

**NYC Department of Transportation Testimony
Before the City Council Committees on Transportation and Infrastructure
March 14, 2024**

Good morning, Chair Brooks-Powers and members of the Committee on Transportation and Infrastructure. I am Ydanis Rodriguez, Commissioner of the New York City Department of Transportation. With me today are First Deputy Commissioner Margaret Forgione, Executive Deputy Commissioner Paul Ochoa, Deputy Commissioner of Transportation Planning and Management Eric Beaton, and Assistant Commissioner for Intergovernmental and Community Affairs Rick Rodriguez. Thank you for the opportunity to testify on behalf of Mayor Eric Adams on DOT's Fiscal Year 2025 Preliminary Budget, and Fiscal Years 2024-2033 Capital Plan.

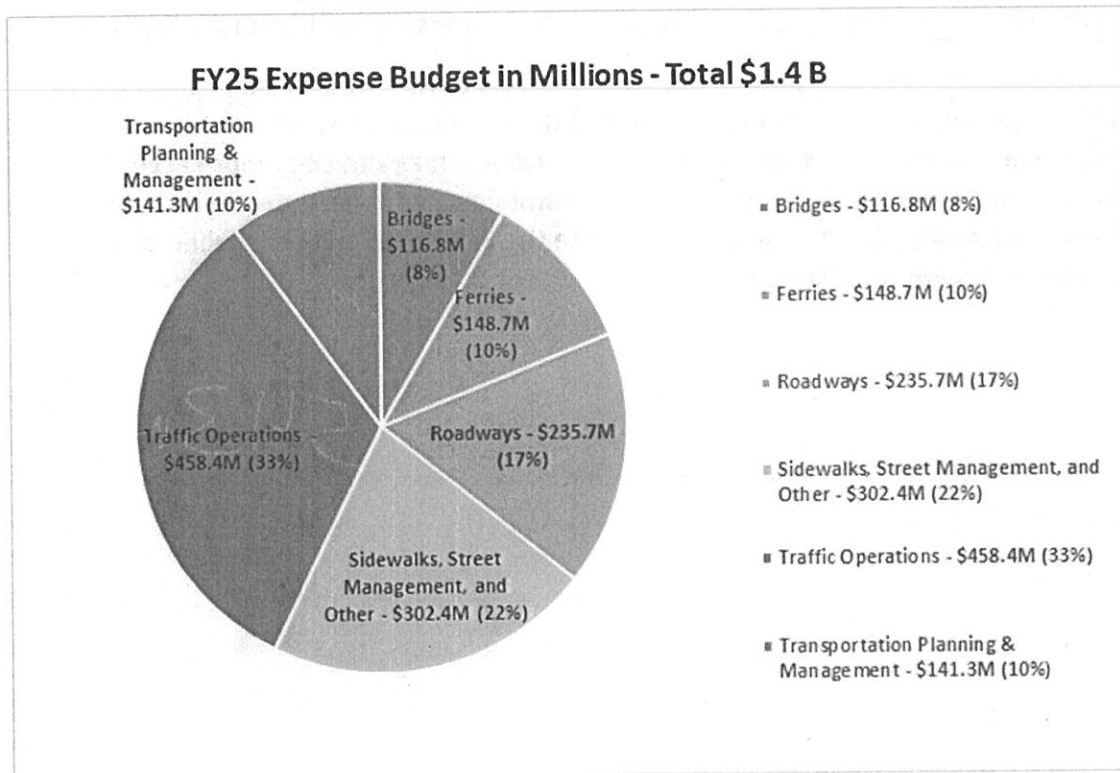
This budget builds on Mayor Adams's proven track record of responsible fiscal management, while prioritizing the needs of working-class New Yorkers and investing in public spaces. We appreciate the Mayor's continued investment in DOT during difficult financial times.

This budget will allow DOT to continue our work to make New York City the safest city for pedestrians and cyclists in the nation, reimagine the use of public space, invest in working class and middle-class communities and communities of color, make the city more accessible for all New Yorkers including people with disabilities, maintain our infrastructure—including nearly 800 bridges and tunnels, and continue to operate the Staten Island Ferry, while also being fiscally responsible with our spending.

Expense Budget

DOT's \$1.4 billion FY25 Expense Budget includes the following:

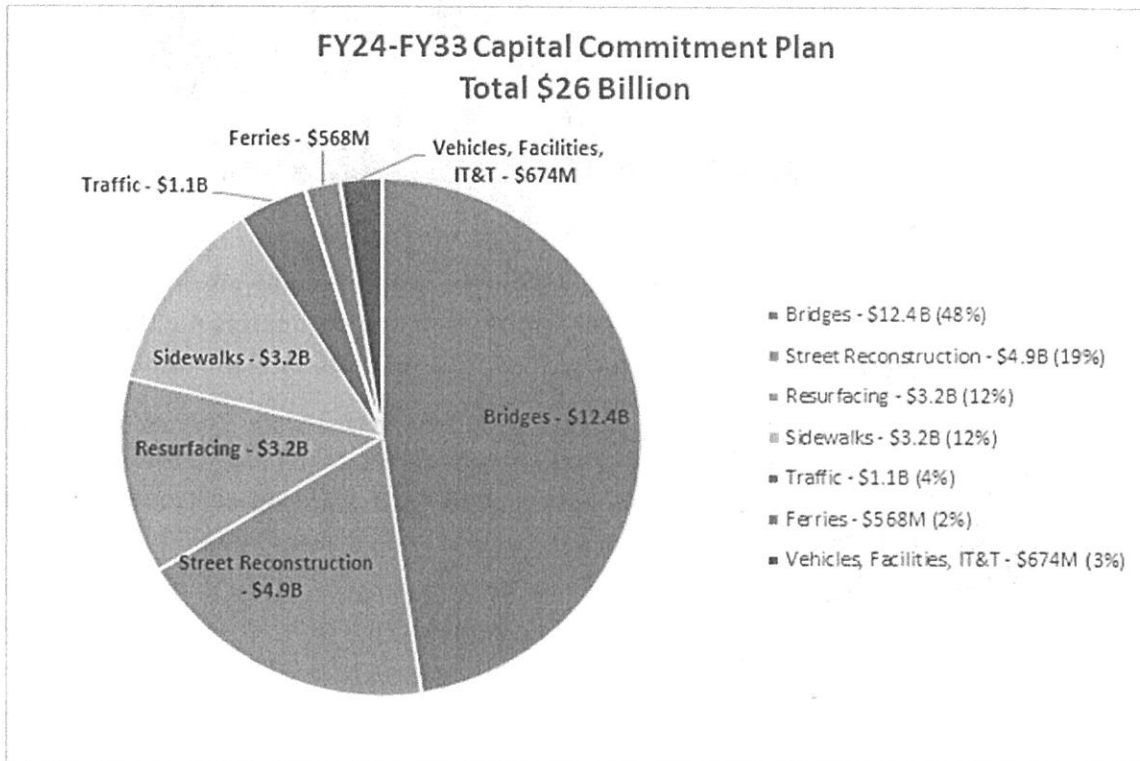
- \$117 million for bridge maintenance and inspection;
- \$149 million for ferry operations and maintenance;
- \$236 million for roadway maintenance;
- \$302 million for other DOT operations and administration, including sidewalk management and inspection;
- \$458 million for traffic operations, including signals, streetlights, automated enforcement, and parking; and
- \$141 million for transportation planning and management, including installation of street signs and roadway markings.



Capital Plan

DOT's proposed \$26 billion FY24-FY33 Capital Plan includes the following:

- \$12.4 billion for bridge reconstruction and rehabilitation;
- \$4.9 billion for street reconstruction;
- \$3.2 billion for resurfacing;
- \$3.2 billion for sidewalk and pedestrian ramp repair and reconstruction;
- \$1.1 billion for streetlights, signals, and automated enforcement;
- \$568 million for the Staten Island Ferry; and
- \$674 million for the facilities and equipment needed to support DOT's operations.



Vision Zero

Turning to Vision Zero. Last month, the City marked the 10-year anniversary of Vision Zero. While pedestrian fatalities across the country reached the highest number since 1987, New York City had the lowest year of pedestrian fatalities since we started collecting data 113 years ago, other than 2020's year of pandemic lockdowns. Through engineering, education, and enforcement, Vision Zero is working, but we have much more to do.

Equity has long been a cornerstone of NYC DOT's implementation of Vision Zero and is a top priority of this Administration. We are committed to ensuring our safety projects reach all New Yorkers, using data to prioritize interventions where they are most needed and can have the greatest benefit.



Beach 108th St, The Rockaways, Queens

This budget reflects the Adams Administration's continued commitment to Vision Zero and the safety of all New Yorkers. The FY24-FY33 Ten-Year Capital Plan invests nearly \$4.2 billion in Vision Zero, and our expense budget invests an average of about \$260 million annually.

We will continue our focus on improving intersections, following the Mayor's announcement that the City will make safety improvements at 2,000 intersections each year with design improvements like raised crosswalks, leading pedestrian intervals, and sidewalk extensions, as well as daylighting to improve visibility between pedestrians and drivers in 1,000 of those locations.

On Queens Boulevard, we will continue to transform what was formerly known as “The Boulevard of Death.” We are working with the Department of Design and Construction (DDC) to transform existing medians into green pedestrian malls, raise the bike lane, and improve travel times for bus riders by moving bus stops to the median, and the Department of Environmental Protection (DEP) will also make major water and sewer upgrades. This project is supported by our recently awarded Safe Streets for All grant from US DOT.



Queens Boulevard, Rego Park

In Southeast Queens, starting this Spring we will be partnering with DDC and DEP to bring flooding relief to residents of over a dozen streets across Hollis, Saint Albans, and Jamaica. The project will include new curbs, streets, sidewalks, and porous pavement to better manage stormwater events, as well as raised crosswalks to enhance accessibility and safety.

In Brooklyn, at the complex intersection of Flatbush Avenue, Utica Avenue and Avenue S in Marine Park, we will add new and expanded concrete pedestrian space, shorten crossing distances, and add new crosswalks.

And in the Bronx, we will construct new medians and expand sidewalks near several schools and playgrounds in Hunts Point, which will add more than 3,500 square feet of new pedestrian space.

Beyond our critical infrastructure projects, we are working with our partners in Albany to renew and expand our life saving red light camera program, which will expire this year and is currently limited to 150 intersections.



Red Light Camera Event

Bikes

Turning to bikes. With over a half-million bike trips taken each day and Citi Bike reaching record ridership, cycling has never been more popular in New York City. To meet this demand, New York City has built more protected bike lanes than all other big U.S. cities combined. In 2023, we installed a record-breaking 31.9 new protected bike lane miles—reaching 220 protected bike lane miles in the last 10 years. We met the Administration’s commitment to harden 20 miles of bike lanes by the end of 2023 and are installing wider lanes. And we installed over 3,250 bike racks and distributed nearly 22,000 bike helmets and 9,000 bike lights.



Third Avenue Double-Wide Bike Lane, Manhattan

This year, we will undertake many critical bike projects including:

- Eastchester Road from Pelham Parkway to Hutchinson Greenway in the Bronx;
- Simonson Avenue, Walker Street, Trantor Avenue, connecting to the bike path on the Bayonne Bridge in Staten Island;
- 10th Avenue and 2nd Avenue in Manhattan; and
- The Washington Bridge.

We are working to expand Citi Bike and incorporate previously unserved parts of the city while adding more capacity to the parts of the system with the highest demand. We currently have over 27,000 bikes and over 2,000 stations. Once this year's scheduled expansion is complete, more than half of New York City residents will live within a five-minute walk of a Citi Bike station.

And to promote the safe use of powered mobility devices and reduce fire risks, we recently launched a six-month e-bike charging pilot program to test different battery charging technologies on the street. We will also launch an e-bike buyback program to help delivery workers transition from dangerous, illegal, and uncertified powered mobility devices to UL certified bikes and batteries.



Public E-bike Charging Stations at Cooper Square, Manhattan



E-bike Charging Pilot: On-Boarding Event

Mobility and Accessibility

DOT continues to make it easier and faster to travel around the city for all New Yorkers. In 2023, we made commuting faster and more reliable for over 300,000 daily bus riders with new or enhanced bus lanes, including projects on:

- Northern Boulevard in Queens;
- Gun Hill Road and University Avenue in the Bronx;
- Livingston Street in Brooklyn;
- Third Avenue in Manhattan; and
- Washington Bridge connecting Manhattan and the Bronx.

We also studied Transit Signal Priority at 754 intersections to reduce the time buses spend stuck at red lights.

This year, we will undertake a number of exciting bus projects, including improving the dedicated bus lane on 2nd Avenue in Manhattan, which will make the trip faster for 50,000 daily bus riders. We also began construction on our major bus and safety project along Kings Highway, Flatlands Avenue, and Pennsylvania Avenue in southern Brooklyn.



Ribbon Cutting for East Gun Hill Road Bus Lane, Bronx

To make the city more accessible, DOT continues to install and upgrade pedestrian ramps throughout the city. We also installed Accessible Pedestrian Signals at a record 866 intersections in 2023.

This year, we are beginning an over \$100 million neighborhood reconstruction project in Rosedale, Queens, making long-needed repairs and upgrades to streets that have experienced ongoing flooding problems. In partnership with DEP and DDC, we will be installing sidewalks, accessibility upgrades, and redesigning intersections along with major sewer upgrades.

Public Realm

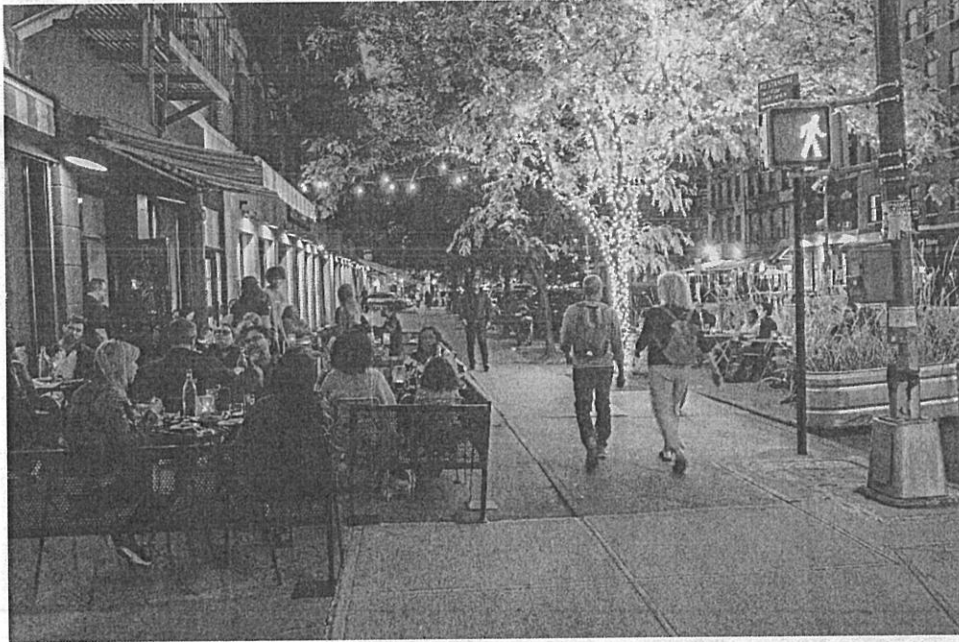
This Administration continues to reimagine the use of public space. DOT installed more than 666,000 square feet of new pedestrian space in 2023, an all-time annual record. This includes new pedestrian plazas, curb and sidewalk extensions, pedestrian safety islands, and medians.



New Plaza at Beverley Road, Kensington, Brooklyn

Now in its fifth year, Open Streets continues to be the nation's largest and most successful car-free program, with over 200 locations across the five boroughs. Earlier this month, we announced new rules for the program, formalizing the application process and clarifying eligibility criteria.

This Administration also announced Dining Out NYC, the nation's largest permanent outdoor dining program and one of the most significant efforts of the last decade to reimagine the city's streetscape. Last month, we released the final rules for the program after a robust public outreach campaign, and last week we launched the application portal so restaurants and other food service establishments such as coffee shops and bakeries can apply.



Dining Out NYC in Harlem

We also implemented the most ambitious Summer Streets program, more than doubling its size and bringing the program to all five boroughs for the first time, along with the largest Car-Free Earth Day and second season of the popular Trick-or-Streets program.



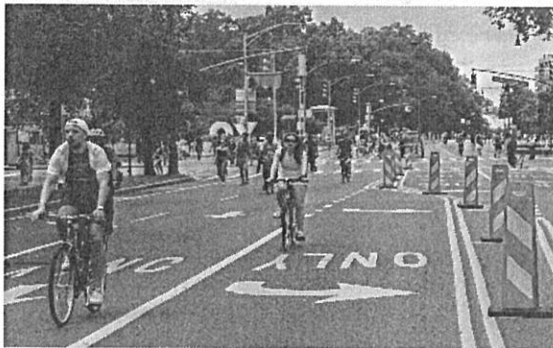
Staten Island



Queens



Bronx

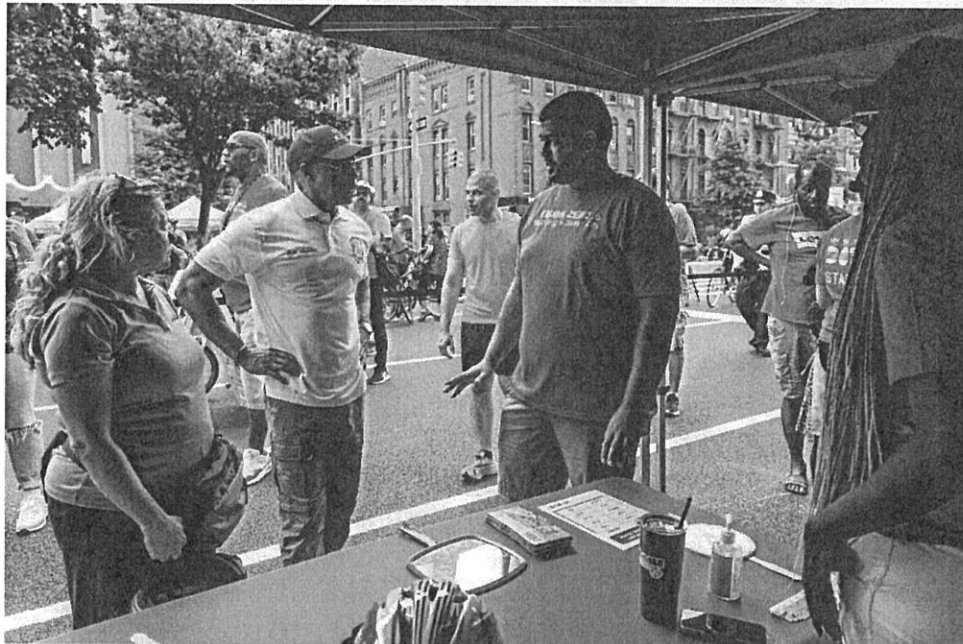


Brooklyn



Manhattan

Summer Streets 2023 in all five boroughs



Mayor Eric Adams at Summer Streets in Harlem.

