



Legislation Text

File #: Res 0033-2018, **Version:** *

Res. No. 33

Resolution calling upon the Governor and the New York State Department of Transportation to more rigorously enforce the requirements of New York State's Vehicle and Traffic Law on drivers of sightseeing tour buses.

By Council Member Cabrera

Whereas, During the year 2017, it is anticipated that the City of New York will have received over 61 million visitors; and

Whereas, According to NYC & Company, the number of visitors coming to New York City has broken records for each of the past eight years; and

Whereas, Tourism is an important part of New York City's economy accounting for \$43 billion in direct visitor spending in 2016; and

Whereas, New York City is also densely populated and experiences significant traffic congestion in general and particularly in locations that draw tourists; and

Whereas, Additionally, according to United States Census estimates, Manhattan's population doubles during weekdays due to its daily influx of commuters; and

Whereas, There have been a number of accidents involving sightseeing buses that have raised safety concerns, including a collision, in June of 2014, between two sightseeing tour buses that resulted in serious injury to at least 15 persons-most of them pedestrians; and

Whereas, One of the drivers in that incident had a history of traffic infractions and license suspensions

prior to this incident; and

Whereas, On July 3, 2015 in Greenwich Village, a man was struck in the crosswalk and dragged by a sightseeing bus making a left turn-the pedestrian suffered severe injuries; and

Whereas, In November of 2017, a double decker tour bus collided with a meat truck in Times Square resulting in three injured; and

Whereas, In recent years the double decker sightseeing bus industry has seen significant growth: in 2004, there were only 60 tour buses licensed to operate in the city, but currently 194 such buses are licensed to operate; and

Whereas, There have been growing safety concerns regarding double decker sightseeing buses, including a report by Senator Brad Hoylman titled, “Thrown Under the Bus,” indicating that drivers of sightseeing tour buses are not required to comply with the same requirements as other bus operators in New York State; and

Whereas, Senator Hoylman’s report notes that sightseeing buses are exempt from Article 7 of the New York State Transportation Law (Article 7), are not required to obtain a certificate of public convenience and necessity from the state’s Department of Transportation (DOT) to operate; and

Whereas, The Senator’s report further notes that the effect of this exemption from Article 7 means that DOT cannot use its statutory power under section 145 of the Transportation Law to directly order sightseeing bus companies to cease operations for non-compliance with the law’s provisions; and

Whereas, Nevertheless, the City’s Department of Consumer Affairs, licenses sightseeing buses and may revoke a company’s license to operate for non-compliance with state law; and

Whereas, Neither New York State Transportation Law nor the state’s Vehicle and Traffic Law, indicates

that drivers of sightseeing buses are exempt from the requirements for bus drivers as mandated in Article 19-A of the Vehicle and Traffic Law; and

Whereas, Article 19-A of the New York State Vehicle and Traffic Law specifies additional requirements for Department of Motor Vehicles licensees authorized to operate buses, including background checks, medical examinations and regular testing and reporting of the licensee's driving record, to ensure public safety; and

Whereas, Tourism is important to both the city and state's economy and state action is necessary to thoroughly regulate sightseeing bus drivers; so, therefore, be it

Resolved, That the Council of the City of New York calls upon the Governor and the New York State Department of Transportation to more rigorously enforce the requirements of New York State's Vehicle and Traffic Law on drivers of sightseeing tour buses.

LS 5055
1/10/2018
I.M.