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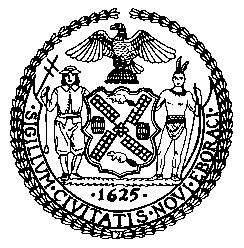
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**THE COUNCIL OF THE CITY OF NEW YORK**

**COMMITTEE REPORT OF THE INFRASTRUCTURE DIVISION**

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**COMMITTEE ON TRANSPORTATON**

Hon. Ydanis Rodriguez, Chair

**May 5, 2021**

**INT. NO. 1811:** By Council Member Powers and the Speaker (Council Member Johnson)

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to the creation of a theatre district safety zone

ADMINISTRATIVE CODE:Adds section 19-157.1 to subchapter 1 of chapter 1 of title 19

**INT. NO. 1819:** By Council Members Holden and Kallos

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to street markings indicating locations of fire hydrants

ADMINISTRATIVE CODE:Adds section 19-159.4 to subchapter 1 of chapter 1 of title 19

**INT. NO. 2253:** By the Speaker (Council Member Johnson) and Council Members Powers and Rivera

TITLE: A Local Law in relation to creating a pilot program to establish micro-distribution centers for distributing goods via sustainable modes of transportation

**INT. NO. 2277:** By Council Member Powers

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to commercial loading zones

ADMINISTRATIVE CODE:Adds section 19-157.1 to subchapter 1 of chapter 1 of title 19

Amends paragraph 2 of subdivision f of section 19-162.3 of subchapter 2 of chapter 1 of title 19

Amends subdivision a of section 19-170 of subchapter 2 of chapter 1 of title 19

Adds section 19-170.1 to subchapter 2 of chapter 1 of title 19

**INT. NO. 2279:** By Council Member Reynoso

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to expanding commercial loading zones

ADMINISTRATIVE CODE:Adds section 19-170.1 to subchapter 2 of chapter 1 of title 19

**INT. NO. 2280:** By Council Member Reynoso

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to requiring secure package storage in certain buildings

ADMINISTRATIVE CODE:Adds article 506 to chapter 5 of title 28

**INT. NO. 2281:** By Council Member Rivera

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to creating an office of sustainable delivery systems and requiring large generator of truck traffic buildings to produce and implement a delivery and servicing plan

CHARTER: Adds section 652 to chapter 26

ADMINISTRATIVE CODE:Adds article 323 to chapter 3 of title 28

**INT. NO. 2282:** By Council Members Rodriguez and the Speaker (Council Member Johnson)

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to redesigning the truck route network to improve safety and reduce traffic congestion and emissions

ADMINISTRATIVE CODE:Adds section 19-192.1 to subchapter 3 of chapter 1 of title 19

**RES. NO. 1610:** By Council Member Rodriguez

TITLE: Resolution calling on the New York State Legislature to pass, and the Governor to sign, S.2757/A.6748, which would change the existing width restriction that makes most electric cargo bicycles illegal

**INTRODUCTION**

On May 5, 2021, the Committee on Transportation, chaired by Council Member Ydanis Rodriguez, will hold a hearing on Int. No. 1811-2019, in relation to the creation of a theatre district safety zone, Int. No. 1819-2019, in relation to street markings indicating locations of fire hydrants, Int. No. 2253-2021 in relation to creating a pilot program to establish micro-distribution centers for distributing goods via sustainable modes of transportation, Int. No. 2277-2021, in relation to commercial loading zones, Int. No. 2279-2021, in relation to expanding commercial loading zones, Int. No. 2280-2021, in relation to requiring secure package storage in certain buildings, Int. 2281-2021, in relation to creating an office of sustainable delivery systems and requiring large generator of truck traffic buildings to produce and implement a delivery and servicing plan, Int. No. 2282-2021 in relation to redesigning the truck route network to improve safety and reduce traffic congestion and emissions, and Res. 1610-2021, calling on the New York State Legislature to pass, and the Governor to sign, S. 2757/A.6748, which would change the existing width restriction that makes most electric cargo bicycles illegal. Those invited to testify include the Department of Transportation (DOT), the Department of Buildings (DOB), delivery and logistics companies, transportation advocates, business improvement districts and other interested parties.

**BACKGROUND**

*Truck & Freight Trends*

Of the 365 million tons of cargo that enter, leave, or pass-through New York City (NYC) each year, 89 percent is carried by a truck.[[1]](#footnote-1) In 2045, the same proportion is expected to be delivered by truck, but the tonnage is expected to increase by 68 percent to 540 million tons.[[2]](#footnote-2) According to DOT’s 2018 Mobility Study, 41 percent of New Yorkers received a delivery at their home at least a few times per week.[[3]](#footnote-3) Before COVID-19, trucks accounted for roughly 13 percent of NYC’s transportation emissions, 12 percent of vehicle traffic, and at least 12 percent of pedestrian deaths as the result of traffic crashes. COVID-19 has led to significant growth in e-commerce deliveries over the last year, with the New York Times estimating that over 2.4 million packages are delivered every single day in NYC.[[4]](#footnote-4) According to an analysis by José Holguín-Veras and Cara Wang, professors at Rensselaer Polytechnic Institute who work on transportation issues, daily grocery deliveries have more than doubled, restaurant and prepared food deliveries have increased by 12 percent and household goods deliveries have jumped by 24 percent since the onset of COVID-19.[[5]](#footnote-5)

City data shows that 80 percent of deliveries are to residential customers, compared with 40 percent before the outbreak.[[6]](#footnote-6) This higher delivery ratio among residential populations is driven at least in part by the rapid expansion of e-commerce and direct to consumer delivery markets, in which smaller, more frequent deliveries are split across dozens of product-specific companies (e.g. Amazon Prime Now, Amazon Fresh, FreshDirect, Instacart, etc.). According to a McKinsey Report, innovations in business to consumer on-demand urban delivery markets has attracted $5 billion in venture capital investments since 2014 in response to “latent demand” for instant and same-day deliveries.[[7]](#footnote-7) Without a place for trucks to go, they have little choice but to block car traffic, bus lanes, or bike lanes.

*Commercial Loading Zones*

With the increase of e-commerce deliveries as the result of COVID-19, increased demand for rapid and same-day delivery services, and the reallocation of curbside space for bus and bike lanes, as well as the Open Streets and Open Restaurants programs, the likelihood of conflicts along our curbs continues to rise. A 2016 City-commissioned congestion study asserts that traffic congestion is “significantly affected by how curb space is managed,” noting that “when there is inadequate space at the curb for trucks and delivery vehicles and those vehicles double park, they can remove a full lane or more from traffic service.”[[8]](#footnote-8)

Transportation advocates have been particularly concerned about trucks blocking bus and bicycle lanes while making deliveries.[[9]](#footnote-9) Additional conflicts are created as the result of delivery companies’ practice of sorting and re-ordering packages on the street, in bike lanes, and on sidewalks to plan for more efficient last-mile deliveries (i.e. unloading the truck to place packages in the order in which they will be delivered).

One key solution for these conflicts is the creation of more spaces dedicated for loading and unloading, particularly in dense residential areas with commercial and manufacturing activity. In its 2016 strategic plan, DOT committed to expanding the use of off-hours deliveries and exploring “opportunities for micro freight distribution centers in highly congested commercial areas” using “curb space now dedicated to commercial loading”.[[10]](#footnote-10) It is unclear, however, if DOT has taken any actions to implement that recommendation. Similarly, New York State (NYS) DOT called for “Green Commercial Loading Zones” in a 2014 report produced in partnership with NYSERDA, which proposed the creation of dedicated space for these sorting and re-ordering activities to occur, specifically reserved for companies using more sustainable modes of transportation to deliver goods to their final destination, to encourage the industry’s adoption of smaller electric vehicles, cargo bikes, and the use of hand trucks.[[11]](#footnote-11) Likewise, it is unclear if any efforts have been made to implement the NYS DOT proposal. UPS noted that dedicated space for disgorging modular units off of trucks and onto cargo bikes was “the secret of Seattle’s success” in its cargo bike pilot with UPS and is notably missing from DOT’s cargo bike pilot.[[12]](#footnote-12)

Delivery and logistics industry representatives also raised the 3-hour time restriction imposed on commercial loading zones as a challenge for delivery companies in NYC. A given delivery worker may spend well over 3 hours delivering packages to just a handful of buildings on the same block given the height and density of NYC’s building stock. The 3-hour time restriction often results in trucks circling the block to find a new parking spot to avoid tickets, increasing vehicle miles travelled, congestion, and emissions. Where additional parking spots are not available, this commonly results in double-parking and idling, raising additional safety and congestion concerns. The logistics industry has also raised placard parking as a constraint on available commercial loading zones, especially in Manhattan below 60th street. Finally, industry representatives noted that construction activity can sometimes result in the displacement of existing loading zones where staging or equipment takes up curbside space.