Curb Management and Freight

DOT is taking action to better manage the curb to reduce congestion, double parking, and vehicle emissions. Last year, we published a Curb Management Action Plan to reimagine how curb lanes are used and launched a Smart Curbs pilot to evaluate regulations, identify community needs, and test new technologies at the curb.

We announced the microhubs program to provide locations for delivery trucks to transfer packages to cargo bikes for final delivery. And we are in the process of finalizing rules to allow larger pedal-assist electric cargo bikes and make package deliveries more efficient.



Informal Delivery microhub in Downtown Manhattan

Ferries

Turning now to the Staten Island Ferry. After 13 years, I am thrilled to say that the Administration reached an agreement with the Marine Engineer's Beneficial Association, the union representing Staten Island Ferry licensed officers. The new contract raises salaries to competitive rates and establishes a 40-hour workweek, which will allow us to hire and retain our critical workers who keep the Staten Island Ferry running.

Resurfacing

On resurfacing, this budget protects the baseline funding for 1,100 lane miles and 50 miles of protected bike lanes for resurfacing each year. This amount of resurfacing reduces the number of potholes, and our average pothole response time is now under 2 days—our fastest response time ever.

Bridges

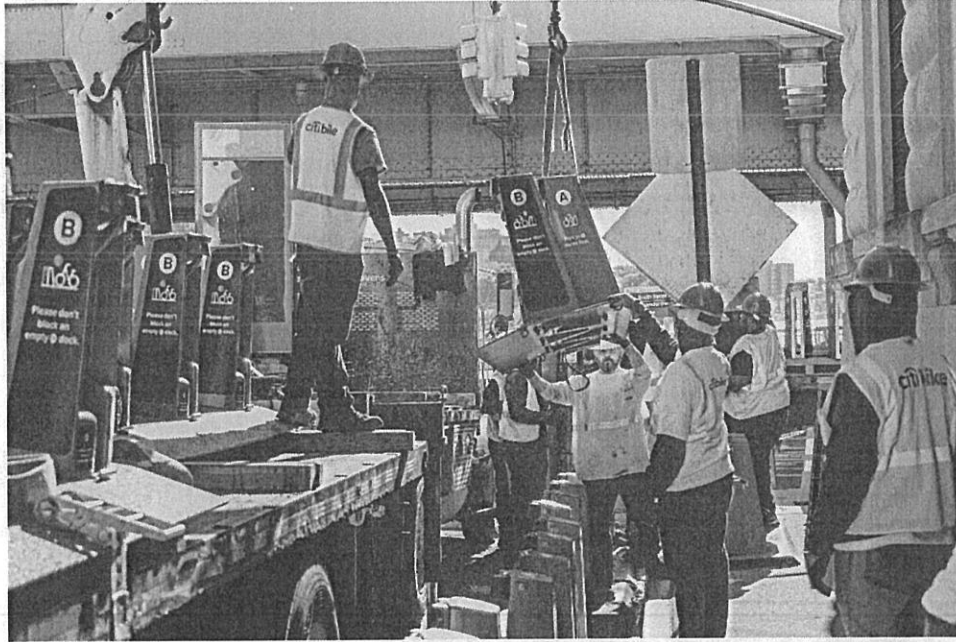
For our bridges, the City adopted a rule to prohibit vending on bridges. This rule has been instrumental in the City's efforts to ensure the safety and security of our bridges. We have also nearly finished the four-year, \$300 million project to rehabilitate the Brooklyn Bridge, including clean all the bridge's stones, strengthen the bridge's approach spans, and add new energy-efficient lighting.



Newly-illuminated Brooklyn Bridge

Program to Eliminate the Gap and Capital Stretch

Turning to the difficult fiscal climate. DOT is proud to have done our share to fill the Citywide 5% Program to Eliminate the Gap—or PEG—program. In both the FY25 Preliminary Plan and the November Plan, DOT generated over \$88 million of gap-closing measures for FY25. We did this through a number of savings, from conducting studies in-house, receiving funding from the Federal government for our Traffic Management Center, and through programs that generate revenue such as Citi Bike. I am also proud to say we have applied for over \$1 billion in federal funding and have already secured over \$81 million.



Citi Bike Installation

Following the Mayor's mandate, we reduced the ten-year capital total by nearly \$5.5 billion and stretched the plan by \$1.9 billion to the outer years. We do not believe this will affect current active projects and will work with the Administration to ensure future projects are fully funded as needed.

Under the Adams Administration, DOT has been a leader in Minority and Women-Owned Business Enterprise, or MWBE, contracting investment. I am proud to say that DOT has increased our MWBE participation rate from 11 percent in FY22 to 24 percent in FY23. And in FY24, we hope to meet the 30 percent MWBE utilization goal for the first time.



Doing Business with NYC DOT Event

Conclusion

In conclusion, I would like to thank the Council for the opportunity to testify before you today. I look forward to partnering with the Council as we work together to make this city safer, more equitable, and more accessible for generations to come. We are proud of the work that the almost 6,000 people at DOT do every day to keep this city moving. We would now be happy to answer any questions.

NEW YORK CITY COUCIL BUDGET TESTIMONY
NYCT PRESIDENT RICHARD DAVEY
MARCH 13, 2024 – DRAFT AND CONFIDENTIAL

Good morning and thank you for having us, especially to Committee Chair Brooks-Powers. I'm Rich Davey, President of New York City Transit, and I'm joined by Deputy Chief Financial Officer Jai Patel, Chief Customer Officer and Senior Advisor for Policy and Communications Shanifah Rieara, and Chief of Policy and External Relations John McCarthy.

We're glad to be with you to share an update on MTA's financial position, which is much stronger now than it was last year. You'll remember, we had been looking at an estimated \$2.8 billion deficit that was on track to grow to \$3 billion by 2026.

Today, that number is zero, and we are projecting a balanced operating budget through 2027 thanks to Governor Hochul and the NYS Legislature – who really set the bar nationally on what it means to prioritize mass transit.

The financial lifeline they provided in the 2023 State budget has allowed us to not only keep running service but expand it significantly while continuing to invest in the MTA network. Look at what we accomplished in the past year:

- Top priority for riders is frequent and reliable service and we've made huge strides on both fronts. Subway service is the best it's been in a decade and we're setting even higher performance goals for 2024 as part of my Faster, Cleaner, Safer initiative.
- Frequencies have been improved on eight subway lines (the C, G, J, M, N, R, 1 and 6) – improving frequencies by 20-25% – and there's more to come this summer.
- Our subway stations themselves are starting to feel more welcoming. The Subways Facilities team Re-NEW-vated 67 subway stations since 2022, including 50 last year. We're looking to do another 50 in 2024. For the past year, station agents have been performing their roles out of the booth, delivering better service and support by meeting customers where they're at. And not to be forgotten, 117 bathrooms have reopened at 60 stations, restoring an amenity which

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MARCH 13, 2024 – DRAFT AND CONFIDENTIAL

riders had been lacking since the pandemic. These bathrooms aren't just reopened. They've been entirely deep cleaned, refreshed, and upgraded, with a new cleaning cadence in place to keep them in great condition. We're on pace to reopen the restrooms at 66 stations by the middle of this year, with the final restrooms reopening at 61 St-Woodside once capital work is completed next year.

- And on buses, we're budgeting to continue increasing service as we implement our Bus Network Redesigns. The latest draft of the Queens plan invests \$30 million to create more frequent and direct service throughout our most bus-reliant borough. This plan has been enriched by public feedback, and I am pleased to say that we are back in the field for 17 pop-up events between now and May, where customers can learn more about the plan and provide their feedback directly to the team.
- Additional bus priorities -- expanding our network of 164 miles of dedicated bus lanes and bus ways and expanding the use of automated camera enforcement, or ACE.
- We're looking forward to activating ACE on 500 buses on 14 existing ABLE routes this May, with plans to add about another 30 routes over the next three years. These new enforcement powers will now enable buses to ticket cars out of the bus lanes who are slowing down bus service by either double-parking or blocking bus stops. And as an added bonus for safer streets, these cameras will be able to enforce bike lane violations as well. We've seen camera enforcement speed up buses by 25-plus percent when combined with the gains from bus lanes, and I am confident that with ACE, buses will move even faster.
- We know that the single most powerful tool to speed up buses are dedicated bus lanes and busways. Our buses carry over two million daily customers, yet they are the slowest in the nation, with some peak routes crawling at six miles per hour. Bus lanes and busways work – we've seen speed improvements of over 40% during the

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MARCH 13, 2024 – DRAFT AND CONFIDENTIAL

peaks on some of our major bus corridors post-implementation. Bus lanes are also a win for safety – when paired with camera enforcement, we have seen a 20% reduction in collisions on routes once bus lanes are implemented. We are encouraged by the DOT's actions on 2nd Avenue to speed up the M15 – the highest ridership bus route in the city - and look forward to further bus priority projects in 2024.

- Customer satisfaction with our paratransit service – Access-A-Ride – has risen dramatically, and on-time performance is so strong, we actually tightened the window for how we determine whether a pickup is on-time from 30 minutes – the federal standard – down to 20 minutes. We've worked with our third-party providers to improve their performance, made the booking process easier and faster, and expanded our on-demand E-Hail program to thousands of additional New Yorkers. Customers have noticed – in January, we reached 79% paratransit customer satisfaction for the first time in history.
- On subway and bus affordability, we've been working with the City to expand eligibility to more New Yorkers for its Fair Fares program, which provides half-price MetroCards to low-income New Yorkers. The Human Resources Administration is partnering with us to boost enrollment.

We are proud to support Fair Fares enrollment at every available opportunity. When I visit stations to meet with customers at Transit Talks, Fair Fares reps are present, and we've had a successful partnership at two Customer Service Centers – Jackson Heights-Roosevelt Av and Coney Island-Stillwell – with joint enrollment activities. These activities have seen record New Yorkers enroll in the program and I am hopeful that we can help even more riders out in the year ahead.

Our partners at the railroads have made progress on affordability too. Last summer, they added a peak option, meaning that traveling.

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MARCH 13, 2024 – DRAFT AND CONFIDENTIAL

withing NYC will only cost \$7, in addition to the existing off-peak \$5 ticket. At the same time, the LIRR introduced the Far Rockway Ticket, bringing the same benefits as CityTicket to customers at the Far Rockway station traveling to and from the rest of New York City.

- And notably, we're making progress on subway crime after a difficult January thanks to additional NYPD resources provided by Mayor Adams.

There are now an additional 1,000 officers patrolling the subways daily, and it's having an impact. Where crime was up 46% at the end of January compared to the year before, that number has since been pushed down to 18% because February crime was down significantly from 2023.

And we know the increase in deployment of NYPD cops is giving riders peace of mind. We hear about it in every survey – customers consistently say they want to see more, not fewer, police officers underground. However, it is all too often the case that when the NYPD makes an arrest, those same individuals are back in the system days later. Make no mistake, we have a recidivist issue in our subway system, and the data bears that out. The 38 individuals arrested for assaulting transit workers last year had a total of 1,126 additional crimes on their records. Addressing this issue of repeat offenders preying on subway customers and transit workers will go a long way towards improving subway safety.

We've also taken steps to make our platforms safer. We are currently piloting platform barriers at three stations – 191 St on the 1, Morgan Av on the L, and Clark St on the 2 and 3, with 5th Av on the 7 coming soon. This low-cost, creative solution will improve customer safety while they wait for their train to arrive.

Working with Governor Hochul, we've also made substantial progress on addressing a core concern of customers and of all New Yorkers – those individuals in our subway system with the most acute mental

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MARCH 13, 2024 – DRAFT AND CONFIDENTIAL

health needs. For the past several months, we've piloted two Subway Co-Response Outreach, or SCOUT teams – pairing Department of Health and Mental Hygiene clinicians with MTAPD officers – to great success. They've helped dozens of New Yorkers in need get the mental healthcare and supportive housing they need. The Governor has now tasked us with quintupling this pilot to 10 teams, which will come online later this year.

Customers will be glad to see that we're equipping subway cars and stations with better lighting and more security cameras. More than 1,100 cameras have installed on trains, and all the new R211 cars have them built in from the manufacturer.

Speaking of the R211, we were proud to debut the open gangway R211T on the C line last month. These new trains are a bold step forward for New York City and are the first of their kind in the United States. We've heard rave reviews from customers so far during their first month of service. We've also shifted into high gear on our R211 deployment on the A line – after a brief pause to address a gearbox issue, we now have 11 R211s running there, replacing 50-year old R46s. And for the riders on the Staten Island Railway, we're currently testing the R211 there and hope to enter the first train into service in the coming months.

Improvements in performance, safety, and cleanliness have helped tremendously in attracting back riders. Paid ridership on the subways is roughly 70% of pre-COVID levels and it's about 75% on LIRR and MNR. But these numbers don't consider customers who ride without paying the fare, and we know there are many. Indeed, if you include these non-paying riders, we're actually closer to 82% of pre-COVID subway ridership. So, fare and toll evasion represent the biggest threat to our fiscal health going forward. Right now, we're implementing some recommendations from the Blue-Ribbon panel to make enforcement more equitable, which I fully support.

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NYCT PRESIDENT RICHARD DAVEY
MARCH 13, 2024 – DRAFT AND CONFIDENTIAL

We've piloted more accessible Wide Aisle Gates at 4 subway stations, including an entire fare array at Sutphin-Archer-JFK Airport. We've continued our deployment of unarmed guards at emergency exit gates, a program that continues to pay for itself and then some. More EAGLE team civil fare enforcement members have been hired and we've changed how they're deployed to a bus hub model that is strategic in enforcing fare payment at locations where it lags. More personnel bring the added benefit of more eyes and ears in the system to report issues to the stations team and NYPD.

And we are pushing for a refreshed approach to fare evasion fines in this year's budget – this new proposal would replace the standard \$100 fine with a new, laddered approach, where first time offenders would be warned before fines were issued. Critically, this new model would make fare enforcement more equitable – we want New Yorkers to pay their fare, not a fine – by enrolling those who are eligible in FairFares or Reduced Fare automatically, and by returning half of the first \$100 fine to customers in the form of a \$50 OMNY card. This is an equitable, responsible approach to fare enforcement, and we hope your peers in Albany include it in the final budget.

Fare compliance is critical to preserving the MTA's balanced budget into the future.

In 2023, the MTA committed to \$400 million in operating efficiencies in 2024 as part of the effort to deliver fiscal sustainability. Thanks to some incredible work by teams across the MTA, we've actually exceeded that goal already and are on track to reach \$500 million in efficiencies by 2025 – *without cutting headcount or cutting service.*

And we're doing it while providing significantly more subway and commuter rail service and operating a new major terminal at Grand Central Madison – and while also implementing our bus network redesigns.

But here's the kicker: even with all that extra subway, bus, and commuter rail service I've described – all of which is accounted for in our five-year

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NYCT PRESIDENT RICHARD DAVEY
MARCH 13, 2024 – DRAFT AND CONFIDENTIAL

financial plan – in real inflation-adjusted dollars the MTA budget has actually *gone down* by 3% since 2019.

Chair Lieber says it all the time, but I can't reinforce enough that this is a new MTA. We're making good on our commitment to change the way we do business. Growing ridership, improving and increasing service, reducing costs, pursuing transit equity – these are our priorities.

Even our approach to expanding the transit system reflects this intense focus on cost containment. Wherever we can, we look for ways to expand the system not by building new tunnels and systems from scratch, but by getting more out of existing infrastructure.

But cost consciousness alone will not fund a transit system New Yorkers want and deserve. Do you like the new R211s? How about our efforts to convert our 6,000 buses to zero emission by 2040? New signals that allow us to run more frequent and reliable service? Fare gates of the future? Honoring our commitment to make almost every subway station ADA compliant?

Funding for these projects relies -- to a significant extent -- on revenue generated by congestion pricing. MTA is doing what's necessary to prepare for implementation, including increasing service and installing tolling infrastructure.

We did a 4,000-page, four-year-long environmental process including 30-plus hearings and outreach events -- which earned federal approval -- putting us in a position to turn on the system in a few months, once we resolve the pro-traffic lawsuits brought on by our neighbors in New Jersey and other litigants.

The MTA has been very clear that if there are any delays to congestion pricing, it will push back schedules of important projects.

More than 20 ADA stations are at risk across all boroughs – five stations in the Bronx from Mott Haven to Kingsbridge to Wakefield; Briarwood and

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NYCT PRESIDENT RICHARD DAVEY
MARCH 13, 2024 – DRAFT AND CONFIDENTIAL

Jamaica in Queens; southern Brooklyn stations in Bensonhurst and Coney Island; as well as Nostrand Av at the intersection of Crown Heights and Bedford Stuyvesant; plus, major complexes like 42 St-Bryant Park and Lexington Avenue-59 St.

The modern signals that were promised on six subway lines? On *hold* for 1.5 million A/C and B/D/F/M riders, all the way out to Far Rockaway and up through the Bronx and northern and eastern Queens. That's more than the ridership of the next five largest subway systems in the country combined.

