collision Investigation Squad and  
21 then maybe somewhere down the line we could also  
22 discuss sharing the addition when we have the  
23 capabilities.

24 COUNCIL MEMBER VAN BRAMER: Sure and then  
25 my last, you know, statement; it's just, you know,

1  
2 close to 40,000 instances of leaving the scene of a  
3 crash, collision, that's a staggering number and  
4 drilling down deeper into those numbers and finding  
5 where this is happening, that seems absolutely  
6 essential towards getting to a place where this is  
7 not happening anymore.

8 DENNIS FULTON: Agreed, the leaving the  
9 scene... Well we know where the leaving the scene's  
10 happening and we, in the Police Department we take  
11 these collisions very seriously and so each precinct,  
12 besides posting the data, and everybody knows where  
13 these most egregious offenses are happening; we also  
14 are aware, the precinct commanders are aware where  
15 they're happening; we also have collision-prone  
16 locations, which we have identified as high  
17 collision-prone locations where we can concentrate  
18 our enforcement and our education and if there's any...  
19 we can look at it and see and notify our partner in  
20 this, if there's any road engineering things that we  
21 can improve in that particular area, so we do know  
22 where the leaving the scenes are occurring and we  
23 concentrate on our enforcement and we do take it  
24 seriously, as I stated.

1  
2 COUNCIL MEMBER VAN BRAMER: Agreed, but  
3 we'll work together to make sure that we can get to a  
4 place where 0604 is passed and implemented.

5 DENNIS FULTON: Yes, agreed.

6 COUNCIL MEMBER VAN BRAMER: Thank you.

7 CHAIRPERSON RODRIGUEZ: To clarify, the  
8 4,000 number that you shared with us right now, was  
9 that number only from 2015?

10 DENNIS FULTON: 2015, yes. Yes.

11 CHAIRPERSON RODRIGUEZ: What is the  
12 number compared to 2014?

13 DENNIS FULTON: It's approximately the  
14 same; I'd have to double-check, but it's close to  
15 being the same; it's right around... [crosstalk]

16 CHAIRPERSON RODRIGUEZ: So the numbers  
17 continue being the same for the last couple of years?

18 DENNIS FULTON: Yes. I would check...  
19 approximately; they didn't vary too much.

20 CHAIRPERSON RODRIGUEZ: Okay. And what  
21 percentage of hit and run accidents result in  
22 criminal charges?

23 DENNIS FULTON: We had 480 or so and they  
24 would be mostly, you know, with the injuries, so 480  
25 where we actually were able to in effect an arrest



1  
2 there. And we also issued 475 or so moving  
3 violations, the moving summons, so roughly a little  
4 over nine... close to 950 total enforcement action done  
5 on the leaving the scene.

6 CHAIRPERSON RODRIGUEZ: Do you keep the  
7 data or do you have information on how many hit and  
8 run offenders are repeat offenders?

9 DENNIS FULTON: I don't have that right  
10 now, sir.

11 CHAIRPERSON RODRIGUEZ: Okay. How often  
12 have the civil penalties been imposed under Section  
13 19-191 since it went into effect at the beginning of  
14 this year?

15 DENNIS FULTON: This is 19-191. Right  
16 now... it was passed at the end of last year and then  
17 we worked with the Environmental Control Board to  
18 establish rules and then a code for the summons and  
19 that happened in March 2015, so currently we don't  
20 track... like I said, I don't know the precinct, but as  
21 far as the CIS, the Collision Investigation Squad, we  
22 are looking into the utilization of that summons by  
23 if there's... Okay, so we look to make arrests first,  
24 'cause it is an egregious crime, so there are  
25 circumstances where we will not be able to proceed

1  
2 criminally and this would be an additional tool; we  
3 have not utilized the squad [sic] at this point, the  
4 CIS squad, but they are going to look to utilize it  
5 in the future.

6 CHAIRPERSON RODRIGUEZ: Yeah. But like  
7 how many drivers have faced civil penalties and what  
8 was the average dollar amount of fines imposed.

9 DENNIS FULTON: I don't know that  
10 offhand.

11 CHAIRPERSON RODRIGUEZ: I think it's good  
12 that, you know, if we follow up with that information  
13 so we can have a better understanding on how things  
14 have been going, especially in 2015.

15 How closely are you working with the DA  
16 in prosecuting hit and run accidents?

17 DENNIS FULTON: The CIS... we work very  
18 closely with the DA's office; I think that as far as  
19 our... and we make a lot of arrests for grand larceny,  
20 for robbery, for homicides; with respect to the  
21 Collision Investigation Squad, who does a  
22 comprehensive investigation, I would argue that this  
23 is the closest relationship that we have in all our  
24 investigations with the DAs, so to answer your  
25 question; very closely.

1  
2 CHAIRPERSON RODRIGUEZ: Okay. And again,  
3 that number, the 4,000 individual New Yorkers being  
4 hit by cars in a hit and run, you know is a number  
5 that I hope that all New Yorkers should also look at  
6 and understanding how important it is to continue to  
7 working with Vision Zero under Mayor de Blasio and  
8 other agencies and the Council, because we need to  
9 change the culture and we need to understand that we  
10 need to share the streets and drivers have to be, you  
11 know more responsible when it comes to especially  
12 those cases involving crashes and they should know  
13 that they should not leave the scene and I know that  
14 my colleagues here and with the administration and  
15 probably we also should go to the state to increase  
16 the penalty for anyone who leaves the scene in a hit  
17 and run.

18 I'm calling Council Member Chin, but  
19 before I would also like to recog... I'm sorry, Council  
20 Member Lander, but I would like to recognize  
21 Manhattan Borough President who is here with us also  
22 who also will testify later on.

23 COUNCIL MEMBER LANDER: Thank you,  
24 Mr. Chair and I recognize there's a lot of bills and  
25 a lot of council members and the Manhattan Borough

1  
2 President, so I'll try to be brief and I'll just  
3 focus on Intro. 0787. I wanna thank the Department  
4 of Sanitation for your testimony, both for feedback  
5 on what you think will and won't work and also your  
6 expression of real openness to work together to  
7 address this problem.

8           So first let me just make sure I'm clear,  
9 so your current program removes these derelict  
10 bicycles that are 75% rusted or have had many of the  
11 parts removed or are crushed, but does not remove  
12 intact but abandoned bicycles no matter how long they  
13 stay there, so until it gets 75% rusted, crushed or  
14 parts removed or and if it's not a public safety  
15 danger, right now it's just gonna stay on that rack  
16 until it gets 75% rusted, which could be years.

