

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON TRANSPORTATION

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March 27, 2019  
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HELD AT: Committee Room -- City Hall

B E F O R E: YDANIS RODRIGUEZ  
Chairperson

COUNCIL MEMBERS: Mark Levine  
Fernando Cabrera  
Ruben Diaz, Sr.  
Peter Koo  
I. Daneek Miller  
Donovan J. Richards  
Stephen T. Levin  
Antonio Reynoso  
Rafael L. Espinal Jr.  
Carlos Menchaca  
Chaim M. Deutsch  
Deborah Rose

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

Corey Johnson, Speaker of the New York City  
Council

Oleg Chernyavasky, Executive Director of  
Legislative Affairs  
NYPD

Michael Pilecki, Deputy Chief and Executive  
Officer  
NYPD Transportation Bureau

Margaret Forgione, Chief Operations Officer  
New York City Department of Transportation

Bill Reda, Communications Director  
New York City 311

Joshua Benson, Deputy Commissioner  
Traffic Operations

Ellen McDermott, Interim Executive Director  
Transportation Alternatives

Diane Drozeck, NYC Resident

Eric McClure, Executive Director  
StreetPAC

John Orcutt  
Bike New York

Todd Mizel (sp?)

Greg Waltman  
G1 Quantum



2 CHAIRPERSON RODRIGUEZ: Good afternoon  
3 and welcome to today's hearing on the City Council  
4 Transportation Committee on placard car abuse in New  
5 York City. My name is Ydanis Rodriguez, the Chair of  
6 this Committee. First let me recognize Speaker Corey  
7 Johnson and give him the opportunity to deliver his  
8 opening statement.

9 SPEAKER JOHNSON: Thank you, Chair  
10 Rodriguez. I'm really, really glad we're having this  
11 hearing today. We are facing a transportation crisis  
12 in our city. Mass transit isn't moving, our streets  
13 are congested and dangerous and we've got a lot of  
14 work to do. Trust me. I know. I just released a  
15 104 page report on what's not working and how I think  
16 we can fix it, but we need to start by getting our  
17 own house in order. Parking isn't just about where  
18 to put cars. It's about how we allocate limited,  
19 valuable street space. Placard abuse isn't just  
20 about misusing official parking permits are looking  
21 the other way when someone sticks an agency hat or  
22 union card on the dashboard. It's about creating a  
23 culture where people feel free to park on sidewalks  
24 and in bike lanes. And therefore going to break the  
25 car culture, we need to send a message that we are

1 COMMITTEE ON TRANSPORTATION

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2 done prioritizing parking over people. Every time  
3 someone parks in a bike lane, cyclists are forced to  
4 mix with car traffic, pitting them against speeding  
5 cars and trucks and putting their lives at risk.  
6 Every time someone parks in a crosswalk, pedestrians  
7 are left to fend for themselves, squeezing between  
8 parked cars as they enter the street hoping they will  
9 be able to see oncoming traffic and that oncoming  
10 traffic will be able to see them before it is too  
11 late. Every time someone parks in a bus lane,  
12 countless bus riders are pushed out of the dedicated  
13 Lane and into our congested streets. This is  
14 irresponsible, it's dangerous, and it is selfish  
15 behavior. And if you are doing it with a real or  
16 fake Parker, it is corruption. But, to be clear, the  
17 bills we are hearing today don't just deal with  
18 placard abuse. It doesn't matter whether you are  
19 using a city placard in your personal car, driving in  
20 the official city vehicle, or just a private citizen.  
21 The days of giving a free pass on illegal parking are  
22 over. Personal convenience cannot trump safety or  
23 the needs of bus riders, pedestrians, and cyclists.  
24 So I am proud of this entire package that we are  
25 hearing today and to sponsor three of the pills that

1 COMMITTEE ON TRANSPORTATION

2 are being heard. I'll briefly mention a few of the  
3 pills and my colleagues will discuss them in more  
4 detail. But the key here that we are talking about  
5 is transparency coupled with accountability. I think  
6 anyone who has followed this issue knows that just  
7 having penalties on the books is not cutting it here.  
8 We need to pair that with targeted enforcement,  
9 detailed reporting, and close oversight. No traffic  
10 enforcement agent should feel intimidated or  
11 pressured into ignoring illegal parking. Under  
12 introduction 1393, one of my bills, we would require  
13 a weekly enforcement sweep in areas with high numbers  
14 of complaints. Every sweep would be documented with  
15 photographs and these details would be available for  
16 review. So we will be watching, the public will be  
17 watching, and, I think, most importantly, the  
18 Department of investigation will be watching. We are  
19 going to need the public's help here. We need to  
20 know where illegal parking is a problem. But, right  
21 now, 311 has limited options for reporting it.  
22 Introduction 1395 would require 311 to accept a wider  
23 range of complaints regarding the legal parking and  
24 allowed New Yorkers to actually attach pictures to  
25 those complaints that are filed. And, finally, and

1 COMMITTEE ON TRANSPORTATION

7

2 unfortunately, we need to make it clear that, just  
3 because you are driving a city vehicle, you are not  
4 above the law. Introduction 1394 would ban city cars  
5 from blocking a bike lane, a bus lane, a crosswalk,  
6 or a fire hydrant unless it is a documented  
7 emergency. And the key word is documented emergency.  
8 Along with the five bills this committee heard last  
9 year, this is a thoughtful set of legislation that  
10 tackles a serious problem and puts us on the right  
11 track towards making more streets safer and more  
12 equitable. I want to thank the chair of this  
13 committee, again, Chair Rodriguez, for holding this  
14 hearing and I want to thank councilmembers powers and  
15 hold in for sponsoring the other bills that are being  
16 heard in this package today. Thank you, Mr. Chair.

17 CHAIRPERSON RODRIGUEZ: Thank you.

18 Yes. Thank you for your leadership on these and many  
19 other issues in the city of New York. As the speaker  
20 said, today the committee on transportation will hear  
21 five bills related to placard abuse building on the  
22 five pieces of legislation this committee last year.  
23 These bills represent a wholesale reevaluation of our  
24 city placard system and will ensure that placards are  
25 issued and used only in limited circumstances and for

1 COMMITTEE ON TRANSPORTATION

2 legitimate purpose. I would like to also bring that,  
3 as he will be addressing the Parker to abuse in New  
4 York City, I want to remind the city that I  
5 personally also feel that, as it will be tackling the  
6 abuse of placard, to believe also that the press  
7 should get a placard. Something that, for months,  
8 for years, we've been debating because, when  
9 Bloomberg took away the placards for the press, as he  
10 did it for the teacher, I believe that, as we're  
11 going to be dealing with the abuse of placards, I  
12 hope that, also, we continue conversation for  
13 reinstating the placards for members of the press.  
14 As the speakers said, placards abuse is corruption.  
15 It is misusing city resources. And the city of 8.6  
16 million people, we simply can't afford to let some  
17 people use our public space however they see fit  
18 while the rest of us, pedestrians, cyclists, bus  
19 riders and drivers, alike, are left to deal with the  
20 consequences. Even if a fixed NYC panel of  
21 transportation experts, business leaders, and  
22 community representatives recognize how big of an  
23 impact the cities placards system has on congestion.  
24 That's why they argue that, in addition to  
25 implementing congestion [inaudible 00:06:39] the city



1 COMMITTEE ON TRANSPORTATION

2           <sup>a</sup>  
3 should overhaul its placard program. Today, the City  
4 Council is taking up that charge.

5           Turning to the legislation being heard  
6 today, there are five bills on our agenda. The first  
7 theory introduced by Speaker Johnson's intro, 1393,  
8 will require NYPD to investigate at least 50 sites  
9 per week that are the most frequent sites of placard  
10 abuse and block bus lanes, bike lanes, sidewalks,  
11 crosswalks, or fire hydrants, as identified through  
12 311 complaints. The NYPD would then have to report  
13 on their investigations to the Council, Mayor, DOT,  
14 and the Department of Investigation. The Department  
15 of Investigation would then analyze NYPD's actions to  
16 ensure that placards violations are being effectively  
17 enforced. Second, intro 1394 will prohibit official  
18 city vehicles from blocking bus lanes, but it cleans,  
19 crosswalks, sidewalks, or fire hydrants accepted in  
20 case of an emergency. Third, intro 1395 would  
21 require 311 to accept complaints and photographs  
22 related to the misuse of placards, including city  
23 vehicles blocking bike lanes, bus lanes, crosswalks,  
24 sidewalks, and fire hydrants. If the city vehicle  
25 was responding to an emergency, the relevant agency  
would be required to describe the incident and

1 COMMITTEE ON TRANSPORTATION

10

2 explain why parking elsewhere was not practical.  
3 Council member Holden's intro 1412 will require  
4 enforcement officers to call in tow trucks whenever a  
5 vehicle is obstructing a sidewalk, crosswalk, fire  
6 hydrant, bike lane, or bus lane unless it is a city  
7 vehicle responding to an emergency. Finally, intro  
8 1422, introduced by Council member Powers, would  
9 create a standardized application process managed by  
10 DOT for city issued parking permits. I would like to  
11 invite the sponsors of this legislation who are  
12 present to deliver their opening statements. So,  
13 since they not here, I would like to welcome the  
14 representatives of the administration who are with us  
15 today and the lawyer will do the-- And advise the  
16 Council to administer the affirmation and then invite  
17 the administration to deliver their statement.

18 LEGAL COUNSEL: Please raise your right  
19 hand. Do you affirm to tell the truth, the whole  
20 truth, and nothing but the truth and your testimony  
21 before this committee and to respond honestly to  
22 councilmember questions?

23 PANEL: I do.

24 LEGAL COUNSEL: Thank you.

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1 COMMITTEE ON TRANSPORTATION

11

2 OLEG CHERNYAVASKY: Good afternoon,  
3 Speaker Johnson, Chair Rodriguez, and members of the  
4 Council. I know--

5 CHAIRPERSON RODRIGUEZ: [interposing] If  
6 you don't mind, let me just recognize the members who  
7 are here. Council members Diaz, Richards, Miller,  
8 Koo, Cabrera, Levin, Salamanca, Deutsch, Espinal,  
9 Constantinides, Menchaca, [inaudible 00:09:54].  
10 Sorry.

11 OLEG CHERNYAVASKY: My name is Oleg  
12 Chernyavsky. I'm the Executive Director of  
13 Legislative Affairs for the New York City Police  
14 Department. In addition to my colleagues from the  
15 Department of Transportation and the NYC 311, I am  
16 joined today by Deputy Chief Michael Pilecki,  
17 Executive Officer of the NYPD's Transportation  
18 Bureau. On behalf of police Commissioner O'Neill, I  
19 wish to thank the Council for the opportunity to  
20 comment on the bills being heard today. I believe it  
21 is important to state that the NYPD recognizes that  
22 traffic congestion can have an adverse impact on  
23 quality of life, environment, and the public health  
24 of those living in operating within the city and the  
25 region. Facilitating the efficient movement of

1 COMMITTEE ON TRANSPORTATION

12

2 people in our city, as specially as our population  
3 and tourism industry grows, requires the action of  
4 multiple stakeholders to include the police  
5 department and our fellow city agencies. The NYPD's  
6 transportation Bureau is responsible for designing,  
7 developing, and implementing strategies to improve  
8 traffic flow, remove obstacles impeding traffic, and  
9 expedite the passage of vehicles and bicycles within  
10 the city. Parking summons enforcement is a vital  
11 component of this effort. In 2018, the department  
12 issued 9,694,894 parking summonses, an increase of  
13 six percent from 2017. In addition to summons  
14 enforcement, the NYPD partners with the taxi and  
15 limousine commission to target illegal street hails  
16 which can slow traffic and also performs parking  
17 enforcement at traffic stands against unauthorized  
18 parking violators. We collaborate with DOT and the  
19 department of buildings to alleviate congestion  
20 stemming from construction sites that illegally spill  
21 over into adjacent roadways. The department has also  
22 taken a targeted approach to bus enforcement,  
23 specifically regarding parking enforcement against  
24 vehicles that are not buses, but are utilizing bus  
25 layover areas and those obstructing bus lanes and bus

1 COMMITTEE ON TRANSPORTATION

12

2 stops where we have witnessed a 150 percent and an  
3 eight percent increase, respectively. Additionally,  
4 our citywide traffic task force provides traffic  
5 control focused intersections along main traffic  
6 routes and maintains a high visibility enforcement  
7 patrol in the vicinity of major transportation hubs  
8 such as Penn Station, Grand Central Station, and the  
9 Port Authority bus terminal. Specifically, the task  
10 force focuses on traffic flow violations such as  
11 double parkers, illegal U-turns, and the disobeying  
12 of traffic control signals. I think we would all  
13 agree that New York City is among the most densely  
14 populated urban environments and its inhabitants,  
15 including those that live, work, and visit the city,  
16 demand that vital city services be delivered  
17 expeditiously and efficiently, especially in cases of  
18 life safety, the response to crime, and the  
19 prevention of future crime. Central to these  
20 services is the ability of law enforcement personnel  
21 to respond via the use of the vehicle and to not  
22 spend valuable time delaying their response by  
23 circling streets in our most congested areas in  
24 search of an unrestricted parking spot. I believe we  
25 all acknowledge this reality, which is why none of

1 COMMITTEE ON TRANSPORTATION

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2 the proposals put forward in today's hearing deal  
3 with the abolition of parking privileges for city-  
4 owned vehicles conducting city business. The debate  
5 centers around the extent to which such privileges  
6 should be curtailed and how those that abuse those  
7 privileges should be sanctioned. While we welcome  
8 having an open and honest discussion about this  
9 issue, we cannot simply focus on or inflate the few  
10 that abuse this privilege. We must evaluate every  
11 proposed solution through the lens of impact on  
12 response times, caseloads, staffing, and, most  
13 importantly, what impact will it have on safety for  
14 both law enforcement personnel in the public writ  
15 large. The department issues parking placards to its  
16 personnel, its fleet of city-owned vehicles, as well  
17 as law enforcement entities such as the city's  
18 District Attorney's Offices, MTA police, and federal  
19 law enforcement. NYPD personnel must complete an  
20 application, is seeking a permit for their personal  
21 vehicle, which permits them to park in and around  
22 their assigned precinct or facility. The department  
23 also issues permits to its fleet vehicles or  
24 individual units to use for their assigned department  
25 vehicles. These placards are not assigned to any one

1 COMMITTEE ON TRANSPORTATION

15

2 department employee, as our fleet is used by any  
3 number of individuals to deliver police services. At  
4 its core, the issuance of parking placards to our  
5 personnel is for the purpose of aiding in the  
6 delivery of public services. We acknowledge that  
7 placards misuse by city personnel, including our  
8 personnel, at times has occurred. However, we take  
9 this issue seriously and have dedicated personnel  
10 specifically to maintain the integrity of the city  
11 issued parking permit system. Abusing this  
12 privilege, especially when blocking crosswalks, fire  
13 hydrants, bus lanes, and bike lanes in situations  
14 where it is not necessary road faith in the  
15 department's integrity, that of the city government,  
16 and impacts the flow of traffic in the city. We  
17 understand the councils and the public's frustration  
18 over the perceived lack of enforcement over permit  
19 misuse. When city employees, including members of  
20 the NYPD, parked their vehicles in areas where  
21 parking is otherwise restricted and it is not due to  
22 an emergency or otherwise done to further the mission  
23 of their agency, our personnel will issue a summons  
24 or have the vehicle towed. If we identify a  
25 fraudulent Parker did, our traffic enforcement agents

1 COMMITTEE ON TRANSPORTATION

16

2 are directed to have the car towed, at which point  
3 the placard is seized. In July of 2017, 108 traffic  
4 enforcement agents were deployed citywide to  
5 specifically address vehicles parked illegally while  
6 displaying an official or unofficial placard. At the  
7 same time these TEA's were deployed, the department  
8 created and began deploying a dedicated placard  
9 enforcement unit. This unit consists of nine  
10 uniformed supervisors, a lieutenant, and eight  
11 sergeants who team up with a police officer's and  
12 eight traffic agents to respond to complaints of  
13 vehicles parked illegally while displaying a parking  
14 permit. In addition to the 108 TEA's, this unit is  
15 tasked with issuing summonses to those who misuse  
16 their parking permits, taking proactive steps to  
17 address known problematic locations, as well as  
18 locations highlighted to the department through  
19 community complaints and investigating those who have  
20 fraudulently obtained parking permits. Since 2016,  
21 we have increased the number of summonses issued for  
22 parking placards misuse by 93 percent, with 54,608  
23 summonses issued in 2018 alone. This number is a 30  
24 percent increase from the 41,931 such summonses  
25 issued in 2017. In 2018, the Parker word enforcement



1 COMMITTEE ON TRANSPORTATION

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2 unit alone accounted for 11,302 of these summonses.

3 As of March 24th of this year, the NYPD has issued

4 11,470 summonses to vehicles displaying placards.

5 Additionally, in 2018, the NYPD towed 891 cars for

6 parking illegally with the placards enforcement unit

7 responsible for 114 of these tows. As of March 24th,

8 this year, the placards enforcement unit has towed 42

9 vehicles parked illegally with placards, on track to

10 doubling their activity from the prior year. On the

11 heels of this height did enforcement effort, last

12 month, the mayor announced the set of new rules to

13 further address placards misuse and traffic

14 congestion. The mayor's plan moves the city toward

15 an all digital parking management system which will

16 phase out the physical placards system by the end of

17 2021 and will make it easier to enforce placards

18 misuse and parking rules as a whole. The mayor also

19 proposed to institute stricter enforcement rules, a

20 three strike policy which will permanently revoke

21 parking privileges after three offenses, a dedicated

22 DOT placards enforcement unit, and a team in the

23 mayor's office to track and report on placards

24 misuse. Additionally, in January, the mayor and the

25 NYPD announced a dedicated team of tow trucks and

1 COMMITTEE ON TRANSPORTATION

1 2

2 enforcement agents to patrol bus lanes and to tow  
3 vehicles blocking them. There are few cities in  
4 America with the traffic and parking congestion  
5 issues we experience in New York City. Combine that  
6 with New York's unparalleled number of government  
7 vehicles and employees, and you have a challenge  
8 larger than the sum of its parts. A challenge that  
9 will only be fixed through collaboration and creative  
10 thinking. The NYPD's reforms in collaboration with  
11 its sister agencies, coupled with Mayor DeBlasio's  
12 initiatives, have and will continue to lead us to a  
13 modern 21st-century solution that ensures the  
14 efficient provision of vital city services to include  
15 emergency services to the people that live, work, and  
16 visit our city, while addressing congestion and  
17 making sure parking privileges are not abused. We  
18 welcome the council's partnership in input in this  
19 effort. I will now turn my attention to the bills  
20 before us today.