And I could keep going with impacts to critical state of good repair and resiliency work that ensure reliability of service, new rolling stock for all agencies, our Zero Emissions Bus program, and even Second Avenue Subway Phase 2. Last month, we put out the full list of what's at stake, so folks can get a better understanding. But we do not want to see this happen.

Before I conclude, I also wanted to salute our workforce at New York City Transit. For those who don't know, next Monday, March 18th is Transit Worker Appreciation Day. Every day, the 47,000-person workforce at NYCT steps up to keep our city moving. They are the force that powers the lifeblood of our city, and we are all grateful for the work they do.

In recent weeks, our city has seen several unacceptable attacks on transit workers who were doing their job and serving New York. This is unconscionable. Nobody should go to work fearing for their safety.

We are doing everything in our power at the MTA to keep our frontline workers safe, and our partners at the NYPD are doing a hell of a job quickly identifying and arresting perpetrators, but we also need a criminal justice system that recognizes the severity of assaulting transit workers.

We will continue to be relentless in pursuing measures to keep our employees safe and to ensure that those who dare prey on hardworking employees from subway conductors and bus operators to cleaners and station agents face justice. My ask of this body and those listening is, next time you're using the system, that you thank a transit worker for their hard work and immense contributions in keeping our city moving.

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MARCH 13, 2024 – DRAFT AND CONFIDENTIAL

The MTA has made huge strides in recent years, and there are always new and big issues facing our agency. With your support, we will keep tackling them and making improvements.

Now, we're happy to take your questions.

Testimony of Commissioner David Do
New York City Taxi & Limousine Commission
Before the City Council Committee on Transportation & Infrastructure
PRELIMINARY BUDGET FOR FISCAL YEAR 2025
March 14, 2024

Good afternoon, Chair Brooks-Powers and members of the Committee on Transportation and Infrastructure.

Thank you for inviting me to brief you on the status of the Taxi & Limousine Commission's operations, update you on the industry, and introduce our 2025 preliminary budget. I look forward to answering any questions, and with me today is Deputy Commissioner of Finance Edward Wilton.

Ever since the pandemic brought profound disruptions to TLC-regulated industries we have begun these hearings by sharing how the recovery is going.

Compared to the previous year, overall trips are up 3.7%. We had over 9,000 taxis in service in January—1,000 more than at the same time last year. This is the first time this many have been operating since before the pandemic. In terms of active yellow trips, we are at about 50% of where they were pre-pandemic.

Yellow daily revenue in the month of December, 2023 was \$2.7 million. This was 30% higher than a year before, following TLC's first fare increase in a decade.

Trip volumes of our largest sector, rideshare vehicles, are at 92% of where they were pre-pandemic, while liveries and community car service trips are hovering near 70% of where they were pre-pandemic. Rideshare driver gross earnings are stable at between \$1,000 and \$1,300 a week, consistent with compensation rates since 2021. TLC recently increased minimum pay rates by 3.49% to keep pace with inflation.

Licensed commuter vans—an important asset in providing affordable transportation in underserved areas—still struggle with insurance requirements, which are regulated at the state level. We continue to have dialogue with the State Department of Financial Services (DFS) and relevant stakeholders, and we support the expansion of insurance options and any measures that DFS can take to invest in the stabilization and growth of the commuter van industry.

Critical to stabilizing the taxi industry has been our historic program providing debt relief for medallion owners negatively impacted by market disruptions and the pandemic—the Medallion Relief Program. Two years ago, I never would have believed I would be here telling you the City has granted almost half a billion dollars in relief, but that is what we have been able to achieve: over \$450 million in relief for 2,324 medallions.

In real terms, that is more than 1,900 medallion owners who have been able to keep their homes, provide for their families, and stay afloat through hard times. All New Yorkers should be proud of this achievement. I would like to thank the Council for supporting this program, along with the mayor, the deputy mayor of operations, the participating lenders, the Taxi Workers Alliance, and everyone at TLC and the New York Legal Assistance Group who have worked tirelessly to keep this program moving and growing.

The Medallion Relief Program has been a clear example of how government, private industry, and collective representation can unite to bring positive change to the people of New York.

Our efforts to support the taxi industry certainly will not end there. We are always looking for ways to bolster this iconic transportation resource.

Now I would like to update you on the City's Green Rides Initiative, which requires all Uber and Lyft trips to be either zero-emission or wheelchair accessible by 2030. This first-of-its-kind initiative sets a series of benchmarks to get us there: 5% of all trips must be zero-emission or wheelchair accessible by the end of this year, 15% by the end of 2025, 25% at the end of 2026, and so on.

As part of our launch of this initiative, and after our review of the For Hire Vehicle License Pause, on October 18th we decided to open applications for electric vehicle licenses.

I would like to apologize to the Council for any confusion associated with the launch of Green Rides.

As I mentioned, following Local Law 147, we based our decision to lift the pause on EV vehicles on various factors. These included driver income, potential impact on congestion, traffic safety, utilization rates, access to service, vehicle supply,

trip volumes, vehicle attrition, EV infrastructure, and other analytical tools. We were confident that the industry could absorb EV-only licenses without undermining the gains that the license pause achieved.

We decided not to state any limits on applications to avoid scarcity conditions—and a chaotic run on licenses. We wanted to give drivers flexibility to decide if this was the right time for them to transition to zero-emissions and get their own license, without feeling pressured that it was “now or never.”

This strategy was working. Following our announcement that EV licenses would be available, we were receiving 100 to 150 applications a day—a manageable rate that would let us monitor the impact on the industry and adjust accordingly.

We did not foresee that litigation against EV licenses would be filed, or that a temporary restraining order would give drivers only five days to apply for licenses. Once drivers saw the door closing on them, applications skyrocketed to 2,000 licenses a day. This caused the very outcome that everyone wanted to avoid—a run on licenses.

In total, we received 9,756 applications. You may have questions about how the city and the industry are absorbing these vehicles, so I will walk you through how that is going.

About 7,500 of these vehicles are now on the road. EVs now comprise 10% of our rideshare fleet, and January marked the first time New York surpassed one million EV trips in a month.

88% of these new vehicles are owned by individuals. They are small businesspeople, mostly hardworking immigrants, looking for a chance at ownership and a pathway to the middle class. Most of the rest of the licenses are owned by LLCs. It is likely that many of those are also incorporated individuals as well. Leasing licenses can involve significant costs for drivers. We anticipated before making the EV licenses available that there would be heavy demand by individual drivers who were leasing.

So how are these drivers doing? My team and I have been visiting charging hubs and conducting extensive outreach to EV drivers. Here is what we are learning:

Unsurprisingly, utilization rates at the city’s charging stations, particularly DC fast chargers, are at all-time highs—in some cases 10 times what they were prior to Green Rides. On the two coldest days this winter, as a population new to EVs attempted to charge, we saw long lines at several stations. Charging time can

double in frigid temperatures, especially if people attempt to charge beyond 80 percent. But once temperatures improved, lines got smaller.

Some charging hubs are busier than others, but there are times of day when traffic is still relatively light at other hubs. How familiar drivers are with the overall charging landscape is important. To this end, we have been handing out informational pamphlets running them through the basics, as well as emailing them about new charging opportunities and discounts.

We also conducted an informal survey of more than a thousand new EV drivers moving through our inspection facility at Woodside, asking them where they planned to charge. About one-third indicated they planned to charge at home. This has likely helped ease the pressure on existing infrastructure.

I visit charging hubs about once a week to talk with TLC drivers. The majority tell me that they are overall happy with their EVs; they like the cars, they like owning rather than leasing, and they like contributing to a cleaner and more sustainable planet. We also know their pay is higher, about \$2.89 more per trip.

One thing they all tell me is that they want more charging options. We need more fast-charging hubs, as soon as possible.

To this end, TLC has formed a Charging Task Force. We have been meeting with DOT, DCAS, ConEdison, the New York Power Authority, Tesla, Revel, Electrify America, Gravity, ChargePoint, Port Authority, EDC and other key players to identify and facilitate ways to bring in more chargers for TLC drivers.

The response has been incredible; thanks to Green Rides, the providers now know they have a guaranteed market. They are actively competing to get more hubs up. It will not happen overnight, but every new hub relieves pressure and increases competition.

Less than two weeks ago we saw the opening of the largest, fastest hub yet in midtown Manhattan. We also learned that 48 plugs are coming to LaGuardia by early 2025. We need more hubs everywhere, especially in the Bronx and Queens, and we need them yesterday, but many seeds are being planted and the forest of fast chargers is growing. Our drivers are already benefiting. Uber and Revel just announced a deal giving our Uber drivers 25% off at Revel hubs.

An unforeseen result of the litigation is that the city is now two years ahead of schedule on the Green Rides Initiative. We now have the largest zero-emissions rideshare fleet in the United States. As we indicated in our annual FHV License

Review released on March 1st, additional FHV licenses are not needed at this time due to various factors, including the ongoing litigation. Anyone interested in obtaining an FHV license, however, can still do so provided that it is wheelchair accessible vehicle.

Another concern brought up was how these new vehicles would impact traffic congestion. Despite the new Green Rides EVs, we are still 10% below the 120,000 FHVs that were licensed when TLC extended the pause in 2019. DOT has told us that traffic speeds are about the same as they were prior to the pandemic.

As I stated earlier, most of these new EV drivers ceased leasing gas-powered vehicles. They continue to work for Uber & Lyft, but it is not in the interest of the rideshare fleets to hire even more drivers. They end up having to pay more drivers more money for less trips due to our driver pay formula. There is no profit in it for them.

Although we are not seeing significant increases in congestion due to TLC vehicles, our industry—like the rest of the city—faces congestion pricing. This administration has been clear on our support for the state's congestion pricing plan, but there is more that can be done to help drivers and the industry in its post-pandemic recovery. We need to consider the economic needs of these drivers in order to get congestion pricing right.

Even as we have increased sustainability through Green Rides, we have also continued to increase accessibility. January saw a 33% increase in wheelchair accessible FHV trips over the previous year. We now have nearly 10,000 accessible taxis and FHVs, the most in the agency's history.

We will never stop improving accessibility. TLC is also continuing to work to make taxis more accessible. We are currently in the process of drafting proposed rules which make it easier and more economical for taxi operators to transition to wheelchair accessible vehicles (WAVs). We expect to introduce these rules soon, and we look forward to hearing thoughts from the industry and public.

As you all know, this year marks the 10th anniversary of Vision Zero. The Taxi & Limousine Commission is a committed Vision Zero agency. Per miles driven, our

drivers remain the safest in the city. Last year, over 117,000 drivers completed our required refresher course, which has a Vision Zero-focused curriculum.

This year's Vision Zero Honor Roll ceremony will be our biggest yet. For the first time, we will be honoring the city's safest drivers at Gracie Mansion, and we will be inviting all of you to attend!

Now, getting to our budget for Fiscal Year '25. Our total expense budget for FY25 is \$59.5 million. \$44.4 million is for Personal Services (PS) funding that supports 555 heads, and another \$15.1 million is for Other Than Personal Services (OTPS) funding allocated to support agency operations.

We are proud to have helped the Mayor and the City by identifying and contributing to cost-saving measures that will benefit the residents of NYC.

We found efficiencies in basic maintenance and support services, and I am happy to report that we will not be impacted operationally.

We also thank the Mayor for giving TLC the funding to support 100 new TLC officers who will help keep the riding public and our roadways safer. These officers are critical to the TLC's mission and provide a great public service. They make sure TLC vehicles are safe, drivers are safe, and the riding public is protected from all types of illegal activity.

We are also pleased to report that in FY 23 71.3% of our eligible procurements were awarded to MWBE firms, and so far in FY 24 we are at an 82.8% MWBE utilization rate. In total, the TLC projects a 25% increase in the total value of procurements awarded to MWBE firms from FY 23 to FY24. We are also on our way to awarding our first procurement to a Native American firm as part of our TLC Connect project.

Thank you again, Council Members, for giving us the opportunity to update you. I am now happy to take any questions and look forward to providing you with further information.



Department of
Design and
Construction

Fiscal Year 2025 Preliminary Budget Hearing

March 14,
2024

Department of Design and Construction
Thomas Foley, Commissioner

New York City
Council
Committee on
Transportation
and
Infrastructure

Introduction

Good afternoon, Chair Brooks-Powers and members of the Committee. I am Thomas Foley, Commissioner of the New York City Department of Design and Construction, and I'm pleased to appear before you today. I am joined by Executive Deputy Commissioner Maggie Austin and Deputy Commissioner and Chief Financial Officer Rachel Laiserin, along with other members of DDC's leadership team. I am proud to represent a workforce of 1200 engineers and architects that build the City and reflect our diversity, with over 60 languages spoken amongst our staff. This remains a time of growth and change for DDC. The agency is moving ahead with major programs – including Borough-Based Jails (BBJ), coastal resiliency, and citywide green infrastructure and pedestrian ramp programs, while continuing to pursue our traditional responsibilities building infrastructure and public buildings.

At the same time, we continue to make tremendous progress demonstrating the success of design-build, which helps us maximize public investments by planning, designing and building better for the City of New York. Some of our progress is reflected in our just-released *Strategic Blueprint Progress Update*. And we continue to work with the Mayor’s Capital Process Reform Task Force to achieve additional reforms that are included in the Task Force’s own recommendations.

Budget Overview

As the City's primary capital construction manager, DDC builds on behalf of more than 20 City agencies plus numerous museums, cultural organizations and other non-profits that receive funding from City sources.

The January Capital Plan contains over \$4.96 billion in new planned investments for FY25, which include expenditures for our core

infrastructure and buildings programs, coastal resiliency projects, green infrastructure. This figure includes almost \$1.53 billion for Infrastructure Division projects and \$879 million for our Public Buildings and support portfolio and \$2.55 Billion for BBJ. Capital spending for DDC varies year over year, as it is dictated by the agencies that sponsor our projects and the capital funding we receive from them. We advise sponsors about scope, cost and project delivery tools, but ultimately priorities are policy driven.

DDC's FY 2025 operating budget is \$172 million. This includes \$122 million for Personal Services and \$51 million for Other Than Personal Services. Our budgeted headcount is 1,183. Our total operating budget includes \$133 million in IFA funding and \$39 million in City tax levy funding.

In Public Buildings, we have 20 projects in the initiation phase, 86 projects in active design, 50 currently in procurement and 104 in construction, with a total value of \$16.18 billion including BBJ. On the infrastructure side, we have 15 projects in the initiation phase, 120 projects in design, 50 in procurement and 100 in active construction, with a total value at \$11.69 billion.

As is the case with many City government agencies, we have been actively recruiting to fill vacant positions. Over the last year, in addition to attending the DCAS Hiring Halls, DDC has hosted 3 Hiring Halls and attended 7 Campus Career Fairs. I'm pleased to report that because of those efforts we were able to hire 153 applicants this fiscal year, and a total of 312 new hires since fall of 2022.

Design-Build

I am very pleased to provide an update on our growing portfolio of design-build projects. As I've stated previously, design-build and other forms of alternative delivery outside of the lowest bidder contracting model represent the City's best opportunity to reform the outdated capital construction process. Our progress is detailed in our latest *Blueprint* update.

Since launching our design-build program in 2020 for projects outside of BBJ, DDC has awarded nine contracts totaling \$573 million in value. This includes the Shirley Chisholm Recreation Center in Brooklyn, a \$141 million project that we expect to complete by the end of 2025 – two full years faster than what is possible using traditional lowest bidder contracting. We are seeing similar time savings in other design-build projects as well, including the \$92 million Mary Cali Dalton Recreation

Center in Staten Island that we broke ground on last month with Mayor Adams.

We also recently began our first design-build infrastructure project, which includes installation of a new water main and pedestrian safety improvements on an eight-block stretch of Lexington Avenue in midtown. We've also been using design-build very successfully to upgrade pedestrian ramps across the City. And in this calendar year, DDC will expand its design-build program to include building raised crosswalks citywide and new public restroom buildings for NYC Parks.

Additional Reforms

There's a lot more we can do to save taxpayer money and complete projects faster. One thing we're seeking in Albany is the ability to use progressive design-build. With progressive design-build, the City can

award a contract for street and underground infrastructure where the team can investigate existing conditions before the design is finalized.

Another essential delivery tool, construction manager-build (CM-Build), consolidates building renovation work under a construction

management firm that procures various subcontractors and trades under open-book contracting in a singular chain of command. CM-Build is used every day with success by the New York City Economic Development Corporation, and New York Public Library and Brooklyn Public Library when they are not sending work to DDC.

Our new *Blueprint* update also details other strategies to improve project delivery, including a critical one I'd like to bring to your attention – Advanced Capital Planning (ACP). ACP will work with sponsor agencies to assess their entire portfolio of public buildings and develop efficient, forward-looking strategies to manage their capital needs.

In 2023, DDC built and launched the first phase of a new ACP data portal to compile key information on NYC’s public buildings within a single, easy-to-use interface. We have also started a pilot program with the Queens and Brooklyn public library systems and will expand the ACP program to additional sponsor agencies. DDC further partnered with the Mayor’s Office of Operations to analyze best practices in asset information management and capital planning, efforts that will inform future phases of the program.

Additional reforms reflected in the *Blueprint* include the continued use of the Expanded Work Allowance to allow construction to continue without waiting for a registered change order, use of Value Engineering to allow our contractors to propose design and construction alternatives that save the City money including over \$10M on East Side Coastal Resiliency alone, and requiring that sub-contractors be paid monthly which boosts many of our small M/WBE vendors.

M/WBEs

DDC recently testified at length about its M/WBE program before this same committee, and I'd like to highlight some of that former testimony today.

DDC remains one of the leading agencies for contract awards to M/WBEs and in the latest annual M/WBE Program Compliance Report for Fiscal Year 2023, DDC achieved 25.2 percent M/WBE utilization, with approximately \$370 million in contract awards to M/WBEs. Note that our alternative delivery program including design-build is not subject to Local Law 1 reporting. However, we have set ambitious goals of 30 percent in both the design and the construction portions of our design-build contracts.

Our very first design-build project – the combined parking garage and community space in Kew Gardens – had M/WBE participation exceeding 37 percent for design and 44 percent for construction.

