

**NYC DEPARTMENT OF TRANSPORTATION TESTIMONY
BEFORE THE CITY COUNCIL COMMITTEES ON TRANSPORTATION AND
OVERSIGHT AND INVESTIGATIONS**

October 26, 2021

Good morning Chair Rodriguez and Chair Gibson, and members of the Transportation and Oversight and Investigation Committees. I am Hank Gutman, Commissioner of the New York City Department of Transportation. With me today are Joshua Benson, Deputy Commissioner for Traffic Operations, Rebecca Zack, Assistant Commissioner for Intergovernmental and Community Affairs, and Julia Kite-Laidlaw, Director of Safety Policy. I am honored to be testifying alongside Chief of Transportation Kim Royster, Deputy Chief Isa Abbassi, and Director of Legislative Affairs Michael Clarke from the New York City Police Department. Thank you for inviting us to testify on behalf of Mayor Bill de Blasio on Rethinking Vision Zero: Stopping Illegal Parking, Reducing Reliance on Vehicles and Improving Pedestrian and Cyclist Safety.

Second epidemic of speeding and reckless driving

There is no question that this has been a very challenging year for Vision Zero. Since the beginning of the Covid-19 pandemic in March 2020, we have seen changes in driver behavior and crash patterns that have been echoed across the country, and which unfortunately have not abated as the City has reopened. Foremost among the problems is speed and reckless driving—which I often refer to as a second pandemic. When streets emptied due to New York on PAUSE, the drivers who remained on the road had more opportunities to speed. Even as traffic volumes have returned to approximate pre-pandemic levels, we are still seeing many crashes involving unsafe speed and overall recklessness, as well as an increased number of hit-and-runs, which can conceal other illegal behaviors like driving while intoxicated.

Another unfortunate and persistent pattern is drivers who continue to drive with a suspended license. As demonstrated tragically in the September 11th crash that killed three-month-old Apolline Mong-Guillemain, where the driver was operating on a suspended license, this sanction often has no effect as drivers simply disregard it and assume they will not get caught.

2020 was also a record high year for motorcyclist fatalities and the numbers remain similarly high this year. Drilling down into the data, as of the end of September, three-quarters of motorcyclists who were killed on the roads this year were not properly licensed. Moreover, 70 percent of motorcyclists who were killed were riding unregistered motorcycles or had unknown registration. Many of these crashes didn't involve other motor vehicles—they were the result of a rider speeding and losing control, often hitting a fixed object.

Finally, the ecosystem of road users in 2021 is much different from what it was when Vision Zero began in 2014. New modes of mobility now exist and are used widely, such as e-scooters and e-mopeds. The number of for-hire vehicles has skyrocketed. And food delivery apps that now dominate the market push for faster and faster work—leading delivery workers to face more pressure and use more motorized vehicles. I thank the Council for its recent delivery worker protection legislation, which we at DOT hope will have safety benefits by reducing some of the extreme pressures on these workers.

Thus, changing conditions on our roads and new travel patterns on our streets—many of which spiked in the face of the pandemic—make our work to enhance safety on the city’s streets more challenging and critical than ever.

Need for additional tools to double down on Vision Zero

Despite the many operational challenges posed by the pandemic, DOT sustained and expanded all of our Vision Zero work. We delivered record bike lanes—protected and conventional—bus priority, and safety projects. We relaunched our public education campaign and doubled its budget, continued to serve schools and senior centers with our safety education programs, distributed helmets to new riders, and created an online bike-safety skills course. And we kept our automated enforcement not only running but expanding, with over 1,640 speed cameras, making the program one of the, if not the largest programs of its kind.

But, after almost eight years of Vision Zero, far too many drivers are driving with suspended licenses, far too many motorcyclists are riding unlicensed and without registration, and far too many of both continue to speed and drive recklessly. We know the tools of Vision Zero work and we will continue to double down, but DOT cannot do it alone. DOT is not an enforcement agency. We cannot apprehend dangerous drivers and seize vehicles. And for Vision Zero to truly succeed, as the Mayor has said, we must expand the tools we have available to get repeated, reckless drivers and the most dangerous vehicles off the road, a need only heightened by the pandemic.

We are resuming implementation of the Dangerous Vehicle Abatement Program (DVAP), which had been placed on hold during the height of the pandemic due to fiscal constraints as well as limits on in-person activities. Starting next month, we plan to send out the first batch of notices for classes and begin holding those classes this fall. We published draft rules for comment last month and held the required public rulemaking hearing last week.

But as the Mayor has said, the DVAP program has limitations and much more is needed. Thus, we are calling on the State to do more and the legislature to enact new laws to give the City greater authority to use automated enforcement, all of which would help combat dangerous driving. We look forward to working with our partners in Albany to address this urgent need.

We know our speed camera program works to deter speeding—we saw a 72 percent decline in speeding at locations where cameras are installed—but we must go further. In 2020, nearly 30 percent of all fatalities happened in school zones where DOT has speed cameras installed, but at times when they are not allowed to operate: overnight and on weekends. We continue to echo the Mayor’s call on the State Legislature to allow our cameras to operate 24/7, as also called for in the Transportation Alternatives and Families for Safe Streets’ Crash Victims Rights and Safety Act package. We also call on the State to grant us authority to pilot other types of key safety-related automated traffic and parking enforcement.

And for the drivers who accumulate excessive violations from our automated enforcement cameras, the \$50 penalty is not enough to change behavior. Thus, we need escalating fines for speed and red light camera violations, leading up to and including registration suspension for

chronic repeat offenders. We need the State to strengthen the penalty provisions of applicable law regarding these violations.

Recently, I sent a letter to the New York State DMV proposing strategies to ensure that those with suspended licenses do not continue to drive. And this is all the more important because recent reforms have narrowed license suspension largely away from financial or debt-related reasons to just focus on key safety-related issues. And we support changes to the law to increase penalties when you injure or kill while driving on a suspended license.

Intro. 2422

Now turning to Intro. 2422, introduced by Chair Rodriguez at the request of the Mayor. New York City is undergoing one of the most transformative and substantial changes to parking management since the advent of the parking meter: the transition to a license plate-based management system for conferring parking rights. Over an approximately two-year period, DOT will retrofit the City's 14,500 parking meters, converting the meters from pay-and-display operation to a pay-by-plate system. With pay-and-display, drivers must display a receipt on the vehicle windshield as proof of payment. With the new pay-by-plate system, parking rights will be tied to the license plate number and will be sent electronically to NYPD's database, eliminating the need to display a receipt as proof of payment.

This new system will provide many benefits. Through the meter retrofit, DOT will update visual and operational components of meters, including adding a touch screen display, allowing for a better user experience and faster transactions. Customers will be able to pay at the meter and walk away with no need to return to their vehicle, saving time and increasing efficiency. The new system will also combat fraud by preventing the use of forged or altered receipts for proof of payment and adjudication of summonses, as well as the misuse of receipts in the wrong zone or for different rates or time limits. These are all practices that DOT, NYPD, and DOF have frequently encountered. The system will also integrate seamlessly with mobile payment (ParkNYC), providing a single parking rights structure for metered parking and allow us to usher in new approaches to curb management.

This bill would amend the Administrative Code to reflect both the existing pay-and-display and the new pay-by-plate parking meters, as both systems will be in operation until the transition is complete. The changes will also ensure that NYPD and DOF can enforce and adjudicate such payment systems.

Intro. 2073

Now, turning to Intro. 2073, which would eliminate penalties for jaywalking. We appreciate the Council's goals as reflected in this bill. It is in keeping with our mission to make walking safer, more comfortable and appealing, for we are always looking to upgrade and add additional pedestrian crossings and provide more pedestrian crossing time. While pedestrians should cross within the crosswalk and with the right of way, enforcement should not be a criminal matter. We look forward to discussing this bill further with the Council.

Intro. 9

Next, Intro. 9 requiring stop signs or traffic signals near schools. I would like to thank the Council Member for this legislation and we strongly support its intent. DOT is hard at work applying a range of safety tools and projects at schools across the city, which can include intersection controls such as stop signs and traffic signals, as well as a whole range of other treatments. And the Mayor has committed to a thousand safety improvements at schools—including stop signs and traffic signals where appropriate—a commitment we are on track to deliver. It should be noted that when it comes to traffic controls, we are required to operate within the federal regulatory context, which requires an engineering study of traffic, pedestrian, and physical characteristics of the location. We look forward to discussing this legislation further and working with the Council.

Intro. 2417

Next, Intro. 2417 prohibits the sale or distribution of materials that obscure license plates. Automated enforcement depends on the ability to capture license plate information, unfortunately some drivers are using materials to obstruct their plates—an act which is already against the law. DOT supports the intent of this bill and looks forward to working with the Council to continue address this problem.

Intro. 2201

Finally, I want to acknowledge Intro. 2201 which deals with motorcyclists' ability to submit photographic evidence when challenging meter violations. We are still reviewing this legislation as it was only recently added to this hearing, and deals in large part with issues under the purview of our agency counterpart, the Department of Finance.

Conclusion

In conclusion, I would like to thank the Council for the opportunity to testify before you today at this critical moment for our City. We would be happy to answer any questions after you hear from our colleagues at NYPD.

**STATEMENT OF CHIEF KIM ROYSTER
CHIEF OF TRANSPORTATION
NEW YORK CITY POLICE DEPARTMENT**

**BEFORE THE NEW YORK CITY COUNCIL
COMMITTEE ON TRANSPORTATION
REMOTE HEARING
OCTOBER 26, 2021**

Good morning Chair Rodriguez, Chair Gibson, and Members of the Council. I am Kim Royster, Chief of the New York City Police Department's (NYPD) Transportation Bureau. I am joined here today by Deputy Chief Isa Abbassi and Michael Clarke, Director of Legislative Affairs for the NYPD, as well as my colleagues from the Department of Transportation, Commissioner Hank Gutman, Deputy Commissioner Joshua Benson, Assistant Commissioner Rebecca Zack, and Director Julia Kite-Laidlaw. On behalf of Police Commissioner Dermot Shea, I wish to thank the Council for the opportunity to testify regarding the Department's efforts to ensure safe streets for all New Yorkers.

As the Chief of Transportation, I am responsible for ensuring the safety of all New Yorkers as they move about the City and I am responsible for coordinating the NYPD's Vision Zero response. Vision Zero was launched in 2014 with the purpose of eliminating all traffic deaths and serious injuries in New York City. As part of the Vision Zero plan and process, an interagency task force enables each agency brings specific expertise to the table and we at the NYPD are committed to bringing our expertise to ensure the safety of our streets. We meet monthly with the Department of Transportation to discuss issues and share information that helps each agency achieve its mission. Internally, we employ our precision policing model to traffic enforcement to combat dangerous driving behaviors. As an example, I oversee the NYPD's "Traffic Safety Forum." This meeting serves as a holistic and multifaceted platform, partnership and collaboration to save lives. The meeting analyzes data concerning collisions and fatalities and helps us ensure that precincts allocate resources to the most dangerous areas in the city.

Protection of our most vulnerable road users is at the core of the NYPD's traffic safety plan. The Department has worked with the Department of Transportation to increase our education efforts for motorists and we have reprioritized enforcement when the failure to yield the right of way to a pedestrian or cyclist is violated by a motorist. The Department has conducted multiple Citywide traffic initiatives throughout the year. Beginning in March, 2019, the Department began the High Visibility Corridor Enforcement and Education plan. We created a highly visible police presence at collision prone corridors. We have conducted 20 such operations in 2021, which has led to the issuance of 107,656 parking violations and 32,370 moving violations. We have booted 285 cars and towed 3,092 cars as a result of these operations.

In addition, we have conducted (1) speed initiatives focused on drivers recklessly speeding on public roadways, (2) bike and pedestrian safe passage initiatives focused on blocked bike lanes and failure to yield to pedestrians, (3) motorcycle and drag racing initiatives, (4) clear bus lane initiatives which focused on vehicles parked in bus lanes, (5) pedestrian initiatives, (6) school safe driving initiatives which focused on drivers that fail to yield to pedestrians near schools, and (7)

distracted driving initiatives which focused on drivers who drive while talking on cell phones and texting.

We are troubled by the increase in traffic fatalities since the start of the Covid pandemic. Tragically, traffic fatalities are up 17% since last year. The increase has been driven primarily by pedestrian deaths- which were at a record low last year. This is part of a nationwide trend that the National Highway Traffic Safety Administration has attributed to drivers' increasing risky behaviors. These behaviors that began during the unique conditions of the lockdown have persisted to this day.

This past April, our Outreach Unit and Collision Investigation Squad attended the Mothers Against Drunk Driving "Compassionate Death Notification" training class which focused on delivering death notifications with professionalism, dignity, and compassion. Further, in collaboration with our advocacy partners, starting May 2021, the Chief of Transportation's Office's Outreach Unit began providing a resource folder to victims' family members. This includes a frequently asked questions document, the case investigator's contact information, victim services contacts information, Office of Chief Medical Examiner's contacts, victim's compensation forms, and Surrogate Court information. To date, the Outreach Unit has delivered 71 folders to the victims of traffic fatalities.

The Department and the City have faced unprecedented challenges these past two years. Despite this, parking enforcement is actually up slightly year to date when compared to 2019. This year, we have issued 7,319,168 summonses as compared to 7,137,415 in 2019. This comes out to roughly 24,600 parking summonses issued each day this year. Parking enforcement in bike lanes has remained nearly identical as 2019, with 61,780 summonses issued. That accounts for about 215 bike lane summonses each day. We have, however, towed 25% fewer cars in 2021 as compared to 2020. This is largely attributable to the loss of the Manhattan Tow Pound at the beginning of 2021, which drastically reduced our towing capacity.

It is true that our enforcement numbers for moving violations are down 51% since 2019. The Covid pandemic and cuts to the budget, including the reduction in our headcount, elimination of two Police Academy classes and 60% reduction in overtime and the resulting near record attrition numbers, have hampered our ability to enforce. As shootings went up and staffing went down, the Department had to reallocate resources to help respond to the surge in gun violence and to bolster our patrol strength. Every bureau had to send help, including my own. As a result, staffing in the Citywide Traffic Task Force was reduced. Additionally, the FY21 overtime budget was drastically reduced by \$295 million and a total of \$7.6 million dollars in overtime spending, which is directly attributable to vision zero priorities, did not occur.

With the restoration of limited overtime funding in the current budget and the graduated recruits from recent academy classes being deployed to the streets, we are seeing improvement in these numbers. We are continuing to target enforcement on the seven most dangerous moving violations, the violations which are the drivers of collisions on our streets. Between July 1, 2021 and October 10, 2021, as compared to the same period in 2020, moving summonses are up roughly 32%. Vision Zero moving summonses are up 27% with increases in all seven categories, including

in speeding, failure to yield to pedestrians or cyclists, red light, disobeying signs, texting and utilizing a cellphone, and improper turns.