21 Intro 1393 would require the NYPD to  
22 respond to 50 high complaint areas based on 311  
23 complaints on a weekly basis and during specific  
24 times. The evaluation of these locations would have  
25 to be submitted weekly to the Department of

1 COMMITTEE ON TRANSPORTATION

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2 investigation, DOT, the mayor, and the speaker it  
3 would have to detail why each location was chosen,  
4 the complaints that each location, the enforcement  
5 taken, or why no enforcement was taken, and would  
6 have to include photos of the block, the vehicle, and  
7 the parking placards being used. The department  
8 respectfully opposes this legislation. As I have  
9 noted earlier, the Parker word enforcement unit  
10 already responds to locations of placards misuse  
11 based on community complaints to 311 and otherwise to  
12 the department. The department has increased  
13 summonsing and towing year over year. Into 1393  
14 seeks to curtail the police Commissioner's authority  
15 to deploy personnel and other resources by directing,  
16 in legislation, where certain department personnel  
17 must be deployed. Additionally, the requirement to  
18 conduct a weekly assessment and prepare weekly  
19 reports relative to parking permit complaints so  
20 would require the dedication of significant  
21 resources. The department would need to hire staff  
22 or divert department resources for the purpose of  
23 evaluating and reporting the data. There would be a  
24 significant training element for both enforcement  
25 personnel and those analyzing the data and, as we've

1 COMMITTEE ON TRANSPORTATION

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2 seen with the body-worn camera program, the  
3 collection and storage of the required data,  
4 including photographs, would carry additional costs.  
5 Finally, it should be noted that the Department of  
6 investigation already possesses wide latitude as to  
7 what investigation it conducts, to include the  
8 subjects covered in this legislation, as does the  
9 Council, which can exercise its oversight powers as  
10 it is doing today.

11 Intro 1394 would prohibit vehicles  
12 operated on behalf of city agencies from being parked  
13 and bike lanes, bus lanes, sidewalks, and crosswalks  
14 or fire hydrants unless responding to or preparing to  
15 respond to an incident posing a hazard to health,  
16 safety, or property. The department supports the  
17 goal of this legislation and is committed with  
18 working with the Council on amendments to the  
19 proposed bill to account for operational realities.  
20 For example, the suspension of a bike or bus lane  
21 during an event or the restriction of a block to  
22 pedestrians or vehicles, as well as an expansion of  
23 the scope of permissible use of the areas covered in  
24 the bill to include legitimate law enforcement

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1 COMMITTEE ON TRANSPORTATION

2 21

3 operations where there is no other available space to  
4 park.

5 Intro 1395 would require the department  
6 to investigate and issue a response to the Department  
7 of Information, Technology, and Telecommunications  
8 within two days for every 311 complaint containing a  
9 photo of very improperly parked department vehicle.

10 While the department certainly supports a timely and  
11 substantive response to anyone that calls a 311  
12 system, this legislation poses significant challenges  
13 given the extremely short timeline it establishes for  
14 response, which will require a significant staffing  
15 increase in training to comply with its mandate.

16 Intro 1412 would authorize private towing  
17 companies when directed by the NYPD or DOT to tow  
18 vehicles blocking sidewalks, crosswalks, hydrants,  
19 bike lanes, or bus lanes if the vehicle is unattended  
20 or the owner refuses to move, unless it is a city-  
21 owned vehicle responding to a hazard of health,  
22 safety, or property. While the department supports  
23 the goal of this bill, namely removing vehicles  
24 causing traffic obstructions, we are concerned that  
25 this bill, as written, would place a significant  
strain on our resources. Because towing would

1 COMMITTEE ON TRANSPORTATION

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2 largely be done by private companies, officers would  
3 be required to remain with the offending vehicles  
4 until the private tow arrives. In the case is aware  
5 of city vehicles are towed because it is not readily  
6 apparent that they are responding to an emergency, it  
7 would create an unworkable situation where a private  
8 company would then have custody and the ability to  
9 obtain a mechanics lien over a city fleet vehicle  
10 until the costs of towing and storage are paid. This  
11 would significantly inhibit the provision of city  
12 services.

13 Intro 1422 would give the DOT exclusive  
14 authority to issue parking permits. Applications on  
15 the required to include the name, photograph of the  
16 applicant, among other information. The permits  
17 would display a permittee's name, age and sex, unique  
18 identifier, and anything else DOT determines  
19 necessary. The department respectfully opposes this  
20 legislation on the limited grounds of its application  
21 to the department and its personnel. While the  
22 department currently requires members of the service  
23 to complete an application when seeking a parking  
24 placards for their personal vehicle, department fleet  
25 vehicle placards are not assigned to any one

1 COMMITTEE ON TRANSPORTATION

2 22

3 individual rather such placards are assigned to the  
4 vehicles themselves or the unit to which the vehicle  
5 is assigned. The vast majority of vehicles used for  
6 city business are used by any number of agency  
7 employees for a variety of official functions.  
8 Likewise concerning is the elimination of the  
9 department's ability to determine the appropriate  
10 number of placards needed for its emergency response  
11 and general law enforcement functions and, instead,  
12 placing those decisions with a separate agency. This  
13 framework improperly rests control over law  
14 enforcement operations away from the police  
15 Commissioner. Finally, this bill would not only  
16 require the department to relinquish personal  
17 identifying information of police personnel and their  
18 often times family vehicles to non-law enforcement  
19 agency, but would also require that agency to place  
20 such information on the permit itself, both  
21 representing unacceptable risks in the NYPD's view.  
22 The existing system of the NYPD issuing law  
23 enforcement placards and acting as caretakers of  
24 sensitive information that relates to its personnel  
25 is the proper approach with a clear path of  
accountability. The answer to placards misuse is one

1 COMMITTEE ON TRANSPORTATION

2 21

3 of enforcement and discipline, which continues to be  
4 done in significantly increased numbers. Thank you  
5 for the opportunity to speak about these important  
6 issues and I look forward to answering any of your  
7 questions.

8 SPEAKER JOHNSON: Thank you. Oleg, it's  
9 always fun. [laughter] Let's start with the basics.  
10 I've seen a lot of reporting throwing out a number on  
11 city placards. Oh, did you guys have testimony?

12 MARGARET FORGIONE: We do.

13 OLEG CHERNYAVASKY: I think they do.

14 SPEAKER JOHNSON: Go ahead.

15 MARGARET FORGIONE: Okay. Thank you,  
16 Speaker Johnson. Good afternoon, Speaker Johnson,  
17 Chairman Rodriguez, and members of the transportation  
18 committee. I am Margaret Forgione, Chief Operations  
19 Officer at New York City DOT. With me today is  
20 Joshua Benson, Deputy Commissioner for traffic  
21 operations. We are happy to be here today to testify  
22 on this important issue and will be speaking about a  
23 number of placards processes and enhancements as  
24 announced by Mayor DeBlasio out last month. I will  
25 also address two of the bills before the committee  
today. As Commissioner Trottenberg said last month,



1 COMMITTEE ON TRANSPORTATION

25

2 DOT looks forward to playing a key role in helping  
3 combat placards abused by moving towards a digital  
4 placards system, adding a new placards violation  
5 rule, and creating a new targeted enforcement team.  
6 These initiatives are important steps toward a better  
7 regulated placards system and better curb management  
8 citywide. First, as an initial step, we are  
9 conducting a demonstration program that replaces our  
10 standard laminated paper placards with window  
11 stickers on over 300 of our DOT owned vehicles. One  
12 of the most prevalent types of placards abuse we  
13 encounter is placards that are inappropriately  
14 transferred from vehicle to vehicle. Through these  
15 stickers, we can help eliminate this abuse because  
16 they are now physically affixed to one specific  
17 approved vehicle and the stickers cannot be removed  
18 without destroying them. We are currently under way  
19 with this demonstration program and we expect to have  
20 results by the summer. And we actually brought a  
21 sample of our sticker today, so we will pass it  
22 around to people who would like to look at it.  
23 Second, DOT and PDA will roll out a new state-of-the-  
24 art parking management system that will allow more  
25 efficient enforcement and will be less susceptible to

1 COMMITTEE ON TRANSPORTATION

26

2 abuse. Through this integrated parking management  
3 system, we will link parking meters, pay by cell  
4 payments, and parking placard information with  
5 license plates and make the information available to  
6 handheld devices in real time. Enforcement agents  
7 will use permitted information associated with  
8 specific license plates, along with active paid  
9 parking sessions to automatically verify all vehicles  
10 as legally or illegally parked without referring to  
11 what may or may not be displayed on the dashboard.  
12 This can eliminate confusion and enforcement and  
13 thwart attempts to obtain free parking by falsifying  
14 or misusing uni meter receipts and placards. Third,  
15 we will adopt a new traffic rule that will create a  
16 new violation for misuse or fraudulent use of a  
17 permit that will be available to PD and DOT's traffic  
18 agents. This will be in addition to the underlying  
19 parking infraction that NYPD traffic agents currently  
20 issue. Through this new violation, we will realize a  
21 number of benefits. First, we are aware that the  
22 Council is interested in enacting requirements for  
23 revocation for misusing its official placards, as  
24 proposed in intro 923, and the Mayor has announced a  
25 strict three strike policy, as well. To support

1 COMMITTEE ON TRANSPORTATION

27

2 these intentions, we will provide a violation  
3 specific to improper placards use, thereby providing  
4 an adjudicated basis for us to much more readily take  
5 action to revoke permits and we will allow for higher  
6 quality data about placards abuse and enforcement  
7 efforts in the city. We will also provide an  
8 additional 50 dollars penalty on top of the  
9 underlying parking violation, an amount which the  
10 mayor is lobbying to increase under state law.  
11 Finally, we will create a team dedicated to targeted  
12 enforcement of placards rules, supplementing NYPD's  
13 ongoing efforts. With this new team, we will  
14 initially focus on lower Manhattan, giving the  
15 prevalence of agencies and placard abuse in the area  
16 and long-standing community complaints. Working with  
17 PD, we will hire the team this year and they will be  
18 empowered to ticket vehicles abusing their placards  
19 privileges or using fake placards. As DOT undertakes  
20 this initiative, we will evaluate its effectiveness  
21 and look into potential next steps, including  
22 focusing on other hotspots for placard abuse.

23 Now, I would like to turn to the bills  
24 before the committee today starting with Intro 1422  
25 and the permit application process. DOT agrees with

1 COMMITTEE ON TRANSPORTATION

2 28

3 the Council on the need for a carefully controlled  
4 application procedure and we have taken strides in  
5 recent years to enhance our process. We currently  
6 require agencies and organizations to provide  
7 information about each individual applicant,  
8 associated vehicle, and a detailed justification of  
9 the need for a given permit and the job duties that  
10 will be performed. We require multiple approvers  
11 through our real-time database that agencies use to  
12 request permits. And starting last year, we added  
13 new holographic features to our permits for increased  
14 security and better detection of fraud. And for  
15 certain permits, DOT now requires a Commissioner or  
16 first deputy level sign off that an individual  
17 performs a minimum of at least 80 percent of their  
18 work in the field of using the vehicle in question.  
19 While DOT agrees with the importance of having  
20 rigorous application and vetting procedures, we  
21 believe that, through our current process, we provide  
22 stronger protections than what is proposed in this  
23 bill and more appropriately account for effective  
24 fleet management. Rather than having individuals  
25 apply for permits, we only accept applications from  
designated agency requesters. This way, we prevent

1 COMMITTEE ON TRANSPORTATION

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2 employees from making unwarranted and unnecessary  
3 requests for permits and ensures that each agency is  
4 accountable for its employees. The city makes  
5 widespread use of agency pool vehicles available to  
6 multiple staff, which helps reduce the size of the  
7 city fleet. Permits for those vehicles are managed  
8 by a fleet liaison and we limit each agency to  
9 stricter limits on their total number of permits,  
10 which in almost all cases, have relating to the same  
11 levels for the last 10 years even as the workforce  
12 have expanded. We are supportive of the list of  
13 permissible and non-permissible uses and Intro 1422,  
14 which is mostly compatible with our current traffic  
15 rules. Because they are already no stopping or no  
16 standing areas, sidewalks, crosswalks, bus lanes, and  
17 bike lanes are clearly nonpermissible uses in our  
18 rules and should be enforced as such. But we would  
19 welcome a conversation with the Council about the  
20 benefits of being even more explicit by specifically  
21 listing them as they proposed legislation does. We  
22 require DOT issued agency permits to be renewed  
23 annually, which matches with the protocol set forth  
24 in the bill and DOT agrees with the emphasis in Intro  
25 1422 on limiting permit assignments to supporting

1 COMMITTEE ON TRANSPORTATION

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2 important agency tasks or public purposes, which we  
3 do through our current rules and procedures.

4 Now, I would like to turn to Intro 1394,  
5 which would prohibit city vehicles from obstructing a  
6 bike lane, bus lane, sidewalk, crosstalk, or fire  
7 hydrant. As this committee is probably aware,  
8 through New York City traffic rules on parking,  
9 stopping, and standing we already prohibit these  
10 actions and, and our traffic rules in general, we  
11 state that all persons are required to comply,  
12 subject to limited exemption. In addition, we  
13 specifically state that they apply to anyone  
14 operating a vehicle for the federal government, New  
15 York State, New York City, or any other state or  
16 local government. In the rule change I mentioned  
17 earlier, that creates a new placards violation. We  
18 will also emphasize that government vehicles must  
19 comply with the rules on parking, standing, and  
20 stopping. Similar to the exemption in the bill for  
21 situations posing a hazard to health, safety, or  
22 property, in our traffic rules we acknowledge that  
23 emergency vehicles are exempted under certain  
24 conditions contained in the VTL. We also include  
25 appropriate limited exemptions for traffic and

1 COMMITTEE ON TRANSPORTATION

21

2 parking controlled vehicles, city refuse collection  
3 vehicles, city, state, or federal highway workers,  
4 and New York City DOT highway inspection compliance  
5 and street assessment workers when they are engaged  
6 in activities necessary for their duties. For  
7 example, a repair crew that is patching a pothole in  
8 a bus lane will need to station the repair truck in  
9 the bus lane during the repair. So we welcome this  
10 proposed legislation with amendments along these  
11 lines.

12 I want to conclude by saying that DOT is  
13 easier to play its part in the mayor's plan, as he  
14 announced last month, to put the city on a path to a  
15 new system for managing parking permits through new  
16 penalties for placard abuse, new dedicated  
17 enforcement, and first steps towards additional  
18 parking management system to replace physical  
19 placards. New Yorkers want solutions and we  
20 understand that the Council sees the impact of  
21 placards abuse on their communities and has been  
22 focused on finding those solutions, as well. Along  
23 with the administration, we are eager to work  
24 together with you on improving placard management as

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1 COMMITTEE ON TRANSPORTATION

2 22

2 part of enhanced and innovative management of our  
3 curb overall.

4 SPEAKER JOHNSON: Thank you--

5 MARGARET FORGIONE: Thank you.

6 SPEAKER JOHNSON: Margaret. Thank  
7 you all for being here. So let's start with the  
8 basics.

9 BILL REDA: [interposing] Excuse me.

10 SPEAKER JOHNSON: I have seen a lot  
11 of--

12 BILL REDA: [interposing] I'm sorry.  
13 Testimony? On 311.

14 SPEAKER JOHNSON: Oh. 311.

15 BILL REDA: Sorry. I promise I'll be  
16 quick.

17 SPEAKER JOHNSON: Okay. This is a  
18 lot of information. I want to get to--

19 BILL REDA: Sorry.

20 SPEAKER JOHNSON: the questions.

21 [laughter]

22 BILL REDA: Is this on?

23 MARGARET FORGIONE: Yep.

24 SPEAKER JOHNSON: It's like a  
25 filibuster.



1 COMMITTEE ON TRANSPORTATION

2 22

3 BILL REDA: Okay. Good afternoon,  
4 Speaker Johnson, Chairman Rodriguez, and members of  
5 the City Council Committee on Transportation. My  
6 name is Bill Reda. I am the Communications Director  
7 at New York City 311. Thank you for the opportunity  
8 to testify today on introduction 1395 regarding the  
9 logging of illegal parking complaints with the 311  
10 system. New York City 311's mission is to provide  
11 the public with quick, easy access to New York City  
12 government services and information while offering  
13 consistently excellent customer service. 311  
14 received 44 million customer contacts in 2018 and  
15 ranked equal to or better than the best contact  
16 center in the private sector throughout this  
17 administration. 311 helps agencies improve service  
18 delivery by allowing them to focus on their core  
19 missions. To achieve this, the 311 process relies on  
20 partnerships with city agencies to ensure customers  
21 have access to information, assistance, and service  
22 through a variety of channels including the call  
23 center, 311 online, text, 311 mobile app, and social  
24 media. This process is no different for illegal  
25 parking complaints. While we understand the spirit  
of introduction 1395, there are some concerns that

1 COMMITTEE ON TRANSPORTATION

2 21

3 are worth discussing further. First, 311 is happy to  
4 say that we already to some of what the bill would  
5 require. In 2018, more than 300,000 illegal parking  
6 complaints were filed with the 311 system, including  
7 blocked bike lane and improper use of parking permit  
8 has specific service requests. However, while 311 is  
9 the front door to many city services and is the way  
10 in which agencies receive service requests, 311 is  
11 not an enforcement agency and, as the bill suggests.  
12 311 is able to process service requests related to  
13 parking by referring them to the appropriate agency,  
14 in this case, the New York City Police Department,  
15 which you heard in their testimony today. To this  
16 end, we welcome further conversations with the  
17 Council and would like to find a work solution for  
18 all involved. Thank you, again, for the opportunity  
19 to testify today. Myself and my colleagues at 311  
20 look forward to continuing the discussion.

21 SPEAKER JOHNSON: Anyone else? Where  
22 good. Okay. So, how many current valid city  
23 parking placards exist that are out there in  
24 circulation right now?

25 MARGARET FORGIONE: Okay. I can  
respond to that. So, DOT issues 48,000 placards a

1 COMMITTEE ON TRANSPORTATION

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2 year. The majority of those placards are for people  
3 with disabilities. We also have placard categories  
4 that are for nonprofit organizations and for the  
5 clergy.

6 SPEAKER JOHNSON: I want to talk  
7 about total number. What is the total--

8 MARGARET FORGIONE: Yes.

9 SPEAKER JOHNSON: number that exists?

10 MARGARET FORGIONE: Uh--

11 SPEAKER JOHNSON: All placards.

12 MARGARET FORGIONE: Building up to it.

13 SPEAKER JOHNSON: Okay.

14 MARGARET FORGIONE: So, DOT issues  
15 about 48,000, NYPD issues 44,000n and DOE issues  
16 32,000.

17 SPEAKER JOHNSON: So, that gets us to  
18 about 115,000? What's the number?

19 MARGARET FORGIONE: Yeah. Okay. About  
20 144,000.

21 SPEAKER JOHNSON: 144,000. Okay.  
22 Say I'm a new employee at a city agency and I want a  
23 placard. What's the process?