Another element that we are bringing to our design-build contracts is aiming to hire local M/WBEs. For example, in July we held a Construction Career & M/WBE Expo for the Brownsville Girls Empowerment Center and Community Hub that DDC is building in Brooklyn and held a similar event in Rockaway, with another event in the works in Staten Island - we are committing to “Meet the Primes” events for each alternative delivery project and any new buildings in our buildings portfolio.

We are also happy to announce that each of the upcoming design-build contracts will have disaggregated M/WBE goals to address the “disparity within the disparity”, 10% Black, 10% Hispanic, and 10%

Other, something we have been doing for years under our design-bid-build program. We continue to be creative in our procurement process. Currently half of the 20 firms that provide architectural design services for the City's next generation of public buildings are certified M/WBEs. 6 of the 15 firms providing construction management services are M/WBEs. And most notably, 68 percent of the 31 firms providing Resident Engineering Inspection (REI) services, which encompasses day-to-day oversight of our infrastructure work, and four of the five firms providing Special Inspections, are M/WBEs.

We also realized significant success in establishing an M/WBE Pre-Qualified List (PQL) for our general construction procurements between \$500K and \$3M. This means that all procurements valued between \$500K and \$3M will be procured only to vendors on this prequalified list, which now includes 16 approved M/WBE firms.

We are proud of the success we had with the City's first Mayoral agency Mentorship Program. Due to its success and new State law, we have transitioned the program to the Mayor's Office of M/WBE who will be taking the reins officially on April 1st. During our time managing this program, we placed 13 firms on various projects, helping to train and grow them so they can eventually become primes. In 2023, we awarded our first contract under the Mentoring Program and also accepted 29 new firms to add to the already approved 49 firms.

We recognize that there is more work to be done in this area and will continue to work with the Mayor's Office of M/WBE and our additional partners in this area.

Conclusion

This is a unique time for capital projects and for DDC. We continue to look inward to see how we can improve our processes and will be creative to meet our goals both on project delivery and M/WBE engagement. But we need assistance from the Council and Albany to add more project delivery tools, which have been game changers in a very short period of time. We look forward to continued collaboration with this Committee. I am happy to address any questions you may have.



OFFICE OF THE BROOKLYN BOROUGH PRESIDENT

ANTONIO REYNOSO

Brooklyn Borough President

**City Council Committee on Transportation and Infrastructure
Hearing on the FY25 Preliminary Budget
March 14, 2024**

Thank you Chair Brooks-Powers and members of the Committee on Transportation and Infrastructure for holding this hearing today. As Brooklyn Borough President, I have many transportation priorities for our great borough, all of which are aimed at ending car culture and encouraging residents to use more efficient and sustainable modes of transportation, including walking, biking, and public transit.

Critically, we need a robust financial commitment to the NYC Streets Plan, which the administration all but abandoned in 2023. DOT has completed only a fraction of the mandated bike lanes, bus lanes, and public plazas mandated by law, and announcements for new projects have slowed to a halt. Of the projects completed, the majority have been done in-house using expense funds and DOT headcount. The City should be bolstering this in-house capacity, but the preliminary budget proposes keeping vacancies unfilled and imposes PEGs on traffic and street operations, signaling that the administration intends to keep DOT understaffed.

DOT has talented and passionate personnel ready to implement lifesaving streets projects across the city, and the budget needs to give them the resources to complete this work. As the coming implementation of congestion pricing will encourage more people to switch to public transportation, it is vital that we invest in critical infrastructure to speed up our buses, paratransit, and emergency vehicles, and keep pedestrians and cyclists safe.

As Borough President, I remain committed to Vision Zero: no one should die on New York City's streets. This preliminary budget does not agree; in addition to cutting in-house capacity, it includes cuts to Vision Zero education and outreach programming. While infrastructure and design are the foundation of Vision Zero, these cuts are emblematic of a complete disregard for the program's goal to reduce traffic violence.

While I am encouraged by City Hall's interest in sustainable delivery, the administration should first fully support the existing freight mobility staff and initiatives within DOT and outlined in the *Delivering Green* plan with the Economic Development Corporation (EDC). The recent announcement of six waterfront shipping hubs is a step in the right direction, but I am concerned by the absence and continued uncertainty surrounding the Red Hook Container

Terminal, which should remain a centerpiece of the city's freight infrastructure and receive renovations and upgrades as proposed in *Delivering Green*.

DOT's Curb Management Action Plan is an exciting step towards using the city's valuable curb lanes for more than just car storage, which should be expanded in the coming years. DOT should follow through on the Local Delivery Hub and *LockerNYC* pilot programs to reduce the negative environmental and safety effects of truck deliveries.

Open Streets are a vital part of Brooklyn's public realm. Streets are not just where New Yorkers travel, they are where we rest, socialize, and relax. I will continue to advocate for funding and expansion of Open Streets and Summer Streets across the borough.

Finally, I would like to discuss the future of the Brooklyn-Queens Expressway (BQE). In February, the Federal Highway Administration rejected the administration's application for federal funds to rebuild the triple cantilever in Brooklyn Heights. This proposal was a temporary fix that included too many lanes and ignored community needs along the entire BQE corridor. DOT should continue to work to secure funds from the Federal government through the Bipartisan Infrastructure Law to pursue a full redesign of the BQE corridor that centers racial justice, equity, and climate mitigation.

Thank you for the opportunity to speak today. I look forward to working with the Council on this effort. Together, we can transform our city's streets, our freight network, and the BQE corridor.



JUMAANE D. WILLIAMS

**STATEMENT OF PUBLIC ADVOCATE JUMAANE D. WILLIAMS
TO THE NEW YORK CITY COUNCIL COMMITTEE ON TRANSPORTATION AND
INFRASTRUCTURE
MARCH 14, 2024**

Good morning,

My name is Jumaane D. Williams and I am the Public Advocate for the City of New York. Thank you to Chair Brooks-Powers and members of the Committee on Transportation and Infrastructure for holding this hearing and for allowing me to share my statement.

MTA

Access-a-Ride

In New York City, we have a shared ride paratransit service, Access-a-Ride (AAR). AAR is operated by the MTA and is for people with disabilities or health conditions that prevent them from using alternate public transit options (subway or buses) for some or all of their trips. AAR has nearly 170,000 users, yet AAR is riddled with complaints, concerns, and issues from its riders. Among chief concerns are chronically late rides, drivers who are poorly trained to assist passengers with disabilities, and long wait times. Additionally, the onus is on the rider to schedule their rides two days ahead of time, and to qualify for AAR, riders must visit an assessment center. Transit advocates have called for the elimination of these assessment centers and, as a replacement, requiring proof of eligibility submitted by a rider's physician. And of course, proper redress for all the aforementioned issues which have been long documented is duly needed.¹

Fair Fares

Fair Fares has existed as a measure to make public transit financially accessible to low-income New Yorkers with over 300,000 people enrolled. That being said, as fares and the cost of living rise, low-income New Yorkers are finding it more difficult to afford public transit yet are not eligible for the program.² Currently, New Yorkers with incomes of up to 120 percent of the federal poverty level are eligible. Eligibility should expand to New Yorkers with incomes under 200 percent of the federal poverty line, which is estimated to serve over a million people.³ In addition to expanding eligibility, the MTA needs an extensive outreach campaign to ensure all who are eligible for Fair Fares, are receiving their discounts. It is estimated that only one-third of those eligible are enrolled.⁴ That is

¹ <https://citylimits.org/2018/08/21/access-a-ride-or-stress-a-ride-mta-service-needs-overhaul-users-say/>

² <https://www.cssny.org/publications/entry/when-you-cant-afford-the-fare-expanding-fair-fares-transit-hardship-unheard-third-2023>

³ <https://www.cssny.org/news/entry/fair-fares-expansion-million-new-yorkers-benefit-nyc#:~:text=If%20Fair%20Fares%20eligibility%20were.subway%20or%20the%20bus%20system.>

⁴ Ibid.



JUMAANE D. WILLIAMS

hundreds of thousands of New Yorkers who are missing out on valuable discounts. The same can be said about AAR riders as well.

Subways

Subway capital improvements must be prioritized. When it comes to accessibility in the subway system, it is in need of major progress and improvements. The MTA is investing approximately \$6 billion in the 2020-2024 Capital Program for station accessibility projects, which includes making 70 stations ADA accessible and modernizing 78 subway elevators.⁵ The MTA needs to be held accountable for the completion of these projects, which in addition to elevator access, addresses other key accessibility features at the subway platforms.

DOT

In 2022, the Mayor announced an investment of nearly \$1 billion over five years for the city's Streets Plan. The NYC Streets Plan, per DOT, is "a five-year transportation plan to improve the safety, accessibility, and quality of the City's streets for all New Yorkers. The plan involves an in-depth analysis of the current state of New York City's streets and responds equitably to the uniqueness of the City's many neighborhoods and local needs."⁶ Despite the significant funding to our NYC streets and traffic safety, transit advocates have lamented that benchmarks are being missed, especially regarding bus and bike lanes. According to the Plan, the DOT is to install 50 miles of protected bike lanes at minimum, yet in actuality, it has only installed 33 miles of bike lanes.⁷ Additionally, for the city's bikeshare program itself, DOT must also move to provide accessible and adaptive bicycles for people with disabilities, of which there is little public information on its progress.

NYC Ferry

An additional transportation method for New Yorkers is the ferry system. The preliminary budget indicates \$500 million for boat and terminal improvements, and it must be stressed that among these improvements, accessibility needs to be prioritized. According to New York Lawyers for the Public Interest, members of the disability community have reported that NYC Ferry has accessibility issues, which include lack of signage that impacts those deaf and hearing impaired and also a lack of clear and accessible paths from street to landing. The Council must ensure this significant investment in the ferries clearly prioritizes accessibility needs, as is being asked of the MTA and DOT.

Thank you.

⁵ <https://new.mta.info/project/station-accessibility-upgrades>

⁶ <https://www.nyc.gov/html/dot/html/about/nyc-streets-plan.shtml>

⁷ <https://nyc.streetsblog.org/2024/02/01/dot-bike-lane-intros-dropped-85-in-2023>



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City Council Preliminary Budget Hearing – Transportation and Infrastructure
Testimony of Lisa Daglian
Executive Director
Permanent Citizens Advisory Committee to the MTA (PCAC)
March 14, 2024

Good afternoon, my name is Lisa Daglian, Executive Director of the Permanent Citizens Advisory Committee to the MTA, PCAC. PCAC was created by the state legislature in 1981 to be *The Official Voice of Riders* on subways, buses, the LIRR, Metro-North, and Staten Island Railway.

Voting Rider Representation on the MTA Board:

As the coordinating body for three rider councils, our mission is to give subway, bus, and commuter rail riders a voice in the formulation and implementation of MTA policy, to hold the MTA Board and MTA management accountable to riders, and to advocate on their behalf as we are doing today. Under authorizing legislation, each of the three rider councils has a non-voting seat on the MTA Board. This year, one of our priorities is changing that dynamic to give these board members a vote and to add an additional independent member recommended by the Mayor's Office for People with Disabilities, with input from the disability community. That legislation, S.20A/A.923A, is sponsored by Senator Gounardes and Assemblymember Dinowitz.

Transit Investment and Service:

What a difference a year makes! Last year we were staring down an abysmal funding abyss that put into peril the very transit system that millions of New Yorkers rely on every day. Thanks to the Governor and state legislature – along with your voices and those of our colleagues in advocacy – the MTA's operating budget is on stable footing for the next five years. The huge deficit that would have led to devastating cuts in bus, subway, and rail service, or crippling fare increases was staved off. Now we have the opportunity to make important improvements in advance of congestion pricing.

We have already seen investment in service frequency off-peak and on weekends on the 1, 6, C, G, J, M, N and R, and the addition of five fare-free bus routes across the city. We're eagerly awaiting the Brooklyn and Queens Bus Network Redesigns to modernize moving around within and across the boroughs. In this year's One House bills, both the Senate and Assembly have included \$90 million funding for additional bus service and fare free bus routes.

Bus Lanes:

But adding service can only go so far without protected bus lanes and busways to clear through the traffic. Buses are the engine of equity around our city, and the city has a unique ability to improve this part of our transit system. But it has fallen down in its legal obligation to install the mandated number of miles – achieving just 9.6 miles, or 19-percent, of the required miles of protected bus lanes to-date. ACE will help move buses – which currently move slower than a chicken can run, in many cases – but it will not take the place of dedicated bus lanes to allow them to get riders where they want to go more expeditiously.

We strongly support Speaker Adams's proposed legislation to require DOT to maintain a capital tracker of its Street Plan projects with monthly updates to connect the plan to tangible projects and their status.

Fair Fares:

We also commend the Council's continued support for expanding Fair Fares eligibility to 200% of the federal poverty level, following expansion to 120% in the current budget. Raising the eligibility threshold to 200% of the FPL would better reflect the high cost of living in New York City and ensure that many more New Yorkers in need can afford the fare. We applauded the increase from 100% of the FPL as a drop in the bucket, but recognize that every drop helps fill the bucket. An increase to 200% would mean so much to so many and make Fair Fares even fairer. It would also require an increase in the baselined funds – but we suggest going even farther than the \$127.5 million that's been discussed.

We strongly support expanding Fair Fares to the Long Island Rail Road and Metro-North in New York City, which should be included in the city's increased baselined funds. We support the proposal to encourage eligible fare evaders to enroll in Fair Fares – including on the railroads.

The FARES Act:

Expanding Fair Fares to commuter rails in New York City would allow riders who have access to the LIRR and Metro-North, but not a subway, to ride at half the cost of a City Ticket. Expanding City Ticket to include a weekly option, with transfers to subways and buses and funded via the Outer Borough Transit Account, would increase access even further, and we are thrilled that the Senate included the proposal in their One -House. In addition, we applaud their inclusion of extending discounts for seniors, disabled and Medicare-eligible riders on commuter rails to the morning peak, the only time those discounts are not currently accepted. We hope that you will join in supporting the FARES Act proposals that will bring more affordable, accessible and equitable transit to riders around the city, and region.

Access to transit is access to opportunity. As we continue to recover from the pandemic, it is crucial that we prioritize the needs of transit riders and invest in the infrastructure that makes it all possible. That means ensuring that congestion pricing gets over the finish line and that critical funding is in place for our vital transit system. We're so close!

Public transit is essential to the success and vitality of New York City, connecting millions of New Yorkers to their jobs, schools, and communities. With more investment in the MTA for better service, even more riders will discover that transit is truly the best, safest, and most reliable way to get around. Thank you.

Testimony for the New York City Council Budget and Oversight Hearings on
2024 Executive Budget Proposal: Topic Transportation

March 14, 2024

Testimony by:
Tashia Lerebours
Transportation and Voting Community Organizer
Center for Independence of the Disabled, NY

While the MTA relies on its 79% satisfaction rate, other riders who use Broker Service have to deal with issues such as drivers, vehicles, and license plates not matching what is posted on the MYMTA app, and that is *if* the application is working properly. Some drivers do not match the driver's license picture on the windshield. On some occasions passengers get different drivers and cars that are listed in the app. While the MTA boasts about the success of the MYMTA app, they do not pay enough attention to the problems with it. Consumers need to know who their drivers are for their safety. For example, the victim of a brutal assault in December of last year was unable to identify the Access-A-Ride driver to press charges.

Another issue is drivers on both Broker Services and the original Blue & White service making video calls while on the road. Some drivers are so invested in their phone calls that they do not pay attention to what is going on around them. They do not notice the concern or anxiety it brings their passengers.

And finally, an old but still occurring issue: Broker Service drivers watch Youtube, TikTok, or other social media while on the road and get so invested that the passengers are left in fear.

The Center for Independence of Disabled, New York (CIDNY) also wants to bring to your attention the major increase over the past few years in the dangerous use of recreational electronic mobility devices, such as electronic bikes and scooters on New York City streets and sidewalks. Users of these means of transportation ordinarily ride on city sidewalks, often not stopping at crosswalks, and ignoring stop signs and red lights. They also often do not abide by directional regulations of the streets or lanes they are riding on.

While this is absolutely a safety hazard for all New Yorkers trying to navigate the City's streets, it is particularly dangerous for individuals with disabilities— those with mobility, visual or hearing impairments — and effectively renders the visual or auditory signals that have previously been put in place at crosswalks to ensure their safety meaningless. We are aware of several serious accidents on NYC streets owing to these issues.

The DOT is responsible for ensuring the safety of all pedestrians on New York City streets, including individuals with disabilities. It is CIDNY's position that the safety action plans currently in place are no longer sufficiently protecting New Yorkers with disabilities, and these plans need to be updated in consideration of the massive increase in the use of electronic transportation devices, and the documented fact that this increase is correlated to accidents causing injury and even death.

CIDNY is advocating for the DOT to put in place a full plan to reexamine the way bike lanes and pedestrian walkways are designed to address that they are now used by these recreational electronic vehicles that do not regularly stop at intersections. CIDNY also requests that efforts to protect individuals with mobility, hearing and vision impairments are expressly considered and incorporated into these updated safety plans.

Courtney Bryan, Executive Director

Table of Contents

Page 1

- Center for Justice Innovation New York City Program Map

Page 2 - Page 7

- Written testimony for submission to 3/14/24 City Council Preliminary Budget Hearing of the Committee on Transportation and Infrastructure

Page 8 - Page 9

- Summary of FY25 Center for Justice Innovation Proposals

Page 10 - Page 17

- Letters of Support;
 - Bronx County District Attorney
 - Kings County District Attorney
 - Richmond County District Attorney
 - Manhattan District Attorney

The Center for Justice Innovation is a non-profit organization that seeks to transform the policies and practices of the justice system to make it fair, effective, and humane. The Center operates the following sites throughout New York City.

■ Family
 ■ Criminal
 ■ Community Development
 ■ Civil/Housing

Click on the name of any program to learn more.