17           STEVEN COSTAS: That's correct.

18           COUNCIL MEMBER LANDER: Okay. So the  
19 goal here of this legislation then is to give us some  
20 way to remove abandoned bicycles which may not yet be  
21 derelict -- we don't wanna have an incentive for  
22 neighbors to start pulling off the parts -- at some  
23 point. Now I appreciate your comment, and I've  
24 gotten some feedback as well, that 36 hours is  
25 obviously much too short to declare it abandoned; the

1  
2 thinking was of course, it would already have been  
3 abandoned a long time before the first tag got put on  
4 it, but we have no official way of knowing that; that  
5 would only come from photos or citizen input, so I do  
6 think it makes sense and I appreciate the point to  
7 significantly increase the amount of time from when a  
8 first city tag would get put on that bike and when it  
9 would be removed. Do you have thoughts on how long  
10 that should be or is that at least something that we  
11 can work together on to figure out?

12 STEVEN COSTAS: Well as I stated earlier,  
13 we would clearly be happy to discuss it with you and  
14 the rest of the Council in terms of any additional  
15 recommendations you might have and we would then take  
16 them back and investigate them to see if they were  
17 feasible.

18 COUNCIL MEMBER LANDER: Okay. Now I  
19 appreciate from your testimony in particular the  
20 challenge that impoundment would create; I'm sure you  
21 could find space somewhere in the sanitation  
22 footprint, but you know, establishing an entire  
23 system of registry and how people would prove that  
24 those bikes belong to them might be challenging; one  
25 alternative way of thinking about it might be that

1 the time that the bike stays on the rack, in-between  
2 a first tag and being taken, is essentially the  
3 equivalent of the impoundment period. So you've got  
4 a bike that's been out there a long time, assuming  
5 there's a website or you can use 311; citizens say,  
6 gee, that bike has been there forever; can you please  
7 come look; you eventually come out and tag it; it  
8 then stays there for -- we have to figure out what's  
9 right; a month; two months, and at any point in that  
10 time the person can come and move their bike; if they  
11 don't, that's the same as maybe the period of time it  
12 would've been impounded somewhere and at that point  
13 it could be removed and recycled or metal recycled or  
14 whatever we're gonna do with it. Would a system like  
15 that, at least conceptually... it seems like a system  
16 like that will be much easier for you to administer  
17 and much more straightforward, still the same amount  
18 of time for people to get their bikes back, but  
19 without you having to create an impoundment and  
20 registration system?

21  
22 STEVEN COSTAS: It's an interesting  
23 concept; we definitely take it under consideration; I  
24 think the question comes into play in terms of, as  
25 you mentioned, the ability to make sure that it had

1  
2 not been moved by whoever the owner was within that  
3 period of time.

4 COUNCIL MEMBER LANDER: And do you find  
5 with the derelict bikes that the tag -- I guess it's  
6 only a week, but are the tags sometimes removed; does  
7 someone claim the bike and take it away or is it  
8 overwhelmingly tagged and then a week later it's  
9 still there derelict?

10 STEVEN COSTAS: There's a good portion of  
11 bicycles that once we go out either don't fit the  
12 criteria or on occasion have been removed by the time  
13 we come back, but for the most part, the system that  
14 the department has right now has been consistent; the  
15 numbers have seemed to be on the rise and we can  
16 attribute that to probably more bicycle riders in  
17 itself.

18 COUNCIL MEMBER LANDER: And that seems  
19 right on abandoned as well; some would be out there,  
20 you know, obviously over the winter, someone might  
21 leave their bike in the same place a long period of  
22 time, but obviously they're going by it some amount  
23 of time and they could either remove the tag or move  
24 the bicycle and if they don't do that in some period  
25

1  
2 between the first and the second tag, that would be a  
3 sign that that bike is abandoned.

4 I guess I did have a question about...  
5 you're saying that you have insufficient personnel; I  
6 surely understand that creating a whole impoundment  
7 system would require, you know, a whole different  
8 structure than you have, but you currently have some  
9 people who are doing the tagging and removal of  
10 derelict bikes, so if we had a similar system for  
11 tagging a longer period and then removal of abandoned  
12 bikes, couldn't those same sanitation personnel  
13 perform those tasks?

14 STEVEN COSTAS: Currently the personnel  
15 that are involved in the tagging, as well as the  
16 removal, it is not their only function; they perform  
17 their regular daily functions; this is an additional  
18 responsibility that was given to them once this bill  
19 was passed in 2010. There probably would be some  
20 impact in terms of their ability to continue doing  
21 everything else they're doing; it would be something  
22 we would have to look at.

23 COUNCIL MEMBER LANDER: Okay. Those are  
24 currently regular sanitation workers who are out  
25 doing runs or collections or oversight or?



1  
2 STEVEN COSTAS: Our department supervisor  
3 are the ones who are issuing the tag; once the 7-day  
4 period passes we have a separate unit that currently  
5 does our CFC removal; they are the ones who are given  
6 the information and to go out and removed the  
7 bicycle; clearly there would be impact then on that.

8 COUNCIL MEMBER LANDER: And obviously  
9 doing... and as in any case, doing more work, someone  
10 has to do it, either, you know, that's gotta come  
11 from somewhere, whether they have to provide you with  
12 more workers or give current workers less work; we  
13 can't get more work done magically, so we might need  
14 some additional resources. But it might be helpful  
15 if we could just understand how much time the current  
16 approach with the derelict bikes is taking so we  
17 could think about what the magnitude would be of  
18 this.

19 STEVEN COSTAS: Okay, we'll be happy to  
20 look at that.

21 COUNCIL MEMBER LANDER: And then you  
22 mentioned your testimony that currently ghost bikes  
23 are exempt; you have rules that make clear that those  
24 are not derelict and they stay... [crosstalk]

25 STEVEN COSTAS: Correct. Correct.

1  
2 COUNCIL MEMBER LANDER: so we could build  
3 that into this system as well and make sure that they  
4 weren't considered abandoned bikes either and those  
5 memorials could remain...

6 STEVEN COSTAS: Correct.

7 COUNCIL MEMBER LANDER: where they are.  
8 Okay. I look forward to working with you and with my  
9 colleagues and others in the community to figure out  
10 how we can amend the bill and the system so we can  
11 address the abandoned bikes issues, but address the  
12 concerns that you and others have raised.

13 STEVEN COSTAS: Okay, thank you.

14 COUNCIL MEMBER LANDER: Thank you very  
15 much. Thank you, Mr. Chairman.

16 CHAIRPERSON RODRIGUEZ: Thank you. We  
17 also have been joined by Council Members Levin,  
18 Miller and Garodnick. Now I would like to call  
19 Council Member Mendez. She's not here. [background  
20 comments] So none of my colleagues have any  
21 questions? Council Member Miller.

22 COUNCIL MEMBER VACCA: No, just one  
23 thing. [sic]

24 CHAIRPERSON RODRIGUEZ: Sorry, Council  
25 Member Vacca.

1  
2 COUNCIL MEMBER VACCA: I'd like to be  
3 added to Councilman Van Bramer's two bills.