24 MARGARET FORGIONE: So, each department  
25 has a parking permit liaison that works with us. So,

1 COMMITTEE ON TRANSPORTATION

26

2 is there is a city vehicle that is assigned to a  
3 person and the need that city vehicle to travel into  
4 spaces that are busy with parking meters, with truck  
5 loading, with difficult areas to find parking, that  
6 liaison would likely apply to the department, to us,  
7 for a permit. They would need to justify and explain  
8 how many hours a day that vehicle is used for the  
9 conduct of city business and the necessity for having  
10 a permit. Many city vehicles actually operate  
11 without permits. They don't all need them. So, but  
12 certain types of jobs, obviously, do. Jobs such as  
13 inspectors, you know, ACS workers, people like that  
14 who are traveling from location to location.

15 SPEAKER JOHNSON: Do I pay anything?

16 MARGARET FORGIONE: No.

17 SPEAKER JOHNSON: Do I say why I need  
18 it?

19 MARGARET FORGIONE: Yes.

20 SPEAKER JOHNSON: Specifically,  
21 exactly why I need it?

22 MARGARET FORGIONE: Yes. You do.

23 SPEAKER JOHNSON: Are requests ever  
24 denied?

25 MARGARET FORGIONE: Yes. Very much--

1 COMMITTEE ON TRANSPORTATION

27

2 SPEAKER JOHNSON: [interposing] How  
3 often?

4 MARGARET FORGIONE: so.

5 SPEAKER JOHNSON: What percentage of  
6 the time are they denied?

7 MARGARET FORGIONE: I don't have that  
8 information, but we can get that for you.

9 SPEAKER JOHNSON: Do you think every  
10 placards serves some city purpose that's issued?

11 MARGARET FORGIONE: Well, every  
12 placards is justified at the time that we have  
13 approved it. Again, how it is used once it's been  
14 issued, I can't vouch for that person.

15 SPEAKER JOHNSON: But every one that  
16 is issued you believe serves a city purpose?

17 MARGARET FORGIONE: Every one that  
18 DOT-- I'm speaking for the DOT issued permits, yes.

19 SPEAKER JOHNSON: And, Oleg, do you  
20 believe that every placards that you all issue serves  
21 the city purpose?

22 OLEG CHERNYAVASKY: Yes.

23 SPEAKER JOHNSON: Do you think we  
24 really need a number this high? I really don't see  
25 how there could possibly be over 100-- 140,000 city

1 COMMITTEE ON TRANSPORTATION

2 38

3 employees that need special parking privileges on a  
4 daily basis. It seems crazy to me. That that is a  
5 number.

6 MARGARET FORGIONE: All right. So, one  
7 thing I want to point out is that, over the last 10  
8 years, we have non-increased the number of parking  
9 permits. And very, very few cases we have, but for  
10 the most part, agencies were held steady at the rates  
11 they had--

12 SPEAKER JOHNSON: [interposing] But  
13 it's still--

14 MARGARET FORGIONE: years ago.

15 SPEAKER JOHNSON: a very high number.

16 MARGARET FORGIONE: Well, so, for the  
17 number of-- Maybe we want to focus more specifically  
18 on city vehicles, then. So, agency permits are in  
19 the neighborhood of about 13,000. Okay? So when I  
20 gave you the number of DOT 48,000, that was a lot of  
21 those parking permits were people with disabilities  
22 and other types of permits. Okay?

23 SPEAKER JOHNSON: So, if we are not  
24 looking at reducing that number, I don't think we are  
25 asking the right questions here. I think that the  
26 bills we are hearing today will give us the

1 COMMITTEE ON TRANSPORTATION

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2 information we need to decide what that number is,  
3 but I would like to have the administration on board  
4 with that goal. Clearly, it doesn't seem like that's  
5 the case. So, I want to just ask a few questions. I  
6 know that city employees are the only government  
7 workers that have placards, as was just mentioned.  
8 We also see federal and state permits on cars, as  
9 well. Can you explain how that works? Is there  
10 coordination with DOT or the NYPD for those placards?

11 MARGARET FORGIONE: Yeah.

12 JOSHUA BENSON: Thank you, speaker.  
13 Very good question. So, there are federal and state  
14 agencies that to work with DOT to acquire placards  
15 through us and the number of that Commissioner  
16 Forgione gave included some of those. We also have  
17 federal and state entities that work with NYPD for  
18 law enforcement oriented placards. And then there  
19 are certainly other placards out there that are not  
20 coordinated with the city and that's an issue that,  
21 you know, is out there.

22 SPEAKER JOHNSON: Okay. So every  
23 single day, literally every day, on 10th Avenue, on  
24 the west side of Chelsea market between 16th and 17th  
25 streets where there is a dedicated designated bus

1 COMMITTEE ON TRANSPORTATION

10

2 stop-- Arro Lewis (sp?) Likes to talk about this  
3 all the time because he sees it, literally, every  
4 single day. There are DEA, Drug Enforcement Agency  
5 vehicles, that every single day-- We could probably  
6 go right now and it's happening that are, literally,  
7 parked in a bus lane. There's never any ticket,  
8 Oleg. Nothing is done. There have been complaints  
9 for years and nothing is done. So how does the NYPD  
10 instruct traffic enforcement agents to penalize and  
11 do something for state and federal agencies that are  
12 abusing their parking placards by doing this on a  
13 daily basis? Because, for years, I haven't seen the  
14 NYPD do anything on that location. Nothing.

15 OLEG CHERNYAVASKY: So, don't tell you  
16 now that we will definitely go and take a look at  
17 that location. So I can't speak to that location,  
18 per se.

19 SPEAKER JOHNSON: But what do--

20 OLEG CHERNYAVASKY: But what I can--

21 SPEAKER JOHNSON: you do?

22 OLEG CHERNYAVASKY: exactly--

23 SPEAKER JOHNSON: When you go and see  
24 what happens every day, what will you do?

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1 COMMITTEE ON TRANSPORTATION

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2 OLEG CHERNYAVASKY: Yeah. So, I mean,  
3 when we need to enforcement and we clearly need to  
4 enforcement as you can tell. You are close to 55,000  
5 parking placards summonses last year alone. Close to  
6 900 tows of vehicles displaying parking placards that  
7 were parked illegally. So we need to this. We don't  
8 make a distinction to our traffic enforcement agents  
9 to look for city issued parking permits in order to  
10 take enforcement. So, whether it is issued by a city  
11 entity, state, federal, that really doesn't matter.  
12 We're doing the enforcement. We are following up on  
13 the complaints--

14 SPEAKER JOHNSON: [interposing] But I  
15 think part of the problem here, Oleg, is that people  
16 don't think you are doing the enforcement. You may  
17 write 55,000 summonses and tell 900 cars, but over  
18 and over again when you see union cards and notes and  
19 DOT red vests that are put on the dashboard and all  
20 that is and I think if you've spoke to try again  
21 enforcement agents, they would tell you that they  
22 don't always felt comfortable take eating people that  
23 they share the same department badge with. And so, I  
24 think that person option, which is very bad for the  
25 police department because we want the police

1 COMMITTEE ON TRANSPORTATION

12

2 department to be respected for what they do. It's  
3 bad when it appears that traffic enforcement agents  
4 look the other way and don't equally enforce. And I  
5 can say ear and give you many, many examples. I'll  
6 jump to what I wanted to talk about at the end, which  
7 is the placard--

8 OLEG CHERNYAVASKY: [interposing]

9 Okay. I--

10 SPEAKER JOHNSON: abuse twitter  
11 account has been documenting parking along West 55th  
12 Street between eighth and ninth Avenues. Retired  
13 police officers, friends, families of officers are  
14 able to park in no standing zones and in turning  
15 lanes on a daily basis. Every day. Courtesy cards  
16 are displayed in the window every day on this block  
17 in my district and it will say, detectives brother-  
18 in-law on a piece of paper. This goes back to  
19 October 2018. So they have been documenting it,  
20 literally, on a weekly basis showing what happens  
21 every single week with no enforcement. Nine. So I  
22 just want to understand this goes to the heart of why  
23 we are having this hearing and why there is not a  
24 huge level of confidence that this is being fairly

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1 COMMITTEE ON TRANSPORTATION

12

2 and accurately administered and forced across the  
3 board.

4 OLEG CHERNYAVASKY: So, I mean, I think  
5 at the outset I have to say that's unacceptable.  
6 There is no defense for--

7 SPEAKER JOHNSON: [interposing] What  
8 are you doing about it?

9 OLEG CHERNYAVASKY: It's wrong. What  
10 we're doing about it is we are elevating the level of  
11 enforcement and, specifically, let's talk about the  
12 category you brought up. Somebody leaving a vests,  
13 card, note inside of their windshield, we categorize  
14 those in a separate way to just track how many of  
15 those are happening. Somebody that is looking to  
16 display something on their dashboard to obtain a  
17 benefit. Just that category alone resulted in, I  
18 believe, it's almost 6500 summonses in 2018, which is  
19 almost a 300 percent increase over 2017 where you had  
20 2200 such summonses issued. That's simply in the  
21 category of placing something, not a placard, but  
22 something in the dashboard. Then when we talk about  
23 law enforcement placards and that was the other issue  
24 that you brought up about traffic agents not feeling  
25 comfortable. The law enforcement placard issued

1 COMMITTEE ON TRANSPORTATION

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2 enforcement is up as well. So, we have, from 2017 to  
3 2018, we have, I think, almost a 90 percent increase  
4 where we had just over 1300 summonses to law  
5 enforcement alone.

6 SPEAKER JOHNSON: How much is the  
7 fine amount?

8 OLEG CHERNYAVASKY: Well, the fine  
9 amount--

10 SPEAKER JOHNSON: [interposing] The  
11 summons.

12 OLEG CHERNYAVASKY: Yeah. The fine  
13 amount is based on what exactly they are doing. So  
14 if they are blockading a bike lane, whatever the fine  
15 would be for blockading the bike lane. A bus lane--  
16 what we're doing, just to be clear, if we see a  
17 parking placards displayed, we are giving them the  
18 summons for blockading a bike lane and checking off a  
19 box that says, this car was displaying a parking  
20 placards or something else so we can be able to track  
21 it in give you some level of--

22 SPEAKER JOHNSON: [interposing] But  
23 how come you aren't towing those cars?

24 OLEG CHERNYAVASKY: We are towing those  
25 cars. So--

1 COMMITTEE ON TRANSPORTATION

15

2 SPEAKER JOHNSON: But it's only--

3 It's 55,000 summonses.

4 OLEG CHERNYAVASKY: Yes.

5 SPEAKER JOHNSON: But only 900 tows.

6 OLEG CHERNYAVASKY: Yeah, but--

7 SPEAKER JOHNSON: [interposing] So  
8 very few cars are being towed.

9 OLEG CHERNYAVASKY: So, I mean, there's  
10 other factors that go into towing. And that's really  
11 the case. So, if just-- Looking at it more broadly,  
12 we have over 9 million parking summonses for the year  
13 citywide. We clearly didn't tow 9 million cars  
14 either. Right? So, we have a space limitation with  
15 respect to total pounds, how much they can hold. It  
16 doesn't serve and benefit to anybody for us to put a  
17 boot on the car and leave it illegally parked in a  
18 bike lane or a bus lane. So, booting really is the  
19 logical option. Here, the option is, when it's a  
20 significant impact on traffic, we will tow it. We  
21 will get it out of there and we did that close to 900  
22 times with placards vehicles and then other times in  
23 the 54,000 other occasions, we are issuing a summons  
24 without towing.

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1 COMMITTEE ON TRANSPORTATION

16

2 SPEAKER JOHNSON: So, again, I want  
3 to just flag of the block. West 55th Street between  
4 eighth and ninth avenues, what-- The information we  
5 have is that you have been summonsing them. They  
6 keep doing it. It doesn't matter.

7 OLEG CHERNYAVASKY: So, I--

8 SPEAKER JOHNSON: [interposing] You  
9 summons them and it still happens. So the summonses  
10 are not having a deterrent effect on this current  
11 behavior.

12 OLEG CHERNYAVASKY: And you're bringing  
13 it to our attention. We clearly have been summonsing  
14 it. Now we clearly will pay extra--

15 SPEAKER JOHNSON: [interposing] So I  
16 don't--

17 OLEG CHERNYAVASKY: attention.

18 SPEAKER JOHNSON: want to say who I  
19 spoke to, but I spoke to someone in the PD personally  
20 about elk Street, not far from here and I said that  
21 every single day you can look out-- I'm not sure  
22 which window, how we are faced right now. But you  
23 can look out the window and you will see Elk Street  
24 between Chambers heading towards the former city  
25 planning building. Every single day, almost seven

1 COMMITTEE ON TRANSPORTATION

17

2 days a week, the weekends not as much, there are  
3 multiple cars, somewhere between five and 10 cars  
4 that are parked on the sidewalk there. When I  
5 alerted a member of the department about this, what I  
6 was told in response was nothing could be done  
7 because these are federal vehicles that are at  
8 Federal Plaza for a purpose. And so, nothing is  
9 done. They don't get towed. They do it every single  
10 day. So there just doesn't seem to be a consistent  
11 measure that is taken when people are parking on  
12 sidewalks, blocking bike lanes, blocking bus lanes,  
13 doing this. It doesn't seem that the enforcement  
14 that you are doing and what you all have proposed to  
15 do is going to make much of a difference.

16 OLEG CHERNYAVASKY: But, Speaker, that  
17 is the avenue. Now, the Mayor has also proposed a  
18 three strike and you're out rule where individuals  
19 that violate three times or more would use their  
20 placard privileges.

21 SPEAKER JOHNSON: Yeah. But given--

22 OLEG CHERNYAVASKY: But aside from--

23 SPEAKER JOHNSON: Given how poorly  
24 you are enforcing right now, people could violate it

25

1 COMMITTEE ON TRANSPORTATION

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2 30 times and that might not count as a strike

3 because--

4 OLEG CHERNYAVASKY: But--

5 SPEAKER JOHNSON: you're not

6 enforcing it properly right now.

7 OLEG CHERNYAVASKY: Speaker, we are up

8 93 percent. And so, 55,000 is not a drop in the

9 bucket. 55,000 summonses directed at placards

10 vehicles is a very significant number. 1000 tows to

11 placards vehicles, almost. 900 tows to placards

12 vehicles is a significant number. I, respectfully,

13 differ in the sense that we are doing quite a bit.

14 55,000 enforced over 40,000 that were enforced last

15 year over 27,000 which were enforced in 2016. Every

16 year, we are steadily going up and we're not going up

17 five or by one percent. We're up 30 percent over

18 2017. So--

19 SPEAKER JOHNSON: [interposing] So,

20 I would like to know how many summonses have been

21 issued for parking in a no standing zone on West 55th

22 Street between eighth and ninth avenues in 2018 and

23 2019, for parking in a turning lane in 2018 and 2019,

24 and I want to know how many vehicles I'm in towed.

25 And I want to look at that data and understand if, on



1 COMMITTEE ON TRANSPORTATION

1a

2 the block, your current strategy or futures strategy  
3 is working in that way. And I could, literally, go  
4 to location by location by location and then asked  
5 the same questions.

6 OLEG CHERNYAVASKY: I--

7 SPEAKER JOHNSON: So, above that  
8 information.

9 OLEG CHERNYAVASKY: So, well, I mean,  
10 obviously, I do not have the numbers for a  
11 particular--

12 SPEAKER JOHNSON: [interposing] Yes.

13 OLEG CHERNYAVASKY: block here.

14 SPEAKER JOHNSON: [interposing] I  
15 know you-- But you--

16 OLEG CHERNYAVASKY: I--

17 SPEAKER JOHNSON: [interposing] can  
18 work on getting it.

19 OLEG CHERNYAVASKY: I could absolutely  
20 get it, but I will tell you this. Then, based on the  
21 concern to you are raising, obviously this strategy  
22 could be improved at that location. If you have  
23 other locations, we would love for you to highlight  
24 them because we are getting a feed from 311 as to  
25 individuals complaining about parking placard abuse.

1 COMMITTEE ON TRANSPORTATION

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2 And number, around 3200 complaints in 2018. Now,  
3 just to put it in the context, 3200 complaints in  
4 2018 about parking placard abuse to 311 amounts to  
5 about eight complaints a day. Almost 55,000  
6 summonses is about 150 summonses per day. So, we are  
7 out there. We are summoning. Our parking  
8 enforcement unit is responding to the complaints from  
9 311 whether it's through the enforcement unit,  
10 whether it's 108 TEA's or the precinct themselves.  
11 But we are responding to each and every complaint.  
12 We have recognized hotspots around the city and we  
13 are responding to those hotspots to the extent of  
14 that you could give us more hotspots and we will  
15 respond to those. To the extent we need to augment  
16 the strategy on 55th Street, we will do that.

17 SPEAKER JOHNSON: So, how do we get  
18 the Drug Enforcement Agency, which has dozens of  
19 vehicles that legally park every day around Chelsea  
20 Market, how does the NYPD get this federal agency  
21 from discontinuing their illegal parking every single  
22 day?

23 OLEG CHERNYAVASKY: Well, there's  
24 certainly needs to be an improved enforcement effort  
25 based on what you've said, but on top of that, we

1 COMMITTEE ON TRANSPORTATION

51

2 have liaison with the federal law enforcement  
3 officials that we can contact and we can reinforce  
4 the rules around parking permits and ensure that they  
5 don't abuse them.

6 SPEAKER JOHNSON: But if there's an  
7 area that you're seeing this every single day and you  
8 are doing summonses and it's not making much of a  
9 difference when you go back and look at these hot  
10 spots, at what point does it escalate to we're gonna  
11 (sic) start towing the vehicles because, maybe, that  
12 will stop the behavior.

13 OLEG CHERNYAVASKY: I mean, it's  
14 happening now. It's clearly, based on what you are  
15 telling us, not happening at that location then we  
16 are going to look at that and do that. We are going  
17 to reach out to our federal partners and make sure  
18 they understand what the rules are relative to  
19 parking. Make sure they are good neighbors and don't  
20 abuse the privilege is. But, yeah. Enforcement,  
21 towing, all of that is on the table.

22 SPEAKER JOHNSON: So, I was  
23 encouraged to hear that the administration announced  
24 some of their own ideas, which you all today and your  
25 support of some of the things in this legislative

1 COMMITTEE ON TRANSPORTATION

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2 package, but I was a little shocked to hear that  
3 there were comments around buying parking garages for  
4 potential city employees and parking lots of part of  
5 the plan. We have one of the most expansive public  
6 transit systems in the world. How do we ask every  
7 day New Yorkers to make a sewage family their car at  
8 home when we are holding city employees to a  
9 different standard? Is there an actual planned to  
10 buy parking lots and parking garages for city  
11 employees to continue--

12 MARGARET FORGIONE: I--

13 SPEAKER JOHNSON: to drive into the  
14 city?

15 MARGARET FORGIONE: I think the  
16 consideration of finding more parking mostly relates  
17 to the very distinctive areas within the city. So,  
18 by the Bronx courthouse, which I am very familiar,  
19 downtown Brooklyn, obviously lower Manhattan,  
20 especially the court area, the Queens Borough hall.  
21 These are all areas of high concentration of  
22 government vehicles. PD will probably be best suited  
23 to respond to the fact that, when an officer comes  
24 into court, the nature of coming and going and the  
25 feasibility or lack of feasibility of using public

1 COMMITTEE ON TRANSPORTATION

52

2 transportation for those visits. So I think the  
3 interest in off street garages really stems from the  
4 fact of being realistic. That certain-- Those very  
5 key locations I named will always be key locations  
6 with lots of concentrations of government vehicles  
7 and we might want to look at some options, really, to  
8 get them off the street and give those communities a  
9 break.