*Residential building design*

Given the increased rate of residential deliveries, the design of residential buildings must also be considered when discussing freight and delivery challenges in NYC. According to committee staff conversations with the VREF Center of Excellence for Sustainable Urban Freight Systems, a building with 5,000 people will get about 600 deliveries every day. These buildings serve a delivery consolidation function to a certain extent, but the sheer volume of deliveries that these buildings demand, in combination with industry trends toward product-specific rapid delivery services, will increasingly require thoughtful planning and intervention.

The lack of secure spaces for packages in residential buildings raises the most obvious concerns. The rate of failed first delivery attempts in some cities is as high as 15 percent, which ultimately generates additional and unnecessary truck trips, traffic congestion, and emissions to make a second delivery attempt.[[13]](#footnote-13) In many cases where a customer signature is not required, packages are left in unsecure locations, which according to the New York Times led to the theft of 90,000 packages every single day in 2019.[[14]](#footnote-14)

*Truck Routes & Land Use*

There are roughly 1,300 miles of truck routes that support industrial business operations and meet consumer demand in NYC.[[15]](#footnote-15) Environmental justice advocates have long pointed to the issues that significant truck traffic produces in NYC’s low-income communities of color, including high rates of respiratory illnesses like asthma, indicating a need for concerted mitigation efforts in coordination with the communities most affected by the City’s truck traffic and routes.[[16]](#footnote-16) Emerging market trends and land use patterns also point to the need for a robust assessment and redesign of the City’s truck routes. As noted by Kendra Hems of the Trucking Association of New York, there are certain parts of the city where home deliveries now outpace commercial deliveries: “trucks are having to make deliveries in areas where 10 years ago they may not have had to go down that street.”[[17]](#footnote-17)

Conversations with stakeholders in the trucking and the logistics sector also revealed a need for the replacement and/or relocation of truck route signage for increased visibility and resultant compliance. A 2002 Texas Transportation Institute study found that “higher observation points were associated with lower specific luminance measurements.” [[18]](#footnote-18) In other words, the truck route signs were not installed high enough to reflect the light from trucks’ headlights and were therefore far more visible to passenger cars than the trucks and commercial vehicles that need to see them the most.[[19]](#footnote-19)

The coordination of truck route design with emerging land use patterns in logistics and other truck-heavy industry is also critical. In 2016, 2.2 million square feet of NYC distribution space was for e-commerce deliveries. In 2019, 3.8 million square feet of additional e-commerce space was planned or under construction.[[20]](#footnote-20) Since the onset of COVID-19, Amazon has purchased at least nine new warehouses within city limits, including a 1 million-plus square foot building in Queens that will now be the largest in New York.[[21]](#footnote-21) The location and siting of these facilities are largely as-of-right in the City’s industrial neighborhoods.

Many cities are taking efforts to regulate the use of logistics land in order to allow for the market to deliver more efficiently.[[22]](#footnote-22) For example, Paris convened a working group of stakeholders, including state and regional actors, to produce a land use plan for the City’s freight and deliveries.[[23]](#footnote-23) The plan focused on identifying penetration points of goods of various sizes and established three types of places, with associated land use and zoning recommendations, for multiple modal logistics platforms, cross-docking places, and pick-up spaces like automated lockers, in coordination with its truck routes and analyses of truck traffic patterns.[[24]](#footnote-24)

DOT last updated its truck route map in 2015 and has since made minor updates to routes in Staten Island. DOT is reportedly updating its truck route maps, but it is unclear when such updates will be implemented, what if any street design upgrades will be implemented, whether DOT will engage a broad set of stakeholders, or if DOT will consider implementation of policies that require coordination of other city agencies such as the DOB or the Department of City Planning among others to sufficiently address NYC’s emerging land use and market changes.

*Large Commercial Buildings*

Some cities have implemented policies to mitigate the impact of truck traffic generated by the City’s large commercial buildings. For example, the City of London’s Local Plan currently requires a Delivery Service Plan (“DSP”) to be produced for all major developments where development is likely to cause significant impacts on the network. Smaller developments which do not currently have a formal requirement can also voluntarily adopt a DSP to help manage deliveries to the site.[[25]](#footnote-25) London for Transport’s Delivery and Service Plans provides guidance to property owners on how to better manage deliveries, including data collection and concrete tools like setting up a delivery booking system, off-hour deliveries, reviewing the supply chain to find efficiencies/consolidate vendors, and creating centralized ordering systems.Applicants are required to submit specific and concrete data analysis and action plans along with permit applications for development.[[26]](#footnote-26) Academic research has shown that Delivery and Servicing Plans have reduced costs and externalities by more than 50 percent in some cases, through reductions in the number of suppliers, grouping deliveries, selecting less distant suppliers, and other interventions.[[27]](#footnote-27) In a DOT report to the Council required by Local Law 189,[[28]](#footnote-28) DOT committed to begin developing guidance for implementing Delivery and Service Plans in partnership with building and property owners. However, there is little evidence that DOT has moved such efforts forward.

*The City’s commercial delivery efforts*

In 2010, in conjunction with partners in the federal government, academia, and private industry, DOT completed a pilot program—which later became the Off-Hours Delivery Program[[29]](#footnote-29)—in which businesses were offered financial incentives to receive deliveries during overnight hours instead of during the business day.[[30]](#footnote-30) According to DOT, trucks making deliveries experienced fewer delays, easier parking, and reduced congestion.[[31]](#footnote-31) Further, many of the delivery companies and receiving businesses experienced cost savings, with some businesses using unassisted delivery systems, which allow delivery companies to make deliveries while minimizing the need for the receiving business’s employees to be present by, for example, providing a key to the delivery company to access a designated area of the business to drop off goods.[[32]](#footnote-32)

The City’s 2016 congestion study noted that “vehicles circulating in a search for parking and engaged in parking maneuvers can also have a significant impact on congestion.”[[33]](#footnote-33) DOT’s 2016 Strategic Plan also committed to exploring ways to “increase the efficient use of curb space in busy commercial areas with smarter curb regulations and innovative pricing strategies.”[[34]](#footnote-34) This includes the ParkSmart program, which employs dynamic parking meter pricing based on demand for parking in selected neighborhoods, with the goal of increasing the number of available metered spaces, thereby reducing the congestion associated with motorists who are cruising for parking.[[35]](#footnote-35) In 2013, the agency also tested parking availability technology in the Arthur Avenue area of the Bronx, which allowed motorists to remotely see available parking spaces, in a similar effort to reduce cruising.[[36]](#footnote-36) DOT has also now fully deployed ParkNYC, which allows motorists to pay for parking meters via a smartphone app, phone, or online.[[37]](#footnote-37) This technology makes it easier to implement various parking management policies, including expanded use of dynamic pricing.

In October of 2017, Mayor de Blasio announced a “Congestion Action Plan.”[[38]](#footnote-38) The aim of this five-point plan was “to ease congestion in busy thoroughfares across the five boroughs.”

The plan includes five initiatives; in brief, these initiatives are:

* Clear Intersections: blocking the box
* Clear Curbs: restrictions on parking and loading
* Clear Lanes: restrictions on parking to create new travel lane
* Clear Zones: studying commercial districts outside of Manhattan
* Clear Highways: work to convene task forces for highways outside City’s jurisdiction

Most relevant to the issue of commercial deliveries are the Clear Curbs and Clear Lanes initiatives, launched in the spring of 2018.[[39]](#footnote-39) Clear Curbs, a pilot program with locations in Midtown Manhattan, Flatbush Avenue in Brooklyn, and Roosevelt Avenue in Queens, aimed to restrict curbside parking and loading on both sides of the street during morning and evening rush hour, and was coupled with increased enforcement. The idea was that restrictions on curbside access would also reduce travel lane blockages.

