

**DAVID WOLOCH
DEPUTY COMMISSIONER
NEW YORK CITY DEPARTMENT OF TRANSPORTATION**

**HEARING BEFORE THE CITY COUNCIL
COMMITTEE ON TRANSPORTATION
OCTOBER 8, 2008**

Good morning, I am David Woloch, Deputy Commissioner for External Affairs at the New York City Department of Transportation (DOT) and with me here today is Bruce Schaller, DOT's Deputy Commissioner for Planning and Sustainability and Victor Rosen, Assistant Commissioner in DOT's Traffic Operations Bureau. Thank you for inviting us here today to testify on five bills that relate to parking: Intro's 175, 686, 786, 811 and 812.

As you all know, DOT is tasked with regulating curb space in New York City and making sure it is being used as efficiently as possible. As part of this responsibility the City has the largest muni-meter parking system in the country. Over the course of the past several years we have installed 3,500 muni meters and removed over 17,000 single space meters. We have placed muni-meters in over 40 neighborhood retail districts in the City and going forward we will continue to expand. Muni-meters provide the public with a broad array of benefits: an improved streetscape through the removal of single space meters and posts, wider sidewalk use for pedestrians, increased payment options and an approximate 10% to 15% curbside space gain. The latter occurs because the removal of single space meters allows for more flexible parking and is not limited to the arbitrary space limitations that the single space meter causes.

DOT has also sought to use muni-meters to better maximize the City's curb space through our Paid Commercial Parking Program. This program, which began as a pilot in fiscal year 2001, and which has been incrementally expanded ever since, is based on a change in our Traffic Regulations that now requires commercial vehicles to pay for parking at all spaces previously signed as 'No Standing Except Commercial Vehicles' (in Manhattan's Central Business District) where a muni-meter and appropriate signage have been installed. The program provides a graduated rate structure, so that parking fees increase based on length of stay to encourage turnover. Rates are \$2, \$5 and \$9 for 1, 2 and 3 hours respectively.

The success of this program has led us most recently to begin piloting a variable rate structure known as Park Smart in neighborhood retail districts. This initiative began this past Monday in Greenwich Village and aims to increase the number of available metered parking spaces by encouraging motorists to park no longer than necessary. The meter rate is higher when demand for parking is greatest and decreases when demand is lower. The goals of Park Smart are to increase the availability of parking spaces, increase safety, reduce double-parking, reduce pollution and reduce congestion from circling vehicles. We hope to work with other communities around the City that indicate an interest to us in being part of this voluntary pilot program.

DOT is also pursuing a pilot program to make parking more customer friendly. We are in the process of developing an RFP for a system for use in our parking fields that would allow motorists the option of paying for metered parking utilizing a cellular payment system. This concept of alternate payment methods can best be tested in a confined parking field to assess the feasibility of this method for both the public and the City.

I will now address the three bills on today's agenda that specifically relate to muni-meters and parking meters: Intro's 175, 811 and 812. Intro 175 would require all muni-meters to accept coin and paper currency, credit cards, debit cards or any card or pass sanctioned by the City as a permissible form of payment.

The payment options the City currently accepts at its muni-meters already affords the public with a great deal of convenience. All the muni-meters available for non-commercial neighborhood parking, 2,300 muni-meters City-wide, accept payment by credit card. They also accept coins (quarters and two types of dollar coins), NYC parking cards (in three denominations), as well as non-pin based debit cards. In addition, there are 1,200 muni-meters in the midtown Manhattan commercial parking zone that accept all forms of payment except credit cards as commercial fleets and entities generally do not issue company credit cards to their drivers. Instead, they primarily pay for parking by using the NYC parking card which can be conveniently purchased online at DOT's website. I would also like to point out that all muni-meters that accept credit cards are easily identifiable via the display of a credit card logo on the face of each machine.

The only form of payment called for in Intro 175 that is not accepted is paper currency and there are many reasons why converting to paper currency would be highly problematic from cost and operational perspectives.

First, all of the City's currently installed 3,500 muni-meters would need to be replaced by an entirely different and larger unit since the units now in use cannot be retrofitted to accept paper currency. The purchase price alone for the new units would be approximately \$15,000 each for a total cost of \$53 million. Given the current fiscal climate we are in – it is our judgment that spending \$53 million to replace the recently installed and perfectly good machines that are currently out on the City's sidewalks is not fiscally prudent. In addition, from safety and security perspectives, the accumulation and on-street collection of paper currency would be highly problematic. The staff would be more vulnerable to armed robberies, assaults and other felonies, since the presence of paper currency would provide a very inviting target for criminals. In this context, we would need to consider employing armed guards and/or armored courier service to collect such revenues. Anything less would be potentially dangerous for City workers. Finally, it is our belief that the low occurrences of vandalism that we have experienced with muni-meters would be expected to rise.