10 SPEAKER JOHNSON: Does that mean  
11 buying parking lots and parking garages specifically  
12 for city employees?

13 MARGARET FORGIONE: I don't know that  
14 it would mean that. It could-- We could look at  
15 leasing and that sort of thing. And it remains to be  
16 seen how that initiative will pan out.

17 SPEAKER JOHNSON: How much would you  
18 think we would have to spend? How much money would  
19 we paid 10 leaves for additional parking spaces in  
20 New York City?

21 MARGARET FORGIONE: I don't know.

22 SPEAKER JOHNSON: So, there's no  
23 formal plan?

24 MARGARET FORGIONE: We don't have any  
25 concrete plans at this time. No.

1 COMMITTEE ON TRANSPORTATION

51

2 SPEAKER JOHNSON: Do you know when  
3 this was talked about-- I believe the Mayor talked  
4 about this. When this was talked about, was he  
5 talking about personal vehicles or fleet vehicles?

6 MARGARET FORGIONE: The focus would be  
7 on government vehicles.

8 SPEAKER JOHNSON: But a lot of people  
9 drive their personal vehicles into the city and use  
10 placards associated with their agency, correct? The  
11 Mayor said it was for personal vehicles. So-- Okay.  
12 So, are we promising free parking to every single all  
13 uniformed officer in New York City? Is that one of  
14 the things that we are trying to say? That if you  
15 are-- I'm not just talking about PD. I'm talking  
16 about FDNY, corrections, sanitation. Are we saying  
17 that you should have the ability to get a free  
18 parking placard and sort of drive into work?

19 OLEG CHERNYAVASKY: I don't have the  
20 exact details. I mean the proposal was put out there  
21 and we are studying it and trying to figure out if it  
22 is feasible and what the best method around doing  
23 that is. But keeping in mind that, you know, when we  
24 are talking about uniformed members of the service,  
25 for one, I can only speak about ours. Not every

1 COMMITTEE ON TRANSPORTATION

55

2 uniform member of the service is, obviously, working  
3 at the same time. There is varying shifts.  
4 Individuals coming in and out and they idea, I think,  
5 was around alleviating congestion in certain areas  
6 that are congested to avoid on street parking to free  
7 up spaces, on street legal spaces for residents in  
8 certain neighborhoods to take advantage of those so  
9 government employees, government vehicles aren't  
10 diluting the number of spaces.

11 SPEAKER JOHNSON: So, you all know  
12 the placard abuse twitter account?

13 [background comments]

14 SPEAKER JOHNSON: Yes? You know  
15 about it?

16 OLEG CHERNYAVASKY: We've heard of it.  
17 Yeah.

18 MARGARET FORGIONE: Yes.

19 SPEAKER JOHNSON: You've heard of it.  
20 Well, my question is, does DOT and NYPD monitor that  
21 account? Because, literally, they are, on an  
22 everyday basis, highlighting where there is  
23 significant placard abuse taking place.

24

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1 COMMITTEE ON TRANSPORTATION

56

2 OLEG CHERNYAVASKY: So, I mean, with  
3 respect to the PD, the placard unit, our placard  
4 enforcement unit may. All verify that, but I--

5 SPEAKER JOHNSON: [interposing]  
6 Definitely should be.

7 OLEG CHERNYAVASKY: No. We think they  
8 likely do because just, in terms of looking at the  
9 numbers of enforcement, the placard could enforcement  
10 unit itself took about just over 11,000 summonses in  
11 2018. There were about 3200 complaints logged test  
12 311 about placard abuse. So the distinction there  
13 is-- The point we are making is we get complaints of  
14 placard abuse not only from 311. We get it at build-  
15 a-block meetings. We get it at community Council  
16 meetings. We get it on twitter. We get it through  
17 the Internet from calls direct to the PD. So, we're  
18 gathering complaints. We are not limiting ourselves  
19 only 2311. We are getting it from a variety of  
20 sources because the end goal of the placard unit is  
21 to ensure that placard privileges are not abused.

22 SPEAKER JOHNSON: Does DOT monitor  
23 that account?

24 MARGARET FORGIONE: We do.

25



1 COMMITTEE ON TRANSPORTATION

57

2 SPEAKER JOHNSON: You do. So, Oleg,  
3 will you ensure that--

4 OLEG CHERNYAVASKY: Yes.

5 SPEAKER JOHNSON: NYPD monitors that  
6 account on a daily basis?

7 OLEG CHERNYAVASKY: Yes.

8 SPEAKER JOHNSON: Great. And DOT on  
9 a daily basis?

10 MARGARET FORGIONE: Yes.

11 SPEAKER JOHNSON: Your team will  
12 monitor that account? And then, given what you see  
13 at that account, you will be responses as it looks  
14 like it's something that's happening on a regular  
15 basis? Okay. Do you know if you have ever followed  
16 up with an employee featured on that account?

17 MARGARET FORGIONE: We do. In fact,  
18 DOT has discipline processes in place for employees  
19 who violate permit and parking rules and we have  
20 penalized employees who don't curtail or correct that  
21 behavior.

22 SPEAKER JOHNSON: That's for the DOT  
23 issued permits?

24 MARGARET FORGIONE: Yes.

25

1 COMMITTEE ON TRANSPORTATION

52

2 SPEAKER JOHNSON: That you follow up  
3 on?

4 MARGARET FORGIONE: And that's even not  
5 just for a permit, but just parking, irresponsible  
6 parking or driving.

7 SPEAKER JOHNSON: What about for the  
8 PD side? Have you guys followed up with employees  
9 featured there who area--

10 OLEG CHERNYAVASKY: So, I mean, I  
11 can't--

12 SPEAKER JOHNSON: illegally--

13 OLEG CHERNYAVASKY: I can't  
14 specifically confirm that we followed up with  
15 employees featured on that twitter handle. However,  
16 what I can confirm is that, over the last two years,  
17 we have taken discipline, department discipline,  
18 above and beyond the issuance of summonses to  
19 vehicles and towing vehicles. What we have done is  
20 these officers, certain officers, were subject to  
21 formal discipline and there have been occasions where  
22 parking placards were seized. Taken.

23 SPEAKER JOHNSON: Do you think that  
24 any form of placard abuse could be considered  
25 corruption?

1 COMMITTEE ON TRANSPORTATION

5a

2 OLEG CHERNYAVASKY: Sure. Any form?

3 Sure. Of course.

4 SPEAKER JOHNSON: What do you think  
5 could be called corruption with regard to placard  
6 abuse?

7 OLEG CHERNYAVASKY: I mean, I'm sure--  
8 I wouldn't want to speculate on exact scenarios, but  
9 I'm sure that any kind of abuse of government  
10 privileges could be viewed through that lens.

11 SPEAKER JOHNSON: Does it bother you  
12 that there is a continual and I wants a growing  
13 perception out there that people feel like certain  
14 people are considered above the law? That if you are  
15 a police officer or a firefighter or a city employee  
16 and you put a note brother's detective in your  
17 window that you don't get summonsed and you don't get  
18 towed and that the public feels like you're kind of  
19 above the law when they would've be treatment that  
20 way?

21 OLEG CHERNYAVASKY: Sure. And I mean,  
22 I not only agree, but I agree that it hurts us and it  
23 hurts our overall mission. I mean, neighborhood  
24 policing is about making in roads with communities  
25 with building--

1 COMMITTEE ON TRANSPORTATION

2                   SPEAKER JOHNSON:           [interposing] With  
3 trust.

4                   OLEG CHERNYAVASKY:        communities.  
5 Right. And anything that erodes that trust is  
6 actually-- It is a problem. It's inconsistent with  
7 our core mission.

8                   SPEAKER JOHNSON:           So I know the  
9 administration has a number of efforts to crack down  
10 on placard abuse, but I don't think it's making  
11 enough of an impact to convince the public, given  
12 everything that I've told you about what we see on  
13 social media, the locations that I've mentioned, just  
14 a few locations. There are many more. Walk out  
15 here. Today when you leave to go back to One Police  
16 Plaza, walk by Elk Street. I'm sure you'll see it on  
17 the walk back of what's currently on the sidewalk  
18 there and it's every single day. And I have let  
19 people in the police department know about the almost  
20 6 months ago and nothing has happened. So it makes  
21 me feel like, even as Speaker of the City Council, I  
22 can call the NYPD and say, there is a problem. It's  
23 happening on a daily basis. And nothing really  
24 happens. So, I just think we have to do a better job  
25 is what, clearly, I think shows here today. If

1 COMMITTEE ON TRANSPORTATION

61

2 enforcement is going up and we are issuing tens of  
3 thousands of tickets now, as you mentioned, Oleg, and  
4 there is no noticeable difference on the streets,  
5 doesn't that say something about how we are doing the  
6 enforcement? Is the penalty not high enough?

7 OLEG CHERNYAVASKY: Well, I mean, I  
8 think we can certainly have-- And I said this in my  
9 testimony. There is a perception that we are not  
10 doing enough. I don't think it's undeniable is,  
11 maybe, we are not getting the word out well enough  
12 about the efforts that we are taking, I think it's  
13 undeniable that going up 30 percent year-over-year,  
14 and we are not talking about 30 percent we are  
15 issuing 10 summonses rather than seven. We are  
16 issuing 50, close to 55,000 summonses over 41,000,  
17 the year before over 27,000 the year before that. So  
18 we are, clearly, doing the work. The number of toes  
19 is clearly up. Should we get the word out more?  
20 Sure. We should get the word out more. We should do  
21 a better job with that and, to the extent we get more  
22 complaints, and as I've highlighted the number in  
23 terms of proportions and ratios, 3200 complaints to  
24 31 wine and we have close to 55,000 summonses. The  
25 unit itself tasks--

1 COMMITTEE ON TRANSPORTATION

62

2 SPEAKER JOHNSON: 55,000 out of 9  
3 million.

4 OLEG CHERNYAVASKY: 50, but not-- 9  
5 million. But, I mean, looking at it the right way,  
6 we have cars coming into the city that are not  
7 registered in New York City. So we have a couple of  
8 million cars registered to New York City. We have  
9 cars coming from Jersey, from Connecticut, from  
10 Pennsylvania from out-of-state in New York. So,  
11 yeah. We have 9 million summonses, but look at the  
12 wide breadth of number of vehicles inside the city.  
13 Now you counter that with how many vehicles actually  
14 have placards and what is the small number of that  
15 that is actually abusing the privilege? And we are  
16 addressing those.

17 SPEAKER JOHNSON: So, if you could  
18 just-- Again, I think you said this in your  
19 testimony, bad I just want to hear it again. How do  
20 you address-- No. No. The question is another  
21 complaint that I see on Twitter and I see myself with  
22 my own eyes is that there is a city vehicle that is  
23 parking and a bike lane them parking in a bus lane.  
24 It's unsafe. It's creating unsafe conditions.  
25 Backing up traffic. It's creating a bottleneck.

1 COMMITTEE ON TRANSPORTATION

62

2 What's the policy for allowing city vehicles to stop  
3 or park in bike or bus lanes? When is it considered  
4 acceptable?

5 OLEG CHERNYAVASKY: I mean, obviously  
6 that is a last resort in cases where we are  
7 responding to emergencies. Where we are conducting  
8 the type of necessary business that needs to be  
9 conducted that requires a response for us but, of  
10 course, if there is a spot that is available, that  
11 should not be the location of choice to park your car  
12 in. I think we are in agreement on that.

13 SPEAKER JOHNSON: So, how do you  
14 address it if you get a report that a city vehicle is  
15 parked in a bike or bus lane? What happens?

16 OLEG CHERNYAVASKY: Summons. Tow. The  
17 regular enforcement efforts that we do. Discipline,  
18 as need be if there is a case of recidivism as is the  
19 case now.

20 SPEAKER JOHNSON: You will summons  
21 and tow a city vehicle?

22 OLEG CHERNYAVASKY: Of course.

23 SPEAKER JOHNSON: at like to see the  
24 numbers on how often that happens. It just seems  
25 unlikely.

1 COMMITTEE ON TRANSPORTATION

2 61

2 OLEG CHERNYAVASKY: I mean, we don't--

3 That is--

4 MICHAEL PILECKI: There's very few  
5 city vehicles that are summonsed and towed.

6 SPEAKER JOHNSON: That's the point.

7 MICHAEL PILECKI: There are some, but  
8 not--

9 SPEAKER JOHNSON: [interposing] But  
10 very few.

11 MICHAEL PILECKI: an overwhelming  
12 number.

13 SPEAKER JOHNSON: But some of the  
14 offenders we see on a daily basis, regular offenders,  
15 city vehicles.

16 MICHAEL PILECKI: They should never  
17 park in the bike lane. There's no doubt about that.

18 SPEAKER JOHNSON: Or a bus lane.

19 MICHAEL PILECKI: Or a bus lane.

20 SPEAKER JOHNSON: Or in front of a  
21 fire hydrant.

22 MICHAEL PILECKI: Correct. They  
23 shouldn't park illegally.

24 SPEAKER JOHNSON: Okay. But they do  
25 it and because they are city vehicles, they don't



1 COMMITTEE ON TRANSPORTATION

65

2 receive the same level of enforcement that other  
3 vehicles receive which creates a perception that, if  
4 you are driving the city vehicle, you are treated  
5 differently. That is what's happening. This is a  
6 big problem. It creates distrust, not just in the  
7 NYPD, but government overall that, if you work for  
8 the city, if you are lucky enough to have got an a  
9 placards, is yours city vehicle is marked with a logo  
10 or insignia related to that agency, if you put yours  
11 city business card or city vest or city helmet or  
12 whatever it is on the dashboard, you will not get the  
13 same level of enforcement.

14 MICHAEL PILECKI: I have to just  
15 clarify one thing. That's not what I meant. I am,  
16 friends, and marked Department of buildings vehicle.  
17 The thought. We don't have a lot of summonses issued  
18 to those types of vehicles, but we don't see them  
19 committing a lot of violations out there, either.

20 MARGARET FORGIONE: Speaker Johnson,  
21 just wanted to add right now to mention that our  
22 placards rule will address some of this, so what this  
23 rule will do is, currently, if you are parked in the  
24 bike lane, you are going to get a summons for the and  
25 a nose standing many time area. However, with our

1 COMMITTEE ON TRANSPORTATION

2 66

2 new placards rule, what you are going to now get our  
3 two summonses. You are going to get one monetary  
4 fine for parking in a no standing and then you are  
5 going to get another one for abusing your placards.  
6 And the beauty of it is that you are going to get to  
7 summonses. It's going to cost more, but it's also  
8 that PD and DOT can better track the abuse of  
9 placards. And it will help with the three strikes  
10 you're out approach and that sort of things because  
11 we can see which vehicles are getting these sorts of  
12 summonses for placards abuse.

13 SPEAKER JOHNSON: How many times have  
14 city employees been disciplined?

15 MARGARET FORGIONE: Well, I can speak  
16 for DOT. We have multiple times that we have  
17 disciplined employees for different driving  
18 infractions.

19 SPEAKER JOHNSON: No. I just want to  
20 know about parking placards.

21 MARGARET FORGIONE: Okay. I don't have  
22 any type of citywide numbers on what agencies have  
23 done for parking--

24 SPEAKER JOHNSON: [interposing] Oleg?

25

1 COMMITTEE ON TRANSPORTATION

67

2 OLEG CHERNYAVASKY: What I have is  
3 twen-- my numbers are from May 28th of 2017 through  
4 March 24th of this year. We have 61 that I've been  
5 disciplined.

6 SPEAKER JOHNSON: 61 people have been  
7 disciplined? Individuals? That's not an--

8 OLEG CHERNYAVASKY: [inaudible 1:10:33]

9 SPEAKER JOHNSON: aggregate number.  
10 That's a--

11 OLEG CHERNYAVASKY: Yeah. Yeah. Yeah.  
12 That's individuals.

13 SPEAKER JOHNSON: Individuals.

14 OLEG CHERNYAVASKY: But the key also is  
15 there are many more that have been summonsed or  
16 towed, but to rise to the level of discipline, we are  
17 seeing something more and we are deciding that it is  
18 necessary to-- You know, the summons thing in the  
19 towing isn't working in disciplined news the solution  
20 in those--

21 SPEAKER JOHNSON: So--

22 OLEG CHERNYAVASKY: cases.

23 SPEAKER JOHNSON: So it's my  
24 understanding, from my counsel, that the things that

25

1 COMMITTEE ON TRANSPORTATION

2 68

2 you are discussing are all part of some of the bills  
3 that we have proposed.

4 OLEG CHERNYAVASKY: Well, I mean, I  
5 think if you-- Based on my comments on the bills, I  
6 mean, we can talk to which bill it is. There are  
7 many things that we do agree with. It's just the  
8 road on how we get there that may be what we need to  
9 work on, but it's not the end result.

10 SPEAKER JOHNSON: I mean this in a  
11 very collegial way. You are such a diplomat, Oleg,  
12 on how you approach this and so many other issues and  
13 how you categorize things. Sometimes the divide  
14 seems very far, but you always tried to find the  
15 bridge to pretend like we can easily get there even  
16 when I think there is a pretty wide delta between  
17 what we think is necessary. And that is a skill that  
18 I think you possess.

19 OLEG CHERNYAVASKY: [chuckles]

20 SPEAKER JOHNSON: I mean that in a  
21 nice way. I really do.

22 OLEG CHERNYAVASKY: Thank you.

23 SPEAKER JOHNSON: Because you are--

24 OLEG CHERNYAVASKY: Thank you.

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1 COMMITTEE ON TRANSPORTATION

ca

2 SPEAKER JOHNSON: constantly very  
3 optimistic about finding a way forward even when I  
4 think there is a pretty wide delta in how we get  
5 there. Do you both think that you get enough  
6 information from 311 to go out and respond in a  
7 timely manner?

8 OLEG CHERNYAVASKY: Yes.

9 SPEAKER JOHNSON: Really? I mean,  
10 because what 311-- Typically what they respond on  
11 twitter when they respond when someone makes a  
12 complaint, it could take hours, if not days to get  
13 someone to go to that location.