Clear Lanes, an initiative focused on Midtown Manhattan, imposed curbside restrictions on one side of the street during daytime hours and permits deliveries on the opposite curb, and is coupled with increased enforcement. The Congestion Action Plan as a whole and the Clear Lanes and Clear Curbs in particular faced much public criticism. Many argued that the City rushed the plan and did not anticipate how much disruption would be caused to deliveries.[[40]](#footnote-40) DOT ended the Clear Curbs pilot on Roosevelt Avenue early, in August of 2018, after local opposition, particularly from local elected officials and businesses,[[41]](#footnote-41) though transportation advocates were more supportive.[[42]](#footnote-42) At the time, DOT stated that it would “adjust” the Queens pilot, but it would remain in place in Manhattan and Brooklyn until the end of the pilot later in 2018.

In late 2018, DOT began implementing parking meter rate increases citywide, the first such increases since 2013.[[43]](#footnote-43) The amount of the increase depends upon location and length of time parking time, with the highest increases coming in high-density areas and commercial districts. Hourly rates for passenger vehicle zones now range from $1.25—up from $1.00—to $7.50—up from $3.50. For commercial zones, the rates were $4.00-6.00, and will now be from $5.00-7.00.

In July 2019, the City rolled out the Neighborhood Loading Zone pilot program in response to the growth of e-commerce deliveries on residential streets and for-hire vehicle trips throughout the City which according to DOT “have changed the way New Yorkers use our curbs.”[[44]](#footnote-44) The Neighborhood Loading Zone program aims to reduce double parking on narrow residential streets by providing space at the curb for activities such as package deliveries by commercial vehicles, taxi and car service pick-up and drop-off, and active loading and unloading of personal vehicles.[[45]](#footnote-45) The program provides dedicated curb space for these activities during daytime and evening hours to help reduce double-parking as well as other unwanted standing behaviors, creating a safer and more efficient environment for all road users.[[46]](#footnote-46) The program is specifically designed to reduce conflicts between trucks and cyclists, improve bus travel times, and better serve all of the activities that occur on our City’s streets.[[47]](#footnote-47) To date, the program has been implemented in 26 neighborhoods across all five boroughs at 26 locations.[[48]](#footnote-48)

The program has faced some pushback, particularly in residential neighborhoods in Brooklyn where some nearby residents have voiced opposition to the removal of free parking for private vehicles, including in neighborhoods in which Community Board voted to support the program.[[49]](#footnote-49) However, DOT has found these loading zones to be extremely effective, cutting down on double-parking by as much as 73 percent on blocks where it is in effect.[[50]](#footnote-50) As noted by Streetsblog, cutting down on double-parking not only helps to reduce congestion but also has the potential to save lives: Blocked roadways and bike lanes have figured in any number of crashes, including the 2018 crash that killed cyclist Madison Lyden, who was forced out of the Central Park West bike lane by a parked livery car and into the path of a garbage truck.[[51]](#footnote-51)

Transportation advocates support the Neighborhood Loading Zone program, but some have noted that while DOT should be applauded, NYC is still far behind the curve on creating sufficient dedicated space for loading and unloading. Transit advocate Doug Gordon remarked to Streetsblog in March 2019 “…the fact that a city as big as New York has so few loading zones and is still piloting something that is standard practice all over the world is not something we should ignore. We have a lot of catching up to do just to make our streets function at a very basic, rational level. We’re way behind where we need to be.”[[52]](#footnote-52)

In December 2019, the City announced a commercial cargo bike program to reduce delivery congestion through the use of cargo bicycles.[[53]](#footnote-53) The program brought an estimated 100 cargo bikes from major delivery companies to the City’s most crowded streets in midtown and downtown Manhattan.[[54]](#footnote-54) However, the program has faced criticism for its small scope and lack of dedicated space for trucks to unload its modular units onto Cargo Bikes.[[55]](#footnote-55) A serious constraint to the increased use of and proliferation of cargo bikes in the logistics sector is New York State’s prohibition of pedal assist e-bikes over 36 inches in width.[[56]](#footnote-56)

**ANALYSIS OF INT. NO. 1811**

Int. No. 1811 would create a pedestrian safety zone in the Theatre District in Manhattan, called the Theatre District safety zone, where pedestrians would have space to safely travel along the sidewalk. Individuals engaged in certain designated activities, including but not limited to commercial activities, entertainment, performances or the taking of pictures, would be determined to engage in such activities for the entire time such individuals interact with the public. DOT may establish rules to address public safety concerns in the Theatre District safety zone. Additionally, the bill would create an interagency working group that would ensure communication and coordination on issues related to designated activities in the Theatre District safety zone. The interagency working group would meet every quarter, develop and distribute education materials regarding designated activities, and hold bi-annual meetings open to individuals engaged in designated activities.

**ANALYSIS OF INT. NO. 1819**

Int. No. 1819 would require DOT to mark the location of each fire hydrant located next to a public street by painting a symbol in the middle of the street immediately adjacent to the fire hydrant, and maintain such markings so that they remain clearly visible.

**ANALYSIS OF INT. NO. 2253**

Int. No. 2253 would require DOT to establish a pilot program by that creates at least 12 micro-distribution centers. The micro-distribution centers would be required to be no less than 800 square feet in size and used exclusively for transferring goods from commercial vehicles to sustainable modes of transportation, such as cargo bicycles, electric vehicles, or hand trucks, that would distribute such goods to their final delivery points. Electric vehicle charging infrastructure would be required to be available at a minimum of three centers and DOT would be required to create a system to allow commercial vehicle operators to reserve a time to use a micro-distribution center. The bill would also create penalties for accessing and using a micro-distribution center without having properly registered with DOT or without securing a reservation, as well as for using non-sustainable modes of transportation to distribute last-mile goods from a micro-distribution center. DOT would also be required to publish on its website and submit to the mayor and speaker of the council, a report that includes information such as: the number of participating commercial vehicle operators who registered and used a micro-distribution center, a summary of the feedback received from participating operators, and recommendations on how such program could be improved.

**ANALYSIS OF INT. NO. 2277**

Int. No. 2277 would require that all commercial loading zones are controlled by a muni-meter, extend the number of hours that commercial vehicles can park in loading zones from 3 to 8 hours, and require parking rates for commercial vehicles to be no less than $6 for the first hour, and increase by no less than $2 for each additional hour of parking. In addition, the bill prohibits placard parking in commercial loading zones in the area south of and including 60th street in Manhattan and enables DOT to authorize cargo bicycles to park in commercial loading zones.

This bill would also require construction applicants to either maintain access to existing commercial loading zones or create a temporary loading zone where construction staging must occupy or otherwise inhibit the use of an existing commercial loading zone, unless the commissioner of DOT determines that the maintenance of a temporary commercial loading zone would significantly disrupt traffic flow, public safety or would otherwise be impractical. Applicants would be required to locate temporary commercial loading zones within 100 feet of the original commercial loading zone and include posted signage.

**ANALYSIS OF INT. NO. 2279**

Int. No. 2279, sponsored by Council Member Reynoso would require DOT to designate as commercial loading zones at least 25 percent of curb space available for parking in select census tracts no later than 120 days from the effective date of this local law. This bill would grant DOT discretion to determine that designation of commercial loading zones in a particular census tract is not necessary because of local conditions such as access to existing loading berths or other commercial parking. Such a determination must be justified with a written explanation posted on the DOT’s website and submitted to the speaker of the council and any affected council member and community board.

Within one year of the effective date of this law, DOT would be required to publish on its website, and submit to the mayor and speaker of the council, a report that includes: (1) an accounting of the department’s implementation effort; and (2) a detailed plan for full implementation of the requirements of this local law.

Within two years of the effective date of this law, DOT would be required to publish on its website, and submit to the mayor and speaker of the council, a report that includes: (1) details regarding the full implementation of the requirements of this local law, including any changes made following the release of the report submitted in year one; and (2) any recommendations for citywide expansion of commercial loading zones. DOT would also be required to promulgate rules as are necessary to implement the provisions of this local law.

**ANALYSIS OF INT. NO. 2280**

Int. 2280 would require building owners to create a secure package storage area in any residential building constructed or undergoing major renovations on or after January 1, 2022. The location of such secure package storage must be included on the building’s construction documents. This bill would also require DOB to promulgate rules regarding compliance with this local law, including rules or reference standards governing the implementation and location of secure package storage areas.