4 [background comments]

5 CHAIRPERSON RODRIGUEZ: Council Member  
6 Miller.

7 COUNCIL MEMBER MILLER: Good morning.  
8 I'm gonna digress a little bit and talk about the  
9 reporting and talk about an incident of a young man  
10 who was struck while walking his dog in the crosswalk  
11 and the driver of the vehicle continued along;  
12 eventually he was stopped, but there were no  
13 repercussions for his actions; meanwhile, the person  
14 has had two or three subsequent operations, as well  
15 as the two operations for his dog, so obviously there  
16 was a big monetary and safety issue going on there.

17 But this incident occurred in East New  
18 York, Brooklyn and I would like to... and I'm not  
19 always that reporting guy, but we need to be able to  
20 map and address and make sure that services are being  
21 delivered equitably throughout the city to make sure  
22 that things are being reported in the same manner on  
23 5th Avenue in Brooklyn and 5th Avenue, Manhattan or  
24 in East New York, so I just wanna say that I am  
25 firmly in agreement of this reporting legislation,

1  
2 but I also wanna know, when you say that there is not  
3 mechanism or the technical abilities to track this  
4 currently, exactly what does that mean; what would be  
5 necessary in order for the NYPD to be able to track  
6 this?

7 DENNIS FULTON: To track it we would need  
8 to automate the system so that the ECB summonses were  
9 recorded into a database so we would be able to make  
10 the transfer; at this point it would be.. each  
11 precinct would do a hand count of the summonses. So  
12 we would have to create some technological way to  
13 capture it; that's it.

14 COUNCIL MEMBER MILLER: Yeah, that  
15 doesn't sound like that big of a deal, but are you  
16 using.. is there a program that you're using currently  
17 to track other data that could be included that would  
18 be able to include these incidents as well?

19 DENNIS FULTON: That would be a technical  
20 question for our technology people; I mean, they are  
21 currently trying to improve the way we capture data  
22 and how we distribute it and so they are working on  
23 it. To get back to your original statement with the  
24 person walking in the crosswalk, and this Council I  
25 think passed a bill, 19-190, which we appreciate and

1  
2 we we've been enforcing that and that may have not  
3 been the case, but we have made many arrests in that  
4 and started writing ECB summonses with that 31 [sic].

5 COUNCIL MEMBER MILLER: So is that  
6 information being tracked as well?

7 DENNIS FULTON: That information's being  
8 tracked at the most egregious level and again, we  
9 capture most of our information, like the collisions,  
10 we capture a lot of the data, but the date that  
11 you're requesting with the ECB summonses, that's  
12 certainly data that's important, but we do not  
13 capture it.

14 COUNCIL MEMBER MILLER: So yeah, 'cause  
15 I... probably this wouldn't be considered to be  
16 critical or catastrophic, I think is what you used,  
17 but certainly a broken collarbone and a busted leg  
18 and three surgeries, as well as the surgery on the  
19 dog, I think if you ask that individual and that  
20 family, that's certainly catastrophic to the physical  
21 well-being and is also economically as well.

22 DENNIS FULTON: Well we would know the  
23 collision and the precinct would know, it's just from  
24 as far as putting it online, we don't have the  
25 technical capabilities at this point to do that, so

1  
2 we do know that it's happening; understandably,  
3 that's a serious incident you just described and we  
4 consider it serious, we just don't have the  
5 capability to capture it at our level to put it  
6 online at this point and that's all I'm saying.

7 COUNCIL MEMBER MILLER: Yeah, because I  
8 did inquire and there was no investigation for  
9 failure to yield upon apprehending the person as  
10 well, so.

11 DENNIS FULTON: I don't quite understand;  
12 you said there was no investigation done?

13 COUNCIL MEMBER MILLER: There was no  
14 arrest for failure to yield.

15 DENNIS FULTON: Okay, so again, we act in  
16 the... and I'm not sure of that particular incident,  
17 but I know that we utilize the tools that are given  
18 to us and in that particular case it may have not... we  
19 may have not been able to prove that the law were  
20 violated, but I'm sure an investigation was done,  
21 because what you described was a pretty serious  
22 incident... [crosstalk]

23 COUNCIL MEMBER MILLER: Thank you. And  
24 again, I think that highlights the need for reporting  
25 so that we can understand that the law is being

1  
2 applied equitably throughout. Thank you.

3 [background comments]

4 CHAIRPERSON RODRIGUEZ: Thank you. And  
5 with that I would like to thank the administration  
6 and especially the men and women at the NYPD for the  
7 work that you do every day and hopefully, you know,  
8 everyone will get the message that, especially in  
9 this holiday, drivers have to be more respectful when  
10 they are behind the wheel in the street. So, council  
11 member.

12 COUNCIL MEMBER VACCA: There are a couple  
13 things I wanted to follow up on. First, in relation  
14 to the Police Department's response to Council Member  
15 Van Bramer's two introductory bills, I'm concerned  
16 that there's not an ability right now from a  
17 technological point of view to get information from  
18 local precincts to 1 PP. That was basically your  
19 testimony to Councilman Van Bramer's suggested  
20 legislation and I worry about that; I don't  
21 understand it in this day and age and I also think it  
22 goes to the heart of what information we're sharing  
23 with the public and whether or not that information  
24 is in totality; namely, are we getting a total  
25

1  
2 picture with that inability that the department seems  
3 to have in this regard. Can you elaborate on that?

4 DENNIS FULTON: Well we post a lot of  
5 information now on our website; we post moving  
6 violations in the precinct, we post collision data at  
7 the nearest intersection, broken down by the borough,  
8 citywide; the same with summonses, and we also now,  
9 based on Local Law No. 5, we also post the leaving  
10 the scene where a critical injury occurred and it's  
11 pretty accurate and pretty comprehensive at this  
12 point; we just... in regards to this one section with  
13 the ECB summonses, we currently don't have the  
14 technical ability, but you know, the department is  
15 striving to improve its technical abilities and I'm  
16 sure sometime in the future we will be able to do so.

17 COUNCIL MEMBER VACCA: I can only point  
18 out to you that when it comes to assessing crime we  
19 depend on CompStat, we depend on statistics and this  
20 city looks at those statistics to tell us where we're  
21 going and in reviewing those statistics, if we don't  
22 have a totality of communication between local  
23 precincts and 1 PP, if there's not a technological  
24 ability to get that information from a local precinct  
25 to 1 PP, then really we are not being given a true



1  
2 picture of accidents, of crime, of response; is this  
3 the only area where we have this gap; is the only  
4 reporting area where we have this gap or are there  
5 other reporting areas that we should be aware of in  
6 this Council?

7 DENNIS FULTON: Not that I'm aware of,  
8 sir.

9 COUNCIL MEMBER VACCA: I would pose that  
10 question -- I'm going to pose that again and again as  
11 the Police Department comes to Public Safety  
12 Committee hearings; I'm interested in this now, as  
13 Chair of the Technology Committee and as a community  
14 person in my own district, because we are told that  
15 crime is down, we are told that there is reporting  
16 accuracy, yet today there was a gap that was  
17 identified that I would like to know whether or not  
18 that's more prevalent and I think the people of the  
19 city have a right to know, number one.