14 OLEG CHERNYAVASKY: Well, I think that  
15 we have to--

16 SPEAKER JOHNSON: These are real-time  
17 problems that are happening.

18 OLEG CHERNYAVASKY: Right. And then I  
19 think that's where I was going to go with things. We  
20 have two kind of take a look at the nature of what we  
21 are talking about that is complained of. Right? So,  
22 a complaint about a parking placards or an illegally  
23 parked vehicle is a snapshot in time. 30 seconds  
24 later, that vehicle could very well be gone. Right?  
25 So, I think the benefit--

1 COMMITTEE ON TRANSPORTATION

70

2 SPEAKER JOHNSON: [interposing] But  
3 it's typically not that. It's not 30 seconds.

4 Typically--

5 OLEG CHERNYAVASKY: Well--

6 SPEAKER JOHNSON: the car is parked  
7 there for an hour or two hours--

8 OLEG CHERNYAVASKY: Sometimes.

9 SPEAKER JOHNSON: Three hours.

10 OLEG CHERNYAVASKY: Sometimes.

11 SPEAKER JOHNSON: They're parked  
12 there for the day.

13 OLEG CHERNYAVASKY: Sometimes. But  
14 sometimes and a lot of times it's shorter and the  
15 issue is--

16 SPEAKER JOHNSON: Because here's a  
17 map of all of the-- Just to show you how widespread  
18 placard abuse is, here's a map of-- What is the  
19 dates for this? This is just over the last year?  
20 2018. So this shows you the number, from 311, and  
21 the number of placards and complaints and it shows  
22 you how widespread and end all over the city and,  
23 again, as we know, on most things, 311 only captures  
24 probably a fraction of the overall issue because the  
25 vast majority of people don't take the time to wait

1 COMMITTEE ON TRANSPORTATION

71

2 on 311 or filed the complaint. Most people just go  
3 about their lives and so, this is a snapshot which  
4 shows you, I think, as slice of a much bigger  
5 problem.

6 OLEG CHERNYAVASKY: that I think, to  
7 your point, I think our numbers actually playing that  
8 out. So if we have roughly 3200 complaints to 311,  
9 but we have close to 55,000 summonses, you are right.  
10 We are not only getting her complaints from 311. We  
11 are getting them from a variety of sources, you know,  
12 and we are responding where needed. The eye, to the  
13 benefit of 311, I think, you know, maybe we won't get  
14 there in time to address the vehicle complaint of  
15 when the call was made, that that will alert us to a  
16 location where we can, potentially, look at is this a  
17 hot spot? Are we seeing a lot of 31 ones, and from a  
18 particular corner and start focusing our attention on  
19 the corner. So it may not work for their particular  
20 vehicle, but it will work for the overall long-term  
21 strategy.

22 SPEAKER JOHNSON: Margaret, you  
23 mentioned that some of the parkers are issued for  
24 fleet vehicles. Do you believe that all placards  
25 issued to personal vehicles serve a city purpose?

1 COMMITTEE ON TRANSPORTATION

72

2 MARGARET FORGIONE: The ones that we  
3 issue. Yes. What real acquire for those is the  
4 certification from the commissioner or the first  
5 deputy that that person is using that vehicle for  
6 city government business 80 percent of the time. What  
7 we see is, with some departments, they don't have the  
8 ability to get us in a vehicle for each and every  
9 employee who needs one. DOB is an example, HPD, and  
10 ACS.

11 SPEAKER JOHNSON: So, if someone is  
12 found to have used their placards not for us in a  
13 purpose, does the city agency and that the employee  
14 is employed by then refer back complaint to DOI?

15 MARGARET FORGIONE: It can and it, in  
16 some cases, I am aware that may have rescinded that  
17 permit. They have taken it back and may have sent it  
18 back to us. So I've been both--

19 SPEAKER JOHNSON: [interposing] But  
20 do--

21 MARGARET FORGIONE: things happen.

22 SPEAKER JOHNSON: they refer to DOI?  
23 Do you know? Do they refer-- When they--

24 MARGARET FORGIONE: I know in cases  
25 they do and other times they have just taken action.



1 COMMITTEE ON TRANSPORTATION

72

2 SPEAKER JOHNSON: Okay. I just want  
3 to finish this. Oleg, you mentioned, as part of  
4 Introduction 1393 the fact that you have concerns  
5 related to-- You said Introduction 1393 seeks to  
6 curtail the police commissioner's authority to the  
7 employee personnel and other resources by directing,  
8 and legislation where certain department personnel  
9 must be deployed. Additionally, the requirement to  
10 conduct a weekly assessment and prepare weekly  
11 reports related to the parking permit complaints  
12 would require the dedication of significant  
13 resources. The department would need to hire staff  
14 or divert enforcement resources for the purpose of  
15 evaluating or importing the data and there would be a  
16 significant training element for both enforcement  
17 personnel and those analyzing the data. And you know  
18 on and you say, finally, it should be noted that the  
19 Department of Investigation already possesses wide  
20 latitude to what it investigates and investigations  
21 and it conducts to include the subjects covered in  
22 this legislation, as does the Council which can  
23 exercise its oversight powers as it's doing today. I  
24 just mentioned to your earlier, I flagged multiple  
25 times to multiple people in the NYPD problem

1 COMMITTEE ON TRANSPORTATION

7A

2 locations and still, today, those locations are  
3 problem locations. So, I feel like we have been  
4 forced into a corner that, even when we proactively  
5 tell the PD that there are problems, the issue  
6 persists and remains and that is why you see this  
7 posture through this bill which is directing the NYPD  
8 to do something because of the lack of confidence  
9 that we have this is being done in a serious,  
10 stringent, and any goal across the board manner on  
11 placard abuse. And, I guess, your concern is that we  
12 are directing the NYPD to do something that should be  
13 at the discretion of the police commissioner?

14 OLEG CHERNYAVASKY: I mean, in effects,  
15 yes, but, I mean the important thing to highlight, I  
16 think-- You know, I, obviously and commenting on a  
17 bill that we need to point out the challenges, but  
18 the other important piece to highlight in the bill at  
19 the similarities. So we are going out. We are  
20 identifying hotspots. We are responding to 311  
21 complaints currently. DOI currently has the ability  
22 to oversee this as the bill lays out. So there are a  
23 lot of things in this bill that are currently being  
24 done. I understand--

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1 COMMITTEE ON TRANSPORTATION

75

2 SPEAKER JOHNSON: [interposing] So,  
3 then what's the problem with codifying it?

4 OLEG CHERNYAVASKY: Well, because, that  
5 actually crosses a line in terms of--

6 SPEAKER JOHNSON: What line?

7 OLEG CHERNYAVASKY: Well, the line of  
8 we're telling the police department and legislation,  
9 telling the police commissioner and legislation, put  
10 your resources there on that corner. Put them there  
11 on this corner.

12 SPEAKER JOHNSON: [interposing] Don't we  
13 do that currently in some ways?

14 OLEG CHERNYAVASKY: No. I don't think  
15 you do.

16 SPEAKER JOHNSON: You don't think  
17 we--

18 OLEG CHERNYAVASKY: I don't think so.

19 SPEAKER JOHNSON: You don't think we  
20 ever legislate on public safety related measures for  
21 the NYPD?

22 OLEG CHERNYAVASKY: Not in terms of  
23 this type of specific deployment instruction of  
24 resources. I don't think we do. But, again, I

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1 COMMITTEE ON TRANSPORTATION

76

2 mean, I think the important part here is to realize  
3 that--

4 SPEAKER JOHNSON: [interposing] But  
5 the NYPD, and just to be clear, and I guess this is  
6 the argument between executive authority versus  
7 legislative control and oversight. The NYPD is a  
8 city agency that is governed by legislation that the  
9 New York City Council can pass and our oversight  
10 ability. That's what the charter says. It's a  
11 Mayoral agency, but the city Council has lawmaking  
12 authority and oversight authority and budgetary  
13 authority over the NYPD and, if we believe that a  
14 particular city agency is not doing something that  
15 is protecting the public in a manner that we believe  
16 needs to happen, I think it is well within our  
17 legislative purview and the city charter to be able  
18 to give these type of instructions and, maybe, in the  
19 next month we will see more responsiveness from the  
20 PD on Oak Street and on West 55th Street and outside  
21 of Chelsea market and many other locations that now  
22 that you will be monitoring placard abuse on Twitter  
23 on a daily basis that we will actually see this. But  
24 you think that's the argument? Is between--

25 OLEG CHERNYAVASKY: I mean, yeah.

1 COMMITTEE ON TRANSPORTATION

77

2 SPEAKER JOHNSON: executive--

3 OLEG CHERNYAVASKY: I mean, I think, to  
4 the point that you have made, that is precisely what  
5 we are doing here today. If this strategy is the  
6 enforcement strategy that we are deploying is  
7 unsatisfactory to the Council, the Council, through  
8 its oversight powers, brings us here as he did today.

9 SPEAKER JOHNSON: And through our  
10 lawmaking--

11 OLEG CHERNYAVASKY: And--

12 SPEAKER JOHNSON: abilities.

13 OLEG CHERNYAVASKY: and you question  
14 us. Now, through your lawmaking ability, I think, in  
15 this case, we can get to, you know, what are we  
16 doing? And you to those in a lot of areas and we  
17 have collaborated on these areas in terms of what are  
18 we doing on a variety of crimes. What type of  
19 enforcement are we taking, how many cases do we have  
20 in this scenario. We've given you a lot of the  
21 statistics. These are statistics we have tracked and  
22 we started tracking based on concerns you have raised  
23 in the past. There is placard enforcement unit that  
24 we instituted in the middle of May was based on--  
25 was the mayor hearing the concerns from you. From

1 COMMITTEE ON TRANSPORTATION

72

2 the Council. We are being reactive and we are being  
3 receptive to your input and we are taking-- We are  
4 making strides. You are seeing the enforcement  
5 numbers go up. These are not fake numbers. These  
6 are real numbers. Real summonses. Real towing that  
7 we are doing. You've called us in here to talk about  
8 placards in June of last year. You've called us back  
9 here eight months later. You are doing another  
10 oversight hearing. There is an oversight entity that  
11 has been stood up and created by you.

12 SPEAKER JOHNSON: You love it, Oleg.  
13 Don't you?

14 OLEG CHERNYAVASKY: We do have quite a  
15 bit of oversight and we don't shy away from it. And,  
16 you know, if you bring us down here and we explain  
17 our strategy and you point out areas like 55th Street  
18 or Chelsea Market or Elk Street, which we thought was  
19 addressed, but if we need to address then again, we  
20 will address it again.

21 SPEAKER JOHNSON: So, I mean, I think the  
22 gist of it is we of the body can set policy for the  
23 city of New York through local law and through  
24 oversight and through budgetary powers and one that  
25 we are seeing right now, from our perspective, isn't

1 COMMITTEE ON TRANSPORTATION

7a

2 working, so something needs to change and I think  
3 there is a difference of opinion on what the tools in  
4 the arsenal should be to actually change that and,  
5 hopefully, today, when you leave here, I will see a  
6 significant change in the next week on West 55th  
7 Street and I will see a significant change around  
8 Chelsea market and I will see a significant change,  
9 literally, by looking out the window here on Oak  
10 Street in what the PD does to enforce this when we  
11 are flagging this so that, maybe, we don't need to go  
12 as far. I still reserve the right on these bills,  
13 that we will see what actually happens, mean out of  
14 this hearing and how you are going to enforce in a  
15 more stringent manner, not just through summonses,  
16 but also through tows, as well, as a stepped-up  
17 measure of deterrents to stop this type of behavior.  
18 So I appreciate you all being here. I specifically  
19 want to separately thank the Deputy Chief who is here  
20 today because I have been making complaints about  
21 massive double parking on eighth Avenue, which is  
22 unsafe for pedestrians and cyclist between 14th  
23 Street and 23rd Street with large tractor-trailer  
24 trucks and I know that this week you have done a  
25 major sweep on eighth Avenue really cracking down on

1 COMMITTEE ON TRANSPORTATION

2 this. So, Deputy Chief Pilecki, I want to thank you  
3 for being responsive in this instance when I made  
4 that local complaint and I really appreciate you  
5 working with me on this issue locally.

6 MICHAEL PILECKI: Thank you for  
7 mentioning it.

8 SPEAKER JOHNSON: Thank you very  
9 much. Thank you. I'm going to turn it back to Chair  
10 Rodriguez.

11 CHAIRPERSON RODRIGUEZ: Thank you,  
12 Speaker. I have a questions. One is how many-- You  
13 guys mentioned not placard units. How many police  
14 officers are dedicated to the placard units?

15 MICHAEL PILECKI: Eight? Nine?  
16 Yeah. We have one lieutenant, we have eight  
17 sergeants, a police officers, and eight traffic  
18 agents.

19 CHAIRPERSON RODRIGUEZ: And can you  
20 clarify a little bit what role have they been playing  
21 with the three strike program?

22 MICHAEL PILECKI: Yeah. So they  
23 started in 2017. They started going into each one of  
24 the outer boroughs. So we have teams that go out  
25 into all of the outer boroughs. We have a team in



1 COMMITTEE ON TRANSPORTATION

2 21

3 Manhattan. They respond to 311 complaints come in  
4 through our traffic management center. They actually  
5 notified by telephone of where the complaint is.  
6 They generally get there in real time. They do the  
7 best they can to get there in real time. They take  
8 appropriate summons enforcement and towing actions.  
9 They have identified certain hotspots for out the  
10 setting, based on 311 complaints and their own  
11 observations and that's pretty much what they do. In  
12 addition as Oleg had mentioned earlier in 2017, the  
13 city hired 108 traffic agents to focus on permitted  
14 vehicle abuse. Parking abuse. And so, just, again,  
15 really quickly, in 2014, there were 30,000 summonses  
16 roughly written. In 2015, same thing. 29 five.  
17 2016, 28. That in 2017, when those two units went  
18 live in July, we went up to 41,900 summonses and, in  
19 2018, the first full year that they were both in  
20 place, that's when we went up to the 54,000 summonses  
21 in the 891 tows.

22 CHAIRPERSON RODRIGUEZ: How many  
23 members of the NYPD or traffic agents has been  
24 disciplined for not enforcing parking regulations?

25 MICHAEL PILECKI: I'm sorry? Say  
that again, plays.

1 COMMITTEE ON TRANSPORTATION

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3 CHAIRPERSON RODRIGUEZ: Any numbers on  
4 police officers or traffic agents being disciplined  
5 for not enforcing traffic parking regulations?

6 MICHAEL PILECKI: For not enforcing?

7 OLEG CHERNYAVASKY: Yeah. I think  
8 you're saying for violating--

9 CHAIRPERSON RODRIGUEZ: For not  
10 enforcing.

11 MICHAEL PILECKI: For not enforcing.

12 OLEG CHERNYAVASKY: I couldn't tell  
13 you. I don't think it's-- We wouldn't capture it  
14 that way. I mean, the best way to-- I don't think  
15 there is a discipline category for not enforcing  
16 parking placards. I think there's a general for not  
17 exercising your duty. I don't--

18 MICHAEL PILECKI: [inaudible

19 01:26:23]

20 OLEG CHERNYAVASKY: know what the exact  
21 term for it is, but there is a-- That's for  
22 anything. That's not being on patrol. That's not  
23 responding for a 911 call. Everything gets grouped  
24 into that. For the isolated issue of how many were  
25 disciplined for misusing parking privileges, not for  
not enforcing, but for misusing parking privileges,

1 COMMITTEE ON TRANSPORTATION

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2 and that's when I mentioned to the speaker earlier,  
3 we have 61 over the last year and a half. And that's  
4 in addition to the summoning and the towing that we  
5 are doing.

6 CHAIRPERSON RODRIGUEZ: I just think  
7 that it is important, also, you know, as I know it is  
8 the interest of everyone to address the abuse of  
9 placards in our city, to also look at, in some way or  
10 how whoever are responsible to oversee, you know, the  
11 abuse of placards should be also responsible. It's  
12 under their watch. You know if there is a lack of  
13 and foreseen for not giving those tickets to  
14 particular areas. No, I'm not going to be getting  
15 into-- Like everyone has in their own district their  
16 own hotspot. Like, you know some car is parked every  
17 day in the same location in front of the fire  
18 hydrant. Like the one day there was an emergency  
19 that you saw 10 police cars because there was a  
20 homicide and therefore they are responding to an  
21 emergency and we understand. But when you pass by  
22 fire hydrant every day eight in the morning and you  
23 see an official vehicle parked in front of that  
24 location, someone has to be responsible for, you

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1 COMMITTEE ON TRANSPORTATION

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2 know, how are we doing on enforcing. So, but you are  
3 saying right now there is not--

4 OLEG CHERNYAVASKY: Well, I think, if I  
5 understand the question the right way, what we did, I  
6 think-- What we did was, first, in the middle of  
7 2017, we dedicated 108 traffic agents to doing  
8 parking placard enforcement. Now, they have regular  
9 traffic agent duties, but one of their primary  
10 focuses is to do parking placard enforcement. Those  
11 108 traffic agents were responsible, last year in  
12 2018, for about 41,000 summonses between them to  
13 parking placards and about 777, I think is the right  
14 number, tows of parking-- of cars illegally parked  
15 with placards. Right? That's the 108. In addition  
16 to the 108, we have the dedicated parking placard  
17 unit, which the Chief just described to you. Those  
18 group of officers and traffic agents have close to  
19 11,000 parking placards summonses between them and  
20 they are the ones that respond to community  
21 complaints for a variety of sources. And they are  
22 responsible for over 100 tows themselves. So, yes.  
23 There is an ability for every police officer, every  
24 traffic agent citywide to take enforcement against  
25 placards, about what we did was dedicated forces that

1 COMMITTEE ON TRANSPORTATION

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3 are not married to any one area to spread out and  
4 actually do this type of enforcement, as well.

5 CHAIRPERSON RODRIGUEZ: So, you just  
6 described that the numbers of men and women dedicated  
7 to the placards unit and a number as for the NYPD,  
8 right?

9 MICHAEL PILECKI: Yes.

10 CHAIRPERSON RODRIGUEZ: So, and the  
11 other DOT 10 person enforcement team that the Mayor  
12 announced last month, is that a separate unit?

13 MARGARET FORGIONE: Yes. It is. We're  
14 in the process of preparing to hire them now.

15 MICHAEL PILECKI: Thank you.

16 CHAIRPERSON RODRIGUEZ: So they have  
17 not been hired, yet?

18 MARGARET FORGIONE: Correct.

19 CHAIRPERSON RODRIGUEZ: It will be.

20 MARGARET FORGIONE: Yeah.

21 CHAIRPERSON RODRIGUEZ: How many  
22 vehicles that we have on the DCAS city vehicles?

23 MARGARET FORGIONE: Um--

24 CHAIRPERSON RODRIGUEZ: About 25,000  
25 vehicles?

1 COMMITTEE ON TRANSPORTATION

2 26

3 MARGARET FORGIONE: I'd have to double  
4 check. I don't remember offhand. Yeah.

5 CHAIRPERSON RODRIGUEZ: Will the DOT  
6 also be working with DCAS to oversee the placard use  
7 around those 25,000 city vehicles or no?

8 MARGARET FORGIONE: Well, DOT issues a  
9 lot of the placards that already are on those  
10 vehicles, so we are already involved in that.