STATEN ISLAND

- 1. Staten Island Justice Center

MANHATTAN

- 2. Harlem Community Justice Center
- 3. Headquarters
- 4. Manhattan Justice Opportunities
- 5. Midtown Community Court

MULTI-BOROUGH

- 6. Legal Hand (Bronx, Brooklyn, Queens)

BRONX

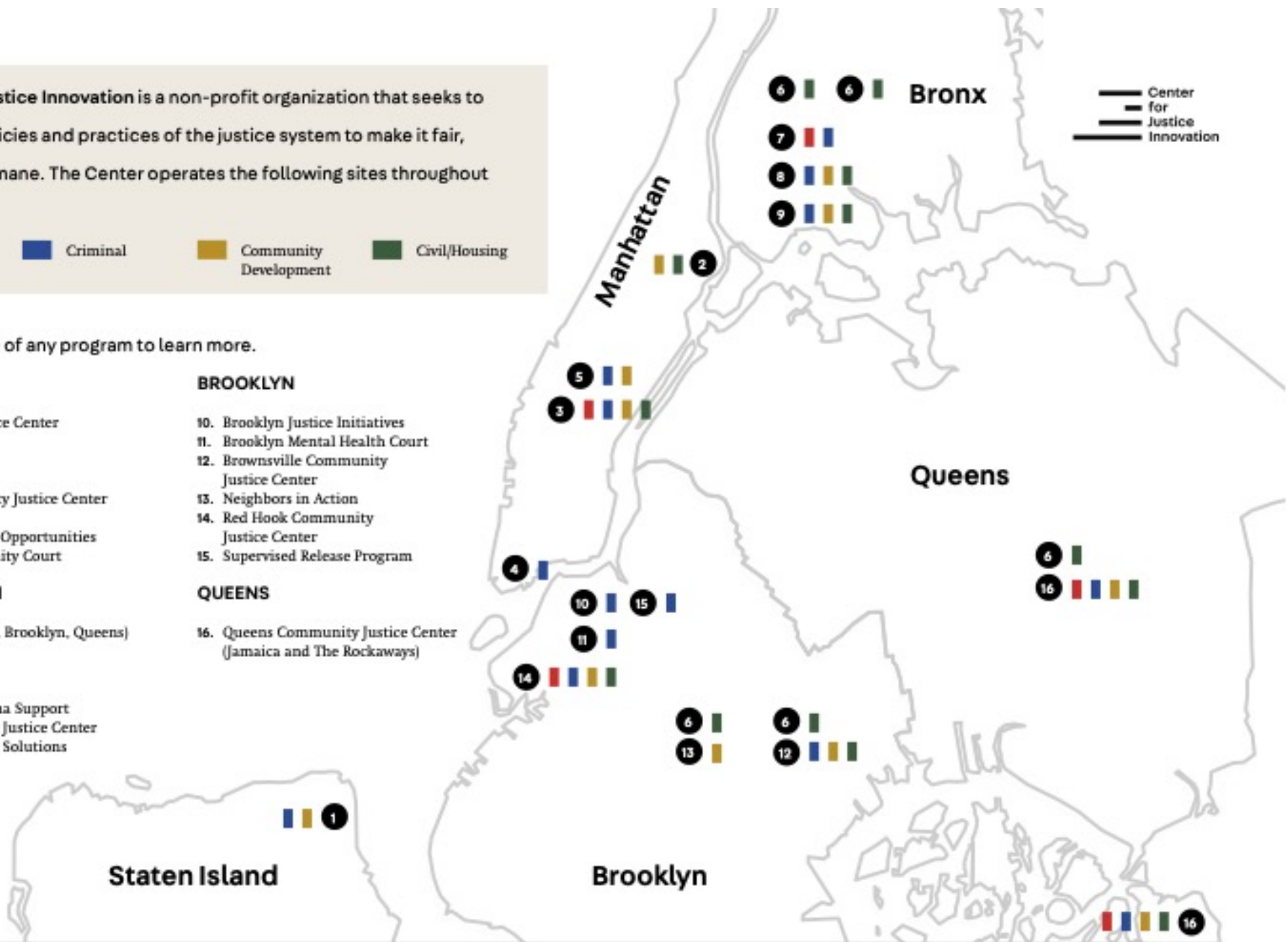
- 7. Bronx Child Trauma Support
- 8. Bronx Community Justice Center
- 9. Bronx Community Solutions

BROOKLYN

- 10. Brooklyn Justice Initiatives
- 11. Brooklyn Mental Health Court
- 12. Brownsville Community Justice Center
- 13. Neighbors in Action
- 14. Red Hook Community Justice Center
- 15. Supervised Release Program

QUEENS

- 16. Queens Community Justice Center (Jamaica and The Rockaways)



Citywide

■ Access to Justice	■ Neighborhood Safety Initiatives	■ RISE Project
■ Alternatives to Incarceration	■ Parent Support Program	■ Strong Starts Court Initiative
■ Driver Accountability Program	■ Project Reset	■ Youth Action Institute
■ Gender and Family Justice	■ Restorative Justice Practices	■ Youth Impact

For More Information
 Shane Correia
 correias@innovatingjustice.org

Courtney Bryan, Executive Director

**Center for Justice Innovation
New York City Council
Committee on Transportation and Infrastructure
March 14, 2024**

Good morning, Chair Brooks-Powers and esteemed members of the Transportation and Infrastructure Committee. In the years since the pandemic, traffic-related fatalities in New York City have reached historic levels. Last year, traffic violence killed 258 individuals on our roads.¹ Although this reflected a slight decrease from the year prior, the broader trend is an alarming one: between 2018 and 2021, traffic fatalities in our City climbed by **33 percent**.² Also cause for concern, in particular, is the declining safety for bike riders on our streets. In fact, 2023 was the second deadliest year for bike riders in recorded history, and the deadliest in the Vision Zero-era.³ In a moment like this, we must continue to invest in solutions that make our roads safer.

This testimony will discuss two programs the Center has developed to mitigate this safety issue: the Driver Accountability Program and Circles for Safe Streets. These programs provide meaningful alternatives to fines and fees, addressing some root causes of unsafe driving, while providing a new option for adjudicating cases between non-enforcement and convictions.

Driver Accountability Program

The Driver Accountability Program is an innovative response to driving-related offenses that seeks to improve traffic safety and increase accountability among dangerous drivers. The program is rooted in principles of restorative justice, self-reflection, and self-empowerment. With support from New York City Council, the Center for Justice Innovation operates the

¹ NYC.gov. (2024). *Vision Zero Key Metrics and Visualization*. NYC.gov.
<https://www.nyc.gov/content/visionzero/pages/key-metrics-and-visualizations>

² Ibid.

³ deCastro, J. (2023, December 28). *Transportation alternatives statement after hit-and-run driver kills Bike Rider in Queens*. Transportation Alternatives.
<https://transalt.org/press-releases/transportation-alternatives-statement-after-hit-and-run-driver-kills-bike-rider-in-queens>

program in all five boroughs, playing a critical role in reducing systemic harms caused by fines, criminal convictions, and incarceration.

The program was developed in partnership with the New York City Police Department, the Brooklyn District Attorney's Office, Comptroller (and then-City Council Member) Brad Lander, and Families for Safe Streets. It launched in 2015 as a pilot based out of our Red Hook Community Justice Center. In 2019, New York City's Council provided funding to expand use of the Driver Accountability Program citywide. By providing alternatives to business as usual, our Driver Accountability Program is improving safety while reducing the negative impacts of the justice system.

Eligibility

The Driver Accountability Program is available to individuals who are charged with driving related offenses in criminal court. It serves as an alternative to fines or jail, or as a pre-condition of dismissal or reduction in charges for vehicular offenses such as reckless driving, driving while intoxicated, driving with a suspended license, and failure to yield to a pedestrian.

Curriculum

The 90-minute group session takes a restorative approach. Rather than sitting through a lecture, participants actively engage in exercises and discussions guided by a trained facilitator. After a brief introduction, participants complete a questionnaire that requires them to rate and describe their driving beliefs and behaviors, prompting them to engage in meaningful self-reflection. Participants are then asked to share their answers, which are used as a framework for a broader discussion about what constitutes dangerous driving and why. A critical component of the program is incorporation of the victims' voice. Participants watch "Drive Like Your Family Lives Here," a video that tells the stories of five families who have lost loved ones to traffic violence, presented by the NYC Taxi and Limousine Commission, NYC Department of Transportation, NYC Police Department, and traffic safety advocates Families for Safe Streets and Transportation Alternatives. Facilitators then lead a discussion about the video and the importance of thinking more broadly about one's place on the roads and broader community.

In the latter part of the session, participants are required to identify two to three driving behaviors that they are committed to changing. Participants identify concrete steps they can take to effectuate those changes. The goal is to empower the participants to become agents of their own change, making it more likely that they will follow through and hold themselves accountable in the future.

Impact

Since 2015, the program has served over 6,100 participants citywide.⁴ Last year, the Center for Justice Innovation served Driver Accountability Program (DAP) participants from every single New York City Council District.

The Center’s research department published a participant-focused evaluation of the program in February 2022. The evaluation measured program impact through a comparison of participant self-reported surveys at the start of the program session and 30 days after, as well as in-depth interviews. Researchers are also examining program impact through an ongoing recidivism analysis, which will be published in an addendum to the report. Based on feedback from those who completed the follow-up survey, 91 percent reported that their driving behavior had changed, and 78 percent of respondents attributed this change directly to DAP. When asked to share what they found most useful about the program, participants cited the dialogue and open conversations about their driving behaviors, identifying steps they can take to change, and hearing from those who have been victims of dangerous driving.⁵

In addition, we are currently analyzing 1,317 cases arraigned on specific driving-related charges between 2017 and 2019 in Brooklyn and Staten Island to assess if people referred to the Driver Accountability Program during that time have fewer subsequent arraignments on these types of charges than people who aren't assigned to DAP.⁶ In our preliminary analyses we found that individuals mandated to DAP were less likely to be arraigned on another driving-related charge at both 6 months and 2 years following the initial case disposition than a matched comparison group of individuals who were not assigned to DAP. We anticipate publishing a full report on these findings and others in the coming months.

Participant Feedback

Participants who were interviewed had generally positive feedback on the course’s impact on their driving, as well as on the structure and content of the session itself. As the program continues to expand throughout the city, participant-focused evaluation results can help inform programmatic changes, with the ultimate goal of safer streets and communities.

“Taking the time to sit down and listen to stories of other people...makes you reflect and think that you have to be a bit more careful, that there are people on the street, and that they have nothing to do with your time.”

“I will remember to think of the other people and that we have significant responsibility in handling the vehicle safely as part of a community.”

⁴ Center for Justice Innovation. (2024). Justice Center Application and Reset referral database. [Data file].

⁵ Sexton, E., & Sharlein, J. (2022, February). The Driver Accountability Program: A Participant-Focused Evaluation of a New York City Alternative Sentencing Program . <https://www.courtinnovation.org/sites/default/files/media/document/2022/Driver%20Accountability%20Program%20Report.pdf>

⁶ Publication forthcoming.

“There were moments when I was driving and I didn’t notice that I had gone from 25 mph, which is the speed limit, and I had reached 30 or 35 mph without realizing it. And now after the program, I check my speedometer more often. I look at the signs that are on the street.”

“The course impacted the way I think and the way I view driving. Learning from my peers’ experience and the reasons why they were in the class was eye opening. I realized how often I didn’t think of the more serious consequences of driving, and I will try to be more careful in the future because I don’t want to hurt anyone and wouldn’t want anyone hurting my kids while driving.”⁷⁸

Circles for Safe Streets

Building on the success of our Driver Accountability Program, the Center developed a second tier of the DAP program, *Circles for Safe Streets: Driver Accountability Through Restorative Justice* (“Circles for Safe Streets”), which responds to vehicular crashes involving serious injury or death. Circles for Safe Streets is the first program of its kind that was developed specifically to address vehicular crimes using a restorative justice model within the criminal legal system.

Rooted in restorative justice, and developed in consultation with directly impacted people through our partners at Families for Safe Streets, Circles for Safe Streets provides support to both victims and drivers, and offers a pathway for communication in the aftermath of a crash. This process may be used as an alternative to incarceration or for sentence mitigation.

The Circles for Safe Streets process aims to be flexible and responsive to the needs of all parties. Core elements of the process include:

Victim Support and Engagement

Circles for Safe Streets offers people who have been harmed by traffic violence support through Families for Safe Streets (FSS). FSS is a member-driven organization founded and led by those who have lost loved ones or have themselves been critically injured by a car crash. FSS provides people who have been harmed with critical support, a community of people who have suffered loss due to traffic violence, as well as specialized social workers/advocates who have knowledge of the concrete emotional, material, and medical needs that can arise in the wake of a crash.

⁷ Center for Justice Innovation. (2022). Driver Accountability Program. https://www.innovatingjustice.org/sites/default/files/media/document/2022/CCI_FactSheet_DAP_03312022.pdf

⁸ *Driver Accountability Program*. Center for Justice Innovation. (n.d.). <https://www.innovatingjustice.org/programs/driver-accountability-program>

Circle for Safe Streets staff also offer those who have been harmed the option to participate in a restorative justice process, which can include a face-to-face meeting (circle) with the driver in their case. Participation is a personal, often difficult choice and facilitators are available to support the decision-making process. Harmed persons may opt to participate directly or send an ambassador of their choosing. If they choose to have a dialogue with the driver, facilitators help to prepare them by listening to their goals and expectations for the process and inviting in their supporters and other impacted people. These preparatory conversations help ensure that facilitators create a space responsive to the needs and expectations of those who have been harmed. Harmed parties may opt out of the process at any time.

Driver Accountability and Support

In order to participate in Circles for Safe Streets, drivers must be willing to take responsibility for the harm caused. During the preparation process, restorative justice facilitators provide support and work with responsible parties to:

- tell their story of the crash;
- identify the action or inaction that led to the crash and explore possible underlying causes they may not have considered;
- begin to process having caused an unintended death or grave harm;
- identify how they will work to prevent future traffic violence and be offered a connection to the Hyacinth Fellowship—a supportive community of people who have caused similar harm. These conversations prepare the driver to participate in a circle with either a harmed party, or a surrogate victim who has suffered a similar experience.

The driver's obligations to complete the restorative justice process include meaningful participation in:

- a minimum of four preparatory sessions;
- the Center for Justice Innovation's Driver Accountability Program, a 90-minute group-based intervention with other drivers who have been charged with vehicular offenses;
- one assessment session with a case manager or social worker to assess for any additional needs;
- a restorative justice circle (up to five hours);
- the completion of a reflection statement shared with the court parties about what they took away from the process; and
- one debrief session with the facilitator where the driver will be referred to additional resources on a voluntary basis.

Circle

The Circles for Safe Streets process culminates in a restorative justice circle. The driver and harmed party(s) or victim surrogate(s) are invited to bring other impacted people as well as supporters to the circle. During this conversation, participants have an opportunity to convey the life-changing impact of the crash on their lives; ask questions; express anger, pain, and grief; receive empathy and compassion; and potentially reduce some of the symptoms of victimization through the empowerment the process offers. Drivers take accountability for the harm they caused by coming face-to-face with those they have impacted, telling the truth of what happened and committing to how they can work to prevent future harm. Participants may agree on actionable steps moving forward, though these steps will not be limited to the life of the case or be monitored by the program.

Conclusion

The Center greatly appreciates City Council's investment in the Driver Accountability Program and Circles for Safe Streets. The Center's programs have proven effective at encouraging accountability and reflection and ultimately changing driver behavior for the better. We know that standard responses such as tickets and arrests leading to consequences—like fines and fees or even short jail sentences are often not successful in curbing risky driving behavior, and only perpetuate many of the historical harms that have been imposed on Black and Brown people through our legal system. We look forward to continuing to partner with Council to produce responsive, sustainable, and effective responses to crime and issues of public safety. Thank you for the opportunity to testify.

Courtney Bryan, Executive Director

FY25 Center for Justice Innovation Proposals

- **#172167 - Center for Justice Innovation (formerly Center for Court Innovation) - \$750,000**

Innovative Criminal Justice Programs (Renewal/Expansion); Speakers Initiative

Description: This is an application to support the continuation of the Center for Justice Innovation’s innovative criminal justice responses, community-based public safety initiatives, and access to justice programs across all five boroughs in New York City. City Council’s support allows us to serve tens of thousands of New Yorkers with mental health services, family development, youth empowerment, workforce development, and housing, legal, and employment resource services. Our goal continues to be improving safety, reducing incarceration, expanding access to community resources, and enhancing public trust in government to make New York City stronger, fairer, and safer for all.

- **#171694 - Center for Justice Innovation (formerly Center for Court Innovation):
Driver Accountability Program - \$885,000**

Diversion Programs (Renewal); Alternatives to Incarceration (ATIs)

Description: The Center for Justice Innovation’s Driver Accountability Program works to improve street safety by changing driver behavior, while minimizing harms perpetuated by the criminal justice system’s historically punitive responses. It does so by offering a proportionate and meaningful alternative to fines, fees, and short-term incarceration for vehicular offenses in criminal court; and by utilizing principles of restorative justice to address the dangerous behaviors that are the primary cause of pedestrian fatalities. With support from City Council, the program currently operates at six sites in all five boroughs. This application seeks funding to sustain those operations, as well as to sustain operations of its more intensive version, Circles for Safe Streets,

which brings together drivers and their victims for a process of accountability and healing in cases where traffic crashes have caused critical injury or death.



DARCEL D. CLARK

THE DISTRICT ATTORNEY
BRONX COUNTY

February 21, 2024

Speaker Adrienne
Adams New York City
Council City Hall
New York, NY 10007

Dear Speaker Adams and Members of City Council:

On behalf of the Bronx District Attorney's Office, I am writing to support the Center for Justice Innovation (CJI or the Center, formerly Center for Court Innovation) FY25 City Council Applications. Funding will sustain existing programs and continue to expand:

- Pre-arraignment early diversion options,
- Mental health supports,
- Restorative justice interventions,
- Human trafficking survivor leadership initiatives,

These programs will enable the Bronx to move towards our shared vision of reducing unnecessary and harmful involvement in the legal system and enhance public safety through sustainable community-driven solutions.