20 Number two, I'd like to caution the  
21 committee, and I know that people come to these  
22 committee meetings, especially council members, in  
23 support of legislation all the time; I have to  
24 caution this committee that there's some legislation  
25 that I'm not so crazy about that I see. I don't want

1  
2 us to go and minimize the signage that commercial  
3 bicyclists have on their vest; I would like to keep  
4 intact maximum vest signage; I think that where we've  
5 been going in the past several years was after many  
6 years of this Council fighting to make sure we had  
7 commercial bicyclists wearing vests, colorful and  
8 visible and to minimize that I think is going  
9 backwards, and I would caution also, as former Chair  
10 of this committee, that we cannot be allowing  
11 bicyclists the option of stopping at a stop sign or  
12 stopping at a red light or maybe stopping for a  
13 second but not stopping the full length; that's going  
14 backwards. So as much as I always advocate for  
15 reasonable and responsible legislation, I think that  
16 we should take a step back and assess whether or not  
17 we're doing the work of the people when we minimize,  
18 possibly, safety and I think even the possibility of  
19 minimizing safety is something that we should be  
20 cautious about; not go there, we had many hearings in  
21 this Council in the past six years about bicycle  
22 safety and about how bicycle safety is important for  
23 pedestrians and motorists and I think that we've come  
24 a long way and communities now are more engaged, but  
25 also, I think a bicyclist has a responsibility to

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2 stop at a stop sign and stop at a red light and go  
3 the right way on a one-way street and be responsible;  
4 if they are, then public safety is increased. So I  
5 would caution the committee and I also think that we  
6 should not be going backwards on the signage and  
7 garments that are required for commercial cyclists.  
8 Thank you.

9 CHAIRPERSON RODRIGUEZ: Thank you,  
10 council member. And I also too acknowledge Council  
11 Member Greenfield. And again, thank you Deputy Russo  
12 and Chief Steven [sic] and Inspector Fulton for being  
13 here on behalf of the administration. As I said from  
14 the beginning, the Council, with the leadership of  
15 Speaker Melissa Mark-Viverito is so committed to  
16 continue working with Mayor de Blasio in the whole  
17 thing [sic] to be sure that we continue addressing  
18 different areas on how we can improve safety for  
19 everyone, for cyclists, for drivers and for the  
20 pedestrians. Thank you.

21 RYAN RUSSO: Thank you.

22 DENNIS FULTON: Thank you.

23 [background comments]

24 [pause]

25 GALE BREWER: Okay?

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CHAIRPERSON RODRIGUEZ: 'Kay.

GALE BREWER: Alright. I'm Gale Brewer, Manhattan Borough President and I would like to extend my gratitude to Chair Ydanis Rodriguez and the Committee on Transportation for allowing me to speak today in favor of Intro. 0219, which would create the Bicycle Safety Task Force; I knot that Council Member Mendez had to leave, but I wanna thank her for working with me on the creation of this task force so that we can give the matter of bicycle safety the attention it deserves. I know it's not passed yet, so it's a proposal.

According to the Department of Transportation surveys, bike ridership in New York City has steadily increased in recent years from about 10,000 weekday riders in 2006 to over 15,000 riders counted in 2013 and I'm sure there are more now. This increase of course has been the direct result of the efforts of two mayoral administrations, the City Council, bicycling advocates like Transportation Alternatives and many others; the community boards also, despite what others may think. Working together we have created more than 250 miles of new bike lanes in the five boroughs; many of those

1 separated from traffic in dedicated or protected  
2 lanes, and with each new mile of bike lane we've  
3 added more bikers to our roads, helping improve the  
4 environment and health of our residents while also  
5 reducing congestion on our overburdened roads,  
6 subways and buses. Yet while bike ridership is at an  
7 all-time high, so too are fatalities caused by the  
8 bikers, collisions; crashes. As we heard earlier, 20  
9 bikers were killed in 2014; it's an increase from 12  
10 who lost their lives a year later, although we heard  
11 today that there are fewer in 2015 and I hope that  
12 number continues. While we include bike rider  
13 injuries due to traffic collisions, the grim total  
14 has fluctuated between 300 and 400 annually for the  
15 past decade; these numbers compel us to act and as  
16 more people choose to bike as a primary mode of  
17 transportation, we as a city must do all we can to  
18 ensure their safety. The increase in bike ridership  
19 also poses safety concerns for pedestrians, motorists  
20 and other bicyclists, as you know. My office fields  
21 nearly daily complaints from many seniors, as I'm  
22 sure the council members do, who experience near  
23 misses with bikers, many of whom or just some of whom  
24 are breaking the law in some fashion; some bike the  
25

1  
2 wrong way, some operate a motorized e-bike and we  
3 know those are prohibited; I think that was Council  
4 Member Garodnick's law. While the safety threat  
5 posed by bikers pales in comparison to that posed by  
6 motorists, this type of behavior by some bikers, some  
7 reckless bikers, led to the death of four pedestrians  
8 last year; this is four deaths too many and I believe  
9 these deaths and all deaths are preventable.

10 So with these factors in mind, I have  
11 joined with Council Member Mendez to call for the  
12 creation of the Bike Safety Task Force; it would  
13 consist of officials from DOT, the Department of City  
14 Planning and the Parks Department, as well as two  
15 mayoral-appointed seats of a transportation expert  
16 and bicycling advocate and of course, we can work on  
17 the composition. This task force would hold no fewer  
18 than 10 public hearings in a 2-year period to be  
19 hosted in every borough and I have to say that might  
20 be the best aspect of having such a task force is to  
21 get that kind of input locally.

22 A full review of bicycle use across the  
23 city, including specific details about routes,  
24 pathways and bike lanes could be completed by the  
25 task force and could lead to recommendations on how

1 to best improve safety for bikers and pedestrians.

2 In an era when we've been fighting to achieve a  
3 vision of zero city [sic], this basic research is  
4 essential.  
5

6 I would also like to speak in favor of  
7 Intro. 0696 -- this is a separate topic -- also  
8 before the committee, which was put forward by Chair  
9 Rodriguez; I think you know what that bill does, but  
10 it is a report information regarding bike-related  
11 fatalities and I think we all need that kind of  
12 information. So it's the same as the spirit in the  
13 Bike Safety Task Force to gather data on cycling  
14 which will help us better understand the safety needs  
15 of cyclists and pedestrians.

16 Thank you again for the opportunity to  
17 testify and I look forward to working with this  
18 committee to help and support all initiatives to save  
19 lives and increase safety and particularly for those  
20 who are cycling. Thank you very much.