11 CHAIRPERSON RODRIGUEZ: Okay. And do  
12 you have the number of like how many placards have  
13 been revoked? Let's say from 2016 to today because  
14 they have abuse those placards?

15 OLEG CHERNYAVASKY: Can you say that  
16 one more time?

17 CHAIRPERSON RODRIGUEZ: How many  
18 placards have been revoked in from 2016 to today  
19 because of abuse on using them?

20 OLEG CHERNYAVASKY: Yeah. We don't  
21 have many. We have revocations. We don't have many,  
22 but just keep in mind that, for example, when you are  
23 talking about department fleet vehicles, these are  
24 NYPD vehicles, not personal vehicles. You're not  
25 going to revoke a permit there. They are there could  
be a summons that an officer may be responsible for

1 COMMITTEE ON TRANSPORTATION

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2 paying for misusing the car or there could be  
3 discipline as a result of that. The revocation  
4 really wouldn't comment fleet vehicles. You know, it  
5 would--

6 CHAIRPERSON RODRIGUEZ: But--

7 OLEG CHERNYAVASKY: it would--

8 CHAIRPERSON RODRIGUEZ: But among  
9 everyone, all New Yorkers that they have a placard,  
10 like how many have been revoked in the last-- from  
11 2016 to today because of not proper use of those  
12 placards?

13 MARGARET FORGIONE: We will have you  
14 talk about-- Why don't you talk about the  
15 disability.

16 JOSHUA BENSON: Yeah. So there--  
17 Chairman, there are-- DOT, a part of what we issue  
18 are disability placards and we have a process for  
19 revoking those as people misuse them and, say, they  
20 share them inappropriately with friends or family  
21 members who don't have a disability and who are not  
22 transporting the person who has the placard. So we  
23 have revoked and we do revoke those placards when  
24 they are misused. The agency placards, as Oleg  
25 mentioned, tend to be re-assigned when a member of

1 COMMITTEE ON TRANSPORTATION

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2 the staff is misusing them because the purpose of  
3 that placard is to execute city business. The city  
4 business still needs to get done. Taking away the  
5 placard from one person and making it disappear does  
6 not help. It's got to be then reassigned to another  
7 staff member. So that's how that tends to work. The  
8 sticker pilot that we're trying now is one of the  
9 ways we want to see if we can stop people from  
10 misusing placards. Keep that placard in the vehicle  
11 where it belongs rather than passing it around and  
12 sharing it inappropriately. So, that's one of the  
13 things we want to try. And then the three strikes  
14 policy. I mean, the Council has proposed it. The  
15 Mayor is also supporting a three strikes policy, so I  
16 think that's where we're headed and we will be able  
17 to execute that by having a new rule that  
18 specifically makes the placard misuse a violation.  
19 Right? Right now, the placard misuse is not its own  
20 separate parking violation. We're putting a rule  
21 forward to make it a stand alone violation and that's  
22 something to tie the revocation back to. So, those  
23 are some of the measures we're taking.

24 CHAIRPERSON RODRIGUEZ: Okay. Okay.

25 I know my colleagues, they also have other questions,



1 COMMITTEE ON TRANSPORTATION

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3 but I would just like to say that, you know, we are  
4 not questioning the use of placards by those  
5 individuals, governmental or not governmental, who  
6 are properly using. We know that there are so many  
7 individuals that they are New Yorkers with  
8 disabilities who they have the right that they use  
9 properly and those placards. We also know that there  
10 are a number of veterans and they are also members of  
11 the city employees, NYPD or no, that they property  
12 use their placards. What I believe that everyone  
13 recognize is that the level of abuse by some  
14 individuals is something that we cannot hold anymore.  
15 And I think the so where all agencies from DOT, NYPD,  
16 and we as a council, we need to recognize. And this  
17 is about safety. This is about [inaudible 01:34:51]  
18 zero. This is about congestion. So, I hope again  
19 that, working together, we can be able to go the  
20 extra mile to push the envelope and to really  
21 recognize that there are so many individuals that are  
22 abusing, you know, those placards. But we also have  
23 to recognize that there are others. Their teachers  
24 that they work in a school that they are located in  
25 transportation deserts. There veterans. There are  
individuals with disabilities that they properly use

1 COMMITTEE ON TRANSPORTATION

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3 their placards. So this hearing and this hearing and  
4 this conversation is not against those or those who  
5 respond to emergency who usually-- who are properly  
6 using those placards. It's about those who abuse the  
7 placards. I know that Council member Cabrera had a  
8 question and then Council member Levin. Unless you  
9 were-- Okay.

9                    COUNCIL MEMBER LEVIN:            Thank you.

10 Sorry. I have a-- I'm late for a meeting. But I  
11 just one question. So, I represent downtown  
12 Brooklyn. I mean, again, thank tweets every single  
13 day about-- Like I would say like a third of my  
14 twitter feed is people tweeting at me about placard  
15 abuse. I'm not even joking. It is rampant in  
16 downtown Brooklyn. If you can just walk around  
17 downtown Brooklyn, and is just like so galling how  
18 rampant it is. I mean, every inch of unclaimed space  
19 is taken up. I mean, like if you go on-- The  
20 Department of Transportation just redid Adams Street  
21 and like you go up Adams Street and there's a portion  
22 next to the median that is not even close to parking  
23 for any-- I mean, it's not legal parking and it is  
24 always filled up with cars. Always. Obviously, over  
25 on the BQE ramp, you know, which is-- You know, it's

1 COMMITTEE ON TRANSPORTATION

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2 like-- I don't even know how to describe it. It's  
3 like up on a curb that is like a sidewalk kind of  
4 that is always has dozens of cars. And often it's  
5 not even-- I can't even call it placards abuse  
6 because there aren't even placards in there. They  
7 are just paraphernalia. There is a badge of some  
8 kind or a decal of some kind or a vest of some kind,  
9 some type of union identification. You know, just  
10 all types of random things that indicate that this is  
11 a person who should be okay, even if it's not a DOT  
12 or NYPD or any type of officially issued placard.  
13 It's just like a kind of indication of some kind and,  
14 having, is that something that you look at? I mean,  
15 because it--

16 OLEG CHERNYAVASKY: Yeah.

17 COUNCIL MEMBER LEVIN: That's not even--  
18 I wouldn't even call it placard abuse. It's just,  
19 you know, it's just this kind of secret code. Hey,  
20 you know, I'm, you know, some type of uniformed  
21 personnel in the city and don't ticket me.

22 MICHAEL PILECKI: It absolutely  
23 something that we look at. Back in 2017, when those  
24 two units went live, the placard unit and the 108  
25 agents that were hired, we took a look at our

1 COMMITTEE ON TRANSPORTATION

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2 enforcement regarding placarded vehicles and we  
3 realized that there were a lot of vehicles out there  
4 where people were putting paraphernalia on their  
5 dashboards expecting some type of courtesy. So we  
6 had decided to track those types of summonses. We  
7 encouraged our traffic agents, when they see those  
8 types of things out in the field, to issue a summons.  
9 In 2017, 2205 were issued and that was for half a  
10 year. Six months. 2018 it went up to 6457. So it  
11 definitely is something that we look at and try to  
12 address as best we can.

13 COUNCIL MEMBER LEVIN: Okay. Because  
14 that's-- Obviously, it's--

15 MICHAEL PILECKI: Yeah.

16 COUNCIL MEMBER LEVIN: it's really  
17 proliferated. So--

18 JOSHUA BENSON: I would just say,  
19 Council member, to supplement the work that PD is  
20 doing-- I think that's part of the reason why the  
21 Mayor announced last month we are working on this  
22 digitized system of placards, too. So, we know in  
23 real time and we can serve the information to PD who  
24 actually has a placard associated with which vehicle

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1 COMMITTEE ON TRANSPORTATION

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3 rather than having to, you know, inspect the  
4 dashboard and see what's there.

5 COUNCIL MEMBER LEVIN: Uh-huh.

6 JOSHUA BENSON: Actually have a real  
7 time verification system. So that's in the works and  
8 I think that will help with the issues you are  
9 highlighting, as well.

10 COUNCIL MEMBER LEVIN: Thank you very  
11 much.

12 CHAIRPERSON RODRIGUEZ: Thank you.

13 COUNCIL MEMBER LEVIN: Thank you.  
14 Thank you for the courtesy.

15 CHAIRPERSON RODRIGUEZ: Thank you.

16 COUNCIL MEMBER CABRERA: Thank you so  
17 much, Mr. Chair. I've been listening for that last--  
18 I don't know. What have we been here? Three hours?  
19 To your testimony and I just wanted to address a  
20 couple of things here. Most of your program is a  
21 pilot. How many vehicles are we talking about?

22 MARGARET FORGIONE: 300 vehicles.

23 COUNCIL MEMBER CABRERA: 300. Let me  
24 ask a question. With that, actually I like your  
25 initiative, would that mean something that we could

1 COMMITTEE ON TRANSPORTATION

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2 apply to and require every vehicle? Is that what you  
3 are looking forward to do?

4 MARGARET FORGIONE: Right. So we are  
5 starting our evaluation of it shortly and then, by  
6 the end of the year, were going to have more  
7 information on the effectiveness of it. We are going  
8 to get feedback from NYPD, from the Department of  
9 finance. We're going to do lots of observations of  
10 the vehicles on the street to see how they're acting  
11 differently and we would look to expand it if it does  
12 prove to be effective.

13 COUNCIL MEMBER CABRERA: You know,  
14 because what I'm finding out is that a lot of people  
15 are creating their own placards, fake placards. This  
16 sticker is a little more difficult to replicate and I  
17 think they should be something that should be  
18 required of everyone, including elected officials, to  
19 have this sticker and the placard. I don't know  
20 where you would put that sticker. It's a sticker in  
21 the front window shield--

22 MARGARET FORGIONE: Yes.

23 COUNCIL MEMBER CABRERA: or on the  
24 side?

25 MARGARET FORGIONE: It's in the front.

1 COMMITTEE ON TRANSPORTATION

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2 COUNCIL MEMBER CABRERA: In the front.  
3 Okay. You know, I fully support it. I think it's a  
4 brilliant idea. It will cut down on and, just to  
5 segue to a problem that I have that I hope the NYPD  
6 could help me. It's been going on for years around  
7 Fordham Hill Oval. We have DOT, people who-- Same  
8 stories that we have heard. I don't want to be  
9 redundant here, but we have every day parking in the  
10 bus stop and most of them are put in fake ones. It  
11 was my understanding that fake ones automatically get  
12 totally. Is that true?

13 MICHAEL PILECKI: So what we ask our  
14 agents to do is when they see a permit, and just so  
15 you know, DOT trained all of our traffic agents in  
16 identification of bad permits. When a vehicle is  
17 parked in violation and has what appears to be a bad  
18 permits in the window, we asked them to call for a  
19 tow truck immediately to get it off the street.

20 COUNCIL MEMBER CABRERA: But what I'm  
21 surprised is out of the 40 something thousand and,  
22 only-- Let's assume all 900 were fake ones, which  
23 I'm sure they were not. That there were only--  
24 Let's say that is all 900 that were fake ones in  
25 total, that there were not more because I see so many

1 COMMITTEE ON TRANSPORTATION

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2 of them that it just-- I'm a little baffled as to  
3 why so few towing's regarding fake ones.

4 MICHAEL PILECKI: When you say fake  
5 ones, are we talking about, perhaps--

6 COUNCIL MEMBER CABRERA: Self-made.

7 MICHAEL PILECKI: a photocopy or--

8 COUNCIL MEMBER CABRERA: Yeah.

9 MICHAEL PILECKI: something that  
10 someone--

11 COUNCIL MEMBER CABRERA: photocopy--

12 MICHAEL PILECKI: made up?

13 COUNCIL MEMBER CABRERA: I make my own.

14 You know, it's not hard at all the technology we have  
15 today for someone to create one. I mean, I see it  
16 [inaudible 01:42:26], I see it in Sedgwick and  
17 Bailey. I mean, and they are there literally every  
18 day. Having fake ones. So I know you have eight  
19 agents and they want to increase the rate of towing.  
20 I invite you to come because are going to get at  
21 least 15 of them minimum. [Inaudible 01:42:49] and  
22 right there where Bailey and Sedgwick intersect. I  
23 think in order to be effective, part of the plan is  
24 going to require to be consistent. So it's not a:  
25 you go one day, ticket, you know? I think the ticket



1 COMMITTEE ON TRANSPORTATION

a7

2 should be higher, honestly. I think the ticket  
3 should be 1000 dollars. It's an abuse. I know it  
4 sounds like a lot of money, but it's an abuse of the  
5 privilege. This is not a right that we have to have  
6 this placards. It's a privilege to use it in a big  
7 should be much higher. I guarantee you if it was  
8 1000 dollar penalty your numbers would drastically  
9 change because that is a high-- that would get  
10 people's attention. Wherever people's treasures  
11 are, there were their heart and minds will be also.  
12 And I think this should be something to consider to  
13 increase the penalty. Because, right now, to be  
14 honest with you, it's quite low for the risk because  
15 this is the way people are calculating it. All  
16 right. You give me-- How much is the ticket now  
17 for? 100 dollars?

18 JOSHUA BENSON: It depends on what  
19 violation they're committing. And that's one of the  
20 issues, Council member. I'm glad you highlighted it.  
21 There is no violation right now for misusing the  
22 placard. DOT is creating a new rule that makes that a  
23 standalone violation. The Mayor has expressed a  
24 desire, like yourself, for a higher fine amount.  
25 It's capped right now by the state. So, we want to

1 COMMITTEE ON TRANSPORTATION

aa

2 pursue that, absolutely, and we think you're right on  
3 target. We've got to make people feel the pain a  
4 little bit to reform the behavior.

5 COUNCIL MEMBER CABRERA: But let's say  
6 they get towed away or-- You give 40,000 violations,  
7 right? Tickets. 40,000? Is that what I--

8 OLEG CHERNYAVASKY: It was close to  
9 55,000.

10 COUNCIL MEMBER CABRERA: 55,000. What  
11 was the average penalty for that?

12 OLEG CHERNYAVASKY: So, it's, you know,  
13 just as my colleagues just said. So, right now the  
14 way it works is if you're a car with a placard in the  
15 window and you park on a bus stop, you'll get a  
16 summons for parking in the bus stop and whatever  
17 penalty it is for parking in the bus stop, that's  
18 what it is.

19 COUNCIL MEMBER CABRERA: I see. So  
20 there's not--

21 OLEG CHERNYAVASKY: [interposing] And  
22 we'll--

23 COUNCIL MEMBER CABRERA: a separate  
24 one.

25

1 COMMITTEE ON TRANSPORTATION

aa

2 OLEG CHERNYAVASKY: And we'll check a  
3 box and it say this car also had a placard in the  
4 window. You don't get a penalty for that today, but  
5 we just track it to say that the vehicle displaying a  
6 placard was parked on a bus stop and they got a bus  
7 stop summons. And then the same thing for a bike  
8 lane. The same thing for a bus lane. So, you're  
9 getting the violation for whatever it is that you are  
10 violating and then we are checking a box when we are  
11 issuing the summons so we know the car displayed a  
12 placards.

13 COUNCIL MEMBER CABRERA: So, if you  
14 need legislation for those-- I don't know if you  
15 want to codify this, I would be more than glad to put  
16 it in today because, really, here is the mindset.  
17 The mindset is I'm going to get a 100 dollars ticket.  
18 120 dollars ticket for being in the bus stop.  
19 Whatever it is. That's less than one I am going to  
20 pay for the 225 dollars, for example, by Fordham Hill  
21 and across the street. So they are willing to take  
22 the chance. They're not getting tickets so it's  
23 almost like private parking for them. So if you need  
24 help with that-- I'm trying to find solutions here.  
25 If you need help with that, please let me know. I'll

1 COMMITTEE ON TRANSPORTATION

100

2 be more than glad to put in a request on last one of  
3 my colleagues already sent it to their staff. I  
4 don't care. What I care is that it gets done. The  
5 other thing I meant to ask you. How many federal and  
6 state vehicles have been towed?

7 OLEG CHERNYAVASKY: So we don't track  
8 it. We don't-- State owned vehicles?

9 COUNCIL MEMBER CABRERA: Right.

10 OLEG CHERNYAVASKY: Yeah. We don't  
11 track it that way. So we don't run the registration  
12 of who we're towing. What we know is the car that we  
13 towed, we issued a placards summons to, so we know  
14 that car was towed because of placard abuse. I mean,  
15 for parking in the bus lane, but they also displayed  
16 placard and they were towed. But we don't run the  
17 registration to find out if it is registered to me  
18 personally or to the NYPD.

19 COUNCIL MEMBER CABRERA: Okay. Do you  
20 think that would be useful, Oleg, to do that? To  
21 track and how many state and federal-- because  
22 you're going to get asked this question again and  
23 again.

24 OLEG CHERNYAVASKY: No. I mean I think  
25 it could-- So, I mean, what we want to do is get to

1 COMMITTEE ON TRANSPORTATION

101

2 the answer of, you know, who is illegal-- What  
3 agency or what branch of government is misusing the  
4 placard. That could be done because the placards are  
5 actually-- they have serial numbers. They can be  
6 tracked. I don't think we necessarily need to take  
7 the additional step of running a registration  
8 because, as you are doing it for placard abuse and  
9 you have the serial number on the placards and it  
10 comes back to whatever agency comes back to, you have  
11 your answer. Unless there is some other reason to  
12 run a registration, you know, I think we could  
13 achieve the same goal with what we are doing already.

14 COUNCIL MEMBER CABRERA: I've just  
15 never seen, and the 30+ years I've been in New York  
16 City, I've never seen a state, city, or federal  
17 vehicle ever get a ticket. Or toe. What I'm trying  
18 to say is that people are more likely to take a  
19 chance. If we are not tracking, you know, those  
20 variables, you know, to breaking down who is actually  
21 doing and violating the rules. I meant to ask you.  
22 How many of those who got a violations-- of the  
23 55,000, how many were that had three strikes already?  
24 Have you done data on that? No?

25

1 COMMITTEE ON TRANSPORTATION

102

2 OLEG CHERNYAVASKY: No. [background  
3 comments]

4 COUNCIL MEMBER CABRERA: reading, you  
5 are getting ready to institute--

6 OLEG CHERNYAVASKY: One of the--

7 COUNCIL MEMBER CABRERA: the three  
8 strikes and you are out. I want to see if this is a  
9 real prob-- is that a repeater problem? Because if  
10 you are going to pass a policy, you need data to  
11 substantiate in that the problem is with the three  
12 strikes category.

13 JOSHUA BENSON: We don't have the  
14 numbers with us. We have been working with  
15 Department of finance who handles, you know, the  
16 ticketing and collection on running some of those  
17 numbers and difficult to do now because, again, there  
18 is no placard violation, per se. So I think that is  
19 something that is going to cat much easier and more  
20 convenient to attribute those three strikes once we  
21 have the placard rule. You can just simply say which  
22 vehicles have three placards violations and those are  
23 your qualifying vehicles. So--

24 COUNCIL MEMBER CABRERA: You know what  
25 it is? I am trying to figure out-- There's 55,000

1 COMMITTEE ON TRANSPORTATION

103

2 take it to give out. It's a high number. Okay.