Turning to the proposed legislation, Intro 2417, which would prohibit the sale or distribution of materials that obscure and distort license plates or images of license plates. The Department supports the intent of this bill. Obscuring and distorting licenses plates undermines Vision Zero by reducing the effectiveness of speed and red light cameras. This year, the Department has issued 12,255 moving violations to cars with covered plates and 14,340 parking summonses, an increase of 92% and 78%, respectively, over last year. This will remain a priority of our enforcement. We look forward to collaborating with the Council on this proposal so that it meets operational and legal objectives and concerns.

In closing, we are committed to the goals of Vision Zero and we will continue working toward those goals until Vision Zero is not just a vision, but a reality.

Thank you for the opportunity to speak with you today, and I am pleased to answer your questions.



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Gale A. Brewer, Borough President

October 26, 2021

**Testimony of Manhattan Borough President Gale A. Brewer
Joint Oversight Hearing with New York City Council Committees on Transportation and
Oversight and Investigations
Rethinking Vision Zero: Stopping Illegal Parking, Reducing Reliance on Vehicles and
Improving Pedestrian and Cyclist Safety**

My name is Gale A. Brewer and I am the Manhattan Borough President. Thank you to Chairs Gibson and Rodriguez for holding this hearing. We must keep cyclists, pedestrians, drivers, and all other road users safe while also striving to reduce motor vehicle dependency in New York City.

I want to highlight some successes regarding these efforts. First, between 2014 and 2018, total deaths on city streets dropped from 261 New Yorkers to an all-time low of 202.¹ This was in large part due to an aggressive redesign of many city streets to protect pedestrians, cyclists, and even drivers, including through the installation of protected bike lanes. However, those numbers rose in 2019 and 2020 to 220 and 246 deaths, respectively.² Today we have 546 miles of protected bike lanes in New York City³ and just over 112 miles of protected bike lanes in Manhattan⁴ and I hope that they will help to protect all New Yorkers.

The speed camera program, which operates with State permission in 750 speed zones on weekdays between 6 AM and 10 PM, is expected to reach 2,220 total cameras in operation by 2022.⁵ Meanwhile, the City has partnered with Zipcar to bring carsharing to our city's streets to cater to the occasional, necessary vehicle trip, and have rolled out many miles of new bus lanes and busways. In this regard, I am proud to not only be known as the Manhattan Borough President but also as the Manhattan Busway President as I have pushed aggressively for busways on 14th Street and 181st Street.

These achievements leave a number of serious concerns unaddressed. Bike and bus lanes are routinely blocked by drivers, speeding and aggressive driving still poses a major challenge, and car ownership was already rising before the pandemic.⁶

¹ New York City Mayor's Office (April 2021). Vision Zero: Year 7 Report, p. 12

<https://www1.nyc.gov/assets/visionzero/downloads/pdf/vision-zero-year-7-report.pdf>

² NYC Mayor's Office, p13.

³ New York City Department of Transportation (September 2021). Cycling in the City: Cycling Trends in NYC, p. 8. <https://www1.nyc.gov/html/dot/downloads/pdf/cycling-in-the-city-2021.pdf> p. 8

⁴ New York City Open Data (Accessed October 21, 2021). Bicycle Routes.

<https://data.cityofnewyork.us/Transportation/Bicycle-Routes/7vsa-caz7>

⁵ New York City Mayor's Office (2020). New York City Automated Speed Enforcement Camera Program: 2014-2020 Report, p. 2. <https://www1.nyc.gov/html/dot/downloads/pdf/speed-camera-report.pdf>

⁶ Meyer, David. Car Ownership Continues to Rise Under Mayor de Blasio. Streetsblog, October 3, 2018. <https://nyc.streetsblog.org/2018/10/03/car-ownership-continues-to-rise-under-mayor-de-blasio/>

What steps can we take to address these issues?

First, we must continue to push to implement congestion pricing. Congestion pricing's implementation in cities like London and Stockholm led to as much as 30% reductions in total traffic,⁷ and other impressive reductions in traffic crashes and increases in transit and bike use. When implemented here, we should expect similar results, assuming we get the details right, and that includes starting with a Manhattan representative on the Traffic Mobility Review Board.

Second, we must further expand the number and hours of operation of speed cameras. I support Senate Bill S5602,⁸ sponsored by Senator Gounardes; and Assembly Bill A6681,⁹ sponsored by Assembly Member Glick that would accomplish these goals. Additionally, the State legislature should lift the cap on red light cameras, currently set at 150 intersections citywide, to allow the DOT to install them at any dangerous intersection. While the cameras have been shown to reduce right angle crashes by 75% (from 16,939 annual crashes in 1991 to 4,174 in 2018) and rear-end crashes by 49.5% (from 14,873 in 1991 to 7,499 in 2018) citywide, there are unfortunately only 15 operable intersections across all of Manhattan today.¹⁰

Third, we should continue to expand our city's carsharing program. DOT found during their carshare pilot that the addition of one carsharing space led to the prevention of 4 additional vehicles being purchased or leased in the future.¹¹ The program should be expanded to ensure that shared spaces and user demand are matched. The DOT should also further expand the requirement on participating companies in the carshare program. They should offer low-income discounts not only to New York City Housing Authority residents but to other low-income New Yorkers. As a resident of Manhattan who does not own a car, I rent one when needed for trips outside of the city. Many of the rental car garages have been displaced by development. New development with garages must include rental car opportunities. I was successful in doing this in one instance on West 76 Street.

Last, in concert with these steps, we should expand alternative modes of transportation because people will not switch from a car if the other options don't meet their needs. This means continuing to increase protected bike lanes and bus lanes – and not just expanding in quantity but improving the quality because we are all fed up with blocked bike and bus lanes – it means expanding the capacity of our subway and bus systems, and improving the accessibility of our subway system. It also means expanding on our successful Open Streets program, and I encourage people to read my office's report laying out recommendations for a successful path forward.

It is also important that we ensure that the MTA implement all-door boarding on buses citywide. When all-door boarding was brought to SBS routes in Manhattan, it led to as much as a 21%

⁷ Tri-State Transportation Campaign. Road Pricing in London, Stockholm, and Singapore: A Way Forward for New York City, 2017. <https://tstc.org/reports/A-WAY-FORWARD-FOR-NEW-YORK-CITY-2017.pdf>

⁸ New York State Senate. Senate Bill S5602. <https://www.nysenate.gov/legislation/bills/2021/s5602>

⁹ New York State Assembly. Assembly Bill A6681. <https://www.nysenate.gov/legislation/bills/2021/a6681>

¹⁰ New York City Department of Transportation (2020). New York City Red Light Camera Program Overview: 2020 Report, p. 1, 5. <https://www1.nyc.gov/html/dot/downloads/pdf/nyc-red-light-camera-program.pdf>

¹¹ New York City Department of Transportation (April 2021). Carshare Parking Pilot Program: Final Report, p. 13. <https://www1.nyc.gov/html/dot/downloads/pdf/nyc-carshare-pilot-report.pdf>

reduction in the time buses spent at stops.¹² The infrastructure is already there – we’ve all seen the new fare readers on the back of buses – and so the MTA could reduce ‘dwell times’ on buses citywide by 21%. That is a critical way to ensure we reduce our dependence on cars.

Thank you again for the opportunity to testify on this important issue.

¹² New York City Department of Transportation (2020). M79 Crosstown Select Bus Service: Progress Report. <https://www1.nyc.gov/html/bmt/downloads/pdf/bmt-m79-after-report-feb2020.pdf>



New York City Council Hearing
Transportation Committee
October 26, 2021

Testimony of Danny Harris, Transportation Alternatives

First, I want to acknowledge and thank the City Council for its leadership on street safety and giving streets back to people. Under your tenure, New York City has led the nation in this work from Open Streets to the Streets Master Plan. And, for a period, we bucked the national trend and our streets got safer even as the nation's streets got more dangerous.

On behalf of Transportation Alternatives and Families for Safe Streets, we and all New Yorkers, are grateful for your life saving work as no one should fear death or serious injury when crossing the street.

But, I come to share that despite your track record, your success is at risk amid rising levels of traffic violence, hit and runs, car registrations, and car traffic.

1,800 people are dead on our streets under this mayor.

And, as things get worse in his final year, we are traveling from vigils to vigils when we need to be traveling from groundbreaking to groundbreakings. No more blaming, obstruction, false promises, and long-term plans, we need action on our streets today.

That is why I urge you to vote in favor of Intro 0009, 2073, 2417, and 2422 that are on today's agenda, as well as important bills not heard today, specifically Intro 708 to make our sidewalks safer and less crowded with cars from auto-dealers, Intro 1763 to establish a three-foot law to make biking safer, Intro 2282 to redesign truck routes with daylighting and other safety features, and Intro 2159 to help prevent dangerous parking that harms and slows down all New Yorkers.

Additionally, I urge you to consider advancing new legislation to streamline the community board notification requirement for DOT street safety projects, which will be necessary for DOT to implement the vital Streets Master Plan, passed by this Council, within the required timeframe.

New York City is now facing the [deadliest year on our streets](#) since Mayor de Blasio took office. And, this is not a COVID problem as our numbers have been rising for three consecutive years. Today, in New York City, babies in strollers and police officers on the beat and essential workers biking to work are equally susceptible to the dangers of reckless driving, larger and more powerful vehicles, and a city that continues to prioritize a driver in a 6,000 pound SUV to a child walking to school.

Across each of your boroughs and districts, the rising numbers tell a story of failure under this administration, and the personal stories scream outrage and heartbreak at continued death from preventable crashes. According to [our polling](#), 30% of New Yorkers have been injured in a crash and 70% know someone killed or injured in a crash - and these numbers are higher for Black New Yorkers, those over 50-years-old, households making under \$50,000, and residents of Staten Island. Traffic violence is now a near-universal experience across New York City.

As an advocate, as a crash survivor, as a parent with children here, as a son with parents aging in place here, and as a New Yorker, I urge you to take action. In the face of rising traffic violence, inequality, and climate change, you must act quickly and boldly to save lives. Please move without delay to advance Intros 0009, 708, 1763, 2073, 2159, 2282, 2417 and 2422. As a city, we must look to our streets as a pathway to recovery. And, our council can help to ensure this happens for the benefit of all New Yorkers.

Thank you.

**Testimony on Behalf of the United Parcel Service (UPS)
to the NYC Council's Committee on Transportation Oversight hearing
on Rethinking Vision Zero
October 26, 2021**

UPS thanks Chair Rodriguez for holding this important oversight hearing today, and for the opportunity to provide feedback to the Vision Zero program, which has worked towards stopping illegal parking, reducing reliance on vehicles, and improving pedestrian and cyclist safety.

As a leader in the logistics and delivery industry, UPS believes that the safety of our drivers as well as the safety of our neighbors in the communities we live and work in is a priority. UPS invests millions of dollars in safety training every year and UPSers have collectively spent nearly 6 million hours in training classes. The results of this training are real: Nationally and including many of our drivers operating safely daily right here in NYC, over 10,300 drivers have earned UPS' Circle of Honor distinction, meaning they have not had an avoidable accident for 25 years or more. Our commitment to safety goes beyond our own fleet, as well. As members of the Together for Safer Roads (TSR) coalition, the UPS Foundation is proud to help underwrite the installation of back-up cameras, convex mirrors and side-view cameras for City Harvest, New York's largest food rescue organization, through the Vision Zero Tech Fund.

Further, UPS utilizes technology to increase efficiency of our routes and reduce the number of vehicles on the road. However, training and technology alone cannot solve for the fact that, as more residents and businesses rely on e-commerce and deliveries further amplified by COVID-19, legal parking positions for final mile deliveries have not kept pace with demand.

The lack of adequate commercial parking makes our streets less safe for everyone. However, there are steps that the City can take in short order to address some of the root causes of illegal parking and increase safety for cyclists, pedestrians, and drivers alike. First and foremost, UPS supports increased enforcement to ensure that existing loading zones are reserved for those making commercial deliveries and are not simply areas for for-hire vehicles and private cars to idle. Second, we encourage DOT to review all permanent and temporary changes to the streetscape holistically. When commercial loading positions are displaced by construction activity or infrastructure improvements, DOT should identify alternative positions to allow for expeditious deliveries.

Finally, UPS hopes that the City will continue to partner with us and other logistics companies to identify opportunities to make deliveries safer and more efficient. It is time to continue to rethink our curb space to make New York City's streets safer. With the establishment of outdoor dining; expanded Citibike docking stations; added bike and bus lanes, the city should work with industry to ensure there is adequate commercial curbside access loading zones to address growing ecommerce trends.

UPS appreciates the opportunity work collaboratively with the Council and DOT to identify and implement solutions that move our city into a safer, more sustainable future.

Good morning, Council member and chair Rodriguez. My name is Christine Berthet , founder of CHEKPEDS, which focuses on pedestrian safety and rights .

Vision Zero is about unspeakable pain and suffering, but the solutions relies principally on engineering and on numbers.

One first step is for DOT each year to identify the top 25 most dangerous intersections and make them as safe as possible, during that same year. It is a mystery why this protocol is not in place .

The key word is “as safe as possible” ASAP. While the planners are pushing for more safety, DOT engineers decide whether a safety feature is taking too much space or too much time away from cars. This is why currently at intersections traffic signals provide six times – six times! - more protection to cars than to cyclists or pedestrians. When we ask for protection, we are given 5 seconds of safe crossing to preserve traffic flow ...They are rationing our safety ..

I 'd like to challenge DOT commissioner on his deference to the engineers and their use of the uniform federal guidelines, which are only that – guidelines - that do not differentiate between highways in Wako Texas and New York city Streets. This manual says that you should wait until 5 people have been injured to fix an intersection! There is no legal or moral basis to follow such highway centric guidelines.

The council members should pass a very simple law that requires every DOT employee to put people safety at the top of their priorities in all decisions and design. Safety should be a higher priority than giving another 5 seconds to vehicles. Each engineer should receive a training where they meet with families of safe streets. The same should be true of NYPD .

The second keyword is “ As soon as possible:” ASAP again. DOT installs 1 mile of poorly protected bike lanes, and then need to return once or twice after a crash happens. Other countries install a 10-miles of protected bike lanes and move on to install the 10 miles without ever having to go back and fix. There needs to be a set of highly safe design approved that is applied across the board the FIRST time , not after a crash. A standard design of bike lanes with real protection end to end. A standard design for intersections with two-way streets where pedestrians are safe and protected from turning cars .