21 CHAIRPERSON RODRIGUEZ: Thank you. I  
22 have one question, which is like; what can you say on  
23 any voices who can say we don't need a task force..  
24 [interpose]

25 GALE BREWER: Right.

1  
2 CHAIRPERSON RODRIGUEZ: because you know,  
3 the agencies are already reporting and this is gonna  
4 be like additional...

5 GALE BREWER: Right. And I respect the  
6 voices, particularly from Transportation  
7 Alternatives; I think when I was pushing for the law  
8 for the Department of Transportation to have  
9 officials who would be separate than NYPD and ticket,  
10 if necessary, the restaurants who had delivery people  
11 who at that point didn't have helmets and didn't have  
12 vests, all the things that you have instituted; we  
13 went store to store to talk to the managers and I  
14 will say that there is still in this city not a  
15 complete understanding of what the rules and rights  
16 and responsibilities of biking are and how it could  
17 be improved. So I think one of the aspects; first of  
18 all, it's sunsets [sic]; it's not an entirely..  
19 doesn't go on forever; you should pick a sunset date.  
20 I think the biggest asset of it which would be  
21 different than just Vision Zero, would be these  
22 hearings, because when you go to the different  
23 boroughs you'll find that there is, you know, perhaps  
24 a new delivery environment, fortunately or  
25 unfortunately, developing in neighborhoods; you wanna



1  
2 make sure that people have their say about that. I  
3 think the seniors feel frustrated; I'm a big  
4 supporter of the protective lanes and bicycling, but  
5 we all get the calls from the senior organizations;  
6 they may have some ideas about how to improve it. So  
7 I think that's what it would be; it will be very  
8 specific; it wouldn't last but whatever time period  
9 you wanna pick, a couple of years; even less if you  
10 want, and I think it would give people who are  
11 perhaps reasonably or unreasonable frustrated by some  
12 of what they see in terms of bicycling and have  
13 misinformation often; it would also give the stores  
14 and the -- I got an email today from the Hospitality  
15 Alliance, which represents a lot of restaurants and  
16 they support this idea, because they haven't had...  
17 perhaps need some input into what their delivery  
18 people and what they need to have and how the  
19 protective lanes do or don't impact their delivery  
20 trucks, which is another issue. So I think you get  
21 different kind of perspectives and you could feed  
22 that into the Vision Zero, which is much more long-  
23 term.

24

25

1  
2 CHAIRPERSON RODRIGUEZ: If none of my  
3 colleagues have any questions, I would like to thank  
4 and... [interpose]

5 GALE BREWER: Thank you very much.

6 CHAIRPERSON RODRIGUEZ: recognize your  
7 important voice when it comes to any debate in  
8 government, so thank you.

9 GALE BREWER: Thank you very much.

10 CHAIRPERSON RODRIGUEZ: Next panel --  
11 Steve Vaccaro, Paul White, Eric McClure and Joanna  
12 Smith.

13 STEVE VACCARO: Test. Thank you,  
14 Chairman Rodriguez and the rest of the Transportation  
15 Committee for your work on the very important Vision  
16 Zero program; you've been a great partner for the  
17 Mayor in this and you've gotten so much accomplished  
18 in such a short period of time.

19 I wanna speak to a few of the pieces of  
20 legislation. With respect to the bike parking issue,  
21 it sounds like most of my concerns have been aired;  
22 I'll just say, if you can hear from my voice, I  
23 actually was out sick for the last six days and  
24 though I've been a daily cyclist in New York City,  
25 off and on really since high school, you know, my

1  
2 bike was parked for six days in front of my apartment  
3 while I was lying in bed over the holiday weekend and  
4 there needs to be... I think a month is the appropriate  
5 period of time before you talk about confiscating  
6 bikes or impounding them. I would also point out  
7 that Chicago has a program in which they have  
8 dedicated staff who collect the impounded bikes and  
9 they are then auctioned off and you would be  
10 surprised the value that's paid for these bikes, some  
11 of which have nice old frames and the program pays  
12 for itself, as I understand it, or largely pays for  
13 itself. So rather than recycling them as scrap  
14 metal, I think that you can get the manpower you  
15 need; bicyclists want derelict bicycles cleared and  
16 there just needs to be some reasonable guidance and a  
17 reasonable period of time.

18           Secondly, with respect to the reporting  
19 of crashes and hit and run crashes and punishment for  
20 them, there's a reporting gap, there's an  
21 investigation gap and there's a prosecution gap with  
22 respect to crashes involving cyclists.

23           With respect to the reporting gap, and  
24 this affects all cases; not just hit and run cases,  
25 you have police officers showing up to the scene

1 where a cyclist has been involved in a crash and not  
2 giving them the reporting tool that NYPD uses  
3 pursuant to DMV's instruction; that's the MV-104.  
4 The problem is that if a cyclist does not appear to  
5 be that seriously injured or a cyclist is refusing  
6 medical attention because they're dazed, they have a  
7 concussion, they're afraid of the expenses because  
8 they don't have medical insurance; they may refuse a  
9 trip in the ambulance at the scene and the police  
10 officers will say, well then you don't need a Police  
11 Accident Report. And so the reporting bill that  
12 Council Member Rodriguez has proposed on 0696 has to  
13 define what reports of crashes you're looking at. I  
14 submit you should be getting reports of 911 calls  
15 that a cyclist has been injured in a crash; if you  
16 measure that against the number of MV-104 reports  
17 that have been completed by the police for the same  
18 period, you'll find a big reporting gap and that's a  
19 problem because our laws provide that a cyclist  
20 injured in a motor vehicle crash gets no-fault  
21 medical insurance from the insurer of the driver, and  
22 if the police do not give the MV-104, it becomes very  
23 difficult for that cyclist or pedestrian to get that  
24 coverage and so if they don't have insurance coverage  
25

1  
2 they're getting uncompensated care from HHC, they're  
3 not getting their medical attention paid to; they may  
4 remain injured or disabled for the rest of their life  
5 if they don't get the care that they're entitled to.  
6 So police should be required to fill out an MV-104  
7 every time there's a report that there's a cyclist  
8 down and I know there's a big gap in this because our  
9 firm represents cyclists; we've been doing it for 20  
10 years and we get hundreds of complaints like this;  
11 police do not fill out the MV-104.