**ANALYSIS OF INT. NO. 2281**

Int. No. 2281 would require owners of large commercial buildings that are over 500,000 gross square feet in size to produce and submit a delivery and servicing plan. The delivery and servicing plan shall explain how freight and servicing vehicle movements to and from the site are managed and describe the proposed freight and servicing operations for the building with a focus on sustainability efforts. Failure to submit a complete delivery and servicing plan would result in a monetary penalty. This bill would also require the creation of an office of sustainable delivery systems within the Department of Buildings (“DOB”). Such office would be responsible for overseeing the implementation and enforcement of delivery and servicing plan requirements. Such office would also be required to provide technical assistance to building owners, including by creating a step-by-step guide, with respect to developing, amending, implementing, and evaluating a delivery and servicing plan.

This bill would also require owners of large generator of truck traffic buildings to implement truck traffic mitigation interventions. Such interventions include: providing suppliers, vendors, and couriers access to on-site loading and unloading locations and storage rooms; and either establishing a delivery and servicing trip reservation system or retiming deliveries so that at least half of delivery and servicing trips occur during off-peak traffic hours and on weekends. Failure to implement minimum requirements for truck traffic mitigation shall result in a monetary penalty.

DOB would be required to promulgate rules as are necessary to carry out the provisions of this local law, including rules for staggered inspection cycles for large generator of covered buildings. Finally, DOB would be required to publish on its website, and submit to the mayor and speaker of the council, a report that includes: a list of large generator of truck traffic buildings, a summary of the findings of building inspections, and a description of any challenges and recommendations related to the implementation, administration, and enforcement of this local law, including recommendations for expanding the delivery and servicing plan requirements to commercial buildings smaller than 500,000 gross square feet in size and to residential buildings.

**ANALYSIS OF INT. NO. 2282**

Int. No. 2282, sponsored by Council Member Rodriguez and the Speaker (Council Member Johnson) would require the Department of Transportation (“DOT”) to redesign the city’s truck route network to improve safety, increase visibility, reduce traffic congestion and emissions, and reduce vehicle miles traveled. In redesigning such network, this bill would require DOT to consult with City agencies, affected residents, and representatives from businesses, environmental and climate justice organizations, street safety organizations, industrial business zone administrators, and the trucking, logistics and last-mile delivery industries among other stakeholders. This bill would also require DOT to publish on its website and submit to the mayor and speaker of the council a report that includes: recent trends in freight, logistics, and deliveries, a description of the proposed redesigned truck route network, the reasons for the proposed route adjustments, and recommendations for improving logistics related to truck routes, including but not limited to changes to truck route signage, the New York city zoning resolution and building code, improvements to and investments in logistics centers such as marine transfer stations, street safety design changes, improved truck specifications and design, and vehicle procurement policies among others.

During the first thirty days following the release of the report, the public would have an opportunity to review and comment on the proposed routes. After considering all feedback received during the public review and comment process, the DOT would be required to publish on its website, and submit to the mayor and speaker of the council, a final report describing the final redesigned truck route network and implementation timeline.

This bill would also require DOT to implement the new redesigned truck routes, including the implementation of daylighting of every intersection adjacent to the truck route network, no later than June 1, 2022.

**ANALYSIS OF RES. 1610**

Res. 1610 calls on the New York State legislature to pass, and the Governor to sign, S. 2757/A.6748, which would change the existing width restriction that makes most electric cargo bicycles illegal.

Int. No. 1811

By Council Member Powers and the Speaker (Council Member Johnson)

..Title

A Local Law to amend the administrative code of the city of New York, in relation to the creation of a theatre district safety zone

..Body

Be it enacted by the Council as follows:

Section 1. Title 19 of the administrative code of the city of New York is amended to add a new section 19-157.1 to read as follows:

§ 19-157.1 Theatre district safety zone.a. Definition. For the purposes of this section, the following terms have the following meanings:

42nd Street general project plan area. The term “42nd Street general project plan area” means the area extended from the southeast corner of Eighth Avenue and 43rd Street eastward along 43rd Street, across Seventh Avenue and Broadway to a point approximately 194 feet east of Broadway; then south to 42nd Street to a point approximately 138 feet east of Broadway; then west to Broadway; then south along the east side of Broadway to 41st Street; then west across Broadway and Seventh Avenue to a point approximately 400 feet west of Seventh Avenue; then south to 40th Street; then west to Eighth Avenue; then north along the east side of Eighth Avenue back to the southeast corner of 43rd Street and Eighth Avenue.

Designated activities. The term “designated activities” means commercial activities, entertainment or performances by individuals or groups, posing for or taking photographs or videos, and vending expressive matter, where any form of compensation, donation, or gratuity is requested or accepted. Persons who engage in designated activities shall be deemed to be engaged in such activities for the entirety of their interactions with each member of the public for the purpose of offering the above referenced goods, services, or entertainment, such as offering to pose for or take photographs or video.

Designated activity zone. The term “designated activity zone” means an area designated as such by the department by signage and/or markings in which individuals conduct designated activities.

Pedestrian flow zones. The term “pedestrian flow zone” means an area of the sidewalk on a block that shall not be used for any purpose other than the safe and continuous movement of pedestrian traffic.

Pedestrian safety zone. The term “pedestrian safety zone” means an area designated as such by the department by signage and/or markings for the safe and continuous movement of pedestrian traffic.

Theatre District safety zone. The term “Theatre District safety zone” means the pedestrian safety zone comprised of the Theatre Subdistrict Core and the 42nd Street general project plan area.

Theatre Subdistrict Core. The term “Theatre Subdistrict Core” means the area bounded by West 50th Street, a line 200 feet west of Avenue of the Americas, West 43rd Street, and a line 100 feet west of Eighth Avenue.

b. Pedestrian flow zones. Within the Theatre District safety zone, the department shall establish pedestrian flow zones that are sufficient to accommodate the demand for pedestrian space on sidewalks on Broadway, Seventh Avenue, and on all blocks with three or more theatres with a capacity of over 500 individuals.

c. Designated activities. 1. The department may establish additional designated activity zones to adequately accommodate demand for designated activities on sidewalks in the Theatre District safety zone; provided, however, that there shall be no more than one designated activity zone within 100 feet of a pedestrian flow zone. Any such zones established following the enactment of this local law shall abut the curb line and be no more than three feet in width.

2. The department shall consider pedestrian and vehicle traffic when determining whether to renew on-street sight-seeing bus stops located in the Theatre District safety zone; provided, however, no on-street sight-seeing bus stop shall be located adjacent to a pedestrian flow zone.

d. Street closures. The department shall review the number of street closures for commercial purposes on streets and avenues within and 200 feet adjacent to the Theater District safety zone annually. If department determines that such closures negatively impact pedestrian traffic and congestion, the city may take any actions necessary to alleviate such traffic and congestion, including, but not limited to, limiting the number of such closures.

e. Rules. The department may also establish additional rules to address public safety concerns in the Theatre District safety zone, including but not limited to rules prohibiting designated activity vendors from intentionally touching another person without that person’s consent, or intentionally  blocking  or  interfering  with  the  safe or free passage of a person by any means, in the course of engaging in any aspect of designated activities within a designated activity zone or within 50 feet of a designated activity zone in the Theatre District safety zone.

§ 2. There is hereby established an interagency working group to ensure communication and coordination on issues related to designated activities conducted in the Theatre District safety zone. Such working group shall include:

1. the commissioner of transportation, or their designee, who shall serve as chair;
2. the commissioner of small business services, or their designee;
3. the commissioner of consumer affairs, or their designee;
4. the police commissioner, or their designee;
5. a representative of the times square district management association or successor entity;
6. an organization representing individuals engaged in designated activities, appointed by the speaker of the council;
7. the city council members representing the Theatre District safety zone, or their designees;
8. the Manhattan borough president, or their designee; and
9. a representative each from Manhattan community board 4 and Manhattan community board 5.

Such working group shall meet at least quarterly to discuss issues relating to or impacting commercial activity, pedestrian flow, regulatory matters, public safety, workforce development opportunities, and any other issues deemed relevant by the working group. The working group shall also develop and distribution of education materials regarding designated activity in the Theatre District safety zones. All such educational materials shall be distributed in English, Spanish, and any other languages the department of transportation deems necessary in order to communicate to individuals engaged in designated activities. At least bi-annually, such working group shall hold a meeting that is open to all individuals engaged in designated activities.

§ 3. This local law takes effect 60 days after it becomes law.

LS #7661

11/21/19 4:33PM

Int. No. 1819

By Council Member Holden

..Title

A Local Law to amend the administrative code of the city of New York, in relation to street markings indicating locations of fire hydrants

..Body

Be it enacted by the Council as follows:

Section 1. Subchapter 1 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-159.4 to read as follows:

§ 19-159.4 Fire hydrant markers. a. The department shall mark the location of each fire hydrant situated adjacent to a public street using a symbol painted in the middle of the street, directly across from the fire hydrant, and shall maintain such markings so that they remain clearly visible.

b. The absence of a marking required by this section shall not constitute a defense to a violation of any law prohibiting the obstruction a fire hydrant.