The Mayor and the council must pass the “ As safe as possible . As soon as possible “ law to make Vision Zero successful and save innumerable lives. This is a leadership issue. We are responsible. You are responsible.



Downstate New York ADAPT

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Image description:
"Downstate NY ADAPT" text over & under
image of PWD in wheelchair with arms
raised, breaking handcuffs' chain overhead,
under arching text "Free Our People"



Image description: It is an unbroken circle within another unbroken circle. The outer circle has written in white capitalized letters "AMERICAN COUNCIL" on the top and "OF THE BLIND" on the bottom. The inner circle has written in capital letters "ACB" in black letters on a white background and a black dot under the "A", two black dots horizontally under the "C" and two black dots vertically under the "B", which signifies Braille.

To: New York City Council Transportation Committee

From: Downstate New York ADAPT

Subject: Written Comments in Response to the New York City Council's Committee on Transportation's Oversight Hearing on Tuesday, October 26, 2021, at 10:30 a.m. Held Jointly With The Committee on Oversight and Investigations On T2021-8043 Oversight - Rethinking Vision Zero: Stopping Illegal Parking, Reducing Reliance on Vehicles and Improving Pedestrian and Cyclist Safety and INT. 0009-2018 A local law to amend the administrative code of the City of New York, in relation to requiring the installation of a stop sign or traffic control signal at every intersection immediately adjacent to any school

Date: October 29, 2021

The Greater New York Council of the Blind ("GNYCB") is a chapter of the American Council of the Blind of New York State ("ACBNY") which is a nationwide member - driven advocacy organization that strives to increase the security, independence, economic opportunity, and quality of life for people who are blind and experiencing vision loss.

Downstate New York ADAPT ("DNY ADAPT") is a grass roots, non-hierarchical community of people with all types of disabilities advocating for the civil rights of people with disabilities, including, but not limited to, the right to live and fully participate in the larger community. Downstate New York ADAPT covers the five counties in New York City, the two counties on Long Island as well as Westchester, Dutchess, Orange, Rockland, Putnam, Ulster and Sullivan counties in New York State.

The Greater New York Council of the Blind of the American Council of the Blind of New York State and Downstate New York ADAPT submit these comments in response to the New York City Council's Committee on Transportation's and Committee on Oversight and Investigations' Oversight Hearing that was held at 10:30 a.m. on Tuesday, October 26, 2021.

We respectfully request that Int. 0009-2018 a local law to amend the administrative code of the City of New York, in relation to requiring the installation of a stop sign or traffic control signal at every intersection immediately adjacent to any school be amended to require that the New York City Department of Transportation install only traffic control signals with Accessible Pedestrian Signals, also known as "APSs", and not give New York City Department of Transportation any discretion to choose between a stop sign and traffic control signals with accessible pedestrian signals. We are requesting this amendment so that all children's lives are protected since a traffic control signal with an Accessible Pedestrian Signal known as an "APS", unlike a stop sign, can provide children and adults with low vision or who are blind with instantaneous information concerning when it should be safe to cross a street, assuming vehicles, such as cars, trucks, buses, taxis, bicycles and scooters, obey the traffic control signals. This is particularly important as we move towards using more electric vehicles because they do not make any perceptible noise that can let a pedestrian know that a vehicle is nearby.

Significantly, if the City were to address the issues raised here concerning traveling around New York City, it would save lives and would move the needle on the meter closer to Vision Zero. Of course, these comments just highlight some of the numerous issues people with disabilities face daily traveling around New York City. At times, these seven issues intersect one another, and all these issues make traveling around difficult and, at times,

outright dangerous for people with disabilities. The seven issues are 1-curb ramps, also known as curb cuts, 2-the condition of the sidewalks and the roadways, 3-physical obstacles encountered on the sidewalks and in the roadways, 4-traffic signals, 5-the lack of enforcement of traffic regulations relating to safety, 6-the need to regulate e-scooters, and 7-the need to establish regulations that promote safety with new forms of transportation.

1- Curb Ramps:

The main issues with curb ramps, also known as curb cuts, are a) there are sidewalks missing one or more curb ramps; b) the curb ramps when they are installed many times are not correctly installed, c) there are many curb ramps that are in disrepair, including, but not limited to, having potholes in them, missing detectable warning materials or the asphalt sinks and the curb ramp develops a steep lip where it once was level with the road, and d) there needs to be a well-planned maintenance program for curb ramps.

Turning to the installation of curb ramps, there are times when the curb ramps are placed not where the crosswalk is located which is very dangerous because this forces people with disabilities into the traffic instead of the safer crosswalk. Another problem is that there are curb ramps installed in a position that it causes water to pool at the bottom of the curb ramps which then causes the ground there to be slippery, hides defects in the ground such as potholes and uneven ground, and gets the walkers, canes and crutches wet which can cause them to slip. Moreover, when the wheels of a manual wheelchair get wet it makes it difficult for a person to get a good grip on the wheels to propel the wheelchair. Moreover, when water pools at the bottom of curb ramps this hastens the deterioration of the roadway and creates a trough in the roadway bed which in turn, creates a tripping hazard.

Additionally, some curb ramps when installed are made dangerously steep or they have high lips to them that make it dangerous to use them. In fact, on more than one occasion members have fallen out of wheelchairs because the front wheels of their wheelchair have hit the lip on a curb ramp that was too high, and they were thrown from the wheelchair. Other members using canes and walkers also have tripped and fallen when the location where the curb ramp meets the roadway was not even.

2- The Condition of the Sidewalks and the Roadways:

A second issue is the condition of the sidewalks and roadways themselves. It can be very hazardous for a person with a disability to travel on many sidewalks and roadways because of the numerous cracks, holes, and uneven terrain. Further, some sidewalks have slabs of tiles instead of smooth concrete and this makes it difficult and at times, treacherous for people with disabilities to walk on such sidewalks. Another problem people with disabilities encounter are uneven sidewalks due to sidewalk slabs of slate or concrete being uneven or worse, totally upended and loosened by tree roots so much that they slip when you walk or wheel on them. So too, the sidewalk condition of the ground being at a downward or upward slant by trees can make traveling hazardous for people with disabilities. One recommendation provided by our members was to put a small fence around all tree wells located on the City sidewalks and not just some of them so that people with low vision or who are blind can detect that the terrain there is uneven. This can help other people who use wheelchairs to avoid the area too.

3- Obstacles Encountered On The Sidewalks and In The Roadways:

A third issue is obstacles on the sidewalks including doors leading down to store cellars being open and no warning around them. Scaffolding being installed and no way for a person with a visual disability to be able to detect them. Many members have had their clothes torn by parts of scaffolding protruding and worse being cut themselves by such scaffolding. Another recommendation made to us was for the City to have a scaffolding information website, that is, of course, accessible. Before any new scaffolding is installed this website should state when the scaffolding will be installed, where it will be installed and how long it is planned to be there. When the scaffolding is going to be removed the website should contain this information and when it is finally removed the website should be updated with that information in real time. Such a real time website would be helpful to all New Yorkers, not just New Yorkers with disabilities. Some wheelchair users like to use sidewalks with scaffolding because those sidewalks are less likely to have snow on them because of the scaffolding. However, other times scaffolding is a detriment such as when a person using a wheelchair has to board or disembark from a vehicle. Thus, having this information all in one website that you could look up by street addresses would assist all New Yorkers.

Another is the placing of obstacles in front of and on all or some part of a roadway, sidewalk and curb ramp, such as police barricades, newspaper vending machines, trash receptacles, light poles etc. as well as people blocking the travel path on a roadway, sidewalk or curb ramp. Further, e-scooters and other objects are many times placed in curb ramps and make them unpassable.

Some people think the curb ramp is the perfect spot to talk on their cell phone or face to face with their friends or the perfect place to take photos. We need a simple public service announcement and ad campaign on curb ramp etiquette.

Further, it would be great if the same website that contained scaffolding data also had real time current information on when, where and how long the slabs that cover work in the roadway are located and how long they will be there and, when they are removed, this is stated too. It is difficult, and at times, treacherous for people with disabilities to walk and ride over these slabs covering work in the roadways.

In the winter months, another obstacle New Yorkers with disabilities and visitors with disabilities face is the intentional placing as well as pooling of snow at the bottom of and on curb ramps which make it absolutely impossible to cross the street. This is a systemic problem. There needs to be better dissemination of information to property owners of their obligation to clean snow not just in front of their property, but also curb ramps adjoining their property. Similarly, the Sanitation Department personnel need to be trained not to move snow in front of or on to curb ramps.

4- Traffic Signals:

There needs to be APSs installed at all intersections in the City. Presently, the administrative process in New York City for getting an intersection approved for APSs is mind-boggling. We have been informed by our members that it takes many years for an approval to work its way through the City's byzantine bureaucratic maze. Moreover, after the APS is installed, it typically can take several more visits by various technical vendors to get the device working properly (correct timing, appropriate volume, correct alignment with traffic, position of the APS relative to the crosswalk, etc.). Further, we have heard that the New York City Department of Transportation (DOT) does not even return phone calls or e-mails when New Yorkers with disabilities attempt to determine the status of service requests on not only

existing APSs, but also curb ramps and other issues concerning the sidewalks and roadways. Finally, we have heard that the 311 operators do not know what an APS device is, so when a complaint is filed, the 311 operator rarely is able to correctly document the reported issue. Thus, a more responsive and better-informed complaint system needs to be implemented concerning addressing and communicating with New Yorkers on all accessibility issues relating to the sidewalks and roadways.

Further, we need more traffic signals, and all should include APSs. It must be made clear that a red light applies to all vehicles and pedestrians, not just to motorcyclists, cars, trucks and buses, but also to bicyclists, tricyclists, scooters, and skateboarders too. Many times, we have heard members complain that bicyclists, tricyclists, scooters, and skateboarders just zoom through intersections without slowing down and are more likely to run through red traffic signals expecting pedestrians in the crosswalk to slow down or stop dead in the road so they can go on their merry way while we have to worry about making it to the other side of the street before the traffic signals, which initially were in our favor, turn against us. This is particularly dangerous for people with disabilities that need the entire allotted time to cross the street safely. We have heard complaints about bicycles, scooters and skateboards often traveling in the wrong direction and people seeing more cyclists and scooters on sidewalks despite the fact that this is not permitted.

Everyone operating any vehicle should have to take training on how to safely operate their vehicle in New York City and should have to display a license when operating such a vehicle, whether it be a car, truck, bus, motorcycle, bicycle, unicycle, e-scooter, scooter or skateboard. Having to take a course on traffic rules and the reasons they exist before issuing licenses would lead to greater education of the public. Further, requiring these vehicle operators to display a license would make these operators of all types of vehicles more accountable, especially where there were traffic cameras that would issue tickets to those who choose to violate the traffic rules.

5- Traffic Regulation Enforcement:

We need better and greater enforcement of the traffic regulations as well as public service announcements that explain to New Yorkers that traffic regulations do not only apply to drivers of cars, taxis, buses and trucks, but to all New Yorkers, including motorcyclists, unicyclists, bicyclists, e-scooter riders, scooter riders and others.

6- E-Scooters Need To Be Regulated:

E-scooters should not be permitted on any sidewalks whether it is for riding or parking. It is too dangerous for pedestrians, especially for pedestrians with disabilities and small children to have e-scooters on sidewalks. Technology should prevent e-scooters from going on sidewalks and should regulate the speeds of rental e-scooters and privately owned scooters. It will not work to depend on rules that people will only follow sometimes. Further, it is essential that e-scooters make sufficient noise so everyone, especially people who have low vision or who are blind can know that these vehicles are coming near them. E-scooters should ride in bicycle lanes. Parking for e-scooters should be in the street, not on the sidewalk. Parking for e-scooters should not be provided near crosswalks because there will be too much interaction with pedestrians.

7- New Forms of Transportation Need to be Subject to Regulations That Promote Safety:

Any kind of electric vehicles and all kinds of driverless vehicles need to be subject to regulations that promote everyone's safety. As previously stated, this is particularly important as we move towards using more electric vehicles that do not make any perceptible noise. Significantly, presently, these vehicles do not provide any forewarning of their approach. Thus, pedestrians, including pedestrians with disabilities, are not provided with enough time to try to avoid these vehicles when the driver of such a vehicle fails to safely and properly operate the vehicle. This can result in serious consequences for all pedestrians and especially for a pedestrian with a disability who may not see the vehicle, as well as for a pedestrian with a disability who may not be able to move quickly, to avoid being hit by such a vehicle.

Please add our organizations, the Greater New York Council of the Blind of the American Council of the Blind of New York State and Downstate New York ADAPT, to the New York City Department of Transportation's emailing list, especially any notification that will be sent out asking for public comments when the New York City Department of Transportation completes the current updating of its ADA Transition Plan.

In order to promote a safer and more welcoming environment, we recommend that the Committee on Transportation create an advisory board consisting of New Yorker with many different disabilities that could assist this Committee and other City Council Committees in their work so we, New Yorkers with disabilities, do not continually have to bring lawsuits against New York City. Finally, we ask that this Committee continue to reach out to New Yorkers with disabilities to make New York City a truly great and safe City for all New Yorkers and visitors to our wonderful City.

Thank you for giving the Greater New York Council of the Blind of the American Council of the Blind of New York State and Downstate New York ADAPT the opportunity to submit these comments and we look forward to the day Vision Zero is a reality.

Very truly yours,

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**Testimony of Carlos Castell Croke
Associate for NYC Programs
New York League of Conservation Voters**

**City Council Committee on Transportation
Oversight Hearing on Vision Zero
October 26, 2021**

Good afternoon, my name is Carlos Castell Croke and I am the Associate for New York City Programs at the New York League of Conservation Voters (NYLCV). NYLCV represents over 30,000 members in New York City and we are committed to advancing a sustainability agenda that will make our people, our neighborhoods, and our economy healthier and more resilient. I would like to thank Chair Rodriguez for the opportunity to testify today.

The recent [cycling in the city report](#) confirmed that there was a significant bike boom during the height of the pandemic last year. This in itself is a victory for the environment and for our city. Cars are the leading source of pollution from the transportation sector and create unsafe street conditions for pedestrians, cyclists, and micro-mobility users alike. Reducing transportation pollution and congestion by encouraging drivers to take public transit and micro-mobility forms of transportation is a top priority for NYLCV.

Vision Zero, as intended, is a program that New York City desperately needs to make our streets safer, thereby giving more New Yorkers the confidence to transition away from automobiles and into forms of cleaner transportation like bikes and scooters. However, the program has been failing over the last two years, with 2021 slated to set a new record for fatalities during Mayor de Blasio's term in office. As we close in on the end of this calendar year, it is incumbent upon our elected leaders to expand and improve upon Vision Zero, and accompanying safe streets programs, so that New Yorkers are encouraged to get out of their cars and feel safe doing so.