12               Secondly, the investigation and  
13 prosecution gap with respect to hit and run crashes  
14 is a big problem and it is... I have my disagreements  
15 with Council Member Miller, but he's exactly right  
16 that the gap is one having to do with where you are  
17 the victim of a hit and run crash, because of those  
18 500 or so cases where there's been a criminal  
19 prosecution, I'll bet you that the bulk of them are  
20 in Manhattan, south of 96th Street where they have  
21 been prosecuted. In our practice, where we speak to  
22 hundreds of cyclists involved in crashes, many of  
23 which are hit and run crashes, we find that in  
24 Brooklyn, in the Bronx; in Queens when someone is the  
25 victim of a hit and run crash, if it is not a CIS

1 case, a fatal crash case or a critical injury case,  
2 there is no investigation of the hit and run, and  
3 this is true even if the victim or witnesses come  
4 forward with the license plate number. Okay, on the  
5 back of my testimony that I've handed out is a  
6 reprinted New York Post article from Rebecca  
7 Harshbarger about Dulcie Canton, who some of you may  
8 know and have heard of, who had the identity of the  
9 person who hit her; she had a videotape; she had a  
10 piece of the car that hit her, and the police officer  
11 refused to investigate. We went to the community  
12 council; the police refused to investigate, and in  
13 that same Bushwick precinct we have another case this  
14 year of exactly the same thing; the detective tells  
15 the hit and run crash victim, "We don't investigate  
16 those kinds of cases." So there's a huge gap in  
17 terms of the investigation and prosecution of these  
18 cases and the biggest headline coming out of this  
19 hearing was the statistic elicited by Council Member  
20 Van Bramer, 40,000 hit and runs with personal injury  
21 and about 1% of those, which I would submit are  
22 concentrated in Manhattan, south of 96th Street in  
23 which there actually was a criminal case, 1%, so a  
24 great deal needs to be done there.  
25

1  
2 Thank you very much for the opportunity  
3 to speak about these very important pieces of  
4 legislation and for your continued interest and  
5 concern for the safety of bicyclists on our streets.

6 PAUL STEELY WHITE: Hello, I'm Paul Steel  
7 White, Executive Director of Transportation  
8 Alternatives. I'll try to cover most of what I can  
9 in my allotted time. I encourage you to read our  
10 submitted testimony; it's very intelligently written  
11 and produced by our talented staff.. [interpose]

12 CHAIRPERSON RODRIGUEZ: Yeah, you can  
13 read it completely, okay.

14 PAUL STEELY WHITE: Okay, great. So we  
15 oppose Intro. 0219, the Bike Safety Task Force; we  
16 like the intent behind it, but we think all of the  
17 goals can be achieved by simply expanding the  
18 existing Vision Zero task force, so let's take those  
19 bike safety elements and simply put them with the  
20 existing framework instead of creating a redundant  
21 framework.

22 We support Intro. 0603 and 0604; we do  
23 wanna point out that there's a federal precedent for  
24 earmarking that revenue from those penalties, from  
25 those violations to safety work, so we would like the

1  
2 revenue stream from these new penalties to be  
3 dedicated to Vision Zero safety improvements; this  
4 adds an element of restorative justice where penalty  
5 paid for damaging, injurious or deadly driver  
6 behavior is used to reduce the risk of further  
7 injuries and deaths on the road.

8 We do support Intro. 0787 but, with an  
9 amendment; we agree that we should extend the time  
10 from 36 hours to at least 72 hours before removal and  
11 we also have some recommendations about conditions  
12 that would make it easier to abandoned bikes that are  
13 short of the current derelict definition, which is a  
14 very high threshold; I think it would still protect  
15 your bike, Steve, from being taken.

16 STEVE VACCARO: You haven't seen my bike.

17 PAUL STEELY WHITE: We support the  
18 exemption of ghost bikes, as the testimony from the  
19 Department of Sanitation earlier indicated.

20 We support delivery cyclist garments; we  
21 agree that we should make that as visible as possible  
22 and I think that's it. Thank you.

23 JOANNA SMITH: Good afternoon -- two  
24 minutes. I'm Joanna Smith; I'm a safe streets  
25 advocate and I am an everyday bicycle rider and I



1  
2 wanted to speak on a couple of the introductions  
3 today.

4 I depend on my bike for my everyday basic  
5 transportation and one of the big hurdles I run  
6 across going around town is that I can't find  
7 anywhere to put my bike and I appreciate that  
8 Introduction 0787 is going to help try and address  
9 that problem. We discussed today already some  
10 changes to it; I also agree there needs to be a  
11 longer notification period and I have an idea I'd  
12 like to propose to the Department of Sanitation or  
13 whoever becomes in charge of this program, that they  
14 make the notification not just a sticker, but also an  
15 online notification program where they include visual  
16 identification of the derelict bike that is to be  
17 removed and they include geolocation information and  
18 bicycle owners around the city can subscribe to the  
19 feed and be notified when a bike in their area is  
20 going to be removed.

21 I would like to point out some of the  
22 things that Brad mentioned quickly about shortcomings  
23 in the current approach to defining dereliction; I  
24 think they're important to address when we look at  
25 framing 0787 properly.

1  
2 Right now bikes can stay on our streets  
3 for years because the criteria are far too stringent;  
4 inspectors often have trouble locating bikes that  
5 citizens have taken the time to report because the  
6 online reporting portal does not allow images to be  
7 attached and that would be a very easy fix that would  
8 increase the number of bikes that they're able to  
9 locate.

10 There is also a problem where they're not  
11 able to actually take into account citizen testimony;  
12 local residents, business owners, customers who have  
13 noticed bikes for weeks, months, years; that  
14 testimony is not a valid criteria at this point and I  
15 think we should be listening to knowledgeable local  
16 eyes on the streets to help them identify which bikes  
17 truly haven't moved.

18 Two of the current criteria that are  
19 basically redundant; they both refer to cracked and  
20 bent frames and parts, and the rust requirement is  
21 quite strict and it could be amended to just refer  
22 people to chain condition; you can't ride a good bike  
23 with a bad chain; that could be the rusty part.

24 I'm hoping that they'll look at these  
25 different criteria and see if they can make it easier

1  
2 to move these bikes off the street, because the  
3 ultimate goal is to make our bicycle infrastructure  
4 work and people need a place to store their bikes.

5 I'd also like to just touch briefly on  
6 Introduction 0219; very impressed with the work of  
7 the Mayor's Vision Zero task force and I think that  
8 if that task force keeps doing its job that all  
9 issues relating to people on bicycles, as well as the  
10 infrastructure and the rules that govern those people  
11 should be handled in that venue, and just to point  
12 out that anything that makes bicycles seem like an  
13 other, you know, is not the path we wanna be walking  
14 down today. Thank you so much.

15 ERIC MCCLURE: Good afternoon and thank  
16 you. My name is Eric McClure; I'm the Executive  
17 Director of StreetsPAC. On behalf of my colleagues,  
18 I'd like to thank Chairman Rodriguez and the members  
19 of the committee for the opportunity to testify  
20 today.

21 On Intro. No. 0219, while on the surface  
22 the creation of a bicycle safety task force seems  
23 like a sensible idea and the intro's prime sponsor,  
24 Council Member Mendez and its godmother, if the  
25 Borough President doesn't mind me calling her that,

1  
2 have been strong supporters of safe streets;  
3 StreetsPAC opposes this measure.

4           We believe that rather than create a  
5 separate entity to address issues affecting  
6 bicycling, the goals of the proposed task force  
7 should be pursued under and integrated into the  
8 existing framework of the Vision Zero task force.  
9 Improving bicycle safety is fundamental to achieving  
10 Vision Zero and it's well documented that streets  
11 that are made safer for riding a bike are also  
12 appreciably safer for pedestrians and motorists.