3 You've got 150 plaques. Right? So that's 30

4 percent. 30 something person, right?

5 JOSHUA BENSON: Okay.

6 COUNCIL MEMBER CABRERA: So, is, you

7 know, one person at a time coming in? Do we have one

8 third of people committing trespassing here? In, and

9 the boundaries of what they should be doing? Or,

10 actually, not doing or do we have just so you

11 repeater offenders that keep-- I think that's a

12 really important number to track down. I am glad

13 that you are reaching out in the Department of

14 finance. Hopefully you will get that number soon.

15 That will affect your strategy, you, and also looking

16 at it what else you can do. I see my colleague,

17 Council member Miller, with the last of the Council

18 members here, so I don't want to take more time. And

19 I know you've been waiting here also, as well, but I

20 have one last question I have to ask you. I do like

21 your idea of having space around the courthouse, like

22 the Bronx courthouse. I go there and it is insane,

23 right? I'm fully there with you, but I see DOT cause

24 parked in the street. They take away parking from,

25 overnight, from my constituents. Why can't we get

1 COMMITTEE ON TRANSPORTATION

100

2 car garages? The employees go and pick up their cars  
3 in the morning just like everybody goes to work, pick  
4 up their cars and go. Why can't we do that so we can  
5 have more parking spaces throughout the city?

6 MARGARET FORGIONE: The vehicles you  
7 see-- You know, a lot of times people see a permit  
8 that say DOT and it and it could be issued to a  
9 different department, so I just want to mention that  
10 those might not all the DOT vehicles.

11 COUNCIL MEMBER CABRERA: No. I see the  
12 sticker on the car.

13 MARGARET FORGIONE: On the side of the  
14 vehicle.

15 COUNCIL MEMBER CABRERA: Yeah. Yeah.

16 MARGARET FORGIONE: Okay. So, to  
17 answer your question, we don't have spaces to put all  
18 those vehicles overnight. We don't have garages for  
19 those purposes. You know, the city's real estate is  
20 so hard to come by. We are working hard just to keep  
21 space for our facilities, for the trucks themselves,  
22 for the supplies, and the personnel. So we haven't  
23 had--

24 COUNCIL MEMBER CABRERA: The city--

25 MARGARET FORGIONE: that luxury.



1 COMMITTEE ON TRANSPORTATION

105

2 COUNCIL MEMBER CABRERA: The city has  
3 about, and you can talk to DCAS, they have about 5000  
4 lots.

5 MARGARET FORGIONE: You know what?

6 COUNCIL MEMBER CABRERA: Some of them  
7 might be--

8 MARGARET FORGIONE: We're actually--

9 COUNCIL MEMBER CABRERA: small, but you  
10 know what? 10 cars here. 10 cars over there.

11 MARGARET FORGIONE: Uh-huh.

12 COUNCIL MEMBER CABRERA: And you have  
13 about 5000 lots. You can talk to the Commissioner in  
14 DCAS and see-- Even if you get a quarter of those  
15 off the streets, I think that would be helpful.

16 MARGARET FORGIONE: So you're seeing  
17 them on residential streets within your community.

18 COUNCIL MEMBER CABRERA: Absolutely.

19 MARGARET FORGIONE: Yeah.

20 COUNCIL MEMBER CABRERA: Absolutely.  
21 To which I find it odd, being a government vehicle in  
22 the street. I just--

23 MARGARET FORGIONE: Well, and the other  
24 thing I should make you aware of is that we do have  
25 some inspector titles that work straight from home,

1 COMMITTEE ON TRANSPORTATION

106

2 so they have a tablet. Their work is downloaded.  
3 They go straight from home to their first site and  
4 it's more efficient than having them come into work.  
5 So we have all kinds of scenarios where we have a  
6 lack of parking and we also have a certain type of  
7 work that we have designed--

8 COUNCIL MEMBER CABRERA: [interposing]  
9 It's just we're starving for parking.

10 MARGARET FORGIONE: Yes.

11 COUNCIL MEMBER CABRERA: The situation  
12 is getting--

13 MARGARET FORGIONE: I understand.

14 COUNCIL MEMBER CABRERA: so grave. My  
15 colleagues could tell you the same thing. We're  
16 suffocating. It's getting people very, very angry,  
17 especially when your projects, like I do. What the  
18 DOT is doing is they are taking a quarter of a mile  
19 in Jerome Avenue, for example, and it's two years  
20 delayed, my people, they're like-- They're just very  
21 upset.

22 MARGARET FORGIONE: It's frustrating.

23 COUNCIL MEMBER CABRERA: So--

24 MARGARET FORGIONE: I understand.

25

1 COMMITTEE ON TRANSPORTATION

107

2 COUNCIL MEMBER CABRERA: And then when  
3 you see, you know, government vehicles in the street,  
4 which is taking even more. So, I-- Mr. Chair, thank  
5 you so much. Thank you for the extra time. I know  
6 Council member Miller is eager to share his  
7 frustrations.

8 CHAIRPERSON RODRIGUEZ: Yeah. So,  
9 thank you, Council member Cabrera. I would like to  
10 acknowledge that also we were joined by Council  
11 member Reynoso. Thank you to the members of the  
12 panel for all three agencies. Now we have Council  
13 member Miller. So, with that, we will go.

14 COUNCIL MEMBER MILLER: Thank you, Mr.  
15 Chair. Thank you for your patience and to the panel  
16 coming up here and I'm pretty sure we are all on the  
17 same team here, but there are some significant  
18 concerns that the members have. I think they began  
19 with our Chair and the Speaker is articulated. But  
20 there is a uniqueness to this and I think that we all  
21 have specific issues, as well when we come to our  
22 particular districts. And as the member just  
23 mentioned, Councilman Cabrera, particularly when you  
24 have locations where municipal services are being  
25 delivered, courthouses and so forth, that it become

1 COMMITTEE ON TRANSPORTATION

102

2 very problematic, which leads me to my-- And I have  
3 some photos here and these are vehicles with plaques  
4 parked along the sidewalk. On the sidewalk. That's  
5 kind of on the tip and I am one who is-- I do  
6 believe that there are certain areas, designated  
7 areas, for certain parking that is amenable. But I  
8 think that, when you see that, it's kind of over-the-  
9 top. That they really begin to take advantage and it  
10 becomes disrespectful to pedestrians on to the  
11 communities that we all serve. So, in this  
12 particular case here, we have space dedicated to the  
13 community board, local elected and others have  
14 dedicated to community and parking. They were moved  
15 particularly from the major transportation on Parsons  
16 and Archer Avenue in Jamaica, Queens. The last stop  
17 on the J train. Around the corner to 153rd Street  
18 man three designated locations at Parsons. They now  
19 have almost the entire block around the corner.  
20 They've been retrofitted with signs. We have a kind  
21 of a bus stop shelter coming to accommodate this  
22 particular constituency and the pictures here will  
23 identify that this designated parking space we have a  
24 New York-- actually a Metropolitan transit Authority  
25 vehicle and we have several vehicles here which have

1 COMMITTEE ON TRANSPORTATION

100

2 courthouse parking placards and it. So there's a  
3 bigger problem and I think that speaks to the  
4 institution is whether or not we have enforcement.  
5 And what kind of enforcement that we have. I've  
6 witnessed, as you can see here, there are two  
7 commuter vans parked here. One double parked. The  
8 commuter van, which is double parked because the  
9 designated space allotted to them is being occupied  
10 by folks with plaques and the commuter van is being  
11 given a summons for being double parked. I can't see  
12 the logic in that and the placards that were  
13 illegally parked warrant issued summonses. Could you  
14 explain that?

15 OLEG CHERNYAVASKY: I think the only  
16 explanation is that they should have been issued  
17 summonses.

18 COUNCIL MEMBER MILLER: Okay. I can't  
19 believe that I'm even advocating on behalf of the  
20 commuter vans, but this is just-- Right is right.

21 OLEG CHERNYAVASKY: That-- That--

22 COUNCIL MEMBER MILLER: We've--

23 OLEG CHERNYAVASKY: That surprised me  
24 more about your question.

25 COUNCIL MEMBER MILLER: Yeah.

1 COMMITTEE ON TRANSPORTATION

110

2 [laughter]

3 COUNCIL MEMBER MILLER: So, but we as  
4 a community have, you know, we decided that this was  
5 a location and they just, day in and day out, they  
6 can't get in there. So much to the point that I  
7 spoke with the Commissioner over at DOT and it  
8 appears that they have sent on a solution that  
9 they're going to create a very unique sign: no  
10 parking except for commuter vans. This includes  
11 placards. Do we need to say that? Is it not  
12 necessarily the additional language that is  
13 necessary, but the will to enforce? First, is  
14 there-- to we still have kind of no summons zone  
15 issues?

16 OLEG CHERNYAVASKY: No. So I mean--

17 COUNCIL MEMBER MILLER: Do they have--  
18 How does that work?

19 OLEG CHERNYAVASKY: Yeah. I think  
20 there's certainly a will to enforce because where--  
21 I mean, and I'm just kind of thinking we had the  
22 exchange over the number of summonses and, you know,  
23 I repeated it a few times and we have--

24 COUNCIL MEMBER MILLER: 55,000.

25

1 COMMITTEE ON TRANSPORTATION

111

2 OLEG CHERNYAVASKY: Right. But, here's  
3 the interesting part about it. If you take a look at  
4 overall parking summonses, 2018 over 2017, we you  
5 have a six percent increase in parking summonses  
6 citywide. When you take a look at placards related  
7 summonses, we have a 30 percent increase citywide  
8 from 17 to 18. So there is certainly not an  
9 unwillingness to take enforcement there. There is  
10 actually seems to be four times the willingness to  
11 take enforcement with respect to placards and misuse  
12 in those cases. We're going to focus based on what  
13 we see, based on where our attention is called to,  
14 based on 311 where the complaint is coming direct to  
15 us. But there is always going to be, unfortunately,  
16 situations where we are not-- situations that you  
17 are going to bring to our attention as you did, as  
18 the speaker date, as the councilmembers did and we  
19 are going to focus on those areas, as well.

20 [background comments]

21 COUNCIL MEMBER MILLER: I'm sorry.

22 OLEG CHERNYAVASKY: [inaudible

23 02:00:42]

24 COUNCIL MEMBER MILLER: That last  
25 piece I just missed as we got distracted there.

1 COMMITTEE ON TRANSPORTATION

1 1 2

2 OLEG CHERNYAVASKY: Yeah. And we'll  
3 focus on those areas, as well. I mean, we consider--  
4 The locations that have been brought to our attention  
5 today we consider as community complaints. Right?  
6 Your representatives of the community and you are  
7 telling us, here are the issues in my district. This  
8 is what I see when I am around the city. To the  
9 extent we are not addressing those already, we're--  
10 I've taken notes. The chief is taking notes and we  
11 certainly plan on addressing those complaints when we  
12 get back to One Police Plaza.

13 COUNCIL MEMBER MILLER: Are there  
14 areas where summonses are not written?

15 OLEG CHERNYAVASKY: That I'm aware of,  
16 I think summonses are issued wherever they need to be  
17 issued. I mean, and again, we can-- We're not  
18 absolutely everywhere. We can't spot everything.  
19 There is always going to be a picture that pops up  
20 and says, oh, they're not taking enforcement here.  
21 But we are going to learn from that picture, go  
22 there, and ensure that the abuses addressed.

23 COUNCIL MEMBER MILLER: So, I can  
24 appreciate the 55,000, but, say, two years ago or  
25 maybe a little more now, there was an audit done in



1 COMMITTEE ON TRANSPORTATION

113

2 downtown Jamaica area and I believe there was about  
3 somewhere in the area of 180 designated placards that  
4 should have been in that area. On the day of that on  
5 it, there was an excess of 700 placards in the  
6 downtown area. A net total of about 500 that  
7 should've not been there times 365 or just not even  
8 the weekend, were talking about well over 150,000  
9 summonses in one particular assigned area for traffic  
10 enforcement agent. So if you look at it and multiply  
11 it throughout the city, you know, I believe that the  
12 purpose of traffic enforcement is due to exactly what  
13 the name indicates is to facilitate the save transfer  
14 and travels of traffic to move in a long. Not  
15 necessarily that were trying to generate revenue. I  
16 would like to see more of that. And so in the case  
17 is that they are involved in no standings and bus  
18 stops and bus lanes and bike lanes and so forth, I  
19 think absolutely there should be summons issued no  
20 matter whom it is. I don't abuse it. I take the two  
21 blocks opportunities to walk and do whatever we have  
22 to do. But there are certain communities that are  
23 overwhelmed and for those who whether or not we agree  
24 that there are these transportation deserts that  
25 communities-- I don't necessarily have access to

1 COMMITTEE ON TRANSPORTATION

114

2 public transportation and are forced to drive or  
3 drive for whatever reason. That's not a criminal  
4 offense to own a car. But they cannot park their car  
5 in their communities because hundreds of people are  
6 coming from outside the community. It's a worthy  
7 conversation. And whether you are Council member or  
8 traffic enforcement or police, fire, or any other  
9 agency, we all serve the city and have to figure out  
10 a way to exist cohesively and coming in and parking  
11 illegally parking on sidewalks really does damage to  
12 those relationships. And so it kind of erodes the  
13 integrity of what public service is here to do and I  
14 would submit that if this will stimulate the type of  
15 conversation that would just allow us to clean it up,  
16 you know, then I think then we've achieved our goals.  
17 You know, I don't want to be punitive. It is what it  
18 is, but there is an absolute proliferation of  
19 placards fraud. Everybody has one. There is  
20 duplicated. The bar code is a great idea. But there  
21 has to be the will to enforce and, certainly, some of  
22 the things that we have highlighted here today, some  
23 of the members-- As well as this particular instance  
24 here where we have dedicated a particular location  
25 for a group of folks and they can't get in. And no

1 COMMITTEE ON TRANSPORTATION

115

2 one's enforcing that at all. And then, the real  
3 irony is that you summons double parked vehicle  
4 because they can't get into their spot. That mind-  
5 boggling, to say the least. And so, I would hope  
6 that we could continue to have this conversation.  
7 These are really for public consumption. You're  
8 welcome to them and use them accordingly. But I,  
9 again, I thank you for coming here and having a  
10 really candid conversation. I know that I have had a  
11 conversation with the Commissioner and the Chief on  
12 each side and that we genuinely want to address these  
13 issues and the concerns. And so I look forward to  
14 working with the Council and the agencies involved to  
15 make sure that we can come to a real resolve that  
16 really respects and values communities that we all  
17 serve. Thank you, Mr. Chair.

18 CHAIRPERSON RODRIGUEZ: Thank you,  
19 Council member. Two brief questions. One is how  
20 many collective and-- If you have the information,  
21 how many collective bargaining agreements include a  
22 provision of parking permits for members and how many  
23 permits fall under these agreements?

24 MARGARET FORGIONE: We have heard from  
25 several agencies that their collective bargaining

1 COMMITTEE ON TRANSPORTATION

116

2 agreements do entail the provision of parking, but I  
3 don't have an overall number. We'd have to talk to  
4 OLR about that.

5 OLEG CHERNYAVASKY: You know, I know  
6 the collective bargaining agreement addresses  
7 parking. I don't know the extent to which it does,  
8 but it certainly does.

9 CHAIRPERSON RODRIGUEZ: Okay. And the  
10 administration announced that you would deploy tow  
11 trucks to combat a vehicle blocking bus lanes and  
12 obstruction of traffic. Something, of course, that  
13 all advocates and also poor. How are the use  
14 enforcement efforts being target and how many  
15 vehicles have been told? How many summons for each  
16 violation has been issued?

17 MICHAEL PILECKI: Are you talking  
18 about specifically those involving placards or just  
19 in general?

20 CHAIRPERSON RODRIGUEZ: Well, that's  
21 administration--

22 MICHAEL PILECKI: I can give you  
23 both.

24 CHAIRPERSON RODRIGUEZ: and on--

25

1 COMMITTEE ON TRANSPORTATION

117

2 MICHAEL PILECKI: So just in  
3 general--

4 CHAIRPERSON RODRIGUEZ: A vehicle  
5 blocking the, especially bus lanes.

6 MICHAEL PILECKI: Yeah. In 2018, we  
7 issued 33,600 bus lane violations which was a 61  
8 percent increase from 2017 where there was 20,843.  
9 Bus stops we were up nine percent. We actually had  
10 284,000 versus 260,000 the prior year. So, we did  
11 pretty well with that. In 2017 we were up from 2016.  
12 Bus lanes we were up 67 percent. 12,000 in 2016  
13 versus 20,020 17. So it's showing a nice increase in  
14 the past couple of years.

15 [background comments]

16 CHAIRPERSON RODRIGUEZ: The  
17 announcement that the Mayor made was recent. I know  
18 that it is going to share this data, that you share  
19 this data with us. But recently because everyone--  
20 You know, because of the issue that we faced with  
21 buses moving so slow and one of the reasons, among  
22 many, as the driver is blocking those buses or a  
23 vehicle is blocking those buses. So the Mayor  
24 announced that he would deploy tow trucks and that's

25

1 COMMITTEE ON TRANSPORTATION

119

2 not in 2018. This is recently. Like to you have any  
3 data already on how the program has been working?

4 MICHAEL PILECKI: Let me see. Well,  
5 I can tell you we have done a couple of bus lane  
6 initiative so far. Year to date on those initiatives  
7 bus stop parking summonses in 2019 there were 73,000  
8 versus the 68,000 for the same period last year.  
9 Moving violations this year we are slightly down. We  
10 have 2000 versus over 2000 last year. Unfortunately,  
11 that's all I can provide you with this time. We can  
12 get back to you with additional information.

13 CHAIRPERSON RODRIGUEZ: Okay.

14 [Background comments] I think where the moment  
15 right now where--

16 JOSHUA BENSON: We just-- Oh. Sorry.  
17 You wanted to go.

18 MARGARET FORGIONE: Okay. We just  
19 wanted to clarify one thing. Earlier at the  
20 beginning of hearing Speaker Johnson asked me for the  
21 total number of DOT, PD, DOE permits and I quickly  
22 added them up. My math is faulty. The correct  
23 number is 125,000. So, if there is a record, but a  
24 show the correct number in the record. Thank you.