§ 2. This local law takes effect 1 year after it becomes law.

AM

LS #12329

10/31/19

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Int. No. 2253

By The Speaker (Council Member Johnson) and Council Members Powers and Rivera

..Title

A Local Law in relation to creating a pilot program to establish micro-distribution centers for distributing goods via sustainable modes of transportation

..Body

Be it enacted by the Council as follows:

Section 1. Micro-Distribution Center Pilot. a. For the purposes of this section, the following terms have the following meanings:

Bicycle. The term “bicycle” has the same meaning as set forth in section 102 of the vehicle and traffic law or any successor provision.

Bicycle with electric assist. The term “bicycle with electric assist” has the same meaning as set forth in section 102-c of the vehicle and traffic law or any successor provision.

Commercial vehicle. The term “commercial vehicle” means a motor vehicle designed, maintained, or used primarily for the transportation of property, provided that such vehicle:

(i) bears commercial plates, where commercial plates or equivalent registration plates from other states or countries are permissible for purposes of this section;

(ii) is permanently altered by having all seats and seat fittings, except the front seats, removed to facilitate the transportation of property, except that for vehicles designed with a passenger cab and a cargo area separated by a partition, the seating capacity within the cab will not be considered in determining whether the vehicle is properly altered.

(iii) displays the registrant's name permanently affixed in characters at least three inches high on both sides of the vehicle, with such display being in a color contrasting with that of the vehicle and placed approximately midway vertically on doors or side panels.

Commercial vehicle operator. The term “commercial vehicle operator” means an individual, corporation, partnership, association, municipality, or other legal entity that either on behalf of itself or others, utilizes a commercial vehicle to deliver packages, parcels, papers, or articles of any type.

Department. The term “department” means the department of transportation.

Sustainable modes of transportation. The term “sustainable modes of transportation” means bicycles, bicycles with electric assist, electric scooters, electric vehicles, hand trucks and any other modes designated as sustainable by the department.

b. No later than January 1, 2022 the department shall establish a pilot program to create micro-distribution centers. Such micro-distribution centers shall be used exclusively for transferring goods from commercial vehicles to sustainable modes of transportation that distribute such goods to their final delivery points.

c. The department shall establish at least 12 micro-distribution centers, which shall be no less than 800 square feet in size. In establishing such centers, the department shall consult with operators of commercial vehicles that conduct deliveries.

d. The department shall make electric vehicle charging infrastructure available at no fewer than 3 micro-distribution centers.

e. The department shall establish an online reservation system that allows commercial vehicle operators to reserve the use a micro-distribution center for commercial distribution activity via sustainable modes of transportation. The department shall require such operators to register with the department and pay a registration fee, to be determined by the department.

f. It shall be unlawful for a commercial vehicle operator to access and use a micro-distribution center without having properly registered with the department and secured a reservation. Notwithstanding any other provision of law, failure to comply shall result in monetary liability or the removal of such unauthorized vehicle, or both, as determined by the department.

g. It shall be unlawful to use non-sustainable modes of transportation to distribute goods from a micro-distribution center. Notwithstanding any other provision of law, failure to comply shall result in monetary liability or the removal of such non-sustainable modes of transportation, or both, as determined by the department.

h. No later than June 1, 2022, the department shall post on its website, and submit to the speaker of the council and the mayor, a report that includes, at a minimum, the following information:

1. the number of participating commercial vehicle operators who registered and utilized a micro-distribution center, the size of participating operators, the total number of reservations disaggregated by micro-distribution center, and the types of sustainable modes of transportation used to distribute goods;

2. a summary of the feedback received from participating operators, including but not limited to, satisfaction with the program and modification recommendations, if any;

3. recommendations on how such program could be improved, if any;

4. recommendations on whether such program should be continued or modified; and

5. recommendations for the expansion of such program.

§ 2. This local law takes effect immediately.

TSR/AL/IP/EL

LS # 5748

4/19/2021

Int. No. 2276

By Council Member Powers

..Title

A Local Law to amend the administrative code of the city of New York, in relation to commercial loading zones

..Body

Be it enacted by the Council as follows:

Section 1. Title 19 of the administrative code of the city of New York is amended by adding a new section 19-159.5 to read as follows:

§ 19-159.5 Temporary commercial loading zones. a. For the purposes of this section, the following terms have the following meanings:

Commercial loading zone. The term “commercial loading zone” has the same meaning as such term is defined in section 19-170.1.

Commercial vehicle. The term “commercial vehicle” means a motor vehicle designed, maintained, or used primarily for the transportation of property, provided that such vehicle:

(i) bears commercial plates, where commercial plates or equivalent registration plates from other states or countries are permissible for purposes of this section;

(ii) is permanently altered by having all seats and seat fittings, except the front seats, removed to facilitate the transportation of property, except that for vehicles designed with a passenger cab and a cargo area separated by a partition, the seating capacity within the cab will not be considered in determining whether the vehicle is properly altered.

(iii) displays the registrant's name permanently affixed in characters at least three inches high on both sides of the vehicle, with such display being in a color contrasting with that of the vehicle and placed approximately midway vertically on doors or side panels.

Temporary commercial loading zone. The term “temporary commercial loading zone” means a commercial loading zone intended to be used for a limited period of time during which construction staging prevents or otherwise affects use of a commercial loading zone.

b. Any permit issued by the commissioner authorizing work affecting a street segment or intersection that has a commercial loading zone shall include a stipulation requiring that the applicant shall not occupy or otherwise inhibit the use of a commercial loading zone in the affected street segment or intersection. In the event that a construction loading zone must be occupied or otherwise obstructed, the applicant shall maintain a temporary commercial loading zone, unless the commissioner determines that maintenance of a temporary commercial loading zone would significantly disrupt traffic flow, public safety or would be otherwise impractical. The applicant shall specify the particular manner in which the temporary commercial loading zone for such street segment or intersection will be maintained, provided that such temporary commercial loading zone is located within 100 feet of the original commercial loading zone and clearly identified on posted signage.

c. Upon approving an application for a permit authorizing construction staging affecting a street segment that has a commercial loading zone, the department shall provide notice, through electronic means, to the affected borough president, the council member of the affected council district and the district manager of the affected community board. Such notice shall include the following information:

1. The name and contact information of the applicant;

2. The anticipated start and end dates of the work;

3. The location, nature and extent of the work to be performed;

4. The permit type;

5. The location and nature of the temporary commercial loading zone or mitigation measures; and

6. Contact information for a department office where questions may be directed.

d. In the event a permittee violates any stipulation required by subdivision b of this section, the commissioner may revoke or refuse to renew such permit pursuant to subdivision e of section 19-103 or take any other action authorized by law.

§ 2. Paragraph 2 of subdivision f of section 19-162.3 of the administrative code of the city of New York, as added by local law number 9 for the year 2020, is amended to read as follows:

2. Parking with a city-issued parking permit shall not be permitted in the following areas, in addition to any areas designated by rule or specified on or programmed into the permit:

(g) bridges and highways; [and]

(h) carsharing parking spaces[.]; and

(i) commercial loading zones within the area south of and including 60th street in the borough of Manhattan.

§ 3. Subdivision a of section 19-170 of the administrative code of the city of New York, as added by local law 25 of 1988 and amended by chapter 458 of the laws of 2010, is amended to read as follows:

a. When parking is not otherwise restricted, no person shall park a commercial vehicle in excess of three hours[.], unless such parking is regulated by a parking meter. The maximum time for such metered parking on a single block shall be a total of eight hours, unless otherwise indicated by a posted sign. For purposes of this section, commercial vehicle [shall] means a motor vehicle designed, maintained, or used primarily for the transportation of property[.]; provided that such vehicle:

1. bears commercial plates, where commercial plates or equivalent registration plates from other states or countries are permissible for purposes of this section;

2. is permanently altered by having all seats and seat fittings, except the front seats, removed to facilitate the transportation of property, except that for vehicles designed with a passenger cab and a cargo area separated by a partition, the seating capacity within the cab will not be considered in determining whether the vehicle is properly altered; and

3. displays the registrant's name permanently affixed in characters at least three inches high on both sides of the vehicle, with such display being in a color contrasting with that of the vehicle and placed approximately midway vertically on doors or side panels.