First and foremost, we must be rapidly implementing the Streets Master Plan. Sustainable forms of transportation deserve priority over cars, especially on the busiest streets. The City also needs to be implementing a comprehensive street transformation plan, such as Transportation Alternatives' 25x25 Plan, to reclaim streetspace from cars. Obvious improvements such as implementing more speed cameras on dangerous roads can drastically reduce reckless driving and protect pedestrians. Simple infrastructure improvements, like bike parking on street corners

to improve visibility and also provide convenient bike storage, can also go a long way to improve safety. We currently have no goal set to reduce car use. If the city adopted a plan like 25x25 it would allow us to implement a concrete goal for reducing car use while also working towards other climate and resiliency goals including green infrastructure, street safety, and reduced emissions.

Mayor de Blasio made street safety a priority with Vision Zero, and this Council has advanced it through major transportation legislation including the Streets Master Plan, but our streets are at an inflection point. We have already fallen behind peer cities in making streets safer and greener, and we are in danger of losing all of the progress we have made over the last decade if the Mayor and the City Council, including the new Mayor and Council members we will have next year, do not make - and follow through on - a major commitment to street safety and congestion reduction.

Thank you for the opportunity to testify today.

NYC City Council Committee on Transportation

Oversight: Rethinking Vision Zero: Stopping Illegal Parking, Reducing Reliance on Vehicles and Improving Pedestrian and Cyclist Safety.

10/26/21

SARA LIND

OPEN PLANS, DIRECTOR OF POLICY

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At Open Plans, our mission is to transform the streets of New York City to be truly livable for the residents of this city, and to work for policy and structural change at the city and state level.

Reckless drivers are literally killing babies¹ on our streets and the worst part is: we know who these drivers are, they have countless infractions, and the city seems incapable² of getting them off the streets. Of the 94 pedestrians fatally struck by drivers so far this year, 59 percent³ were killed by “major violators.”

Tyrik Mott, who killed baby Apolline on a Brooklyn sidewalk last month, had received 108 camera-issued moving violations and thousands of dollars in unpaid parking tickets since 2017. He had completed the Driver Accountability Program in May. Yet he still drove incredibly recklessly. And he still killed a three-month-old baby.

¹ “Who Failed Baby Apolline?” Julianne Cuba, Streetsblog, September 14, 2021.

<https://nyc.streetsblog.org/2021/09/14/who-failed-baby-apolline-literally-everyone-in-multiple-agencies-in-all-three-branches-of-government/>

² “DÉJA-BLEW: City Failed to Get Another Reckless Driver Off the Road Before Crashing Into Funeral Home” Julianne Cuba, Streetsblog, October 14, 2021.

<https://nyc.streetsblog.org/2021/10/14/deja-blew-city-failed-to-get-another-reckless-driver-off-the-road-before-crashing-into-funeral-home/>

³ “DOT Wants Meeting with State DMV Head to Get Killer Drivers Off the Road” Julianne Cuba, Streetsblog, October 25, 2021.

<https://nyc.streetsblog.org/2021/10/25/dot-wants-meeting-with-state-dmv-head-to-get-killer-drivers-off-the-road/>

We support the Dangerous Vehicle Abatement Program. But we believe it needs to be stronger. There must be consequences for drivers who take the course and yet continue to drive recklessly.

What those consequences are is critically important. While suspending licenses is one tool, we know that people drive with suspended⁴ licenses⁵ all the time. For the worst offenders, we need to go beyond just suspending their licenses and impound their cars.⁶ Driving is a privilege, not a right. Lives are at stake. **This Council should amend Intro 971 to call for impounding vehicles if drivers continue to break the law after taking the course.**

In the meantime, we urge the Sheriff's office to boot and tow more of these cars. **The Council should use its oversight capacity to ensure that the Sheriff is prioritizing booting and towing the worst offenders.** While sting operations get media coverage⁷, it's not clear why the Sheriff does not do this all the time. While we know that having space to store towed cars is an issue, we urge more focused towing of the worst offenders. Similarly, the NYPD must increase enforcement of illegal parking in bike lanes and bus lanes, and illegal double parking, among other violations (including by their own vehicles). We know that it is possible for the city to remove cars: for example, they do this all the time to clear streets for movie/TV filming. Why is it that private profit is prioritized but safety is not?

And fundamentally, of course, Vision Zero is about designing our streets so that even reckless driving isn't as dangerous. DOT has moved slowly and incrementally on implementing necessary safety changes. Specifically, **we encourage the Council to hold an oversight hearing on the traffic engineers at DOT and whether they are fulfilling DOT's stated mission of prioritizing safety.** As it now stands, current engineering certifications used as tools of authority by the engineering staff are being wielded improperly to prioritize the movement of

⁴ "Warrant Out for Trucker Who Killed 3-Year-Old in Harlem Last Year" Julianne Cuba, Streetsblog, November 2, 2020.

<https://nyc.streetsblog.org/2020/11/02/warrant-out-for-trucker-who-killed-3-year-old-in-harlem-last-year/>

⁵ "Weak State Law Protects Unlicensed Drivers Who Kill" Julianne Cuba, Streetsblog, October 9, 2019.

<https://nyc.streetsblog.org/2019/10/09/lax-state-law-protects-unlicensed-drivers-who-kill/>

⁶ "Reckless Driver Who Killed Baby Apolline Took Driver 'Accountability' Course — But It Didn't Change a Thing" Julianne Cuba, Streetsblog, October 6, 2021.

<https://nyc.streetsblog.org/2021/10/06/reckless-driver-who-killed-baby-apolline-took-driver-accountability-course-but-it-didnt-change-a-thing/>

⁷ "Sheriff's Deputies Impound 54 Vehicles In Brooklyn Traffic Camera Enforcement Operation" David Cruz, gothamist, September 18, 2021.

<https://gothamist.com/news/sheriffs-deputies-impound-54-vehicles-brooklyn-traffic-camera-enforcement-operation>

vehicles over the safety of humans.⁸ By starting with traffic flow, the traffic engineers have developed a methodology that specifically excludes the inevitable human cost of their designs. The concept of desired throughput needs to be banned from use at DOT and engineers must be held to account for the unsafe conditions they create.

Open Plans is also focused on other critical ways to get cars off the street, including expanding School Streets and Open Streets. We also strongly encourage the creation of an Office of Public Space Management to ensure that critical safety improvements are not dependent on the existence of a private maintenance partner. And our Building Blocks program aims to empower local residents to make changes to their blocks so that safety improvements aren't held up by bureaucracy. Please see the testimony of Lisa Orman⁹ and Jackson Chabot¹⁰ for more details on these proposals.

In addition to the above, we have several **proposed legislative changes to strengthen Vision Zero and make our streets safer and more livable:**

- Amend Intro 971 to call for impounding vehicles if drivers continue to break the law after taking the course
- Create an Office of Public Space Management¹¹ so that the public realm is managed equitably across the city and necessary safety improvements are not dependent on a BID or private partner
- Pass a resolution calling for necessary changes at the state level¹² to allow New York City to control our streets, specifically lifting the cap and authorizing 24/7 speed cameras and red light cameras, and allowing New York City to set our own speed limits
- Reform DOT so that street safety redesigns are done proactively - and citywide - rather than only in response to tragic deaths

⁸ "Opinion: DOT's Traffic Engineering Division is Hostile to Street Safety" Mark Gorton, Streetsblog, 10/25/21.

<https://nyc.streetsblog.org/2021/10/25/opinion-dots-traffic-engineering-division-is-hostile-to-street-safety/>

⁹ Lisa Orman, Open Plans, Vision Zero Testimony, 10/26.

https://docs.google.com/document/d/1OFN6BR888BI38_f1OrXoBeenPKHEdrzJCaGZa0gNJhc/edit

¹⁰ Jackson Chabot, Open Plans, Vision Zero Testimony, 10/26.

https://docs.google.com/document/d/1u9bYtua284LGM74-Ha51_ZEvcP4z0t_gVzxxHY_b0XA/edit

¹¹ "A Proposal for the Office of Public Space Management" Open Plans. <https://bit.ly/3vL3DON>

¹² ABOUT THE CRASH VICTIM RIGHTS & SAFETY ACT, Transportation Alternatives.

<https://www.transalt.org/cvrsa>

- Eliminate the special parking privileges¹³ afforded to City workers and other VIPs, and give them free metrocards instead
- Pass legislation that mandates that the city indemnify private parties that partner on street safety improvements and maintenance (rather than requiring private partners to carry insurance, which can be prohibitively burdensome)
- Legislate to reduce the size of the city’s motor vehicles, banning all SUVs
- Legislate to reduce the city’s fleet by 5% per year
- Eliminate parking minimums¹⁴ in new buildings (parking minimums promote driving¹⁵)
- Install charging stations for ebikes and other electric mobility devices on public streets
- Mandate trip-demand reductions for municipal workers: agencies should endeavour to place employees in positions near their homes (e.g., teachers, NYPD, FDNY)
- Mandate that DOT reduce free on-street parking by 5% per year. Things to replace free on-street parking include:
 - Metered parking
 - Trash containerization
 - Commercial loading zones
 - Daylighting, neckdowns, and other safety improvements
 - Bike corrals and bike share
 - Public seating

We also urge the Council to hold Oversight Hearings on the following subjects:

- NYPD:
 - Illegal parking - NYPD should tow more vehicles blocking bike lanes and bus lanes, double parked vehicles, etc
 - Misuse of Placards
- DOT

¹³ “NYPD Falsified Placard Abuse Enforcement, Council Members Say” Matt Troutman, Patch, October 13, 2021.

<https://patch.com/new-york/new-york-city/nypd-falsified-placard-abuse-enforcement-council-members-say>

¹⁴ “End Parking Minimums Now” Julianne Cuba, Streetsblog, August 18, 2021.

<https://nyc.streetsblog.org/2021/08/18/analysis-end-parking-minimums-now/>

¹⁵ “Guaranteed Parking - Guaranteed Driving” Rachel Weinberger, Ph.D. for Regional Plan Association, October 2008. https://www3.drcog.org/documents/archive/guaranteed_parking.pdf

- Traffic Engineers - what safety standards are DOT engineers using and how can we mandate that they actually put safety first? Demand that engineers prioritize safety over traffic flow
- Sheriff
 - How can the towing process work more efficiently? Why are so many of these cars left on the streets?

In addition, we urge the Council to pass the following legislation immediately to assist with making our streets safer:

Intro	Subject
2417-2021	prohibiting the sale or distribution of materials that obscure license plates or distort images of license plates
2159-2020	civilian complaints to the department of transportation for hazardous obstruction violations
2073-2020	removes civil and criminal penalties for the offense commonly referred to as "jaywalking"
2253-2021	creating a pilot program to establish micro-distribution centers for distributing goods via sustainable modes of transportation
0009-2018	Requiring the installation of a stop sign or traffic control signal at every intersection immediately adjacent to any school
2282-2021	redesigning the truck route network to improve safety and reduce traffic congestion and emissions
2277-2021	commercial loading zones
2279-2021	expanding commercial loading zones
2281-2021	creating an office of sustainable delivery systems and requiring large generator of truck traffic buildings to produce and implement a delivery and servicing plan
2156-2020	establishment of a parking permit enforcement unit within the department of transportation

This Council has an opportunity to make critical safety improvements to our city's streets and public realm. We urge you to do so with expediency. Lives are at stake.

Sincerely,

Sara Lind



**Testimony of Rene R. Luciano
Metro NY Operations Manager
Trucking Association of New York**

Before the

**New York City Council
Committee on Transportation & Committee on Oversight & Investigations**

Regarding

Rethinking Vision Zero in New York City

Good Afternoon. My name is Rene R. Luciano and I serve as the Metro Region Operations Manager for the Trucking Association of New York (TANY). I would like to thank Chairman Rodriguez and all the members of the committee for the opportunity to testify before you today. I would also like to introduce myself by saying that I am a lifelong New Yorker, born and raised in the City and I have extensive experience in the transportation industry. I was previously an analyst for the New York City DOT, prior to that I was in the private sector working as a truck driver and later a supervisor for various companies in the NYC area. Therefore, I can personally attest to the challenges facing the industry while also giving insight into how we can improve transportation and trucking to better serve our city.

I'd like to begin by reiterating TANY's commitment to safety and Vision Zero. In fact, we have worked in partnership with DOT and the Council in various capacities to help further those goals and improve safety on the streets of New York City and we're beginning to see the fruits of our labor. As outlined in the NYC DOT's Smart Truck Management Plan, the trucking industry accounts for only 6% of all vehicle crashes and only 5% of all killed or seriously injured collisions. Of course one crash is too many and everyone must do their part to make sure not a single additional life is lost due to a crash, including the trucking industry.

For this reason, TANY launched an educational initiative to raise awareness and encourage changes in behavior among pedestrians, bicyclists, truck and vehicle drivers and other road users in New York City. The campaign, "Street Smart," offers critical information and guidance with the goal of saving lives and improving safety on NYC streets. The TANY "Street Smart" initiative provides helpful tips and resources, industry best practices, ongoing education and partnerships and other helpful resources to improve the safety of all road users. The campaign can be found online at nytrucks.org/street-smart. We are in the process of reaching out to stakeholders and elected officials in an effort to build partnerships to spread the message of Street Smart far and wide to all New Yorkers with the goal of achieving zero fatalities.

I would also like to take a moment to express some concern we have with Intro 2073, which would ease the burden of pedestrians who do not cross at designated locations. Although we understand the intent not to penalize people for what is essentially jaywalking, we think it's incumbent upon the City, in keeping with the spirit of Vision Zero, to make sure the message is clear that jaywalking is not acceptable and puts everyone in danger.

We look forward to continuing to have important conversations with the City Council. In the meantime, we will continue to conduct outreach and educate our members on safety and sustainability, while advocating for policies that help their day-to-day operations.

Thank you for your time and I'm happy to answer any questions.

TRUCKING ASSOCIATION OF NEW YORK

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About TANY:

For over 85 years, the Trucking Association of New York, a non-profit trade group, has represented the trucking industry in New York, advocating for the industry at the local, state and federal levels. We provide educational programs to our membership, which enhance their safety and maintenance efforts and offer numerous councils and committees to meet the diverse needs of our membership. TANY comprises over 600 member companies from New York, Canada, every border state, and other states across the country and is the exclusive New York affiliate of the American Trucking Associations (ATA).

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Two Tools for Safe Streets: Open Streets and Office of Public Space Management

Good afternoon, my name is Jackson Chabot, and I am the Director of Public Space Advocacy at Open Plans. Open Streets are a tool to improve safety. Now, we need a framework to manage public space and implement critical safety improvements equitably.