25 [background comments]

1 COMMITTEE ON TRANSPORTATION

11a

2 CHAIRPERSON RODRIGUEZ: So, I believe  
3 that as we are, I can say I hope, close to this  
4 discussion about congestions price and I think that  
5 we have to not only think about how to put in new  
6 tolls to charge those cars that come to town will  
7 help on congestion [inaudible 02:11:22], but I think  
8 that what we are discussing today is also part of the  
9 solution on congestion. There was like a few years  
10 ago there was a whole summit at the UN and there was  
11 like some Mayors from London are one of the places  
12 and one of the questions about what you think, you  
13 know, how you think the city can do better on  
14 congestion and on [inaudible 02:11:45], the answer  
15 was enforcement. And I think that, even though, you  
16 know, we don't have the exact numbers of the data on  
17 how many individuals throughout the five boroughs,  
18 [inaudible 02:12:00] some identification, uniform, of  
19 ID's, of fake placards, it as an official placard,  
20 but we know, everyone knows, it's large numbers and  
21 this is something that we hope that we, you know,  
22 crack down on those cases and, as I said before, like  
23 I'm one of those who really understands that, you  
24 know, there's numbers of New Yorkers that, as I said,  
25 veterans, people with disabilities, other people who

1 COMMITTEE ON TRANSPORTATION

120

2 work in city agencies that they get it. They  
3 properly use it. But if we want to address  
4 congestions in New York City of Vision Zero, those  
5 abuse of placards has to stop and I hope that we can  
6 continue working with you guys. All the agencies  
7 working together and we from the Council doing our  
8 part. And I want to also thank DOT. On another  
9 topic, DOT and I know the NYPD has been also hopeful  
10 to work with those two close broad way from 44 to  
11 Union Square on April 27th as we are doing our fourth  
12 car free day. So lead by DOT and the team, Margaret  
13 Sipolli (sp?) and the rest of the team and I really  
14 appreciate, but I also know that the NYPD support is  
15 very important and because, in order to close  
16 Broadway on April 27th and dedicate it to celebrate  
17 Earth Day full of activities, there are many citywide  
18 institutions from NYU, Columbia, CUNY, and others and  
19 also most of the major city institutions, we will be  
20 celebrating Earth Day on April 27th by, again,  
21 closing Broadway from 44th to Union Square.  
22 Washington Heights from 181st to 190 and other  
23 locations. And those, that location, will be full of  
24 activities, but also discussion. On April 17th, we  
25 will be holding a panel on how to improve on



1 COMMITTEE ON TRANSPORTATION

121

2 transportations [inaudible 02:14:17] at Columbia  
3 University. So, you know, thank you, you know, to  
4 all of you and I hope, again, that when I'm not in  
5 the government anymore, that we made a commitment  
6 that DOT will continue holding this yearly event and  
7 closing the street and our city to celebrate Earth  
8 Day. So, thinking I was. So, with that, going to be  
9 calling the next--

10 LEGAL COUNSEL: Ellen McDermott, Eric  
11 McClure, Regina Meyer, John Orchid.

12 [background comments]

13 LEGAL COUNSEL: Greg Waltman. Diane  
14 Drozeck.

15 [background comments]

16 ELLEN MCDERMOTT: Thank you.

17 CHAIRPERSON RODRIGUEZ: You may begin.

18 ELLEN MCDERMOTT: Yes. Hello. Good  
19 afternoon. Thank you--

20 CHAIRPERSON RODRIGUEZ: Sorry, again.  
21 So we're putting the clock on two minutes. So--

22 ELLEN MCDERMOTT: Sure. Thank you  
23 Chairman Rodriguez for convening this hearing. My  
24 name is Ellen McDermott. I am the Interim Executive  
25 Director of Transportation Alternatives which is

1 COMMITTEE ON TRANSPORTATION

122

2 advocated for 45 years on behalf of New Yorkers for  
3 safer, more inclusive, and more livable streets. We  
4 fight for biking, walking, public transportation as  
5 the best alternatives to the automobile. I have  
6 submitted written testimony in support of all five  
7 bills being discussed today, but would like to use my  
8 time to speak about three in particular. Trans Alt  
9 supports intro 1394 is blocking bike lanes, bus  
10 lanes, crosswalks, sidewalks, or fire hydrants is  
11 already prohibited by law and not doing so, frankly,  
12 ought to be a matter of common sense. Blocking bus  
13 lanes can lead to delayed commutes for hundreds of  
14 transit riders. Blocking crosswalks makes  
15 intersections harder to navigate, especially for  
16 those with mobility impairments.

17 As we saw last summer after Australian  
18 tour is Madison Leiden (sp?) and was killed because  
19 the driver was parked in the bike lane on Central  
20 Park West, this illegal behavior can have deadly  
21 consequences. Municipal drivers ought to set the  
22 standard for good behavior on our streets and we  
23 cannot help but wonder if others are emboldened to  
24 break the laws because they see city owned cars and  
25 trucks parked illegally. Intro 1395, which would

1 COMMITTEE ON TRANSPORTATION

122

2 require 311 to accept photographic evidence of  
3 illegal parking and placard misuse, would be a useful  
4 tool in the campaign to end these behaviors. Drivers  
5 of a municipal vehicle or of personal vehicles with  
6 parking placards are able to park illegally without  
7 repercussions due to a long-standing tradition of  
8 professional courtesy. Transportation Alternatives  
9 supports legislation which would require drivers of  
10 municipal vehicles or personal vehicles with parking  
11 placards to provide a legitimate reason to park their  
12 vehicles in a way that impedes the movement of  
13 pedestrians, bicyclists, or transit riders. Finally,  
14 Trans Alt supports Intro 1422 which would better  
15 regulate the way parking permits or placards are  
16 allocated. Simply put, there are too many cars in New  
17 York City, so we stand in strong support of  
18 legislation which would better regulate and  
19 potentially place a limit on the number of parking  
20 permits or placards issued by the city. While this  
21 bill does not explicitly seek to address the sheer  
22 number of parking permits or placards that currently  
23 exist, we would encourage the DOT and the city  
24 Council to work towards reducing this number. Thank  
25 you.

1 COMMITTEE ON TRANSPORTATION

124

2 DIANE DROZECK: I'm not sure how this  
3 works, but I'm going to do it anyway. My first thing  
4 is what you think of the citizen who had, crossing  
5 the street-- simply crossing in a crosswalk-- to  
6 broken feet from a pothole and a plate that wasn't on  
7 right? I am told by the city legal department being  
8 that I'm the first one hurt and that pothole, they  
9 are not liable. They didn't even offer to pay for  
10 any of my medical. No citizen who walks in the  
11 crosswalk should have to be told, well, tough. Were  
12 sorry you got hurt. It may not be our-- it may be  
13 our fault, they even said, but you are the first one  
14 hurt. There's a law saying notification that they,  
15 the city, is not responsible until someone reports  
16 that hole or deformity and they have 14 days to fix  
17 it. But my concern is that they have a law of  
18 accessibility under the ADA laws of accessibility  
19 that crosswalks are supposed to be accessible for the  
20 disabled. Well, leaving potholes until someone else  
21 reports a pothole or just examine the streets, that  
22 means someone is not doing something. The point is,  
23 how do you have one law saying they are responsible  
24 and another law, the city code, saying they're not?  
25 And I called your legal department and they go, we

1 COMMITTEE ON TRANSPORTATION

125

2 have 400 lawyers, but we are not allowed to talk to  
3 you. The point is, are these two laws, they are  
4 formed under the Department of Transportation and  
5 [inaudible 02:20:44]. I'd like to get answers. I  
6 went to DOT to find out who actually looks for the  
7 potholes. I found out it's been totally on 311  
8 calls. I don't think New York City knows that the  
9 only times they investigate a pothole as if someone  
10 else reports. They don't go examining or observing,  
11 which I was shocked. Now, I would like your opinion.  
12 How would you feel if you are crossing the street and  
13 it says walk and there's many holes.

14 [background comments]

15 DIANE DROZECK: Okay. I'm sorry. I  
16 can't--

17 CHAIRPERSON RODRIGUEZ: Your name,  
18 please. Can you please state your name?

19 DIANE DROZECK: Oh. Diane Drozeck.  
20 Basically--

21 CHAIRPERSON RODRIGUEZ: [inaudible  
22 02:21:35]

23 DIANE DROZECK: Oh. So it's two  
24 minutes. I didn't know.

25

1 COMMITTEE ON TRANSPORTATION

126

2 CHAIRPERSON RODRIGUEZ: [inaudible  
3 02:21:40]

4 DIANE DROZECK: Okay.

5 CHAIRPERSON RODRIGUEZ: It's important  
6 to you. It is in the record, but I have to keep  
7 listening to the rest of the panel.

8 DIANE DROZECK: Okay. Thank you. Thank  
9 you.

10 Thank you, Mr. Chair and thank you to the  
11 Speaker for holding the hearing today. My name is  
12 Eric McClure. I am the executive director of  
13 StreetsPAC. Illegal parking and the misuse and abuse  
14 of parking placards cause a significant problem for  
15 New York City, so we are grateful that the Council  
16 has introduced legislation to address these vexing  
17 issues and is holding today's hearing to discuss  
18 them. Coupled with recent initiatives announced by  
19 the mayor, we are hopeful that these efforts can  
20 begin to put a dent in the problem. Illegal parking  
21 placard abuse have many negative consequences  
22 including the obstruction of crosswalks, sidewalks,  
23 and bike lanes that puts the safety of our most  
24 vulnerable street users at risk, often gravely.  
25 Illegally parking in bus lanes disrupts commutes and

1 COMMITTEE ON TRANSPORTATION

127

2 inconveniences dozens of passengers at a time.  
3 Blocked access to fire hydrants is a potential  
4 catastrophe every time it happens. Furthermore, the  
5 prevalence of the misuse of placards, let alone their  
6 illegal proliferation, incentivizes driving that adds  
7 to congestion and we shouldn't overlook the fact that  
8 placard abuse has in eroding the public's faith and  
9 trust in government. The placards corruption twitter  
10 account has put the spotlight on the problem of  
11 placards abuse and miss users of parking permits  
12 provide a seemingly never-ending supply of material  
13 for that twitter feed. We support Intro 1393 which  
14 would require the weekly evaluation of sites prone to  
15 misuse of permits and illegal parking, and though we  
16 have reservations about having NYPD take the lead on  
17 data collection. Since evaluating the problem  
18 wouldn't require immediate enforcement, we're that  
19 the work being done by another agency, given the  
20 degree to which placards misuse seems to be done by  
21 police officers. We also support the intent behind  
22 Intro 1394 which would prohibit the illegal parking  
23 of city vehicles except in emergencies. These  
24 vehicles, however, don't park themselves and we  
25 believe that the legislation needs to outline

1 COMMITTEE ON TRANSPORTATION

128

2 consequences for city employees who might park  
3 vehicles in violation of these rules. The same is  
4 true for Intro 1395 which would require 311 to accept  
5 complaints and photographic evidence regarding the  
6 misuse of permits and illegal parking. Without  
7 explicit consequences for the city employees  
8 responsible for such actions, we are unsure of how  
9 effective such prohibitions might be. Illegal  
10 parking has consequences for those who love to avoid  
11 or deal with it and it should have consequences for  
12 those who perpetuate it. We strongly support Intro  
13 1412, which would require the towing of any vehicle  
14 blocking the sidewalk, crosswalk, hydrant, bike lane,  
15 or bus lane. Towing is a real consequence that word,  
16 undoubtedly, create a much stronger incentive for  
17 people to avoid illegal behavior than with summonses  
18 alone. Given the significant potential for improving  
19 the safety of pedestrians, cyclist, and motorists, as  
20 well as for improving conditions for bus riders, we  
21 urge the expeditious passage of this legislation.  
22 Lastly, we also strongly support Intro 1422 which  
23 would standardize the process of applying for and  
24 granting city issued parking permits and increased  
25 transparency around the issuance of placards. The



1 COMMITTEE ON TRANSPORTATION

12a

2 process outlined by this legislation would make the  
3 misuse of permits more difficult and the civil  
4 penalties for misuse would create a real consequence  
5 for placard abusers. We urge quick passage and  
6 implementation of this legislation. The ultimate  
7 solution to reducing the misuse of placards in the  
8 role of illegal parking is for the cities to  
9 significantly reduce the number of parking permits  
10 that it issues. We hope that the Council will take  
11 up such an effort and explore ways to incentivize  
12 city personnel to use public transit rather than  
13 drive. We would all be better off as a result.  
14 Thank you.

15 CHAIRPERSON RODRIGUEZ: Thank you.

16 JOHN ORCUTT: Thanks, Chairman. I'm  
17 John Orcutt with Bike New York. We support the  
18 legislation that you are looking at and we really  
19 appreciate the Council's attempt to really raise the  
20 profile of this issue that New Yorkers are so  
21 frustrated by. Speaker Johnson is right that the  
22 enforcement that is going on is not sufficient to the  
23 scale of the problem. This is an unbelievably  
24 widespread daily issue in your map showed up. You  
25 know, in addition to the placard abuse twitter

1 COMMITTEE ON TRANSPORTATION

120

2 handle, there is cops in bike lanes. Hashtag cops  
3 and bike lanes. Twitter handle cops in bike lanes.  
4 Cops in bike lanes tumblr page. This is stuff we see  
5 on the time and, really, you know, the cops are not  
6 out there and towing their own cars. They are not  
7 out there telling FDNY ambulances and SUVs. That is  
8 just not happening. The Speaker's new transportation  
9 plan calls it a culture of disregard and really, what  
10 we've let happen in the city over generations is  
11 allowing entitled class of government employee  
12 drivers to emerge and they feel like they play by an  
13 entirely different set of rules. The little  
14 technical fixes that you heard from DOT and, you  
15 know, the sort of number mumbo-jumbo that you are  
16 getting from the PD, they're not going to fix this.  
17 And I think one of the unfortunate things of this  
18 hearing is that we focused entirely on enforcement.  
19 City government agencies in New York are not  
20 democracies. They are command-and-control outfits.  
21 If the commissioner says you are going to stop  
22 parking in those bike lanes-- And DOT does this  
23 because it's very embarrassing for DOT when we take a  
24 picture of one of their cars in a bike lane or a bus  
25 lane though they have created. You know, I don't

1 COMMITTEE ON TRANSPORTATION

1 2 1

2 think the Department of buildings, the sanitation  
3 Commissioner, certainly not PD Commissioner are  
4 talking to their people and saying, you've got to get  
5 out of the damn bus lanes. You've got to stay out of  
6 the bike lanes. It's not happening. That message is  
7 not getting through to the people who are driving  
8 those city government vehicles every day. They are  
9 having lunch in the bike lanes. They are smoking  
10 cigarettes in the bus lanes. That's what they're  
11 doing every day. It comes down to a lot of  
12 management issues. Commissioners need to be saying  
13 this stuff to their workers, to their Deputy  
14 Commissioners. No Deputy Commissioner wants to get  
15 reamed out by their Commissioner. Commissioner does  
16 not want to get reamed out by the Mayor, but that's  
17 not happening anywhere in the chain in the DeBlasio  
18 administration. The Mayor is getting on the radio  
19 and muddying the waters and saying that it is okay to  
20 pull over in a bike lane just for a few minutes.  
21 This comes down to the Mayor and this is a huge  
22 problem because this is a culture of disregard that  
23 is built up over a long period of time. We can have  
24 a bike friendly New York and we have one part of city  
25 government working on that, but one part of DOT

1 COMMITTEE ON TRANSPORTATION

122

2 creating good designed by claims that eventually link  
3 up to each other isn't going to do it. We need a  
4 huge number of city agencies getting that that is a  
5 city policy and a city goal and that they are all  
6 responsible for meeting it.

7 CHAIRPERSON RODRIGUEZ: Thank you.

8 JOHN ORCUTT: Thank you.

9 CHAIRPERSON RODRIGUEZ: Thank you.

10 Now I'm calling the next panel.

11 LEGAL COUNSEL: Greg Waltman and Todd  
12 Mizel.

13 CHAIRPERSON RODRIGUEZ: If there's any  
14 question, after the hearing is over. Like in 10  
15 minutes.

16 DIANE DROZECK: [inaudible 02:32:00]

17 CHAIRPERSON RODRIGUEZ: I will.

18 DIANE DROZECK: [inaudible 02:28:27]

19 GREG WALTMAN: Do you want to go first?

20 TODD MIZEL: Sure.

21 GREG WALTMAN: You can go first.

22 TODD MIZEL: Councilman, I have a  
23 statement here. I'm not going to read it. I'm just  
24 going to give it to you. Part of the thing is it was  
25 actually a pleasant surprise to hear that you were

1 COMMITTEE ON TRANSPORTATION

122

2 interested in including us in the placard-- in  
3 getting us placards. You're going to have to excuse  
4 my pessimism on that. It took seven month for  
5 council staff to get back to us on any of the  
6 compromises that we offered on the bill that is  
7 existing. Intro 332. And when I heard from them,  
8 oh, well, we can help you with your placard bill.  
9 And I said, wait a second. We don't have a placard  
10 bill. And he didn't seem to know what I was talking  
11 about. I don't understand that. We've offered  
12 compromises and we don't get a response. Now, on  
13 some of these other things, you've got all these city  
14 vehicles coming in through the city. Probably  
15 congestion pricing is going to help that because I've  
16 heard from some of my Staten Island comps that say,  
17 oh, my God. I'm going to pay 27 dollars to come in  
18 each day. Maybe they will take the ferry. You  
19 should also, the next time you have a hearing, bring  
20 Department of Finance in here and find out exactly  
21 how many of those tickets are being dismissed. I'm  
22 going to leave you with this statement. I'm not  
23 going to waste anymore of your time.

24 CHAIRPERSON RODRIGUEZ: Thank you.

25 TODD MIZEL: Your turn.

1 COMMITTEE ON TRANSPORTATION

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2 GREG WALTMAN: Good afternoon, Greg  
3 Waltman. I represent a clean energy company, G1  
4 Quantum. I'm going to find it hard to parse through  
5 some of these narratives to include clean energy, but  
6 I guess we could approach it from a vehicle  
7 contractual point of view. Perhaps congestion and  
8 the type of toxicity in the air and environment  
9 related to exclusive-- I've never seen a Tesla  
10 police or government vehicle. Maybe that is  
11 something that could be included in the type of  
12 fiscal year 2020 as you build a vision not only for  
13 2020, but 2030 where different types of quantum  
14 tracks and other types of proprietary track  
15 enhancement that could be supplemented to the current  
16 infrastructure of New York City could go a long way  
17 in creating the first ever self-sustainable city in  
18 the world. Now, that doesn't have too much to do  
19 with placards, but if we could approach it from,  
20 maybe, a congestion point of view. If the binding or  
21 contractual agreements that could be created could  
22 create different types of an outlook for the city  
23 which could be positive. Thank you.

24 CHAIRPERSON RODRIGUEZ: So with that,  
25 we come to the end of this hearing. I would like to

1 COMMITTEE ON TRANSPORTATION

125

2 hearing. I would like to thank the committee staff,  
3 Jane DiGiovani, Counsel Elliot Lean (sp?), Counsel  
4 Emily Ronin (sp?), Senior Policy Analyst Rich Orvelos  
5 (sp?), Senior Policy Analyst Shema Overtet (sp?),  
6 Finance Unit Head and John Basille (sp?) Finance  
7 Analyst. So with that, this hearing is adjourned.

8 [gavel]

9 [background comments]

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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 conversation there is interest in the outcome of this matter.



Date April 30, 2019