For the past several years, the City Council has supported the Bronx with **\$710,000** to invest in early system diversion, which includes Project Reset, the Center's citywide pre-arraignment diversion model that re-directs New Yorkers with misdemeanor arrests from the court system. The Center also offers same-day at-arraignment diversion services for individuals who were referred to Project Reset Bronx or Bronx HOPE pre-arraignment diversion programming, but who were not contacted or did not complete programming. Any other individuals deemed eligible by court stakeholders also have the opportunity to participate in this at-arraignment diversion program. Upon successful completion of the session, participants' cases are dismissed the same day and they are not required to return to court. This has offered relief from the collateral consequences participants might otherwise experience if arraigned for a low-level crime. We support CJI continuing to partner with the Council to implement the next generation of early system diversions for the Bronx to continue to lead the City in upstream interventions.

The Bronx County District Attorney's Office partners with the **Bronx Child Trauma Support** program to support the provision of clinical assessment and treatment of child victims and witnesses to crimes in the Bronx. The continued support of the Council will baseline these direct services conducted through evidenced-based and trauma-informed intervention models designed to prevent or reduce post-traumatic stress symptoms, traumatization, and future victimization. Thanks to meaningful changes in

the treatment of trafficking victims in the justice system, the Center's Bronx Human Trafficking Intervention Court (HTIC) referrals continue to decline. As a result, we support CJI's piloting of **Project Healing and Empowerment through Advocacy and Leadership** (Project HEAL), designed to be a survivor leadership and peer support initiative for human trafficking survivors. Additionally, we support the Center's RISE Project which is used in Family Court and provides community-based intimate partner violence prevention services in communities most impacted by gun violence.

To address the issue of street safety, we support the continuation and expansion of the **Driver Accountability Program**. The essence of this program is to provide a constructive and restorative response to dangerous driving and improve the risky driving behavior of people charged with driving-related offenses in criminal court.

Finally, we support continuation of the **Center's Innovative Core Funding** which addresses the immediate needs of all boroughs by piloting novel and effective approaches to anti-gun violence, victim services, and mental health integrations to diversions.

The Center has a long and documented history of conducting research and operating direct service programs in the Bronx. Their mission to promote equality, dignity, and respect in communities aligns with the Bronx District Attorney's vision and mission to pursue justice with integrity. Together we can reimagine a fairer and more holistic approach to justice by reducing incarceration and convictions as well as by building substantial and meaningful community-based support. I encourage the City Council to consider funding the Center's programs which will ultimately enhance fairness, accountability, and safety for all people in the Bronx.

Sincerely,



Darcel D. Clark



ERIC GONZALEZ
DISTRICT ATTORNEY

DISTRICT ATTORNEY
KINGS COUNTY
350 JAY STREET
BROOKLYN, NY 11201-2908
(718) 250-2202
WWW.BROOKLYNDA.ORG

February 28, 2024

Adrienne Adams
Speaker, New York City Council
City Hall
New York, NY 10007

Dear Speaker Adams and Members of City Council,

On behalf of the office of the Kings County District Attorney, I write in support of key Center for Justice Innovation FY25 City Council Applications to sustain critical investment in the following areas:

- alternatives to incarceration,
- mental health support,
- programming at the intersection of intimate partner violence and gun violence,
- and innovative pilot programs that address pressing needs in communities.

These programs will enable Brooklyn to continue to move towards our shared vision of reducing unnecessary and harmful involvement in the justice system wherever possible and building public safety through sustainable community-driven solutions.

The Center has submitted a proposal for continued support of its **Brooklyn Felony Diversion Programs**, which assist my office in expanding diversion opportunities for felony alternatives to incarceration (ATIs) across Brooklyn, while maintaining public safety and accountability. The Brooklyn Felony Alternatives to Incarceration Court, launched in January 2020 with Council support, offers clinical assessments, individualized community-based interventions, and judicial monitoring on felony cases. I urge the Council to continue funding this initiative to reduce unnecessary incarceration and strengthen diversion opportunities in Brooklyn. Also included in that application is a request for continued support of the Center's renowned **Brooklyn Mental Health Court**. For the past twenty plus years, Brooklyn Mental Health Court has served as a pioneering model that offers community-based mental health treatment, paired with rigorous judicial monitoring and case management for defendants diagnosed with serious mental illness and facing felony charges. If not for the intervention of this specialized court, these defendants would be facing long-term incarceration in our jails and prisons. Support for this program is an essential component of our effort to address the mental health crisis in our City.

I urge the Council to continue supporting the Center's **RISE Project** which provides community-based intimate partner violence prevention services in communities most impacted by gun violence. RISE works to reduce intimate partner violence by engaging individuals who are causing abuse in voluntary programming to stop violence and change behavior; changing community norms to reduce tolerance for violence, and training credible messengers to identify risk factors for intimate partner violence.

To address the issue of street safety, I support the continuation of the **Driver Accountability Program**, which seeks to change the risky driving behavior of people charged with driving-related offenses in criminal court, while simultaneously reducing reliance on fines or short-term incarceration for those offenses. The Driver Accountability Program is also addressing more serious cases through a second tier of programming, **Circles for Safe Streets**, which brings together drivers and their victims through a restorative justice process in cases of serious crashes that have resulted in serious injuries or fatalities.

Finally, the Council should continue and expand support for the Center's **Innovative Core Funding**. The Center uses this funding to respond to the immediate needs of Brooklyn residents by piloting novel and effective approaches to anti-gun violence, victim services, mental health integrations to diversion, and other pilots to test for scalable solutions.

The Center's long and documented history of conducting original research and operating direct service programs in Brooklyn to promote equality, dignity, and respect in communities align with my office's vision. Together we reimagine a fairer and more holistic approach to justice, aiming to reduce incarceration and conviction wherever possible and build substantial and meaningful community-based supports. I encourage investment in each of the Center's programs to enhance fairness, accountability, and safety for the people of Brooklyn.

Sincerely,

A handwritten signature in black ink that reads "Eric Gonzalez". The signature is written in a cursive, flowing style.

Eric Gonzalez
Brooklyn District Attorney

DISTRICT ATTORNEY
COUNTY OF NEW YORK
ONE HOGAN PLACE
New York, N. Y. 10013
(212) 335-9000



ALVIN L. BRAGG, JR.
DISTRICT ATTORNEY

February 29, 2024

Speaker Adrienne Adams
New York City Council
City Hall
New York, NY 10007

Re: Application for FY 25 City Council Funding

Dear Speaker Adams and Members of City Council,

I write in support of key Center for Justice Innovation (formerly, Center for Court Innovation) FY25 City Council Applications that will continue to support and expand:

- alternatives to incarceration for more cases
- mental health support
- restorative justice options
- early diversion
- programming at the intersection of intimate partner violence and gun violence

These programs will enable Manhattan to move towards our shared vision of reducing unnecessary and harmful involvement in the justice system wherever possible and building public safety through sustainable community-driven solutions. The Center's proposal to assist my office in expanding diversion opportunities for misdemeanor and felony alternatives to incarceration (ATIs) across Manhattan are crucial to the administration's goals of maintaining public safety and accountability. The **Manhattan Justice Opportunities Felony Alternative to Incarceration program** and the **Midtown Community Justice Center Misdemeanor Mental Health Court and Emerging Young Adult Court**, offer specialized supervision and support for individuals facing felony and misdemeanor charges. By providing interventions and judicial monitoring, we aim to decrease the use of jail and prison sentences and help individuals address the underlying issues driving their behaviors through treatment and social services. These programs have the potential to reduce criminal dispositions and improve outcomes for the participants. For example, funding for the Misdemeanor Mental Health Court will enable the hiring of peers to support participants; a model that has proved successful in that by sharing their own lived experience and practical guidance, peers assist participants in navigating challenges which ultimately lead to better outcomes. I urge the Council to support these vital interventions and invest in public safety interventions.

Additionally, funding for the Felony Alternative to Incarceration Program can be used to assess and provide support programming to participants in a more expeditious manner. The more timely an individual receives the necessary support in the community, the more likely they are to succeed. This has the dual effect and benefit of setting them on a better trajectory and improving public safety.

I urge the Council to continue supporting the Center's **RISE Project** which provides community-based intimate partner violence prevention services in communities most impacted by gun violence. RISE works to reduce intimate partner violence by engaging individuals causing harm in voluntary programming to stop violence and change behavior; changing community norms to reduce tolerance for violence, and training credible messengers to identify risk factors for intimate partner violence.

To address the issue of street safety, I support the continuation and expansion of the **Driver Accountability Program** to provide a constructive and restorative response to dangerous driving and work to change the risky driving behavior of people charged with driving-related offenses in criminal court. The Driver Accountability Program is also addressing more serious cases through a second tier of programming, Circles for Safe Streets, which brings together drivers and their victims through a restorative justice process. Finally, the Council should continue and expand support for the Center's **Innovative Core Funding**. The Center uses this funding to respond to the immediate needs of Manhattan residents by piloting novel and effective approaches to antigun violence, victim services, mental health integrations to diversion, and other pilots to test for scalable solutions. The Center's long and documented history of conducting original research and operating direct service programs in Manhattan to promote equality, dignity, and respect in communities align with the Manhattan District Attorney's office vision. Together we reimagine a fairer and more holistic approach to justice, aiming to reduce incarceration and conviction wherever possible and build substantial and meaningful community-based supports. I encourage investment in each of the Center's programs to enhance fairness, accountability, and safety for the people of Manhattan.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Alvin Bragg', is written over the typed name.

Alvin Bragg
District Attorney



OFFICE OF THE DISTRICT ATTORNEY
RICHMOND COUNTY
MICHAEL E. MCMAHON
DISTRICT ATTORNEY

March 6, 2024

Honorable Adrienne Adams
New York City Council Speaker
New York City Council
City Hall
New York, New York 10007

RE: Support for Center for Justice Innovation Fiscal Year 2025 Initiatives

Dear Speaker Adams and Members of the New York City Council:

As Staten Island's chief law enforcement officer, I write this letter to offer my support for the Center for Justice Innovation ("the Center") and the critical FY25 discretionary funding applications made by their organization to expand alternatives to incarceration opportunities and to provide mental health support, early diversion programming at the intersection of intimate partner violence and gun violence, restorative re-entry options for individuals and their families, pre-court eviction prevention options, and innovative pilot programs that address pressing needs in communities across the city. Many of these important initiatives and programs will enable Staten Island to move towards our shared vision of reducing unnecessary and harmful involvement in the justice system and building public safety through sustainable community-driven solutions.

The Center's long and documented history of conducting original research and operating direct service programs in Staten Island to promote equality, dignity, and respect in communities align with my office's vision. My office has proudly partnered with the Center in the development of a Staten Island Community Justice Center purposed to reduce crime and incarceration, and strengthen community trust in justice, while also creating safer, more equitable neighborhoods through community-driven public safety initiatives, youth opportunity, and economic mobility efforts. Staten Island Justice Center staff will continue to maintain existing operations in addition to the continued planning and execution of new programming along with enhanced data collection and evaluation.

Together, we reimagine a fairer and more holistic approach to justice, aiming to reduce incarceration and conviction and build substantial and meaningful community-based supports through innovative courts and alternatives to incarceration programming and services. I strongly encourage investment in each of the programs and areas outlined above to ensure that they can continue this successful work.

I further urge the Council to support Youth Impact Staten Island. The Youth Impact program (formerly Youth Court) is a multi-pronged youth leadership development program focused on peer-led mentorship and violence intervention and prevention practices, with a goal to keep young people in school and out of the criminal legal system, while inspiring community safety and healing from a youth-centered perspective. The program primarily uses a restorative justice model through structured in-school violence intervention partnerships and organized civic engagement. Participants develop hard skills including in oral and written communication, facilitation, conflict resolution and research processes; learn the impact and infrastructure of the justice system; and are trained in community planning and organizing.

Individuals demonstrating persistent and untreated mental illness require access to culturally competent mental health treatment. To address gaps in mental health-related support for court-involved youth in Staten Island, I urge the Council to continue and expand support for the Staten Island Justice Center's Youth Wellness Initiative. This initiative provides vital mental health services that address trauma and promote healing for young people on Staten Island involved in the justice system or at-risk of justice system involvement. Additionally, this initiative is geared towards providing holistic support to families by supporting the parents and caretakers of youth enrolled in the initiative.

To address the issue of street safety, I support the continuation of the Center's Driver Accountability Program to provide a constructive and restorative response to dangerous driving and work to change the risky driving behavior of people charged with driving-related offenses in criminal court.

I also urge the Council to continue supporting the Center's RISE Project, which provides community-based intimate partner violence prevention services in communities most impacted by gun violence. RISE works to reduce intimate partner violence by engaging individuals who are causing abuse in voluntary programming to stop violence and change behavior, changing community norms to reduce the tolerance for violence, and training credible messengers to identify risk factors for intimate partner violence.

Thank you for your kind consideration of this letter as you make important financial determinations on behalf of the City of New York.

Sincerely,



Michael E. McMahon
District Attorney

MEM/aem



Testimony on New York City Council Budget and Oversight Hearings on The Preliminary Budget for Fiscal Year 2025

Testimony by *Emerita Torres*,

Vice President of Policy Research and Advocacy, Community Service Society of New York

Before the NY City Council Committee on Transportation and Infrastructure

March 14, 2024

Thank you for providing the opportunity to testify today. My name is Emerita Torres and I lead Policy Research and Advocacy for Community Service Society, an organization dedicated to improving lives of low-income New Yorkers and championing a more equitable city. For 175 years, CSS has provided comprehensive direct services, engaged in rigorous research and policy analysis, and advanced strategic advocacy initiatives to alleviate hardship and promote economic opportunity for our fellow New Yorkers.

My testimony today will focus on the state of transit hardship among New Yorkers and how we can alleviate that by leveraging the Fair Fares program to its full potential.

Since 2014, CSS's annual survey of low-income New Yorkers, the Unheard Third, has asked people about transit hardship. In 2023, approximately one-in-five New Yorkers reported that they often struggled to pay for mass transit. Among those in poverty (family of 4 incomes below \$31,200) and those in near-poverty, defined as people with incomes between 100 and 200 percent of the Federal Poverty Level (family of 4 incomes between \$31,200 and \$62,400), the rate was higher at 30 percent. Even among New Yorkers who are not considered low-income, i.e. those with incomes 200 or even 400 percent above the poverty line (family of 4 incomes above \$124,800), 14 percent said that they struggle to pay subway and bus fares.

It is important to unpack what transit hardship really looks like: individuals and families that are most transit dependent—those who have been pushed to the far corners of the outer-boroughs because of our increasingly unaffordable housing market, those who do not have the luxury of hailing a cab via an app, or of paying thousands of dollars to afford a car—are the ones who are experiencing restricted mobility because they cannot pay the fare. And the legacy of historical and current marginalization ensures that these are New Yorkers, largely people of color, are trying to find a foothold in our city. Unable to afford transit, these New Yorkers are missing classes, job fairs, medical appointments, family gatherings, and a lot of more of what our great city has to offer, because they have to make each dollar stretch so much farther. Many attempt fare evasion and end up being penalized with fines, convictions and even arrests, which starts a perpetual cycle of the criminalization of poverty.

But the City has a great solution for this challenge in the Fair Fares program, which makes transit more affordable. As you heard this morning, the program has an estimated 320,000 enrollees. This has been a gamechanger for them. But they represent only a third of the almost one million adult New Yorkers who are eligible. Our research and analysis of the program points to two core issues with the program's current design.

First, the eligibility threshold needs to be expanded to include all New Yorkers with incomes less than 200 percent of the federal poverty line. When it comes to measuring economic need in New York City, the federal poverty line is woefully inadequate. We see this across many different benefits programs, including Fair Fares. By using 120 percent of FPL as the threshold, the Fair Fares program is excluding hundreds of thousands of working New Yorkers who are far from economic security but who make too much to qualify as they hover just slightly above the poverty line. . These individuals are working minimum wage jobs, mostly likely in face-to-face industries like hospitality or home healthcare, which require them to commute to work on a daily basis, and whose households would really benefit from the reduced fare program. Our analysis suggests that expanding the eligibility will make an additional 750,000 adults eligible for the program and it would cost the city an additional \$55 million, assuming the current pattern of usage continues to prevail. This is a drop in the budget compared to the upward mobility it would provide – to over a million New Yorkers in need. We are heartened that the NY legislature supports expansion of the Fair Fares program, with the NY Assembly calling for additional funding of \$127 million in their proposed one-house budget resolution to expand the program's eligibility threshold to 200 percent of the federal poverty line.

Second, there needs to be a greater awareness of the program. While there has been some improvement on this front over the past two years, our survey shows that over half (56 percent) of the eligible population is still not engaged with the process of enrollment. Awareness is lowest among Asian New Yorkers and Queens residents, indicating the need for a more concerted and targeted effort to reach non-English speaking, often immigrant New Yorkers. Thus far, we are yet to see a detailed plan from the administration regarding outreach that lays out how they will involve the network of service providers, CBOs, and other local organizations to educate their constituencies about the program. Additionally, transit advocates, stakeholders and the general public should also be made aware of the funding that would be allocated towards outreach and awareness.

Finally, we reiterate our request to the administration for greater sharing of data relating to the Fair Fares program. In addition to sharing weekly enrollment figures, we would like, at the very least, data on enrollment disaggregated by gender, race/ethnicity, and neighborhoods, on an annual basis, to better inform outreach initiatives.

All New Yorkers deserve to avail the city's mass transit system and benefit from the connectedness it offers. It can be a great equalizer for a city that remains hyper segregated along racial, ethnic and income lines. It is our hope that the City Council and the administration will be able to help us realize this vision.

Thank you again for this opportunity. Please reach out to me at etorres@cssny.org if you have any questions.



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Jean Ryan's long testimony to the Transportation and Infrastructure Committee March 14, 2024 T2024-0289

I am Jean Ryan, President of Disabled In Action of Metropolitan NY, DIA for short. This is DIA's long testimony that we did not have time to speak about in the public session today about the 4 agencies – MTA, DOT, TLC, and Design and Construction who testified today.