§ 4. Subchapter 2 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-170.1 to read as follows:

§ 19-170.1 Commercial loading zones. a. Definitions. For purposes of this section, the following terms have the following meanings:

Commercial loading zone. The term “commercial loading zone” means a portion of curb space at which no vehicle except a commercial vehicle, may stand or park for the purpose of making pickups, deliveries, or service calls pursuant to department rules and regulations, except where such space is a temporary commercial loading zone.

Commercial vehicle. The term “commercial vehicle” means a motor vehicle designed, maintained, or used primarily for the transportation of property, provided that such vehicle:

(i) bears commercial plates, where commercial plates or equivalent registration plates from other states or countries are permissible for purposes of this section;

(ii) is permanently altered by having all seats and seat fittings, except the front seats, removed to facilitate the transportation of property, except that for vehicles designed with a passenger cab and a cargo area separated by a partition, the seating capacity within the cab will not be considered in determining whether the vehicle is properly altered.

(iii) displays the registrant's name permanently affixed in characters at least three inches high on both sides of the vehicle, with such display being in a color contrasting with that of the vehicle and placed approximately midway vertically on doors or side panels.

Muni-meter. The term “muni-meter” means an electronic parking meter that dispenses timed receipts that must be displayed in a conspicuous place on a vehicle's dashboard.

Muni-meter payment receipt. The term “muni-meter receipt” means a receipt showing the amount of parking time purchased that is dispensed by an electronic parking meter.

Temporary commercial loading zone. The term “temporary commercial loading zone” means a commercial loading zone intended to be used for a limited period of time during which construction staging prevents or otherwise affects use of a commercial loading zone.

b. All commercial loading zones, except temporary commercial loading zones, shall be controlled by a muni-meter. No person shall park a commercial vehicle, whether attended or not, in a commercial loading zone:

1. without first purchasing the amount of parking time desired from a muni-meter, or from a valid electronic communication device as approved by the department;

2. without displaying a muni-meter payment receipt on the vehicle’s dashboard where such requirement is indicated, unless such parking time was purchased through an authorized electronic communication device as approved by the department; or

3. in excess of the amount of time indicated on the muni-meter payment receipt, electronic communication device as approved by the department, or posted signs.

c. When parking is not otherwise restricted, no person shall park a commercial vehicle in a commercial loading zone or temporary commercial loading zone in excess of eight hours on a single block, unless otherwise indicated by a posted sign.

d. The parking rate for commercial vehicles shall be no less than $6 for the first hour, and shall increase by no less than $2 for each additional hour of parking.

e. The owner of a commercial vehicle shall be liable for a civil penalty of $100 when parked in violation of this section.

f. The department may authorize non-vehicular modes of delivery to park in commercial loading zones, including, but not limited to, cargo bicycles.

§ 5. This local law takes effect 180 days after it becomes law, except that the department shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules and the installation of muni-meters, before such date.

AL/IP/EL

LS 8675/10178

4/19/2021

Int. No. 2279

By Council Member Reynoso

..Title

A Local Law to amend the administrative code of the city of New York, in relation to expanding commercial loading zones

..Body

Be it enacted by the Council as follows:

Section 1. Subchapter 2 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-170.1 to read as follows:

§ 19-170.1 Commercial loading zones. a. Definitions. For purposes of this section, the following terms have the following meanings:

Commercial loading zone. The term “commercial loading zone” means a portion of curb space at which no vehicle may stand or park, except a commercial vehicle for the purpose of making pickups, deliveries, or service calls pursuant to department rules and regulations, except where such space is a temporary commercial loading zone.

Commercial vehicle. The term “commercial vehicle” means a motor vehicle designed, maintained, or used primarily for the transportation of property, provided that such vehicle:

(i) bears commercial plates, where commercial plates or equivalent registration plates from other states or countries are permissible for purposes of this section;

(ii) is permanently altered by having all seats and seat fittings, except the front seats, removed to facilitate the transportation of property, except that for vehicles designed with a passenger cab and a cargo area separated by a partition, the seating capacity within the cab will not be considered in determining whether the vehicle is properly altered.

(iii) displays the registrant's name permanently affixed in characters at least three inches high on both sides of the vehicle, with such display being in a color contrasting with that of the vehicle and placed approximately midway vertically on doors or side panels.

Large generator of truck traffic building. The term “large generator of truck traffic building” means a commercial building that is over 500,000 gross square feet in size.

Temporary commercial loading zone. The term “temporary commercial loading zone” means a commercial loading zone intended to be used for a limited period of time during which construction staging prevents or otherwise affects use of a commercial loading zone.

b. No later than June 1, 2022, the department shall designate as commercial loading zones at least 25 percent of curb space available for parking in census tracts with a population density of 75 people per acre or more, where such census tract includes at least one M1, M2, M3, C1, C2, C3, C4, C5, C6, C7, C8, R8, R9, or R10 zoning district as determined by the zoning resolution of the city of New York. Notwithstanding the foregoing, the department may determine that the designation of commercial loading zones in a particular census tract is not warranted because of existing access to loading berths or the existing availability of parking in which commercial vehicles are permitted.

c. 1. No later than December 1, 2021, the department shall submit to the mayor and the speaker of the council, and publish on its website, a report on expanding commercial loading zones. Such report, shall include, at a minimum: (1) the percentage of curb space designated as commercial loading zones and the number of commercial loading zones implemented; and (2) a plan for full implementation of the requirements set forth in subdivision b, including a discussion of actual or proposed changes to curbside parking policies necessary for implementation. Such plan shall be developed in consultation with affected residents and representatives from affected businesses, business improvement districts, trucking companies, and owners of large generator of truck traffic buildings.

2. No later than June 1, 2022, the department shall submit to the speaker of the council and the mayor, and publish on its website, a report detailing the full implementation of the requirements of subdivision b of this section, including changes made subsequent to the report issued pursuant to paragraph 1 of this subdivision, any determination that the designation of commercial loading zones in a particular census tract is not warranted and a justification for such determination, and any recommendations for further expanding commercial loading zones citywide.

§ 2. This local law takes effect immediately

JJD/TSW/EL

LS 9723

4/19/2021

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Int. No. 2280

By Council Member Reynoso

..Title

A Local Law to amend the administrative code of the city of New York, in relation to requiring secure package storage in certain buildings

..Body

Be it enacted by the Council as follows:

Section 1. Chapter 5 of title 28 of the administrative code of the city of New York is amended by adding a new article 506 to read as follows:

ARTICLE 506

SECURE PACKAGE STORAGE

**§ 28-506.1 Applicability.** This section shall apply to any class A multiple dwelling constructed after January 1, 2022, and any existing class A multiple dwelling undergoing “work not constituting minor alterations or ordinary repairs” as defined in section 28-105.4.2.1 after January 1, 2022.

**§ 28-506.2 Definitions.** For the purposes of this section, the term “**s**ecure package storage” means a designated room or locker used for the temporary storage of packages that is designed and secured to prevent unauthorized access.

**§ 28-506.3 Secure package storage.** The owner of a building to which this article is applicable shall make available secure package storage. The owner shall restrict access to building and property personnel, tenants, subtenants, and delivery service companies only.

**§ 28-506.4 General.** The location and description of such secure package storage shall be clearly identified on construction documents. The department shall adopt rules and/or reference standards governing the implementation and location of such secure package storage.

§ 2. This local law takes effect immediately.