First, some context. The recent Transportation Alternatives report found that a mere 24 miles of the Mayor's promised 100 are active. I highlight this because the fastest way to reduce reliance on vehicles and improve pedestrian and cyclist safety is to provide safe infrastructure. Open Streets are a tool we now have and should be implementing more of.

Over the past year and a half, I've seen:

- Seniors safely walking on 34th Ave in Jackson Heights
- Children learning to ride their bikes on Vanderbilt
- People with mobility devices safely rolling down Ave B
- And the list goes on.

Open Streets are safe zones, with shorter crossing, and fewer or no vehicles. But let's be clear they are made possible because of volunteer coalitions and Business Improvement Districts. Moving forward, we need a framework to manage public space equitably. This will help us provide safe, healthy, and joyful spaces in all communities.

The DOT requires maintenance partners for critical safety infrastructures. Therefore, if there isn't a partner, there isn't going to be safety improvement. This leads to inequitably distributed infrastructure across the city.

At the moment, Business Improvements Districts are our primary public space managers, but they cover just 2% of the city. Coincidentally, they are also presenting the most ambitious pedestrian safety plans in New York City.

In the last three months alone, Meatpacking, SOHO Broadway, Union Square Partnership, and the Downtown Brooklyn Partnership BIDs have announced plans to transform their districts into areas that prioritize pedestrian safety.

Why is it that wealthy BIDs are leading the way on pedestrian safety? I wish that NYC DOT had the same transformative vision for our streets and sidewalks. Our streets would be that much safer for pedestrians and cyclists.

New Yorkers deserve access to safe public space, literally outside of their door. Open Streets have shown us this is possible; now, we need a framework for public space management to manage them municipally. CMs, You can rectify this by laying the groundwork for an Office of Public Space Management. This is our path to creating safe, healthy, and joyful public spaces.

Thank you.



WEST 50s NEIGHBORHOOD ASSOCIATION
211 West 56th Street

Oct 26th 2021

Testimony for NYC council Meeting on Transportation

I have been asked by many people in our group to send out this notice again.

The number one complaint about the quality of life in Midtown over the last few years has been out of control bicycles and e-bikes, and now, scooters and electric skateboards and even unicycles! Every Town Hall meeting I attend, every Precinct meeting I attend, the number one complaint is out of control bicycles. While the last few administrations have been shoving bicycles, and now e-bikes down our throats, not one politician has taken any responsibility for the oversight of the problem they have helped create. Quite simply, pedestrians feel very threatened by out of control cyclists who terrorize them by constantly breaking the laws designed to protect us all. Cyclists and e-bikers ride the wrong way in the streets, ride on sidewalks, ignore the rules of the road, and avoid bike lanes. They text while riding. They even break the speed limit!

The City has spent hundreds of millions on bike infrastructure, but not one penny has gone to education or enforcement. To me, it appears they have left themselves open to a massive lawsuit the next time an e-biker kills somebody.

Let's go over New York City law, briefly...

All bikes and wheeled objects are vehicles by law, and must obey the same laws as cars! It is totally illegal to ride anything on the sidewalk! All vehicles must travel in the direction of traffic, meaning almost every street in NYC is one way, and bikes and e-bikes must travel in that one direction only...bikes lanes are one way! All bikes must follow stop-lights and obey all traffic signals. Pedestrians *always* have the right of way.

There is absolutely no reason why all cyclists can't obey these laws.

The article mentioned e-bike theft as a big problem for delivery people. Well, e-bikes are not bicycles, but motorcycles, despite ex-governor Cuomo's desires, and as such, they should all be registered and licensed. They are capable of breaking the speed limit, as you are all aware. This would make bike theft a lot harder to get away with, and since even undocumented people are eligible to get a New York Drivers license, this should add a layer of protection to all delivery people.

And now, the city's bike partner, Citibike, as administered by Lyft, the car share people, has added E-bikes to their rolling stock. This means anybody who has never even ridden a bike before, now has access to a motorcycle. Now, Citibike users have become a leading menace to pedestrians everywhere. They have no idea what our bike laws are, and Citibike has made zero effort to inform them. There is a small notice about bike laws in the basket up front, but since the first thing riders do is put something in that basket, they never see the notice. Why can't Lyft and Citibike boldly print out the bike laws at every rental station where they now have advertisements?

There is no one ready to confront this situation. While bike ownership makes up less than 1% of the population, cyclists obviously have powerful lobbying groups behind them. The last few Administrations have bent over backwards to meet with every cyclist's demands, and now they boast about

adding more and more bikes and infrastructure to the city, without one word about handling the existing problems. The general public, however, knows it has been totally ignored. In my over 45 years of living in Midtown, I have never seen a cyclist stopped for any infraction, no matter how severe.

This is not, however, the police's fault. They were told by the Bloomberg Administration to lay off the cyclists to give them time to start a bike culture in the city, and that order has never been rescinded. Indeed, there are local politicians who have outwardly admitted they won't enforce existing bike laws!

It's time for a change! It's time our elected officials became aware of how strongly this problem is affecting our city, how many people feel abandoned by their electeds, and it's up to us to let them know. If we hope to see any change we must take action ourselves.

If you are a good cyclist, one who has lights and bells and pays attention to the rule of the road fine, we have no problem. Many of my cycling friends admit how much rogue cyclists, and now e-bikes, are making life worse for everybody, but I have suggestions for making the city safer for *EVERYBODY*.

The city speed limit is 25MPH, but these bikes can easily reach speeds of 35MPH, and can reach over 40MPH going downhill. Some of these bikes weigh over 45-50 pounds, making them quite lethal. Solution? Register all these bikes, and make sure everyone who rides one has a legitimate license. This way, we can make sure every delivery person is fully aware of ALL the laws: no sidewalks, no texting, no against the traffic, no sidesaddle. There is NO reason this can't be done, and this will solve the great majority of complaints about bikes in the city.

Another solution I have mentioned to the Department of Transportation, is for them to install signage alongside parking regulation signs

that say simply: “It is illegal for bikes and e-bikes to ride on sidewalks!” They told me, however, they have no interest in doing that, which is strange because they created this problem.

Another simple measure that would go a long way to helping solve the problem, is for every one of those Kiosks the city awarded to Google in a no compete contract, start displaying the Rules of the Road for all cyclists and e-bikers. They should be showing this message on and off for the next few months. Why can't the city do that?

Next, we have to find a way to help the DOT enforce *existing* bike laws. They should be given a mandate and whatever tools they need to get the job done. I personally think the best way to do this is to get agents out of their cars and back on the streets, perhaps pairing up plain clothes with uniforms. They could also stop car drivers from all their law breaking (every 5th driver is texting, there are so many illegal black windows, and over loud mufflers.) But that's just my view, I will defer to those that know better.

Finally, a big part of the bike problem is that the city, while having invited everybody to bike into the city, once they get here, cyclists have no place to put their bikes! The Bloomberg Administration promised there would be parking for bikes, but outside of a few businesses allowing bikes in their garages or storage areas, there is nothing. Cyclists have to chain their bikes to anything that doesn't move, and that usually means trees or scaffolding.

The DOT briefly offered bike corrals, but they had to be backed up and maintained by local landlords, something that was never going to happen. If the city wants all these bikes, *they* should provide on the street bike corrals and get all these bikes off the sidewalks...after all that was one of the selling points for bikes; that 8 bikes could take the parking on one car. Let's see the city back up their promises.

How can we make this happen?

Personally, I don't think one more penny should be spent on bike lanes and infrastructure until we have a well thought out program to enforce *existing* bike laws. We need to spread the word to our local communities and businesses that the city has to do something about this ever-growing problem. Below is some help in finding contact information. Share it...we won't achieve anything unless we have some numbers. Write the politicians and get in touch with local media as well...every story I see on TV is about new bike lanes. Let's make our point of view heard!

Dave Achelis
President
West 50s Neighborhood Association

To the attention of NY City Council

October 25, 2021

Expanding the use of bicycles in Manhattan is obviously a good idea. However, too many two-wheel vehicles (bicycles, electric bicycles, scooters) frequently ride on sidewalks illegally and with total disregard for the safety of pedestrians. Every day in my neighborhood (West 58th St. and 7th Avenue) I must confront bikers (mostly delivery people) who use the sidewalk instead of the street, endangering me and other pedestrians and dogs. Lack of enforcement encourages bikers to ignore any rule and allows them to roam the sidewalks with impunity. This practice has got to stop, for the safety of pedestrians and for their good quality of life. Only an adequate enforcement of the law can achieve this.

Alberto Viliani
152 West 58th Street, Apt. 6A
New York, NY 10019

October 24, 2021

To the Members of the Committee:

I am an avid bicycle rider. I am also an avid pedestrian. These two pursuits are incompatible currently in Manhattan. And, it is the bicycle riders, electrified and foot-powered, who are to blame. They do not obey any traffic rules! They do not yield the right of way at intersections and, most importantly, at pedestrian crosswalks such as 6 ½ Avenue.

I live at 150 west 55th Street, a 100-year-old apartment building that now has a bike lane directly outside our front door. One steps off the curb terrified when entering a taxi, crossing the street, or joining the bike lane. Not only do the users of the bike lanes not stop at stop signs, they are also going 30 miles an hour, a speed that will cause serious injury or death to whomever crosses their path.

As I said, I am an avid bike rider myself. But, as things stand right now, if I could wave a magic wand and make it illegal to ride a bike in Manhattan, except in a park, I would do so! The situation has simply gotten completely out of control

Thank you for your kind attention.

Respectfully submitted,

Andrew Kozinn
150 west 55th Street
New York NY 10019

The cyclists who advocate congestion pricing in NYC cite how vehicles are a menace to pedestrians on the NYC streets,
They NEVER address the reckless cyclists who ignore all the traffic regulations.
The police do zero in this regard and there is no enforcement of traffic laws for these offenders.

Often these riders:

- Ignore and go through Red lights
- Pass motorists on the right when the car is turning right
- Cyclists, scooters and skateboarders ride the wrong way on one-way streets including 5th and 6th Avenues
- Many ignore use of the bicycle lanes and ride on areas designated for vehicles and others ride on the sidewalk

Additionally, unlike motorists, if accidents should occur, cyclists, scooters and skateboarders are not required to have insurance or to show identify information.

In short, without enforcement of traffic regulations the cyclists etc. are a menace to pedestrians and motorists. They must be held to the same traffic regulations as motorists.

Thank you for your consideration.

Anita Rubin

To : The City Council of New York
Re: Vision Zero campaign

Distinguished members of the City Council:

I applaud Vision Zero as a bold effort on the part of the city to reduce traffic deaths by enforcing speed limits, adding cameras to intersections, and supporting alternative transportation such as bicycles and scooters. The expanding number of bicycle thoroughfares throughout the city guarantees greater access not only to the humble bicycle, but ebikes, escooters, Rave and Lime mopeds.

In doing so however, the city has failed its citizens in one major and extremely critical aspect: Law enforcement regarding the operation of bikes, scooters and mopeds: there has been no city-wide campaign or educational effort made regarding the safe and legal operation of two- wheeled vehicles, no posters, no online campaigns, advertisements or signage outlining the fact that two-wheeled vehicles must follow the same traffic laws as automobiles. ZERO. This neglect on the part of the city to inform its citizens of the legal use of such vehicles is DANGEROUS and IRRESPONSIBLE. If citizens who must obtain licenses to operate motor vehicles are required to understand the traffic laws, the same should be required of scooters and bikes (especially ebikes and scooters, which can travel at comparable speeds as cars). If there is to be no license requirement to operate such vehicles, then the city must make a clear and concerted effort to educate both pedestrians and drivers of the laws that govern the proper operation of such vehicles.

In the last few months I have recorded countless videos that show bicycles, scooters, mopeds driving the wrong way on one-way bicycle lanes; running red lights, endangering pedestrians who anticipate one way traffic flow, only to be surprised by an errant scooter or bicycle nearly hitting them coming from the opposite way. This problem has been exacerbated tenfold because of ebikes and mopeds. The operators of these vehicles are especially aggressive and speeding through crosswalks and stop lights; it is only a matter of time that death and injury statistics will increase.

I intend to continue recording these daily violations committed by two-wheeled vehicles and to keep an ongoing archive, which I will gladly share with anyone as

proof of the sheer number of violations and wreckless riders. I am one citizen, imagine the thousands of such violations across every avenue in every borough witnessed by countless others; it should not surprise any of you.

I implore you as representatives of the citizens of New York City to take this issue seriously by considering implementation of a city-wide campaign that educates two-wheel riders and clearly states the consequences of breaking the laws.

Sincerely,

Anna Louizos, a concerned New Yorker

A resident of New York since 1978

I strongly support passing Int. 2159-2020 to curtail placard abuse. There are too many cars lawlessly parked in bike lanes and on sidewalks and it's rare for 311 requests to result in action that removes them.

In addition, I support all measures which increase accessibility and safety for cyclists and pedestrians. We are all pedestrians. New York City has a responsibility to act quickly and decisively to reduce car use and curtail carbon emissions in the fight against climate change.

Avery Decker

Bedstuy, Brooklyn

Thank you for this opportunity to speak. My name is Chris Hayward. I live in Park Slope and work in Flatiron.

A question for you all: when you start your daily commute, how many of you think, “well, I might be killed on my way home”? As a bike commuter, that thought occurs to me much too frequently, and with good reason. As an example, just last week, a driver got mad at me for legally taking a full lane on 4th Ave in Brooklyn due to the bike lane being obscured. He recklessly sped past me so closely that I could feel the rush of wind from his car, and the driver in the adjacent lane yelled out.

I commute daily via bike through Carroll Gardens, Downtown Brooklyn, and Chinatown, among other neighborhoods, with a significant fraction through the East River Park. On every single trip, even though I travel on streets for only a few miles, I encounter many instances of bike lanes being blocked, often causing me to merge into fast-moving traffic. I use 311 to report TLC drivers who do this and TLC drivers only, as, unlike the NYPD, the TLC actually takes action in response. Reporting other drivers is a waste of time. I average more than 1 such complaint per day. Given that I cannot always take a photo safely and that the majority of vehicles in bike lanes I encounter are not TLC vehicles, this number should indicate just how ridiculously often my life is threatened by vehicles in bike lanes.

Delivery trucks, including Amazon, USPS, and UPS, are frequent violators. Repeated complaints to these national corporations by many advocates have not led to change. We need structural changes.

Another chronic issue is cars parked on sidewalks and in crosswalks. This illegal practice is extremely dangerous, especially to young children and people with disabilities, who are often forced to go into the street to pass.

Often, drivers who block bike lanes or crosswalks or park on sidewalks opt to do so even when it could have been easily avoided, such as by pulling up to the curb or stopping in an empty space a half block away. One must conclude that drivers simply don't care and know that they will not face consequences for their behavior.