13           Furthermore, we feel strongly that the  
14 success of Vision Zero and the goal of making New  
15 York City more bike-friendly are of one piece and  
16 should be treated thusly. There is a tendency in  
17 some quarters to marginalize people who ride bikes;  
18 the New York Times, in a story this weekend, referred  
19 to victims of a recent Colorado shooting as a  
20 bicyclist and two women; not a man and then two women  
21 or three women, but a bicyclist and two women, and  
22 while we don't believe that that is the intent of  
23 Intro. 0219, we do believe these issues are best  
24 addressed under the current interagency Vision Zero  
25 umbrella. And as Paul mentioned in his testimony, if

1  
2 it's deemed important to include experts from outside  
3 the city government in Vision Zero task force  
4 discussions that will map out New York City's bike-  
5 friendly future, we certainly know a couple with  
6 strong opinions and good ideas who would be up to the  
7 task of helping out there.

8           On Intro. 0287 [sic], which would  
9 facilitate timely removal of abandoned bicycles, we  
10 support the intent of the legislation. Too many  
11 abandoned bikes litter the city; I have photos of  
12 quite a few of them on my phone, and it too often  
13 takes too long to get them removed. A bicycle that  
14 was abandoned for more than two years next to the  
15 Park Slope Food Co-Op, and I know it was more than  
16 two years because it had a StreetsPAC 2013 flyer in  
17 its spokes, was only recently cut loose, since it had  
18 been locked to a privately-owned rack.

19           We do however urge that the definition of  
20 abandoned and derelict bicycles be refined to both  
21 protect people who may have locked up a bicycle for  
22 an extended period of time while nursing a cold;  
23 while making it easier to cut loose truly derelict  
24 bicycles or more accurately, what remains of those  
25 bicycles, so they can be removed more quickly. As it

1  
2 stands now, the Department of Sanitation is often too  
3 slow to act and the threshold for what is derelict is  
4 too limited. The final version of the legislation  
5 should more clearly compel Sanitation to remove  
6 derelict bicycles in an accelerated manner.

7           Lastly, we'd like to express our support  
8 for Intros. 0603, 0604, 0696 and 0863; increasing the  
9 civil penalties for the grievous act of fleeing a  
10 crash can only help to deter such behavior and  
11 reducing the runs after the hits should in theory  
12 lead to faster emergency response to those injured in  
13 such crashes and we hope save some lives.

14           Intros. 0604 and 0696 will increase the  
15 flow of data about crashes, which will help to shape  
16 and inform evidence-based approaches to Vision Zero  
17 policy. We think it's a good thing and will help us  
18 focus on the behaviors that are most dangerous on our  
19 streets.

20           And to the extent that 0863 should help  
21 to standardize and improve the identification of  
22 delivery cyclists and employers; we support that  
23 legislation as well. Thank you very much.

24           CHAIRPERSON RODRIGUEZ: I have a  
25 question. After you heard the NYPD sharing the data,

1  
2 the 4,000 hit and runs this year, based on your own  
3 analysis, is that... and they even say that most  
4 likely, even though they don't share an official  
5 number for 2014, but they assume that the numbers  
6 could still be the same, 4,000; is that... [crosstalk]

7 PAUL STEELY WHITE: Well I wanna echo...  
8 Thank you for revisiting that topic. I agree with  
9 Steve Vaccaro that that is the most salient and  
10 shocking headline to come out of this hearing that  
11 there are thousands of these hit and run cases going  
12 completely uninvestigated, completely unprosecuted.  
13 I think that... you know in the past we've talked about  
14 expanding the Collision Investigation Squad powers to  
15 investigate not just fatal crashes, but critical  
16 injury crashes; they're only investigating I think,  
17 you know, 15-20% more of those cases now,  
18 unfortunately; it's a small increase, but I would  
19 submit that we should also consider requiring the CIS  
20 to investigate hit and run cases that don't meet the  
21 threshold of serious or critical injury, because  
22 those drivers who are leaving the scenes, we all  
23 agree that is a heinous act and those drivers are  
24 gonna go on and serious injure or kill someone at  
25

1  
2 some other point in time, so those cases need an  
3 evidence base so that prosecution can ensue.

4 STEVE VACCARO: Yeah. I would only add  
5 that you can speak specifically to the Vehicular  
6 Crimes Bureau chiefs in the District Attorney's  
7 office for the various boroughs and what you'll find,  
8 for example, that Gayle Dampf in the Kings County  
9 Vehicular Crimes Bureau, which she runs, she told me;  
10 I'm sure she'll tell you, she does not get cases  
11 referred to her for hit and run prosecution by police  
12 in Kings County except for the CIS cases, whereas Mr.  
13 Wolfstaetter, who is the Co-Bureau Chief for  
14 vehicular crimes in Manhattan has gotten those cases  
15 and I've been involved; my clients have been involved  
16 in the prosecution of them. So there's a very clear  
17 disparity in how it's being handled in the different  
18 boroughs.

19 CHAIRPERSON RODRIGUEZ: Any questions?  
20 Thank you. The next panel -- Julia Ehrman, Sharon  
21 Pope, Andrew Ogulnik and Jack Brown.

22 JULIA EHRMAN: Should I start? Hello.  
23 Thank you so much for the opportunity to testify; I'm  
24 gonna provide comment on Intro. 0219.



1  
2 My name is Julia Ehrman and I've recently  
3 turned home to New York City from San Francisco where  
4 I represented the San Francisco Unified School  
5 District and the San Francisco Safe Routes to School  
6 Partnership on the city's Vision Zero task force.

7 I also completed my Master's in city  
8 planning and public health at UC Berkeley where I  
9 studied the deeply entwined relationship between  
10 public health, health equity and urban  
11 infrastructure.

12 The New York City Department of Health is  
13 absent in the proposed bill to establish a bicycle  
14 safety task force and I'm here to express strong  
15 support for active participation by the Department of  
16 Health on all initiatives to improve traffic safety,  
17 including bicycle safety. I'd like to make three key  
18 points about traffic safety and health.

19 First, traffic injuries are a preventable  
20 health hazard. In San Francisco, the Department of  
21 Public Health has adopted traffic safety as a  
22 critical public health issue and plays a leadership  
23 role in the city's Vision Zero task force activities,  
24 as well as citywide efforts to increase walking and  
25 biking by improving safety conditions. The New York

1  
2 City Department of Health has a central role to play  
3 in shaping New York City's Vision Zero Initiative and  
4 its efforts there should include bicycle safety  
5 alongside any additional task force efforts.