TSW/IP/AW/EL

LS #

4/19/2021

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Int. No. 2281

By Council Member Rivera

..Title

A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to creating an office of sustainable delivery systems and requiring large generator of truck traffic buildings to produce and implement a delivery and servicing plan

..Body

Be it enacted by the Council as follows:

Section 1. Chapter 26 of the New York city charter is amended by adding a new section 652 to read as follows:

§ 652. Office of sustainable delivery systems. a. There shall be in the department an office of sustainable delivery systems. The office shall be headed by a director who shall be appointed by and shall report to the commissioner. The duties of the office shall include, but not be limited to:

1. overseeing implementation of sustainable freight and delivery systems laws and policies for existing buildings, new construction, and major renovations;

2. establishing and administering protocols for producing and implementing a delivery and servicing plan;

3. making recommendations about sustainable freight and delivery solutions in building development and management;

4. creating a step-by-step guide for owners on how to develop, amend, and assess the efficacy of a delivery and servicing plan;

5. providing technical assistance to owners as they develop, amend, implement, and evaluate a delivery and servicing plan including, but not limited to, creating step-by-step guide on how to produce and submit a delivery and servicing plan for owners;

6. creating an online portal for the submission of delivery and servicing plans by owners and that hosts informational materials including the step-by-step guide created pursuant to this section;

7. receiving, evaluating, and approving delivery and servicing plans;

8. inspecting large generator of truck traffic buildings annually to ensure proper reporting and implementation of delivery and servicing plans;

9. determining recommended penalties, including minimum penalties, for failure to timely submit complete delivery and servicing plans, failure to make available and utilize on-site loading docks and storage rooms, and failure to timely implement a reservation system for deliveries or institute off-peak or weekend delivery service for at least 50 percent of servicing trips and deliveries;

10. monitoring compliance with the requirements of article 323 of title 28 of the administrative code of the city of New York; and

11. developing recommendations, in coordination with the department of transportation, to improve sustainability outcomes and expand the number and types of buildings subject to delivery and servicing plan requirements.

§ 2. Chapter 3 of title 28 of the administrative code of the city of New York is amended by adding a new article 323 to read as follows:

**ARTICLE 323**

**Sustainable delivery and servicing plans**

**§ 28-323.1 General**. Plans to manage freight and servicing vehicle movements to and from a large generator of truck traffic building shall be developed, evaluated, implemented, and enforced in accordance with this article.

**§ 28-323.2 Definitions**. As used in this article, the following terms shall have the following meanings:

**CONSOLIDATION CENTER.**The term “consolidation center” means a site used to receive multiple deliveries for a single recipient and consolidate such deliveries so the goods may be delivered to the recipient in a single trip.

**DELIVERY AND SERVICING PLAN.**The term “delivery and servicing plan” means a document describing how freight and servicing vehicle movements to and from a site are managed.

**DEPARTMENT.**The term “department” means the department of buildings.

**DIRECTOR.**The term “director” means the director of the office of sustainable delivery systems.

**LARGE GENERATOR OF TRUCK TRAFFIC BUILDING.**The term “large generator of truck traffic building” means a commercial building that is over 500,000 gross square feet in size.

**OFFICE.**The term “office” means the office of sustainable delivery systems.

**OWNER.**The term “owner” means the owner of a large generator of truck traffic building.

**§ 28-323.3 Department Rules.** The department shall promulgate such rules as are necessary to carry out the provisions of this article in a timely manner, including establishing fees and penalties for violation of the provisions of this article.

**§ 28-323.4 Notice of requirements, deadlines, and penalties.** No later than the effective date of this local law, the department shall notify owners of existing or permitted large generator of truck traffic buildings of their requirement to submit a delivery and servicing plan developed pursuant to section 28-323.7.1 within 90 days from the effective date of this law, and annually thereafter. Such notice shall describe all requirements established pursuant to this article, pertinent deadlines, penalties for non-compliance, and technical assistance available to owners, provided that the failure of the department to notify any such owner shall not affect the obligation of such owner to comply with the requirements set forth in this article. Such notice shall also provide information about the technical assistance resources made available to owners by the department.

**§ 28-323.5 Technical Assistance.** The department shall provide technical assistance to owners of a large generator of truck traffic building with respect to fulfilling the requirements of this article. Such assistance may include, but need not be limited to, trainings, the provision of reference guides and templates, and a publicized telephone number and email address to receive direct questions. At a minimum, the department shall:

1. Notify owners of large generator of truck traffic buildings annually of their obligations pursuant to this article and the technical assistance resources made available to owners by the department including but not limited to, the step-by-step guide created pursuant to this section.
2. Establish an online portal to accept electronic submissions of delivery and servicing plans and that hosts department resources including, but not limited to, the step-by-step guide created pursuant to this section; and
3. Produce and make available to the public a step-by-step guide for producing delivery and servicing plans, which shall include, but not be limited to:

3.1. A checklist for gathering key data about deliveries, collections, and servicing trips, including trips relating to maintenance, cleaning and waste removal, and catering and vending. Such checklist shall include, but not be limited to, gathering information about: (i) delivery dates and times; (ii) delivery classifications such as delivery, collection, or servicing trip; (iii) type and size of goods, as applicable; (iv) time sensitive nature of deliveries disaggregated by delivery classification; (v) building tenant, department, or team generating the trip; (vi) delivery, collection, and servicing company names and modes of transportation; (vii) current on- and off-street loading and unloading practices; and (viii) access routes.

3.2. Guidance on how to identify the vehicle movements causing the greatest impact on traffic congestion and emissions and on how to assess where efficiencies might be made;

3.3. A list of suggested stakeholder interviews;

3.4. Recommendations and best practices for delivery and servicing plan actions and objectives including, but not limited to, the implementation of: (i) consolidation centers; (ii) ensuring access to safe and lawful loading and unloading locations on-site, including loading docks and storage rooms; (iii) delivery scheduling; (iv) joint tenant procurement and a centralized ordering system; (v) ways to reduce ad-hoc deliveries; (vi) ways to reduce waste collection trips; (vii) overnight and weekend deliveries; (viii) a centralized booking system for courier deliveries; (ix) procurement of vendors and suppliers that use low or no emission vehicles or modes of transportation; and (x) conducting periodic performance reviews.

**§ 28-323.6.1 Minimum requirements for truck traffic mitigation.** An owner of a large generator of truck traffic building shall implement the following truck traffic mitigation interventions, as described in the delivery and servicing plan approved by the department, within 90 days of such approval:

1. Provide suppliers, vendors, and couriers access to loading and unloading locations on-site including on-site loading docks, as well as storage rooms, to reduce the use of on-street parking for delivery and servicing trips and package loading and unloading; and
2. Implement at least one of the following interventions:

2.1. Establish a delivery and servicing trip reservation system and require suppliers and vendors to utilize such system; or

2.2. Retime deliveries so that, at a minimum, 50 percent of delivery and servicing trips to and from the site occur during off-peak traffic hours and weekends. For purposes of implementing this intervention, an owner shall not be required to ensure that building or tenant personnel are present to receive deliveries and may instead permit suppliers, vendors, and couriers to deposit deliveries on-site in a designated and secure area such as a storage room or other access-controlled area.

**§ 28-323.6.2 Civil penalty for failure to implement minimum requirements for truck traffic mitigation**. It shall be unlawful for the owner of a large generator of truck traffic building to fail to implement the interventions required pursuant to section 28-323.6.1. An owner subject to a violation for failure to comply shall be liable for a monetary penalty, as determined by the department.

**§ 28-323.7.1 Delivery and servicing plan requirement**. An owner of an existing or new large generator of truck traffic building shall produce and electronically submit a delivery and servicing plan to the department for approval as follows:

1. Existing buildings with a certificate of occupancy as of the effective date of this law shall submit a delivery and servicing plan to the department within 180 days of the effective date of this law, and annually thereafter.
2. Applicants for approval of construction documents filed on, or after, the effective date of this law shall file a complete delivery and servicing plan with the department within 180 days of receiving a certificate of occupancy, and annually thereafter.

**§ 28-323.7.2 Contents of delivery and servicing plan.** A delivery and servicing plan submitted pursuant to section 28-323.7.1 shall describe in detail all aspects of the proposed freight and servicing operations for the building with a focus on sustainability efforts including, but not limited to:

1. Reducing the number of delivery and servicing trips to and from the site, including through the consolidation of deliveries through streamlined tenant procurement and the use of consolidation centers;

2. Re-timing deliveries to promote deliveries during off-peak traffic hours and weekends;

3. Establishing a reservation system to facilitate efficient deliveries, and reduce traffic congestion and idling;

4. Providing access to safe and lawful loading and unloading locations including on-site loading docks and storage rooms; and

5. Prioritizing vendors and couriers that use low or no emissions modes of transportation for delivery and servicing trips to and from the site to reduce emissions produced by deliveries.

**§ 28-323.7.3 Department determination and resubmission of a delivery and servicing plan**. The department shall provide owners of large generator of truck traffic buildings a written determination indicating whether the submitted complete delivery and servicing plan is approved, or whether the department requires the owner to amend and resubmit the delivery and servicing plan with amendments. Where the department requires amendments, the owner shall resubmit an amended delivery and servicing plan within 60 days of receiving the department determination notice. The manner and timing issuing determinations to owners shall be established by the department by rule.