Let me conclude my discussion on this bill by pointing out that the growing trend for muni-meter payments has been away from cash and towards electronic forms of payment. In fact, when DOT first began installing muni-meters ten years ago, electronic payments accounted for less than 1% of total revenue. That number has now grown to a current projection for this fiscal year of approximately 25% of all payments being made using electronic forms of payment – a percentage that will continue to rise going forward.

Now let me turn to Intro 811 which would require DOT to replace all parking meters with muni-meters by July 1, 2010. This bill is similarly problematic from a budget perspective as the cost to replace all meters with muni-meters would be astronomical. The bill would require that all of the 60,000 remaining City-wide single space meters be replaced by 10,000 muni-meters, at a cost to the City of approximately \$80 million, again, in equipment costs alone. Should the replacement of single space meters have to be done with muni-meters that accept paper currency as Intro 175 would require, then the projected cost for equipment alone would increase to approximately \$150 million. At a time when the City is cutting costs – we simply cannot afford this. We are expanding the use of the use of muni-meters; but are doing so on a cost-efficient schedule.

This bill would also require the City to make available the option of payment for metered parking utilizing a cellular telephone payment system. As I mentioned earlier, DOT is developing an RFP for such a

system for use in its parking fields. We strongly believe that such a system needs to be thoroughly tested before it can be used on a more wide-scale basis. One potential concern is that the use of such a system will present challenges from an enforcement perspective. However, we agree that a cellular telephone option should be pursued – and we look forward to sharing the results of our pilot.

Now let me turn to Intro 812 which would allow a person to park at a broken meter or muni-meter up to the maximum amount of time lawfully permitted in that particular space, block or parking field. Currently the maximum amount of time that a person may park at a missing or broken meter is one hour and we believe that extending this time would serve as an open invite to vandals. Parking meters infrequently break on their own but are often vandalized – usually for “time,” not quarters. The longer the time is extended, the greater incentive there is for someone to break a meter. While we understand the sponsor’s concern from a customer service perspective, we are concerned about extending the time any further.

The fourth bill on today’s agenda is Intro 786 which would require the New York City Police Department’s hand-held traffic enforcement computers to be linked up with DOT’s Sign Information Management System (SIMS) and additionally requires that no ticket be issued if the information in SIMS differs from the signage that is posted.

As you may recall, we worked very hard with the Council on Local Law 58 of 2007 which requires DOT to make information regarding parking restrictions from its new SIMS system available on its website by September 1, 2009.

According to DOT’S Traffic Rules, it is the presence of actual posted signage that governs the regulations at a particular location – and not what may or may not be listed in SIMS. Secondly, once SIMS is up and running we anticipate there being a so-called lag time between, for example, the time when a new parking regulation is installed or removed to when this information is actually updated in the SIMS system. In fact, Local Law 58 acknowledged both these issues by including language directing DOT to provide a disclaimer on its website advising the public to check posted street signs for compliance with laws and rules, and by giving DOT ample time to update the SIMS system when regulations are changed. It is important that New Yorkers understand the sign on the street is what denotes the parking regulation.

In addition, the Police Department (NYPD) advised us that its Parking Ticket Device, or PTD, is not a wireless device capable of accessing or utilizing the SIMS system. First introduced in 2004, the NYPD has approximately 2,100 PTDs, utilized by approximately 1,800 Traffic Enforcement Agents to issue summonses for parking violations (they are not utilized by other officers outside of parking enforcement). The PTD's capacities are limited to scanning vehicle registrations, accepting information typed in by the Traffic Enforcement Agent, printing the summons, and saving the information for download and transmittal to the Department of Finance on a daily basis. Therefore, currently, implementation of Intro 786 would not technically be feasible.

The fifth and final bill on today's agenda is Intro 686 relating to curb cuts. This bill states that any violations for parking in front of a driveway or curb cut are to be dismissed when a hearing officer makes a determination that the cut was made without the appropriate permits from DOT and the Department of Buildings. I would like to point out that such a claim – that a curb cut is illegal – is already a legitimate defense when such violations are adjudicated and, therefore, we do not think this bill is necessary.

Thank you for inviting us here today, at this time we would be happy to answer any questions you may have.