Metropolitan Transportation Authority (MTA)

Overview:

It has taken the MTA a long time to accept that people with disabilities need to use subways, buses, and that Access-A-Ride is here to stay and the MTA has to run it. At least we hope they feel that way because now that New York City is paying for the bulk of Access-A-Ride, we hope the City does not take over the running of AAR. The reason we feel this way is that all the services of the MTA need to be integrated and accessible. Many people with disabilities use more than one of the MTA's services, whichever works at the time for them. As an example, someone might take AAR to one destination, then a bus to another, and possibly the train to a different location if there is an accessible station. Because AAR has to be booked a day or two in advance, busy people do not know exactly when they will be finished with a meeting, their work day, a doctor appointment, or a social engagement. But not all people can take the subway because of the lack of elevators, the lack of elevator maintenance, and the gap between the platform and the trains. Some people are willing to be stuck halfway and wait for help, but most think that is too dangerous to even risk it, even when they are desperate to get somewhere.

Many people will not be able to take the subway even when every station has an elevator. They may not be able to stand if they cannot get a seat or they may not be able to walk to or from the subway station. Blind people might be in too much danger of falling to the tracks or elsewhere and of finding their way on the subway. It is possible that in the future, better technology will give more subway access.

Funding and who pays for AAR

New York State is responsible for providing for and funding a regional transportation system in the metropolitan region. Without a good transportation system New York City could not be the economic, political, educational, business, and research powerhouse that it is. But the plan to separate out Access-A-Ride funding from the rest of the transportation funding is a mistake. DIA is outraged about it because it sounds like discrimination against people with disabilities. The next step could be for the State to tell NYC to run Access-A-Ride. Remember, what happens to us can eventually happen to everyone else and we could just be the tip of the iceberg. We must guard against this.

DOJ says AAR still has problems

As I testified on February 24, 2023, there are major problems with Access-A-Ride and despite what the MTA tries to publicly say, they know it has gotten worse and has many problems such as unreliability, not picking up

people at all, picking people up an hour late, trying to pick up people 30 minutes early, dropping people off way too early or too late, and riding us around too long on our way to our destinations. The Department of Justice agrees with us and sent the MTA a letter on October 22, 2022, demanding to know what AAR is going to do to address these problems. As far as I know, AAR has not publicly given DOJ an answer yet, and the DOJ is still overseeing AAR to improve it.

The ADA says that paratransit systems like Access-A-Ride must not deny any registered user a ride. AAR cannot say we don't have any rides left for tomorrow. So, AAR gives us a pick-up time, but often people are not picked up or they are picked up too late, and that is a denial of service in a different way to saying no. If we don't have a ride, we don't have a ride, and AAR can do much better both with its traditional blue and white vehicles and with broker services. Some people have to keep calling AAR 3 times to get someone to pick them up because the first 2 vehicles never showed up and the person is waiting outside in all kinds of weather for a pick-up. That is not a rare occasion.

Making complaints about AAR

There are many other problems. If we call AAR or the broker (who has 70% of riders) to complain and say our ride is late or never arrived or the driver did not secure our wheelchair or us in a seatbelt, AAR does not count this as a complaint. If they did, complaints would skyrocket immediately, and the complaints would be more accurate. Instead, we have to email the MTA, write a letter, or call the special AAR complaint line which is only staffed Monday through Friday from 9-5 and always entails a wait to speak to someone. You can only make 2 complaints at a time, too. Hmmm. I wonder why you can only make 2 complaints? Because we have many more complaints and they don't want to hear them! If AAR had agents file complaints, it could easily be done by computer by using a checklist and perhaps with a choice to write a few details and then the agent could hit send. Or it could be part of the MYMTA/MYAAR app. For people who use the app, the trip is already on there, kind of like an Uber or Lyft trip, but they don't allow feedback within the app.

Why are so many AAR riders inactive?

One damning statistic about Access-A-Ride is that 175,000 people are in the program but only about 60,000 are active users. What most likely happens is that people apply for AAR, thinking they can use it to get places, and then they find that it is cumbersome, they have to arrange rides 1 or 2 days in advance, and the system is unreliable. After a few bad experiences, people give up and either hardly go anywhere or they get friends and adult children to drive them or they take car service or maybe the bus if they can manage that. Some people take alternative adult ride systems like the ones run by senior centers, but they have a limited fixed route. We are sure that a few of those 175,000 people have died or are too ill to travel, but it could not be the majority of the 110,000 people who do not ride.

How can drivers and passengers communicate when some broker drivers do not speak English? It is a safety problem

One serious problem with AAR is that the broker vehicles, which could be taxis or for hire vehicles, have drivers who are not at all fluent or even minimally competent in English and do not secure our wheelchairs or us with seatbelts and shoulder harnesses. That makes our rides with broker cars seem like a dangerous game of safety roulette. It is New York State law that we must have a seatbelt on when we ride in a taxi or a for hire vehicle. If drivers do not speak English, how can we tell them that we need to be secured? How can we tell them to drop us near the corner so we do not have to be in the street with traffic so much? The same thing happens when we use the e-hail On Demand program and use Uber or Lyft. There is a double standard

because the traditional blue and white drivers must have some functional use of English, but not the broker drivers. Some do and some don't.

Blind people are not safe

People who are blind or who have low vision have a particular problem with broker AAR for hire vehicles or cabs because often, the drivers do not try to locate the blind passenger and call out to them and assist them to the vehicle. Neither do drivers assist the blind passengers to the curb or to their building. If the drivers do not speak English, how can blind passengers find out where they are relative to where they are going? How can they give drivers instructions? They can't. And this is a serious, dangerous, ongoing problem.

Using brokers (who use cabs and for hire vehicles) saves money but increases unreliability and decreases safety

Broker service and traditional service just has to be more reliable and a way has to be found that when a person is not picked up for their scheduled ride, they can call and get a ride quickly.

Why is AAR using technology from the 90's instead of using on demand scheduling?

Who can run their life by arranging rides 1 or 2 days in advance. In 30 years, there have been many improvements such as GPS, digital mapping, and digital scheduling. AAR needs to get into this century for all users.

Elevator Maintenance

About 30 elevators are out and not working every day. There aren't that many elevators to start with, and typically, it takes 2 elevators to get from the street to the platform and the reverse. So, if one elevator is out, then both of them might as well be out, so the problem is doubled. Elevator outages are a huge problem for the wheelchair users who use subways and for people who want to use them. Why doesn't the MTA want to settle the 7 year old lawsuit about elevator maintenance? They say everything is fine, so then they should be willing to back it up with a legally binding agreement. We don't think everything is fine. We need those elevators. What is the MTA's plan to keep the privately owned elevators in good repair?

Department of Transportation (DOT)

Outdoor restaurants

Will DOT have the staff, the know-how, and the will to do anything about enforcing outdoor dining accessibility in the building of outdoor restaurants? We hope so.

Pedestrian Ramps

DOT is required to make all the corners in NYC have correctly made pedestrian ramps, not steep ramps, not ramps that do not meet the street smoothly, not grooves in the sidewalk but high contrast ramps with domes (bumps) so that people with low vision can see them and people who are blind can detect them with canes. It seems that they are falling behind because many neighborhoods have terrible or missing pedestrian ramps. Recent visits to Sunset Park, midtown Manhattan, Tribeca, Soho, Chelsea, Upper East Side and Washington Heights have revealed poorly made, old ramps. DOT needs to step up this program.

Sidewalks and trees that raise up sidewalks to be inaccessible

Trees are lovely, but so many tree roots are making sidewalks inaccessible to people with mobility disabilities who cannot continue on them and to everyone else because of the problem of tripping. The DOT needs to either have their own unit that fixes sidewalks where tree roots are raising them up or work closely with Parks

Department to quickly fix this type of sidewalk. If sidewalks are impassable, wheelchair users have to go into the street and that is dangerous and unacceptable. Three days ago I did not see a raised up sidewalk flag and came to a sudden stop when I hit it and then went flying and almost tipped over. It's all over, and not just from trees.

Taxi and Limousine Commission (TLC)

Uber and LYFT requirement to be electric by 2030

The TLC announced that all Ubers and LYFTS must be electric by 2030, but currently, in 2024, no electric vehicles are accessible to wheelchair users! Are we going to be left further at the curb? This seems like a never ending struggle for access. We want 100% accessibility of taxis and For Hire Vehicles, but nothing much is happening to help us reach our goal. The City Council could mandate 100% accessibility and we would have as equal a chance of getting a ride as anyone else. Then we would truly have equality in hailing or ordering a cab or for-hire-vehicle. When we order a wheelchair accessible Uber or Lyft, we must wait up to 3 times as long for a vehicle because there aren't enough of them. The TLC has not changed the pick-up times rules for Uber and Lyft in years. It is time that they do so.

TLC Green Initiative – The TLC is requiring that all For Hire Vehicles be electric by 2030 except for wheelchair accessible vehicles because there are not any made to meet ADA specifications. We are concerned that the number of wheelchair accessible vehicles will be miniscule compared to the number of other Lyfts and Ubers and we are concerned that our ability to get rides will be adversely affected by this. The TLC did this with zero input from people with disabilities.

Having no requirement for taxi or FHV drivers to have minimal English is a safety problem

It is admirable that to provide a quick pathway to jobs for non-English speakers that there is no requirement for minimal English proficiency, but it is having an unintended consequence of making blind people, people with low vision, and wheelchair users' rides dangerous. We cannot communicate on where we are going, where we need to get out, or that we need to have our wheelchairs and ourselves secured. A solution must be found. It is not safe. I had a nice driver who did not know how to secure my wheelchair or give me a seatbelt and all he could say was Ma'am and the rest was in his language. How is that ok? It isn't.

Design and Construction

Court Access especially 80 Centre Street

The Department of Design and Construction is responsible for making 80 Centre Street accessible to wheelchair users. Disabled In Action's members have needed access to 80 Centre Street in recent years for the Marriage Bureau, the District Attorney, the courts, and the Grand Jury. The Family Justice Center is there, too, but there is no justice without disability access, and the access to 80 Centre Street is atrocious. Wheelchair users have the horrible choice of going into the side entrance on an open dangerous lift with no sides that is not capable of carrying our motorized wheelchairs or we can use a very steep driveway with no pedestrian access, just go with the cars! We have been complaining about this for 5 years. We want a ramp to the front entrance by the Marriage Bureau. We do not want another lift that can break down periodically. We want to go in the front door like everyone else!

Almost all courts, maybe all courts, have inaccessible bathrooms! That is not right.

Respectfully submitted,

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Testimony of Michael DeMarco
President of Local 1455, DC 37
Before the Committee on Transportation and Infrastructure
FY 2025 Preliminary Budget
March 14, 2024

Good afternoon Chair Brooks-Powers and fellow members of the Committee. My name is Michael DeMarco and I am President of Local 1455, DC 37. Local 1455 represents NYC traffic employees who work in the Department of Transportation in the following titles: City Parking Equipment Service Workers, Supervisor City Parking Equipment Service Workers, and Traffic Device Maintainers. Not only do my members ensure the safety of the public through maintaining traffic devices and street signage, but they are also a revenue generating title for the city. My members collect the revenue from parking meters (Muni Meters) and ensure the meters are functioning and working properly. This is a big source of income for the City of New York. Furthermore, my members who install and hang signs ensure that streets are labeled properly, which allows the traffic enforcement agents to properly issue tickets for parking violations.

Currently, my membership is down by at least 60 members and, as a result, this is impacting revenue collection by the city since they are a revenue generating title category. I am sure the public is not complaining there are lesser people to repair parking meters, but the city does suffer by not being able to collect revenue.

Furthermore, the city announced that they will begin to backfill vacant positions at a rate of 2 for 1, meaning for every two positions that are vacant, they will hire one person. Even though this is good news that the city is hiring again, this will impact revenue collection in the long term since they are hiring less people to fill the vacant positions.

We urge the administration to backfill all vacant positions in order for proper revenue collection to occur. The city is losing millions of dollars by not backfilling these crucial revenue generating positions.

Thank you.



**Testimony of Alia Soomro, Deputy Director for New York City Policy
New York League of Conservation Voters
City Council Committee on Transportation and Infrastructure
FY25 Preliminary Budget Hearing
March 14, 2024**

My name is Alia Soomro and I am the Deputy Director for New York City Policy at the New York League of Conservation Voters (NYLCV). NYLCV is a statewide environmental advocacy organization representing over 30,000 members in New York City. Thank you, Chair Brooks-Powers, as well as members of the Committee on Transportation for the opportunity to comment.

In order to effectively fight climate change and protect public health, we need to reimagine how people live and move in our City. According to the [New York City Comptroller's Climate Dashboard](#), New York City's transportation sector is the second highest source of NYC's greenhouse gas emissions (GHG). Moreover, [private vehicles account for 90% of transportation-based energy use in NYC](#) and are the largest contributors to transportation-related emissions and air pollution, which disproportionately impacts environmental justice communities.

NYLCV has long-advocated that everyone should have access to reliable, affordable, and clean transportation in addition to safe streets and open spaces. We need to decrease the amount of private vehicles on our streets since they contribute a significant percentage of our carbon emissions and result in public health issues such as air pollution and asthma, vehicle crashes, congestion, and noise pollution. These issues are only more prevalent in New York City's low-income and communities of color, which experience longer commutes, poor air pollution, higher asthma rates, and more premature deaths.

For FY25, NYLCV urges the City to prioritize and fully fund the NYC Streets Master Plan, 25x25, and Vision Zero. These plans and programs will help to improve existing infrastructure for transit, cycling, and pedestrians as well as solve bottlenecks and congestion. These plans also intend to reduce the amount of dangerous vehicles on the streets, protect residents from reckless drivers through enforced speed cameras and bus lanes, and reform on-street parking. They will also reinforce the use of public transportation and micro-mobility options, will make our City safer and cleaner, and will put money back into our underfunded transit system.

NYC Streets Master Plan

NYLCV urges the City to fully commit and fund the NYC Department of Transportation's (DOT) NYC Streets Plan, an extensive five-year plan [mandated by law](#) that would expand and improve

public transportation options and transition NYC's streets away from being entirely car-dominated, focusing on equity and safety. This will all be accomplished specifically by requiring the City to install 250 miles of protected bike lanes and 150 miles of dedicated bus lanes, 500 bus stop upgrades, 1,000 intersection signal improvements, 400 intersection redesigns, 500 accessible pedestrian signs, in addition to improving pedestrian spaces, commercial loading zones, and parking spaces, within five years. On top of these goals, on the campaign trail Mayor Adams committed to installing 300 miles of protected bike lanes. However, as of [this year](#), key benchmarks mandated by the Plan were missed. Most concerning is the lack of progress the City made on protected bus lanes—only 5.2 miles were completed even though 30 miles are the target. As Speaker Adams highlighted in her State of the City Address, we urge the City to get back on track to meet these benchmarks, including prioritizing investments in bus stop upgrades and protected bike lanes to make our streets safer.

As we're nearing the implementation of Congestion Pricing in summer 2024, NYLCV urges the City to prioritize and fund the NYC Streets Plan not only to get us back on track with the Plan's mandated goals, but to make it easier for New Yorkers to get out of their private cars and into cleaner modes of transportation. The Streets Plan can be an effective tool that works in tandem with Congestion Pricing, and with the rollout of this program, the City must plan holistically and equitably, prioritizing areas of the City that have been historically neglected. We encourage the City to continue working with the State to increase bus service frequency, enforce bus and bike lanes, and connect shared e-bike and e-scooter programs in transit deserts to mass transit before congestion pricing goes into effect to give commuters options and make it easier to get out of cars.

25X25 Plan and Vision Zero

We also urge the City to prioritize and fund the 25x25 plan and Vision Zero. The 25x25 plan would convert 25% of current parking and driving space into space for people by 2025. It seeks to reduce street lanes and parking for cars and instead increase protected bus and bike lanes to improve commuting as well as increase green space. As the Covid-19 pandemic showed us, we cannot underestimate the importance of public space from a pedestrian, cyclist, environmental, and climate perspective. NYLCV appreciated the Administration's appointment of the City's first Chief Public Realm Officer, and we urge the City to continue prioritizing open streets and public spaces, especially in areas of the City that have historically been neglected.

Vision Zero, which was launched in 2014, called for eliminating all traffic deaths across the five boroughs by 2024. It sought to do this with expanded penalties and enforcements for dangerous car drivers and new street designs. However, with 2024 upon us and one year for the 25x25 plan, we are not close to achieving the City's own goals. While we appreciate [recent progress improving pedestrian safety](#), we need to increase funding for Vision Zero, especially around education, if we are to have safer and more equitable streets. According to the [Transportation and Infrastructure Committee's Report](#), the Preliminary FY25 Plan includes a \$3 million funding reduction in the Vision Zero Education and Outreach Program. There are also a number of Vision Zero projects which have been decreased or pushed out; specifically, Vision Zero Great Streets Northern Boulevard Phase 1 which had \$78.3 million in funding pushed from Fiscal

2028 to 2029. We urge the Administration to restore these PEGs — decreasing funding for policies and delaying plans that reduce traffic violence is the wrong approach.

Lastly, NYLCV supports DOT's NYC Red Light Camera State legislative proposals, which includes renewing and expanding the City's Red Light Camera Program (S2812/A5259) (Gounardes/Dinowitz) and authorizing vehicle registration suspensions for repeat offenders (S451/A7621) (Gianaris/Magnarelli). These bills will help the City's efforts to move towards Vision Zero and we hope the Council will show support.

Fair Fares

The Fair Fares program is crucial in making public transportation more accessible for New Yorkers. The program helps eligible New Yorkers with low incomes manage their transportation costs by providing them with discounted subway and bus fares. This year, NYLCV stands with [Speaker Adams](#), Riders Alliance, and other advocates to call for increased eligibility to 200% of the federal poverty line. Not only do we need greater investment in the Fair Fares program to expand eligibility, we also need more investment for outreach and education to make sure the many who currently qualify are using the program, as well as expansion of the program so that other forms of public transportation discounts such as for Citi-Bike, Metro North, and Long Island Railroad, are included. With the cost of living only increasing, it is critical that we ensure affordable transportation for everyone.

We need to create, improve, and encourage the use of low emission modes of transportation as an alternative to cars. This is why it is imperative that the City fully commits and funds the NYC Streets Plan, 25x25, Vision Zero, and Fair Fares, in addition to prioritizing DOT staff retention and hiring. We hope the Council will work with the Administration to fund these crucial initiatives and plans so we can have a truly accessible and equitable City.