Many of the vehicles illegally parked in bike lanes and on sidewalks are protected by placards, which are often not even legitimate ones. Drivers with placards break the law with impunity, as they know that they will not be ticketed or towed. As a single example, last month, Engine 239 firefighters parked personal cars with placards on the sidewalk along 4th Ave. This is a major route for families taking their kids to school. A firefighter confronted me when he saw me documenting the violation. I asked whether he knew that sidewalk parking is illegal. His response? "Yeah. What are you gonna do about it?"

I regularly report all of the above issues to 311. Except for complaints about TLC drivers, this is in vain. As you know from your investigation and Streetsblog's independent one, essentially all 311 complaints are fraudulently closed by the NYPD. The precinct that covers my

neighborhood, the 78th, is one of the worst offenders, so it is no surprise that these problems are rampant around my family's apartment.

How can we address all of these problems? First, I urge you to support and actively advocate for Intro 2159, a bill introduced by Council Member Levin that, as you know, would create a process similar to the TLC one via which civilians would be able to report parking violations. Second, we need a network of real protected bike lanes — paint and flexposts are not protection. Third, we need many more DOT loading zones throughout the city, especially in residential neighborhoods on streets with bike lanes, and they must be enforced. Finally, the city should better educate drivers about the hazards of stopping in the bike lane and the relevant laws.

Thank you for your time.

I just want to ride my bike to get to my day-to-day errands, without risking my life. But unfortunately, this seems like too much to ask. Last Friday, I was biking home from my girlfriend's house, when a driver made a right turn directly in front of me--I had to jam on my brakes, despite the fact that I was pedaling slowly, to avoid being injured or killed. It was terrifying. The driver didn't seem to think they'd done anything wrong, though.

And why would they? After all, we know that the city doesn't care about making biking safe. If they did, I'd have been riding in a protected bike lane. But we can't have those, even on some of the busiest bike routes in the city, because we're afraid of losing a tiny amount of car parking. So instead, I have to ride in the door zone, hoping that today I can get to where I'm going without being threatened, blocked or abused.

And we know that the police don't care either. The driver who nearly killed me last Friday? There's roughly zero chance they'd get a ticket. Police don't care about bikers--if they did, they wouldn't park blocking the bike lane, which happens continually at precincts around the city.

Getting people out of cars is key to meeting the city's climate goals, and to making the city more pleasant and safer for the majority of New Yorkers--pedestrians, bus passengers and cyclists would all benefit from fewer cars. But Vision Zero has failed all of these people. The city council needs to step up and demand real infrastructure--bike lanes and bus lanes protected with jersey barriers. The mayor and DoT need to stop worrying about losing parking spots. And the police need to start taking safety seriously--with consequences for them if they don't.

Dan Miller

Thank you for the opportunity to testify.

Councilmembers, your current legacy is one of not doing enough. Our city is choking on cars and the impacts of that are more obvious now than ever. This doesn't have to be your legacy. I urge you to act aggressively in the remaining two months of your term to reduce car use in our city. You do not need to ask permission to legislate, you were elected to legislate on our behalf. Legislate.

I'd like to propose 10 ways you could change your legacy.

How do you reduce reliance on vehicles? Legislate. Require DOT to reduce on-street parking by 10% every year until the number of vehicles crossing bridges in NYC drops 50%

How do you reduce reliance on vehicles? Legislate. Require DOT to expand the number of metered parking spaces by 10% each year until the city is no longer subsidizing parking and the number of registered vehicles in NY drops by 50%

How do you reduce reliance on vehicles? Legislate. Require DOT to adopt a dynamic pricing scheme for meter rates block by block targeting a curbside availability of 50%. This style program has been successful in other cities. If demand for parking in a block is too high, the metered rate for that block goes up. If below 50% utilized for several months, the price can decrease.

How do you reduce reliance on vehicles? Legislate. End the outdated practice of requiring developers to build parking by banning zoning required parking minimums citywide like many other progressive cities already have done.

How do you reduce reliance on vehicles? Legislate. Require DOT to have HOV lanes on all bridges and major routes.

How do you reduce reliance on vehicles? Legislate. Create an e-bike and e-scooter rebate program tied to ID NYC.

Stop tolerating the practice of discounting fines meant to curb bad behavior. Pass [Intro 1141](#) and require a ruling from a judge before a fine is discounted.

Stop tolerating vehicles on sidewalks, in bike lanes and in bus lanes. Pass [Intro 2159](#) for an honest civilian complaint program run by DOT

Stop tolerating vehicles on sidewalks parked there by city employees. Make it forfeiture of employment when a city employee parks on a sidewalk.

Stop tolerating NYPD placard abuse. Repeal Administrative Code 14-183 and require DOT be the only city agency to issue parking placards or permitting for on-street parking.

Thank You.

Jehiah Czebotar

Wreckless driving has increased over the past several years, with the past year being the worst I've seen. I don't feel safe crossing most roads. People routinely speed and fail to yield to pedestrians in the crosswalks. I have to be completely attentive at all times while biking otherwise I'll be killed or maimed by a driver who thinks they are the only person on the road. They blindly take turns at high speed, regardless of the fact that there's a person on a bike right next to them.

Better road design is needed. Not after a years long study but now. Not after another person is hurt or killed but now. Enforcement is needed too, primarily in the form of expanded, automated enforcement such as speed and red light cameras. If NYPD is going to continue to be the agency with the responsibility to enforce driving and parking laws, then they need to lead by example and they need to do it now. When they park their vehicles facing in the wrong direction, in front of a fire hydrant, with lights flashing in order to grab a meal at a local deli, what message is that conveying to the public? When they don't give someone a parking ticket because they have a sticker on their vehicle indicating support for NYPD, what message is that sending to the public. When no one in my neighborhood can easily walk on the sidewalk in the vicinity of the local precinct because there are personal and police vehicles parked on every sidewalk and blocking every crosswalk and even blocking an entire traffic lane at all times, **WHAT MESSAGE DOES THAT CONVEY TO THE PUBLIC?** If you're actually committed to Vision Zero, you'd better start getting your supposed Vision Zero partners to give a damn.

JENNIFER CHAKRABARTI

LENORE LOVEMAN STADLEN
130 WEST 57TH STREET #13D
NEW YORK, NY. 10019

NY CITY COUNCIL SPEAKER COREY JOHNSON
MEMBERS, NY CITY COUNCIL
TRANSPORTATION COMMITTEE

October 26, 2021

RE; PEDESTRIAN SAFETY FROM BIKERS

DEAR COUNCIL MEMBERS:

As a senior, my life is endangered these days every time I leave my home at 130 West 57th Street because:

1. Bikers are riding on the sidewalks without any direction from DOT, their employers, or CityBikes. As you know, it's illegal. It's also terrifying and endangering to pedestrians, many of whom are elderly like me.

2. Bikers, MANY OF THEM, pay no attention to traffic lights and all laws, riding the wrong way on one-way avenues and streets, ignoring pedestrian crosswalks.

Just two or many examples I could give:

A. I was crossing 7th Ave. on 57th Street with the light, and 5 young boys rode UP 7TH AVE., through the crosswalk, in front of me. I told them that was against the law and received nasty talk-

back. Some sidewalk observers nodded at me in approval and empathy.

B. I asked my stepson, who is 73 and lives on West 116th Street, if he had a view about bikers, before sharing mine, and he said “I almost got killed the other day, when one sped by me so close, if I’d moved an inch he’d have hit me.” This has happened to me, too.

C. My doctor said “The bikers frighten me because they don’t follow rules, they go through stoplights and pedestrian crossings. Amsterdam Avenue on the Upper West Side is terrible.”

DOT AND CITYBIKE NEED TO INSTIGATE A MAJOR CAMPAIGN TO EDUCATE BIKERS, EMPLOYERS AND RENTAL SHOPS OF THEIR RESPONSIBILITIES TO THE PUBLIC FOR THE WONDERFUL PRIVILEGE THEY HAVE OF BIKING IN NYC.

IT COULD BE A VISUAL, COLORFUL, MAYBE EVEN HUMOROUS, BUT DEAD SERIOUS, CAMPAIGN BY A CREATIVE AD AGENCY TO MAKE THIS CITY SAFE AGAIN. FOR ALL OF US. I WAS ON A BUS SOME YEARS AGO IN FRONT OF LINCOLN CENTER THAT A BIKER SLAMMED INTO AND I SAW HIS BRAINS SPILLED ALL OVER THE GROUND. SO BIKERS NEED TO BE INFORMED FOR THEIR OWN PROTECTION, TOO!

PLEASE TAKE ACTION ON THIS URGENT SITUATION. THANK YOU.

Sincerely,

Lenore Loveman Stadlen

October 28, 2021

Dear Committee on Transportation

I write to complain about NYPD's abject failure to address parking on the sidewalk, which endangers pedestrians.

I live in Brooklyn near Cadman Plaza. Reporters covering events at the federal courthouse regularly park on the sidewalk in front of Cadman Plaza Park. This is extremely dangerous, as small children run in and out of the park all day, and the reporters drive huge SUVs. It is just a matter of time before something terrible happens. Yet NYPD does literally nothing in response to this problem.

I have reported cars parked on the sidewalk to 311 many times, and NYPD falsely closes out the complaints, claiming to have taken action. Most recently, on September 24, 2021, I reported 17 cars parked on the sidewalk in front of Cadman Plaza park. About an hour and a half later, NYPD closed the complaint, claiming they "took action to fix the condition." This was a lie. I went to Cadman Plaza to check and saw even more cars on the sidewalk: 21 cars!!! They just blatantly refuse to do their jobs.

The next day, there were so many cars parked on the sidewalk that pedestrians literally had no place to walk. I got into an argument with one of the people driving on the sidewalk. She claimed that her press pass gave her the right to drive on the sidewalk. She summoned the police, who agreed with her. They told her that her press pass did give her the right to park on the sidewalk. I doubt they really believe that; they just don't care about pedestrian safety. They regularly arrest protesters for walking in the street, although this poses at worst an inconvenience for drivers. But they tell drivers it's okay to drive on the sidewalk, when this is actually extremely dangerous behavior.

The drivers claim there is nowhere else to park. In fact, there are two parking garages on Cadman Plaza West. They just don't want to pay for parking. That is not a good reason to break the law and endanger pedestrians' lives.

I ask City Council to direct DOT to put bollards around the sidewalk at Cadman Plaza. (There is inexplicably one single bollard at the SW corner of the block.) If the police won't do their job, we must design sidewalks so that drivers simply cannot get onto them in the first place.

I also request City Council to pass Stephen Levin's bill, INT 2159, to allow people like me to collect evidence of parking violations and provide it to DOT for enforcement action. If NYPD won't do their jobs, we need to bypass them and create a system that works for everyone, not just drivers, who are the minority in this City anyway.

Thank you,

MacKenzie Fallow

Brooklyn, NY 11201

Hi, my name is Michelle Koppersmith and I live on the Lower East Side. I am a member of the Manhattan CB3 transportation committee, but I am writing in my personal capacity. I joined my community board because of the dangerous conditions for pedestrians in my neighborhood - specifically the intersection of Grand Street and Clinton Street which is used as an on-ramp to the Williamsburg Bridge. I mention that I am a member of CB3 because our committee over the years has heard countless presentations from DOT and complaints from neighbors about the dangerous traffic in our neighborhood, and nothing has changed. In the past 5 years, I have observed increasing boldness on the part of drivers in my neighborhood and I am asking the council, the mayor's office, and DOT to address our pleas for help.

Specifically, please pass Introduction 2159-2020, to allow everyday citizens like me to participate in keeping our streets safe. I do not trust the NYPD to enforce the laws. I regularly submit 311 complaints, only to observe officers drive past the problem, do nothing, and mark my 311 complaints as addressed. This happens when I report cars parked on sidewalks, in bike lanes, and in crosswalks. Moreover, I frequently observe NYPD officers breaking traffic laws - just last night, I saw a squad car put on its lights, pull into a bike lane and block the crosswalk. It wasn't for an emergency - it was for the officers to go into Rite Aid and buy a jug of water. We also need to require everyone who works for the NYPD to live in the five boroughs so that they don't need to drive to work. Do not give them alternative parking options - make it so that they don't drive at all.

Drivers are running wild, and the NYPD isn't doing anything. I no longer feel safe walking the streets of New York. I live here and I want to continue living here - I don't want to die while crossing the street to buy groceries. We need to implement STRUCTURAL changes to make pedestrians safer, and we need to do it quickly. We can't wait for years with doing studies while people are dying. Please help us.

Written testimony City Council Hearing 10/26/21: Traffic Safety: Bicyclists/Pedestrians Sharing Streets

miriam fisher <fisherfreund@hotmail.com>

Mon 10/25/2021 9:20 PM

To: miriam fisher <fisherfreund@hotmail.com>

Traffic Safety: Bicyclists/Pedestrians Sharing Street Space

To The City Council, Committee on Transportation

I'm a longtime advocate for traffic reduction, less congestion, pollution, safer streets, the goal of Vision Zero.. My husband was one of the founders of AutoFree New York.

The pandemic has catalyzed a major change in transit patterns, an increase in biking, which I applaud and support more and better bike lanes. However, this in now patterns endangering seniors, people with disabilities, all pedestrians.

The "new normal " is bikes running red lights, on the sidewalk, wrong way. Cars are often pointed to as the bad guys, causing more accidents, injuries and deaths, which is accurate. I was hit by a yellow cab, in a coma, permanent injuries and lifelong hospitalizations and multiple back surgeries. But finger pointing at cars minimizes the reality of pedestrians injured and killed by bikers and doesn't help safety and safety law violations. Bikers often refer to the smaller number of accidents of bikers hitting pedestrians, a dismissal of the impact on real human lives, injuries and deaths involved.

Pedestrians have been killed: recent deaths of the actress Lisa Banes; the restaurant owner on the Upper West Side crossing from parking to the sidewalk through a bike lane; a senior on 23rd St in Chelsea. A senior with osteoporosis who is knocked over and breaks a hip has a life-changing serious injury. My physical therapist told me of the many patients he worked with in rehab, a nurse in Bellevue described the head injuries and people needing wheelchairs she worked with. Post recent back surgery, my balance and equilibrium are shaky, and I've had several near hits, advised not to cross busy 8th Ave., after seeing so many red light runners. I often wait until a 2nd green light comes on before I see no bikes and feel safe to cross, disenfranchising my right the cross when green. There was a flurry of emails in the digital journal NEXTDOOR, where for days subscribers cataloged their hits and near hits, injuries, many unreported so not in official statistics. An ABC 7 news article, 8/16/19, stated "169 pedestrians injured by bicyclists, up 14% from last year." And this was before the pandemic and increase in biking and impact on accident rates.