**§ 28-323.7.4 Civil penalty for failure to submit a complete delivery and servicing plan**. It shall be unlawful for the owner of a large generator of truck traffic building to fail to timely submit a complete delivery and servicing plan as required by section 28-323.7.1 on or before the applicable due date. A delivery and servicing plan shall not be considered complete unless the owner has included specific plans to comply with the requirements of section 28-323.7.2 An owner subject to a violation pursuant to this section shall be liable for a monetary penalty, as determined by the department.

**§ 28-323.7.5 Delivery and servicing plan implementation deadline.** An owner of a large generator of truck traffic building shall implement the complete delivery and servicing plan within 90 days from the date such plan was approved by the department.

**§ 28-323.8 Inspection.** The commissioner shall by rule establish staggered inspection cycles for buildings required to comply with this article. The department shall inspect each building required to comply with this article at least once every twelve months.

**§ 28-323.9 Department report.** No later than June 1, 2023 the department shall post on its website and submit to the mayor and the speaker of the council, a report that includes, but is not limited to, the following:

1. An itemized list of large generator of truck traffic buildings, including a description of building occupants;
2. A summary of the findings of building inspections, including statistics relating to violations disaggregated by violation type and borough;
3. A description of challenges relating to the implementation, administration, and enforcement of the provisions of this article;
4. Recommendations for:

4.1. The frequency in which delivery and servicing plans should be updated by owners and resubmitted to the department;

4.2. The frequency with which the department conducts inspections;

4.3.The feasibility to create penalties for an owner’s failure to reduce the frequency of delivery and service trips to and from the building, as well as for failure to reduce or consolidate the number of suppliers, vendors, and couriers.

4.4. The feasibility of expanding the delivery and servicing plan requirements established pursuant to this article to commercial buildings smaller than 500,000 gross square feet in size and to residential buildings; and

4.5. Recommendations and best practices for how commercial buildings that are not a large generator of truck traffic and business improvement districts that wish to create delivery and servicing plans voluntarily can analyze key data about deliveries to develop and adopt a delivery and servicing plan of their own. Additionally, recommendations for how the department can make the online portal and technical assistance resources available to entities that participate voluntarily.

4.6. Ways in which to improve the step-by-step guide for producing delivery and servicing plans, including, but not limited to, the feasibility of creating a step-by-step guide for commercial buildings smaller than 500,000 gross square feet and residential buildings.

§ 3. This local law takes effect 120 days after it becomes law, except that the commissioner of the department of buildings shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

TSR/AL/IP/EL

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4/19/2021

Int. No. 2282

By Council Member Rodriguez and the Speaker (Council Member Johnson)

..Title

A Local Law to amend the administrative code of the city of New York, in relation to redesigning the truck route network to improve safety and reduce traffic congestion and emissions

..Body

Be it enacted by the Council as follows:

Section 1. Subchapter 3 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-192.1 to read as follows:

§ 19-192.1 Redesigning Truck Routes. a. Definitions*.* For the purposes of this section, the following terms have the following meanings:

Daylighting. The term “daylighting” means street design elements, including the removal of parking, for enhancing the visibility of cross traffic and pedestrians for motorists within 25 feet of an intersection and the imposition of turn restrictions.

Large generator of truck traffic building. The term “large generator of truck traffic building” means a commercial building that is over 500,000 gross square feet in size.

b. Redesign. The department shall redesign the city truck route network to improve safety, increase visibility, reduce traffic congestion and emissions, and reduce vehicle miles traveled. In redesigning such network, the department shall consult with the department of city planning, the department of buildings, the economic development corporation, small business services, the department of citywide administrative services, affected residents, representatives from businesses, owners of large generator of truck traffic buildings, representatives from environmental and climate justice organizations, representatives from street safety organizations, industrial business zone administrators, and the trucking, logistics and last-mile delivery industries. In addition, the department shall seek input from relevant state and federal agencies, including, but not limited to, the port authority of New York and New Jersey.

d. Daylighting. In connection with the redesign, the department shall implement daylighting at each intersection adjacent to the truck route network to improve sight lines and turning radii.

c. Initial report. No later than November 1, 2021, the department shall publish on its website, and submit to the speaker of the council and the mayor, a report describing the proposed redesigned truck route network and explaining the reasons for the proposed route adjustments. The report shall include consideration of existing city and regional logistics and distribution center networks, as well as recent trends in freight, logistics, and deliveries. Additionally, the report shall include recommendations for improving logistics related to truck routes, including but not limited to changes to truck route signage and cost estimates for truck route signage replacement on all truck routes, changes to the New York city zoning resolution, changes to the New York city building code, improvements to and investments in logistics centers such as marine transfer stations, proposals for delivery consolidation and distribution, proposals to reduce vehicle miles travelled and congestion, street safety design changes, improved truck specifications and design, vehicle procurement policies, and state and federal agency coordination.

d. Public comment. Upon issuing the report, the department shall provide no fewer than 30 days for public review and comment on the proposed routes and recommendations.

e. Final report. After considering all public input, but no later than 90 days following the end of the public comment period, the department shall publish on its website, and submit to the speaker of the council and the mayor, a revised report describing the final redesigned truck route network and recommendation implementation timeline.

f. Implementation. No later than June 1, 2022, the department shall implement the redesigned truck route network, including the daylighting of every intersection adjacent to the truck route network.

g. Signage. No later than July 1, 2022, the department shall review all truck route signage and replace signage along such redesigned truck route network where deemed necessary for improved visibility.

§ 2. This local law takes effect immediately.

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4/19/21

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Res. No. 1610

..Title

Resolution calling on the New York State Legislature to pass, and the Governor to sign, S.2757/A.6748, which would change the existing width restriction that makes most electric cargo bicycles illegal.

..Body

By Council Member Rodriguez

Whereas, The New York State Vehicle and Traffic Law defines a bicycle with electric assist (e-bike) as a bicycle that is no more than 36 inches wide; and

Whereas, As of 2020, New York State law allows for people to operate e-bikes on many streets in the State; and

Whereas, As e-bike use has increased, especially as a result of the novel coronavirus pandemic, many delivery companies and small businesses have sought to utilize cargo e-bikes instead of trucks for deliveries in dense areas, such as New York City, however, the current 36-inch width restriction under New York State law makes standard-sized cargo e-bikes illegal; and

Whereas, S.2757, introduced by New York State Senator Senator Jessica Ramos, and A.6748, introduced by New York State Assemblymember Chantel Jackson, are in relation to e-bikes and e-scooters, and would, among other things, expand the width of e-bikes to 55 inches; and

Whereas, The expansion of the width of e-bikes to 55 inches under S.2757 and A.6748 would directly impact the way in which deliveries are made in New York City, and could decrease the number of trucks on the City’s roads; and

Whereas, As e-bikes are now allowed to legally operate in New York City, a number of delivery companies have worked to expand cargo e-bike delivery services to accommodate for the more than 1.5 million packages delivered daily in the city, of which are mostly delivered by trucks, which cause a disproportionate amount of congestion, increased greenhouse gas emissions, and adds to the frequency of illegally parked or double-parked vehicles; and

Whereas, Research suggests that cargo e-bikes have shown to be a cleaner, safer and more efficient mode of urban freight delivery and passenger transport; and

Whereas, According to peer-reviewed research published in Research in Transportation Business and Management, cargo e-bikes: demand less space for loading and storing, are easier to maneuver in congested areas as compared to motorized vehicles, have lower emissions of greenhouse gases, produce less noise, have lower investment and operation costs as compared to motor vehicles, and have a positive public perception due to their environmental impact; and

Whereas, In December 2019, the New York City Department of Transportation announced a six-month pilot program with major freight delivery services, including Amazon , UPS, and DHL, that would utilize a total of 100 cargo e-bikes to make deliveries in midtown and downtown Manhattan, and encourage the use of low or no emission vehicles for last-mile freight delivery; and

Whereas, According to the New York City Department of Transportation, although promising, the program had limited participation, largely due to the width restriction on e-bikes under New York State law, which caused a number of participants who had made substantial investments in cargo bike fleets to be rendered non-compliant; and

Whereas, The passage of S.2757 and A.6748 would ultimately increase the number of cargo e-bikes statewide and in New York City by expanding the allowable width of an e-bike, which would, among other things, decrease vehicular greenhouse gas emissions, reduce congestion, increase pedestrian and cyclist safety, and ensure faster, more effective deliveries; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, S.2757/A.6748, which would change the existing width restriction that makes most electric cargo bicycles illegal.

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LS 17523

4/19/21

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