6           Second, healthy behavior requires safe  
7 streets. The Council has recognized the health  
8 benefits of bicycling and other active transportation  
9 modes. Unsafe conditions can be a deterrent to  
10 health-promoting physical activity like recreational  
11 and commuter cycling. Improving street safety is  
12 essential for the Health Department to realize its  
13 goal of promoting physical activity for all New  
14 Yorkers.

15           Third, health equity depends on better  
16 street design and transportation planning. Data has  
17 shown that traffic injuries and fatalities vary by  
18 neighborhood and disproportionately affect the city's  
19 low-income communities and communities of color.  
20 Furthermore, bicycle infrastructure and street design  
21 can impact traffic congestion and localize pollution,  
22 making them important factors in the distribution of  
23 respiratory damage and other health consequences of  
24 exposure to particulate matter. Active collaboration  
25 between the Department of Transportation, the

1  
2 Department of City Planning and the Department of  
3 Health is needed to align priorities and develop  
4 effective interventions to reduce health disparities,  
5 including traffic-related deaths and injuries.

6 In conclusion, the Department of Health  
7 could help build support for safety improvements by  
8 framing bicycle safety as a health issue to community  
9 boards and other groups. Health arguments are strong  
10 and relatable to the averse audiences; in order to  
11 garner maximum support for safe bicycle  
12 infrastructure the Health Department should help to  
13 demonstrate the relationship between public health  
14 and safe cycling. Thank you very much.

15 SHARON POPE MARSHALL: Good afternoon,  
16 Chairman Rodriguez; members of the Committee on  
17 Transportation. My name is Sharon Pope Marshall; I  
18 am the Outreach Manager for Bike New York.

19 At this very moment Ken Podziba,  
20 President of Bike New York, the entire Bike New York  
21 team and our wonderful volunteers are assisting with  
22 building more than 800 bikes for donation to children  
23 throughout New York City; many to children within  
24 communities that do not have access to bikes. This  
25 project was several months in the making; I trust

1  
2 that you will forgive his absence this morning and  
3 afternoon and also for the brevity of my remarks, as  
4 I will soon join my colleagues.

5           Bike New York, as a nonprofit, has the  
6 nation's most visionary bike safety education  
7 program; we offer free bike education programs  
8 throughout the five boroughs whereby we teach kids  
9 and adults not only how to ride, but how to do so  
10 safely and confidently in New York City's urban  
11 environment. In 2014 alone, we taught bike skills to  
12 16,000 New Yorkers to safely navigate our city's  
13 streetscape infrastructure.

14           We appreciate the opportunity to be here  
15 today to offer you, the Transportation Committee, our  
16 full support toward the committee's efforts,  
17 especially the Bike Safety Task Force and the  
18 reporting of fatalities to ensure that our beloved  
19 streetscape is safe for pedestrians, motorists as  
20 well as cyclists. As you move forward, please also  
21 consider Bike New York the committee's resource  
22 [sic]. I also want to thank Transportation  
23 Alternatives and Safe Streets for their efforts in  
24 this area as well. Thank you very much.

1  
2 ANDREW OGULNIK: Chair Rodriguez and  
3 members of the City Council, I'm Andrew Ogulnik,  
4 Project Associate at the Columbus Avenue Business  
5 Improvement District, testifying here today on behalf  
6 of the Board of Directors of the Columbus Avenue BID.

7 We fully support and applaud Intro. 0863,  
8 which will add another layer of safety to our streets  
9 and sidewalks. All pedestrians are put at risk by  
10 bicyclists who don't obey the laws and being able to  
11 more easily see identifying information is not only a  
12 deterrent to their breaking laws to speed their  
13 trips, but also makes it easier for bystanders to  
14 report infractions to the police. This bill is a big  
15 win for everyone and another step towards safer  
16 streets. Thank you.

17 JACK BROWN: My name is Jack Brown; I'm a  
18 former part of the Hi Ho Cyclery bike shop; I'm the  
19 spokesman for a group called The Coalition Against  
20 Rogue Riding. I wanna thank the City Council and the  
21 Transportation Committee for giving me the  
22 opportunity to speak.

23 I am strongly in favor of Intro. 0219 as  
24 proposed by the Borough President and Council Member  
25 Mendez and here's the statement.

1  
2 The streets and sidewalks of the city  
3 have become an exercise in risk; in addition to the  
4 ongoing threat of terrorism the public must contend  
5 with the danger of an epidemic of lawless bike  
6 riding; you know it's coming, you just don't know  
7 where or when. Pedestrians and motorists are also at  
8 fault; however, the proliferation of cyclists and the  
9 congestion caused by the bike amenities have thrown  
10 fuel on the fire.

11 The proposed task force is long overdue;  
12 it was first promised in 2009 by the office of then  
13 Borough President Scott Stringer; lamentably, it  
14 turned out to be a false promise; the reason, I was  
15 told, was because the Department of Transportation  
16 and the brain trust of then Commissioner Sadik-Khan,  
17 Transportation Alternatives, simply refused to  
18 participate, a signal act of irresponsible hugeous.  
19 Six years later the public has endured the self-  
20 righteous onslaught of a cult-like minority; whereas,  
21 a cooperative approach might've moved the city toward  
22 a responsible bike culture and a safer, less  
23 stressful environment.

24 Three quick points: there was no  
25 environmental impact study done; the logistics of

1  
2 population density and width of streets are markedly  
3 different from the European cities from which the  
4 program is imported; the stated intention of Sadik-  
5 Khan was to push through as much of the program as  
6 possible and make it as difficult as possible for any  
7 future administration to undo -- my way on the  
8 highway; irresponsible hugeous.

9           The proposed task force has the potential  
10 to provide balance and reason, however, it must seek  
11 the proper mix of public and private representatives;  
12 it must be grounded in reliable study fact, not  
13 ideology. Public money is needed for public  
14 transportation, subways and buses serve anyone and  
15 everyone 12 months a year; cycling is for the young  
16 and able-bodied, a mode of transportation serving 2-  
17 3%; most not 12 months a year. Let New York not be  
18 disrupted at the cost of being constructive. This  
19 task force is needed but it is critical that it be  
20 reasoned and responsible. Thank you.

21           CHAIRPERSON RODRIGUEZ: Thank you; with  
22 that we're coming to the end. I would like to say  
23 that we will continue working with all the advocates,  
24 with Mayor de Blasio, Speaker Melissa Mark-Viverito,  
25 my colleagues at the Council, Family for Safer

1  
2 Streets, Transportation Alternatives, but must  
3 important, the 8 million New Yorkers who believe that  
4 we can accomplish the goal to reduce to zero the  
5 number of New Yorkers killed by car crashes in our  
6 city. We believe again that it will take a lot; we  
7 need to change the culture on how we interact --  
8 drivers, cyclists, pedestrians -- and it will take  
9 years; it will take time, but we have the  
10 responsibility to continue working 24/7 to be sure  
11 that everyone understands that we need to share our  
12 streets. Thank you; with that, this hearing is  
13 adjourned.

14 [gavel]

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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 December 16, 2015