I have been at meetings with my local police precinct, which claims they are on top of this. But when actually talking with police officers in the street, all seeing one red light after another passed, they have shared that they are instructed not to chase after the bikers, as this would cause chaos and injuries of bystanders, and the bikers aren't licensed with identification. And two officers shared with me that they were personally hit by bikers.

There is no plan to monitor bikers except reported highly selective ticketing in certain neighborhoods, often poorer ones with few bike lanes. Delivery workers are pressured to quickly answer requests, increasing their rushing through lights to comply. I have reached out to biking/safety organizations such as Transportation Alternatives, in person, by emails and at webinars, the problem acknowledged by them but no outreach to members. I have testified of my concern at Manhattan Community Board 4 which encompasses Chelsea, Hell's Kitchen, Greenwich Village. A letter was sent from the chair/co-chairs of CB4, March 11, 2021, to Dept of Transportation Commissioner Pincar, urging "instilling a culture of compliance among cyclists." Also recommended was reconfiguration of the traffic lights to be synchronized so bikers don't have to keep starting and stopping, leading to more red light running. No

reply as of October despite recent CB4 effort for contact. CB4 suggested I contact the office of Corey Johnson, to help with this request.

I recommend enforcement through a Street Ambassador Program, not the NYPD, which has been a well publicized concern. And traffic lights be changed to the signal, "leading pedestrian intervals," to give both pedestrians and bikers the go-ahead before cars and consequently longer green lights, as has been piloted in other boroughs with success.

DOWNSTATE NY ADAPT, a disability activist organization, submitted testimony on Dec.3 2020 for City Council hearing on 11/30/20, to the Transportation Committee, stating that "everyone operating a vehicle should have to take training on how to safely operate their vehicle...and ...to display a license... would make these operators... more accountable... especially where there were traffic cameras that would issue tickets...to those who would violate traffic rules."

The goal of Vision Zero is ZERO NONE, no injuries and deaths.

Miriam Fisher 337 W.21st St, NY NY 10011, 212 989 7016

I've never submitted testimony before and I wish I could attend in person, but alas I have to work.

Here's a problem: Daily, I see drivers using bike lanes for their own, as though they are extra space for cars. Then cyclists are told they break a lot of laws. It is very hard for a cyclist to stay safe when spaces intended for their safe passage throughout the city are used as 'extra space' for cars. While I can understand a small number of exceptions, for example pulling over to create a temporary moment for a disabled or elderly person to get home more easily, I would wager a guess that the vast, vast majority of cars in bike lanes are not in this particular situation.

This bike infrastructure was created and I support the city in creating more ways to support meaningful use of this infrastructure investment in the future of our city.

When I read about the amazing leaps other major metropolitan cities are making in their bike infrastructure I am embarrassed about how slow and ineffective my home town is when it comes to supporting safer, cleaner, cheaper, and less noisy modes of transportation. Let's turn these tides and protect our bike lanes while persecuting illegal parking!

Nora C Wolf

The NYPD has simply given up traffic enforcement for cars. It has now become an everyday event to see a car parked on a bike lane, on a No-Standing zone or even on sidewalks. Even running red lights and making illegal right-on-red turns seem to be commonplace.

I wish it was just lazy drivers but more often than not these cars have placards on them, usually from the police themselves, but other agencies too; and many just seem flat-out fake. The practise is so widespread that even non-placard holders do it. I live on Queens Blvd where we now got a bike lane. This bike lane is often blocked by a car or truck, with cops driving by it as if it was nothing.

Many people see parking violations as a victimless crime, but forcing cyclists into car lanes can be lethal. This is what happened to Madison Lyden, a tourist from Australia who was killed by a driver when she was forced to go around a parked car on the bike lane. If that car had not been there, she would be alive today.

I wish I could think of some policy change that would make the NYPD enforce these rules, but I don't think there is. Most NYPD officers don't live in the city, they drive in from the suburbs and illegally park all-around their precinct, blocking sidewalks for pedestrians. How can we expect them to enforce traffic law? The Council should instead move that responsibility to another agency, maybe the DOT. The Council already moved crash investigations from the NYPD to the DOT, so there is precedence for this. And if this is not something the Council is willing to do, then you should pass **Int 2159-2020**, which would allow people to enforce these laws. If the government will not do it, then let the people do it.

Lastly, this isn't just the NYPD's fault. Every bike lane violation is an NYC DOT street design violation. The Council should push the DOT to redesign streets quicker and better. To make protected bike lanes truly protected, by installing barriers and bollards, not flimsy plastic tubes. It should also force the DOT to stop using the antiquated Level of Service metric, as it makes intersections dangerous, discourages infill development, and encourages driving.

Pedro Rodriguez

**Written Testimony Submitted by @placardabuse to NYC Council
10/25/2021**

We look forward to the continued oversight and additional swift, decisive action by the City Council to address placard corruption and all the assorted forms of misconduct and government waste that are inextricably tied to it through the culture of corruption that it incubates within our New York's placard class.

It is very helpful that the City Council's own investigative staff has now independently verified what we have been documenting for years: the NYPD systematically falsifies responses to 311 complaints about illegal parking, especially when it involves placard corruption. This has been further substantiated by a recent Streetsblog analysis.

We emphasize that these are criminal actions; the public employees that we entrust with powers to enforce the law are instead committing felonies to allow their associates to break the law. New York State Penal Law Chapter 40, Part 3, Title K, Article 175 states that:

A person is guilty of tampering with public records in the first degree when, knowing that he does not have the authority of anyone entitled to grant it, and with intent to defraud, he knowingly... makes a false entry in or falsely alters any record or other written instrument filed with, deposited in, or otherwise constituting a record of a public office or public servant.

Further, we again reiterate that these ongoing patterns of behavior demonstrate that prior sworn testimony to the City Council by senior NYPD officials constituted perjury. As we have said and shown through an overwhelming preponderance of evidence at every turn, their assertions about the enforcement efforts of the NYPD were always crafted on misleading or outright false statements.

Beyond the criminality that is sustained by the NYPD's leadership, the corruption also relies on the complicity of officials 311 and the Department of Investigations. The 311 officials have been aware of these patterns of NYPD misconduct for years, and instead of undertaking the analysis demanded of their position to identify and alert the appropriate investigators of these patterns, they instead took efforts to conceal the criminal actions from public view.

Worse, the Department of Investigations has ignored this criminality for years, and has collaborated with the NYPD to advance a series of bogus, ridiculous excuses for failing to perform the investigation into placard corruption that was required by Local Law 6. We cannot imagine any other scenario where an investigative agency would return to a legislative body to say that they did not undertake an investigation required by law because the target of the investigation refused to provide the cooperation that the law required.

When the NYPD next appears at a City Council hearing to testify about parking enforcement, there are a number of points that we suggest that the City Council will question them about, and hold them accountable for any perjury:

- Why are chronic violators allowed to continue breaking the law for months on end—or more—when they are routinely brought to the attention of the NYPD? (Note this placard perp who has been documented 90 times! <https://twitter.com/placardabuse/status/1452579497597886467>)
- Why does the NYPD systematically violate the rights of people with disabilities by blocking their ability to safely use sidewalks and crosswalks, including at the NYPD's own ADA "hub locations." This should not require complaints from New Yorkers, but NYPD Equity confirmed that they were doing an “investigation” nearly two years ago... yet these violations of basic rights and federal law have continued uninterrupted
- On whose orders are Traffic Enforcement Agents passing over cars that display placards without issuing tickets?
- Who is responsible for disciplining Integrity Control Officers who hand out blank placards or fail to collect expired placards? Or allow police officers to use illegal equipment (excessively tinted windows, license plate covers, etc.) on the personal vehicles that they park at the precinct?
- Why is there no discipline when NYPD officers close 311 complaints with false statements?
- Why do various NYPD units (13th Precinct, 52nd Precinct, SRG) continue to block bus lanes all day, every day, after the Chief of Department told the press that illegal parking in bus stops and bus lanes is not allowed (<https://www.thecity.nyc/2020/8/27/21404388/nypd-cars-still-dangerously-blockbus-stops>)?
- Why is the NYPD not towing vehicles and charging their owners with possession of a forged instrument when they display fake placards?
- Why are the unions that represent members of the NYPD, FDNY, Probation and other departments allowed to produce their own fake placards that are designed to appear like they were issued by City agencies?
- If the NYPD insists that any of these is due to “inadequate parking,” what are they doing with their \$11 billion budget to resolve those problems to achieve a credible semblance of lawful conduct?

Thank you for holding this oversight hearing. We look forward to firm action to excise the criminality that has been festering for too long on New York City’s streets and in the halls of 1 Police Plaza.

Supplemental Written Testimony Submitted from @placardabuse to NYC Council 10/28/2021

For years, the NYPD has freely admitted in City Council oversight hearings that “placard abuse” makes our streets more dangerous and erodes public trust. We believe it is unnecessary, at this point, to explain again in detail how placard corruption blocks the success of Vision Zero and will eviscerate the effectiveness and fairness of congestion pricing. It may be worth reminding the Council Members that placard corruption entails more than just “illegal parking,” as the misuse of discretion allows the placard perps to get away with tampering with license plates in various ways to avoid enforcement cameras, illegal dark-tinted windows, and missing or expired registrations and safety inspections.

The NYPD has conceded on the record in prior City Council testimony that “placard abuse” is, in fact, a form of corruption. And yet, year after year, they return to the City Council with bad-faith arguments, misleading statistics, and outright lies. It is a standard practice for them at this point to announce some fake crackdown and put in just enough effort to let the news cycle blow over, before allowing the corruption to continue unabated, growing worse each time the cycle repeats.

We appreciate the oversight provided by the City Council, and we urge our elected officials to follow up with more assertive legislative and legal remedies to put a stop to the illegal conditions that endanger the public and erode the quality of life on our streets, and to address the perjury that is routinely committed by the NYPD during Council oversight hearings. There were a number of misleading and some outright false statements by senior members of the NYPD, and a clear demonstration that the nation’s largest “law enforcement” agency stands in firm opposition to performing its required duties or taking action against its own members when they break the law.

To help solidify the Council’s understanding, we provide detailed discussion below for several topics. We and others have covered the criminal falsification of 311 responses previously, so we don’t include that here.

Accessibility – The constant and complete violation of the Americans with Disabilities Act by the NYPD has not received enough attention. All day, every day the NYPD openly violates federal law that protects the rights of people with disabilities to safely travel through their own communities. This is beyond egregious when access is fully blocked at the limited number of station houses that were designated “hub locations” by cars parked illegally on the curb ramps and blocking the sidewalks.

Investigations into placard corruption – As the City Council noted in its **XXXX** letter to the NYPD, the enforcement and investigations required by Local Law 6 of 2020 have not been performed. The NYPD did not present any revised timeline for complying with the law. Instead, in response to extensive comments by Council Members Levin and Holden about the rampant illegal conditions around Downtown Brooklyn, Deputy Chief Abbassi said that he would talk with Commanding Officer at the 84th Precinct and send out an investigation team—a

response to public admonishment by elected officials that offered none of the enforcement and only a fraction of the investigation that the law requires them to perform.

But wait, there's more! The "independent" investigation team that Deputy Chief Abbassi said he would send out is Quality Assurance, which is one of the groups that we see habitually parked illegally on the sidewalk in the 84th Precinct. We're sure they're going to do a really great "independent" investigation of their own misconduct.

The Department of Investigation has also failed New Yorkers. It has broken its public commitments to pursue placard corruption. Then after the City Council enacted Local Law 6 which explicitly required the DOI to perform the investigations, DOI openly refused to perform its duty. Meanwhile, we have periodically seen members of the DOI engaging in placard corruption themselves.

Fake parking placards – As we constantly document and members of the Council are already well aware, there is a wide range of paraphernalia that the NYPD and other agencies that share enforcement responsibilities recognize when extending the "courtesy" of breaking the law. Years of observation have shown us that while lots of dashboard junk enjoys a very high degree of illicit privilege, it has a lower status and overall success rate than the fake placards issued by several of the unions and "associations" for "law enforcement." The production and possession of these fake placards, which generally resemble and often explicitly use the name of official government agencies (SBA placards that look like they are issued by the NYPD, UPOA placards that appear to be official Probation placards, etc.), clearly meets the standards for felony crimes in most instances. Nonetheless, the City agencies openly allow these crimes to continue under color of their authority at and around their facilities.

Other placards, like those issued by the UFA, which look like FDNY-approved placards, seem to be a gray area resulting from a lack of professionalism at the City agency. The union contract entitles them to a specified amount of parking, yet the agency does not issue them placards and recognizes the placards issued by the union. The distribution of these placards lacks official controls, and they have been notoriously distributed as favors. The huge number of these placards are never disclosed to the City Council when the City agencies testify in oversight hearings.

There are additional classes of quasi-legal placards issued by agencies like the Department of Parks and Recreation and Sanitation that authorize parking in off-street parking lots. They are constantly used for illegal on-street parking all the same. The City agencies never disclose the existence of these parking placards either when they testify to the City Council about the total number of placards.

The most egregious are the "Trooper Surgeon" placards. Any doctor can pay a few hundred dollars to the NYS Trooper PBA to get one of these fake placards. There is no legitimate purpose for these placards, and they are almost always successful for avoiding tickets. This is nothing short of openly tolerated bribery.

Bus lane enforcement – Chief Royster said the NYPD has a program dedicated to enforcing bus lanes. This was a deliberate attempt to mislead the Council in response to questions about non-enforcement of illegal parking by the NYPD. The simple, easily observable fact is that the NYPD consistently blocks designated bus lanes with its illegal parking, to the permanent detriment of our transit system. A few of the bus lanes that are never clear:

- Eighth Avenue between West 53rd Street and West 55th Street in Manhattan
- Livingston Street in Brooklyn
- Second Avenue between East 21st and East 22nd Streets in Manhattan
- Webster Avenue at Mosholu Parkway in The Bronx
- West 42nd Street at Eleventh Avenue in Manhattan

Lying with numbers – Chief Royster said that they have increased enforcement against parking placards, citing 37,084 tickets from January 1 through October 24, 2021 as an increase in enforcement, compared to 27,469 for the same period in 2020. Given the abysmally low level of enforcement, that would not actually be a meaningful increase, but this statement is much more misleading than that. Chief Royster knows that the 2020 level of activity was artificially low. In reality, the level of enforcement in 2021 is lower than it was in earlier hearings when the NYPD promised to increase its efforts.