CHEKPEDS

Clinton/Hell's
Kitchen Pedestrian
Safety Coalition



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OUR MEMBERS • 9th Avenue Association • 43rd Street Block Association • 44SW • 44th Street Block Association • 45th Street Block Association • 46th Street Block Association • 47/48th Street Block Association • 55th Street Block Association • 344-348 West 38th Street Tenants Corp. • Actors Temple Theater • American Home Hardware & More • Baryshnikov Arts Center • Basilica • Brazil Brazil • Central Fish Market • Chimichurri Grill • Clinton Housing Development Corp • Costa del Sol • Cupcake Café • Delphinium Home • Domus • Econolodge • Empire Tailors & Cleaners • Times Square • Galaxy Diner • Hartley House • Hell's Kitchen Neighborhood Association • Housing Conservation Coordinators • Hudson Crossing Tenants Association • International Foods • Jezebel • J.Seffens Studio • L'Allegria • Larissa Designs • Le Madeleine • Manganaro's Food • Manhattan Plaza • Metro Bicycle Stores • New Dramatists • Nice N Natural • Orion Condominium • OsteriaGelsi • PeisNYC.com • Poseidon Bakery • Project FIND • R/GA • Revolution Rickshaws • Rockrose Development • Sea Breeze • Saint Vincent Midtown Hospital • Sunnyside Records • Smiley's • Sonja Wagner Gallery • Costa del Sol • St. Lukes Theater • Studio LLC • Tagine • Tartare • The Ritz • The Door Lounge • Thrift & New Shoppe • Trattoria Pesce Pasta • Urban Affiliates • Vintner Wine Market • Zipper Theater

October 08, 2008

Chairman Liu
New York City Council, Transportation Committee
City Hall, New York, NY, 10007

RE: Intro 686 - Illegal Curb cuts

Dear Chairman Liu,

My name is Christine Berthet and I am the co-founder of CHEKPEDS, a coalition of over 800 businesses, individuals, and institutions dedicated to pedestrian safety in Clinton and Hell's Kitchen.

CHEKPEDS supports Intro 686 to dismiss parking violations as it relates to illegally built curb cuts. It is clearly unfair to the drivers. However, we recommend that the law protect not just drivers, but pedestrians as well, against the ill effects of both illegal and obsolete curb cuts.

Hundreds of curb cuts are obsolete or illegal in our district. Obsolete because when the buildings were converted from manufacturing to office use, the building department did not enforce the removal of curb cuts. Illegal because parking lots illegally created curb cuts on the full length of the property frontage, an order of magnitude larger than the 15 to 25ft authorized.

These curb cuts make long stretches of sidewalks unsafe for walking or unfit to parking. On such long stretches, cars dart in and out of parking lots crossing the sidewalk at any point making the sidewalk very dangerous for pedestrians and children; vision impaired persons are unable to distinguish between a safe and unsafe sidewalk. The Parks Department will not plant trees on curb cuts, even if they are visibly obsolete, depriving the community of the few healthy amenities it could benefit from. Finally, long stretches of valuable on-street parking are off limit.

We recommend that intro 686 include provisions to impose significant penalties to property owners that have unused or non-compliant curb cuts, and to prod the building department into accelerating the removal of illegal and obsolete curb cuts. The department of Consumer Affairs should renew parking permits only if the curb cuts and street interface are compliant with the new zoning guidelines

Such law will address the problem at its core and will benefit the larger population of pedestrians and handicapped persons as well as illegally parked car drivers.

Sincerely

Cc: Council Member Gale Brewer
Cc: Speaker Christine C. Quinn

**THE COUNCIL
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Appearance Card



I intend to appear and speak on Int. No. 686 Res. No. _____

in favor in opposition

Date: _____

Name: BERTHEI (PLEASE PRINT)

Address: 348 W 32ND ST

I represent: CHEKPEDS

Address: SAN

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Appearance Card



I intend to appear and speak on Int. No. all 5 Res. No. _____

in favor in opposition

Date: 10/8/08

Name: David Woloch (PLEASE PRINT)

Address: Deputy Commissioner External

I represent: Affairs

Address: DOT

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I intend to appear and speak on Int. No. all 5 Res. No. _____

in favor in opposition

Date: _____

Name: Bruce Schaller (PLEASE PRINT)

Address: Deputy Commissioner for Planning &

I represent: Sustainability

Address: DOT

◆ Please complete this card and return to the Sergeant-at-Arms ◆

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Appearance Card

I intend to appear and speak on Int. No. all 5 Res. No. _____

in favor in opposition

Date: 10/8/08

(PLEASE PRINT)

Name: Victor Rosen

Address: Assistant Commissioner - Traffic

I represent: operations

Address: DOT 10/8/08

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Appearance Card

686

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 10/8/08

(PLEASE PRINT)

Name: MARTIN TREAT

Address: 400 W 43 ST 33N 10036

I represent: Hells Kitchen Neighborhood Assoc.

Address: "

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Appearance Card

I intend to appear and speak on Int. No. 175 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Glen Bolofsky / parkingticket.com

Address: 16 ARCADIAN AVENUE

I represent: PARAMUS, NJ 07652
parkingticket.com

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