Chief Royster also cited a modest increase in tickets for license plate obstructions as part of her claim that they take it seriously as a threat to public safety, apparently hoping that a small change in these numbers might somehow distract from the fact that the NYPD openly allows its own members, who have statistically worse driving records than average New Yorkers, to continue committing these violations with impunity despite constant community complaints.

Deputy Chief Abbassi referred to faster response times for 311 calls, despite being fully aware that those statistics have been reduced by the exact fraud that the City Council has investigated and was questioning the NYPD about.

Just plain lying – The Legislative Affairs representative said that they take it seriously if officers say that they showed up for a complaint and they didn't show up. We know that's a lie; we have been directly providing them with example after example for years. They have done absolutely nothing about it, as your own investigation demonstrated. If they took it seriously, this problem would have been addressed long before the City Council had to dedicate its own resources to independently confirm this pattern of criminality that we have continued to document.

Deputy Chief Abbassi said that they are increasing enforcement of illegal parking around the precinct station houses. There is absolutely no evidence of that in the field, and we are sure that there is no change in disciplinary charges that he can cite to substantiate that false statement. It's just a flat-out lie.

Inadequate parking – We routinely hear from City agencies that they only park illegally because they just don't have enough parking. We have heard the Mayor make this excuse when walking back his fake crackdowns on placard corruption, and we were disappointed to hear

Council Member Gibson make a similar concession to the corruption during the oversight hearing. Generally, this simply is not true. Looking at the conditions around these facilities, we invariably see that there are scores of vehicles with paraphernalia and fake placards, whose owners are being extended the “courtesy” of free parking in areas reserved for City business. We often see second personal vehicles that are being stored long-term for free on prime NYC real estate. The agencies frequently leave their own derelict vehicles for months or even years in these zones, and the police leave wrecked vehicles on sidewalks for protracted periods of time. The problem is a total lack of management or respect for the community; any lack of space is a vastly smaller problem. No amount of space would ever be sufficient as long as they’re allowed to fill it with their buddies’ cars and the dead vehicles they don’t want to deal with.

We also remind the City Council that union contracts do not guarantee free parking, but rather offer the benefit of the use of the free parking that is available. When those spaces are filled, workers are responsible for lawfully meeting their commuting needs. If the unions want to prioritize parking as a guaranteed benefit, it needs to be done in good faith at the bargaining table and not illegally seized on the street in ways that compromise public safety.

Plan to address illegal parking – When Council Member Holden asked the NYPD what the plan was to address their illegal parking, Deputy Chief Abbassi said that they could “talk about a plan offline.” We find this offensive to public transparency, and an outrageous response when they have broken prior public commitments and disregarded legal requirements.

The Mayor’s Office announced in XXXX that they were working with the NYPD to identify the parking requirements at every precinct’s station house. There has been more than enough time to identify their needs and formulate solutions for any deficiencies that can’t be solved by imposing any semblance of lawful conduct and discipline.

Subsequently, the NYPD enacted Local Law 5 of 2020, which required the NYPD to prepare a plan for managing its parking placards, which would be published online. Of course, they never prepared any plan and this is yet another example of the NYPD openly breaking the law.

Suggested Corrective Actions

Pass Intro. 2159 – Years of publicizing the widespread corruption, consistent advocacy, periodic oversight hearings, and a slate of legislation have failed to result in our corrupt “law enforcement” agency addressing placard corruption. The ability for citizens to directly bypass the NYPD has shown itself to be necessary to provide an enforcement mechanism that can finally deter the conditions that continue to grow worse on our streets.

Curtail police “discretion” – A root cause of placard corruption is the ability of “law enforcement” officers to abuse their ability to decide when to enforce the law, with no accountability. While this has never been intended to be used in such blatantly self-serving ways, the extent of the “discretion” afforded NYPD officers is an open invitation for favoritism and discrimination. We believe that it is necessary to make it mandatory to issue tickets to vehicles that misuse placards or display paraphernalia, and further to define a misdemeanor for

enforcement agents and officers who deliberately avoid writing tickets to vehicles with such displays.

Writ of mandamus or independent investigation – The failures of the NYPD and DOI to perform required enforcement actions and investigations must be directly addressed, either by forcing them to take perform their required duties or identifying an alternate body that will provide enforcement and bring charges.

Again, we thank the City Council for its ongoing oversight. We expect to see efforts continue and intensify until our streets have been cleared of corruption.

Richard Robbins

Member of Manhattan CB7 but speaking in my personal capacity.

To date this year, there have been [382 murders](#) in New York City and there have been 199 traffic fatalities. Despite there being over half as many traffic fatalities as murders, traffic fatalities are an afterthought.

Clear goal of Vision Zero is to save lives.

1 - We need a culture of safety. I think of Long Beach Island, NJ where the main road feels like a 2 lane highway, but everyone knows that if you drive over the 35 MPH speed limit you get a ticket. We have the opposite. When I drive into NYC to the UWS, coming down the West Side Highway there are ALWAYS cars racing and weaving in and out of traffic. This sets a tone of lawlessness. On Riverside Drive, I drive the 25 MPH speed limit and invariably cars cross the double yellow line to pass me and go faster. Everywhere, cars speed, run red lights, and fail to yield.

To date this year in CB7's district, there have been 8 traffic fatalities. If we had 8 murders, the community would be up in arms. But nobody is even aware of the 8 fatalities, 7 of which were caused by cars and one by an illegal scooter that killed actress Lisa Banes.

2 - NYPD has an extraordinarily hard job. But traffic fatalities are not a priority. I recognize that Chief Royster and the NYPD leadership in this meeting are the exception, but I have been to countless meetings with everyone from the former commissioner to our local precincts. NEVER do the police even mention traffic. The focus is always on murders and non-traffic related violent crimes.

Earlier in this hearing, Chief Royster said, "when shootings went up, we had to reallocate staff" -- this shows their priority.

Very few officers are trained to use radar -- in a recent month, one of the precincts on the UWS gave out ZERO speeding tickets. Automatic enforcement with cameras can be part of the solution, but especially while we remain limited by Albany, we also need an actual enforcement presence so drivers know that if they break laws, they will get caught. We have the opposite of that now, a general sense of lawlessness.

Plus, not only does NYPD not enforce traffic laws, they don't respect traffic safety measures implemented by DOT. As one example, DOT installed left turn lanes on Columbus Ave to keep turning cars from blocking traffic. The local precinct uses that turning lane that they are responsible for enforcing as their own parking lot. We need an enforcement organization that is laser (and radar) focused on enforcing traffic laws. We should think seriously about breaking traffic enforcement away from NYPD and forming a new agency focused on enforcing traffic, completely separate from NYPD.

3 - It is crazy that completely untrained people on community boards who don't even have access to data have influence on traffic safety issues. The Fire Department would never go to community boards for permission to implement life or death fire safety measures. Yet we force DOT to go to community boards -- which are dominated by car owners -- for approval of life or death issues. Plus, even though motor vehicles are responsible for 95%+ of serious injuries and fatalities, community boards often call for NYPD to devote their limited enforcement on bicycles because of "near misses," as even CM Rosenthal just did. One of my CB7 colleagues recently stated in a meeting, and I'll quote, "cars tend to obey the rules, but other vehicles (referring to bicycles) tend not to." It's the equivalent of making knife enforcement a priority instead of guns because community board members keep speaking out about knives.

4 - We need to rethink parking and vastly increase loading zones, but at the same time have serious consequences to blocking traffic. As one example, for years, Fresh Direct has been parking a truck on Amsterdam Avenue at West 103rd Street blocking a traffic lane for years. Any tickets they have gotten are the cost of doing business -- far less than the cost of paying neighborhood rent. They have effectively made a traffic lane on Amsterdam their distribution center for the neighborhood.

5 - As many have stated, NYPD frequently dismisses 311 complaints about illegal parking. A car with an expired EMT placard frequently parks overnight on a sidewalk in my neighborhood. When I called 311 to report this, NYPD falsely reported they "responded to the condition and took action to fix the condition," without actually investigating, once 1 minute after I placed the complaint. It is a complete no brainer that NYPD needs to immediately stop its officers from filing false reports, and that there should be real consequences if they do.

6 - Delivery cyclists need to be accountable. Third-party delivery services like DoorDash exploit the loophole that their deliverers are independent contractors who need to break the law to have any chance of even making minimum wage. DoorDash doesn't even inform cyclists about NYC laws, such as need for helmets, lights and IDs.

From: Rosamond Gianutsos, PhD, CDRS <cogrehab@pipeline.com>
Sent: Tuesday, October 26, 2021 1:50 PM
To: Testimony
Subject: [EXTERNAL] Ticketing illegally parked "placard" vehicles

Why aren't 311 calls relating to placard abusive illegal parking directed to Traffic Enforcement Agents, rather than or together with the NYPD Precinct? These tickets should be the first option and can be done almost instantaneously with the TEA's scanners. There is an obvious conflict of interest when NYPD responds.

From: Samir Lavingia <lavingiasa@gmail.com>
Sent: Tuesday, October 26, 2021 1:58 PM
To: Testimony
Subject: [EXTERNAL] NYC council hearing-committees on transportation and oversight and investigations-1030am on 10/26/21

Here is my full testimony for the NYC Council Hearing today.

Hello and thank you for having me. My name is Samir Lavingia and I am a resident of Manhattan and an advocate for safe streets who lives near Union Square Park. I am here to talk about how Vision Zero has been a total disappointment. I also had this written testimony prepared, but felt compelled to add a note at the start after hearing Commissioner Gutman speak. Enough is enough. You have tools in the toolbox with street redesign and you need to take responsibility and use them. Stop victim blaming cyclists and stop deflecting to the state and enforcement entities you cannot control. You should be ashamed that you are letting people get injured and die while you just say that other people should do something about it. Stop designing unsafe streets and allowing cars to run rampant. It is reprehensible. And to the City Council, the DOT has shown time and time again that they won't do anything until they are forced to. Please internalize this and don't take their complaints seriously. They just don't want to do their job to make our streets safe.

I am going to continue by going through some things that you will see day to day just walking around the city. Our intersections are a mess where people in cars are constantly running red lights and blocking crosswalks. Drivers and parking on the sidewalks and in the bus lanes so frequently that the busses don't even bother to use them. You can hear busses honk and honk at cars parking in the bus stops, but they just don't care. There is no accountability for this horrible behavior that puts pedestrian and bus riders at risk. You see ambulances get stuck with their sirens on and they just can't go anywhere because the streets are blocked. Cars are the problem and we have way too many of them in our city. We need to do as much as we can to remove them from our public spaces.

I want to be clear that this isn't just private citizens. It is also government employees and the NYPD. I can't remember the last time I went to Union Sq Park and didn't see cops parked on the sidewalk. I constantly see police cars parked on the sidewalk, blocking ADA accessibility. No one with a wheelchair or stroller can get through, so they have to take the street. They have nothing but contempt for the people of this city who bike and walk around.

Lastly, I want to talk about the experience of biking in the city. Our bike infrastructure just isn't safe. Drivers just ride over the flexi posts and our "protected bike lanes" are just filled with parked cars. I don't even own a bike, but I want to ride a Citibike more. Right now I don't because I don't feel safe, especially at the intersections and turning lanes. We are in a climate emergency and we should be making zero emission transportation a more attractive option instead of allowing drivers to just do whatever they want without consequence.

Some ideas for what we can do:

1. Designate large swaths of land where we pedestrianize the space, similar to what they are doing in Berlin. SoHo is the most obvious area that comes to mind
2. Install actual bollards that protect pedestrians and bikers. We use them for things like fire hydrants and parking meter machines, but not for people

3. Add red light and speed light cameras everywhere
4. Allow civilian enforcement of parking rules. I have used the TLC app and that works great. Let's expand that to everyone
5. Speed bump turns to force drivers to slow down
6. Adopt a "one of each before two of any" methodology to require sidewalks, bike lanes, and bus lanes before adding another travel lane
7. Get rid of overnight parking when we have street cleaning so drivers can't just sit there and idle waiting for the cleaning trucks and we can keep our drains clear

Cheers,
Samir

To the Committee on Transportation:

It's obvious whenever you attempt to walk, ride a bike, or ride the bus in New York City: our streets are failing us. Our existing paradigm of incremental redesign and lax enforcement has caused an explosion of traffic, illegal parking, injury, and death. It's time for a change.

Over the years, I've submitted dozens of 311 requests for illegal parking in bus lanes, in bike lanes, in crosswalks, and on sidewalks. These incidents slow down transit, make biking unsafe, and make sidewalks inaccessible for people in wheelchairs. However, the reports that I opened were only addressed a handful of times. The request would often be closed days later to no effect, even when I included photographic evidence of the offense. Even more often, without any ability to report, I've seen drivers speeding down residential streets or even blow stop signs and red lights. Due to a lack of consequences, drivers have little incentive to stop their harmful behavior.

NYPD is one of the worst offenders. Every single precinct that I've lived in or even just passed on the street has dozens of private and patrol vehicles parked on the sidewalks, leaving nowhere to walk even if you don't require an assistive device. I have routinely seen NYPD vehicles block bike and bus lanes, blow stop signs, and slalom around or slam through Open Streets barriers at full speed. They clearly cannot be trusted to enforce themselves, so either enforcement must be moved to DOT, or Intro 2159 must be passed so that citizens can enforce streets on their own.

Enforcement is important in the short term, but cities that succeed at Vision Zero do so through design. Oslo has made road deaths a thing of the past by eliminating on-street parking to discourage through-traffic. Madrid has made neighborhoods safe and calm through superblocks. And just in one year, Paris has made cycling incredibly safer by rolling out a citywide network of bike highways. DOT must be empowered to make these bold changes to our streetscape, so that transit moves faster and drivers stop hurting people. This means treating Community Boards as the advisory role that they legally are, not as a veto point. And it also means committing to reallocating street space away from cars, rather than building each design around keeping as much parking as possible.

Please find the courage to pass the laws necessary for safe streets.

William Meehan
william.meehan.620@gmail.com

From: Doug Gordon <douggordon@gmail.com>
Sent: Tuesday, October 26, 2021 10:43 AM
To: Testimony
Subject: [EXTERNAL] Testimony for 10/26 Transportation Committee hearing

From Zeb Gordon, Brooklyn, NY.

I am Zeb Gordon and I am 8 years old.

Grownups get to make all the decisions about our streets. Kids never get to say what they would like.

I know that cars aren't always bad. Like taxis they help people with getting to places, or people with disabilities.

Dangerous drivers sometimes just look at their phones and that is dangerous because drivers just zoom across a red light and some people might be walking.

So if there were fewer cars it would be safer! If cars were limited I could bike to school more often and there wouldn't be so much climate change.

I want more bike lanes and I really like open streets. Every kid in every neighborhood should be able to make decisions about how their streets work.

To the City Council, please don't forget kids.

Thank you.