**JUSTICE THROUGH
COMMUNITY POWER**

**Testimony by Christopher Schuyler, Managing Attorney
Disability Justice Program, New York Lawyers for the Public Interest
To the New York City Council, Committee on Transportation
On March 14, 2024
Regarding the Preliminary Budget for Fiscal Year 2025**

Thank you, Chair Brooks-Powers and Council Members, for the opportunity to present testimony.

Congestion Pricing

NYLPI supports the swift implementation of the Congestion Pricing plan. Congestion Pricing will bring many benefits to the City including reduced traffic in the central business district, air quality improvements, and a reliable funding stream for the MTA needed for a vast array of subway accessibility improvements.

That said, people with disabilities must not be required to pay the toll. While people without disabilities can avoid paying the toll simply by taking the subway, people with disabilities do not have that option. The subway system is only 30% accessible, saying nothing of whether elevators in those stations are operational, nor anything about the litany of other accessibility barriers in the subways including excessive gaps between the platforms and the trains. The inaccessibility of the subway system, often referred to as the lifeblood of the city, means that people with disabilities must rely on ground transportation to get to their jobs, school, medical appointments, friends and family – everywhere.

The MTA's history of deprioritizing subway accessibility caused the current unavailability of mass transit as an option for many people with disabilities. Therefore, the MTA cannot now expect people with disabilities, who due the MTA's own decision-making are left with only ground transportation, to pay the toll. Forcing people with disabilities to pay the toll would be insult to injury; first, the needs of people with disabilities were long ignored by the MTA, and now they are expected to pay for the fix to a problem caused by the MTA's own inaction. Shouldering people with disabilities with the burden to pay for subway accessibility is not right.

We recommend that the Council encourage the MTA to broaden its exemption, ensuring that people with disabilities are not charged the toll. To be clear, NYLPI is not advocating for delayed implementation of Congestion Pricing, but instead recommends that the MTA expand the disability exemption in a timely fashion as Congestion Pricing evolves. NYLPI recommends various changes to improve the disability exemption, including linking the exemption reader to a personal device rather to a vehicle, providing a remote option for applying for the exemption rather than requiring folks to appear in person at assessment centers, and expanding the exemption to cover all people requiring the use of wheelchair accessible taxis, Ubers, and Lyfts.

Access-A-Ride (AAR)

AAR, with nearly 170,000 users, is a dysfunctional system: rides must be booked at least one day in advance, rides are chronically late, and riders often endure long, unpredictable, shared rides to get to their destination. **We urge the Council – which funds 70% of the AAR system – to remedy these inequities, by advocating for improvement and expansion of the on-demand pilot and by eliminating AAR assessment centers and instead requiring proof of eligibility to be submitted by treating physicians.** Notably, this latter recommendation would offer great savings to the City and State, is utilized by paratransit providers across the state, and was previously used by the City prior to the MTA taking over the AAR system. **Additionally, the Council must ensure that the users of the on-demand pilot are not charged the Congestion Pricing toll.**

Subways

We urge the Council to exercise robust oversight over the MTA to ensure that it keeps and expands upon its promises to improve the accessibility of the subway system. A more accessible MTA system will ultimately benefit the interests of both New Yorkers and the MTA alike. Modernizing the system and making it accessible for the many who have long been shut out of the system, including people with disabilities, the elderly, and parents and caregivers, will encourage increased overall subway ridership – and less of a need for AAR.

The Council must also ensure that the MTA is held to its promise to allocate \$5 billion of the \$55 billion 2020-2024 Capital Plan to subway accessibility projects. Moreover, in addition to planned elevator and stair-free access, the Council must ensure that the MTA addresses platform accessibility issues, including the gap between the platforms and trains and the installation of detectable warning surfaces along all platform edges. Just as stair-free access from the street to the platform is essential to accessibility, so too is platform accessibility.

Additionally, **the Council must mandate that the MTA make accessibility improvements serving the needs of riders who are deaf and hard-of-hearing.** For example, when train conductors make verbal announcements, both in routine ways like when a train goes express, or in serious, unpredictable ways including emergencies like active shooter scenarios, riders with hearing disabilities have no way of receiving the message other than to read the faces of fellow riders. This is not equal access to transportation. At a minimum, **the Council must direct the MTA to ensure that a screen on all train cars contemporaneously relays messages as conductors announce them.**

Fair Fares

We urge the Council to expand the Fair Fares program to New Yorkers with incomes under 200% of the federal poverty line, which will benefit over a million New Yorkers.

Additionally, while the Fair Fares program was introduced several years ago, according to a recent Community Service Society of New York report, more than half of eligible New Yorkers are still not enrolled in the program. The problem is especially true for AA users. **We urge the Council to mandate the implementation of an extensive advertising campaign – particularly targeted at eligible AAR users – to ensure that eligible New Yorkers are aware of the benefit and how to opt into it.** Additionally, people who contact the MTA and the City Human Resources Administration should be promptly screened for Fair Fares eligibility.

Notably, the Fair Fares program – which is administered by the City not the MTA – serves as only a bandage over the MTA’s discriminatory practice of excluding AAR users from the discount programs available to subway and bus riders. Subway and bus riders who have disabilities or are senior citizens have available to them a half-price MetroCard. They – and all other subway and bus riders – also have the option of purchasing 7-day and 30-day unlimited MetroCards, which provide significant savings to frequent users. AAR users are excluded from each of these discount programs.

The City contributes enormous funding to the MTA, and is entitled to make demands on the MTA. **We, therefore, urge the Council to exercise oversight and compel the MTA to include AAR users in the same discount programs available to all other mass transit riders.**

NYC Streets Plan

The Streets Plan, as mandated by Local Law 195, is a bold reimagining of the City’s surface level transportation networks and public spaces. However, only two years into the plan, the City Department of Transportation (DOT) has twice missed on several of its key benchmarks,

to the detriment of all New Yorkers including those with disabilities. In addition to the completion of fewer miles of protected bike land and bus lanes than required by law, the DOT has also failed to meet the required bus stop upgrades benchmark. With reduced funding being allocated to DOT in 2025 under the preliminary plan, NYLPI is concerned that DOT will continue its course of failing to meet its Streets Plan benchmarks. **We urge the Council to exercise oversight to ensure all promises within the NYC Streets Plan are met on time.** We also support the implementation of a Streets Plan projects “tracker,” as recently proposed by Speaker Adams, to increase transparency and further encourage DOT to make good on its promises.

Moreover, **the Council must ensure that the City’s Open Streets and Open Restaurants programs are accessible.** In far too many cases, Open Restaurant sheds block the sidewalk and Open Streets barricades create access barriers for the disability community, both in that Access-A-Ride drivers refuse to move the barricades to pick-up customers at their doors, and with drivers with disabilities who are not able to move the barricades without assistance. DOT told NYLPI that it is working on the problem, including by adding phone numbers on the barricades, which people in need of help can call and a nearby attendant will assist. DOT plans to add these phone numbers to the 34th Avenue Open Streets in Queens. **The Council must ensure that this is completed expeditiously – both at this location and all other Open Streets locations throughout the City.**

Green Rides Initiative

We urge Council to encourage City Taxi and Limousine Commission (TLC) to meet with the MTA to determine how Congestion Pricing can be utilized to assist TLC in carrying out the Green Rides Initiative, which requires that all high-volume for-hire vehicles (HVFHV), including Uber and Lyft, be either wheelchair accessible (WAV) or zero-emission by 2030.

Further, NYLPI recommends that **the Council urge TLC to amend and enhance its Green Rides Initiative to require that all HVFHVs be both WAV and zero emission by 2030.** By permitting the industry to choose between WAV and zero-emission vehicles, the transportation needs of the disability community will be at risk. If given the choice, NYLPI foresees that inaccessible zero-emission vehicles will be purchased at far greater rate than WAVs, given the relative costs of each type of vehicles. Though WAV zero-emission vehicles are not currently available in the United States, the City can harness its immense market power to influence changes in this regard; TLC must consult with vehicle manufacturers to encourage the design of a marketable WAV zero-emission vehicle.

NYC Ferry

Members of the disability community have reported that NYC Ferry suffers from various accessibility issues, including lack of signage, particularly important for those who are deaf and hearing impaired, as well as a lack of clear and accessible paths from street to landing. **The Council must ensure that NYC Ferry funding be used to abate these accessibility issues.**

Thank you for reviewing my testimony. I am happy to discuss any of these recommendations.

**Christopher Schuyler, Managing Attorney
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About New York Lawyers for the Public Interest

For nearly 50 years, New York Lawyers for the Public Interest (NYLPI) has been a leading civil rights advocate for New Yorkers marginalized by race, poverty, disability, and immigration status. Through our community lawyering model, we bridge the gap between traditional civil legal services and civil rights, building strength and capacity for both individual solutions and long-term impact. Our work integrates the power of individual representation, impact litigation, and comprehensive organizing and policy campaigns. Guided by the priorities of our communities, we strive to achieve equality of opportunity and self-determination for people with disabilities, create equal access to health care, ensure immigrant opportunity, strengthen local nonprofits, and secure environmental justice for low-income communities of color.

About NYLPI's Disability Justice Program

NYLPI's Disability Justice Program works to advance the civil rights of New Yorkers with disabilities. In the past several years alone, NYLPI disability advocates have represented thousands of individuals and won campaigns improving the lives of hundreds of thousands of New Yorkers. Our landmark victories include mandating that the MTA equitably provide its Access-A-Ride services to all applicants and riders with limited English proficiency. We have worked together with the MTA to bring about an "on demand" Access-A-Ride program and to enable New York's most indigent residents to obtain Fair Fare discounts when using Access-A-Ride. We recently filed a class action lawsuit seeking to permit all Access-A-Ride users to access the same discount programs available to all other MTA transit users, as well as a class action to remedy the enormous gaps between subway cars and subway platforms system-wide.

**TESTIMONY
OF THE
NEW YORK PUBLIC INTEREST RESEARCH GROUP
BEFORE THE
NEW YORK CITY COUNCIL COMMITTEE ON TRANSPORTATION AND
INFRASTRUCTURE
March 14, 2024
New York, N.Y.**

Good afternoon. My name is Natasha Elder, and I am the Regional Director for Resiliency and Equity Projects at NYPIRG, the New York Public Interest Research Group. NYPIRG is a non-partisan, not-for-profit research and advocacy organization. Environmental protection, public health, consumer protection, higher education equity, and civic empowerment are our principal areas of concern. Since 1979, the Straphangers Campaign has advocated on behalf of the millions of riders of mass transit in New York City.

Thank you, Committee Chair Brooks-Powers and members of the Committee on Transportation and Infrastructure for the opportunity to testify today.

We can all agree that New Yorkers need and deserve faster, reliable, and equitable service along with affordable fares. This will be possible by continuing to fully fund The Department of Transportation's Streets Master Plan while ensuring the city is reaching policy goals that are failing, and expanding Fair Fares to include all current CUNY students and New Yorkers at 200% of the federal poverty level while increasing the budget for the program to \$300 million.

A Thriving Transportation System

Climate, along with the economic and social health of New York City depends in large part on the success of its public transit system. It's a system that provides transportation to a population of more than 15.3 million people.¹ It's responsible for 40% of the nation's public transit rides.² In short, it keeps the largest and busiest city in the country running while also providing transit to and from the Long Island Suburbs and surrounding upstate communities. New York City is not a car city - it is a mass transit city facing a crisis in confidence in the public service that is the lifeblood of our city, and as such it is critical that our public transit system represents the future of NYC and not the past. It is possible for

¹ Metropolitan Transportation Authority, "About Us," <https://new.mta.info/about>.

² Office of the New York State Comptroller, "Existential Questions Facing National Public Transit Systems Create New Fiscal Pressures for MTA," July 2022, <https://www.osc.state.ny.us/reports/osdc/existential-questions-facing-national-public-transit-systems-create-new-fiscal-pressures-mta#:~:text=The%20Metropolitan%20Transportation%20Authority%20>.

NYC to have a world class public transportation system, but New Yorkers need to believe in it and they need to see results.

Recommit to the Department of Transportation's Streets Plan

Street design is one of our most viable instruments for improving bus speeds and reducing accidents, while creating space for safer walking and riding for New Yorkers. The Streets Master Plan—enacted by the Council and embraced by the previous and present Administrations— is that instrument and the City's blueprint for converting our streets into safe places to travel, regardless of mode. However, progress necessary to improve the speeds of our buses throughout our streets and improve safety for pedestrians and bikers has been at a snail's pace.

The Department of Transportation (DOT) has failed to reach its targets in 2022, falling 45% short of new or camera-enforced bus lanes (11 out of 20 total miles were installed)³. The amount of miles of installed bus lanes was even lower for 2023, with DOT reporting they installed a mere 9.6 miles in their most recent report.⁴ Not only do the statistics for 2022 and 2023 fall short of the legislatively mandated targets set by the Council,⁵ but concerningly, rate of implementation of the project has slowed.

Because of installation delays, New York City's buses crawl through their routes at an average speed of merely eight miles per hour,⁶ leaving buses to sit in clogged streets. New York City was the worst-ranked city in the nation for traffic congestion in 2020 and 2021, and the fifth globally in 2022.⁷ In 2023, New York City was again at the top of the list for worst congestion in the nation. According to the TomTom Traffic Index analysis,⁸ commuters in the center of Manhattan spent an average of 24 minutes and 50 seconds—a 20-second increase over 2022—driving around six miles.

The Council knows and understands the importance of the installation of bus lanes and busways. In April 2023, the Council passed Resolution No. 460, which called on the Department of Transportation to

³ Coburn, Jesse, et al. "Dot Expects to Miss Targets for New Bus Lanes, Sources Say." *Streetsblog New York City*, 12 Dec. 2022, <https://nyc.streetsblog.org/2022/12/12/dot-will-miss-required-streets-plan-targets-for-new-bus-lane-miles-sources/>.

⁴ Spivack, Caroline. "Council Speaker Wants Public Tracker for Lagging Bus- and Bike-Lane Projects." *Crain's Business New York*, 14 Mar. 2024, www.craigslist.com/transportation/council-speaker-wants-public-tracker-lagging-nyc-bus-and-bike-lane-projects.

⁵ Calder, Rich, and David Meyer. "City Council Approves Corey Johnson's \$1.7B Car-Reduction Plan." *New York Post*, New York Post, 30 Oct. 2019, <https://nypost.com/2019/10/30/city-council-approves-corey-johnsons-1-7b-car-reduction-plan/>.

⁶ Brachfeld, B. (2023, November 28). *NYC buses running at slowest speeds since 2019*. amNewYork. <https://www.amny.com/transit/nyc-buses-running-slowest-speeds-since-2019/#:~:text=Buses%20run%20by%20the%20MT,A,8.3%20mph%20the%20year%20before>

⁷ Inrix. "Scorecard." *Inrix*, <https://inrix.com/scorecard/#city-ranking-list>.

⁸ Fernandez, Celia. "This City Has the Worst Traffic in the u.s.-and It's Not Los Angeles." *CNBC*, CNBC, 29 Jan. 2024, www.cnbc.com/2024/01/29/nyc-chicago-san-francisco-10-us-cities-with-the-worst-traffic.html#:~:text=New%20York%20City%20has%20the,20%2Dsecond%20increase%20over%202022

add an additional “35 miles of dedicated bus lanes and busways⁹ necessary to boost ridership and improve travel outcomes and wait times. Improved service times is not only linked to “a possible 15% increase in system wide ridership, and thus, increased farebox revenue,” but also better safety outcomes with decreased crowding, and transportation equity to bolster a thriving city while being a critical factor in mitigating climate change.

Looking forward, New Yorkers will continue to bear the brunt of long travel and wait times, and poor pedestrian and bike safety with DOT consistently missing goals each year. DOT has ground to make up after missing these targets every year and it is critical to accelerate the project.

We appreciate Council Speaker Adams’ and the Council Transportation Committee’s advocacy for solutions and urge that the final budget funds more DOT staff to get the bus lane planning and installation work done.

Expansion of Fair Fares

Proposed funding for the Fair Fares program for FY25 remains at the same level that the mayor and City Council agreed to last year, which is still lower than pre-pandemic levels.

In the past, the Mayor called Fair Fares, the City’s half-priced MetroCard program, “transformative.” And it truly has been, proving to be a huge success since its inception in 2019, giving just over 360,000 riders who are having trouble affording transit a lifeline. Under the reduced-fare program, all working-age people (18–64) whose household income is less than 120 percent of the Federal Poverty Line (FPL) can apply for and receive MetroCards at half price.

Still though, there are hundreds of thousands of New Yorkers who are eligible for the program but are not enrolled. According to the most recent census data, roughly 900,000 New York City residents live in poverty, but roughly a third of eligible New Yorkers are enrolled in the program. Part of this is due to strict income requirements where only working-age New Yorkers earning 120% of the federal poverty line— currently \$18,072 per year for a single individual¹⁰—would be eligible. That is less than half of minimum wage in New York City and one of the most stringent income requirements for similar programs across the country.¹¹ These income requirements cause many New Yorkers who earn significantly less than the city’s median income to be ineligible, severely lowering enrollment rates.

According to a recent study done by the Community Service Society, almost one in five New Yorkers struggled to afford subway and bus fares in 2023.¹² As a result, hundreds of thousands of New Yorkers

⁹ Brachfeld, Ben. “NYC Buses Running at Slowest Speeds since 2019.” *amNewYork*, 28 Nov. 2023, www.amny.com/transit/nyc-buses-running-slowest-speeds-since-2019/#:~:text=Buses%20run%20by%20the%20MTA,8.3%20mph%20the%20year%20before

¹⁰ “Poverty Guidelines.” *ASPE*, <https://aspe.hhs.gov/topics/poverty-economic-mobility/poverty-guidelines>.

¹¹ Darling, W., Carpenter, E., Johnson-Praino, T., Brakewood, C., & Voulgaris, C. T. (2021). Comparison of Reduced-Fare Programs for Low-Income Transit Riders. *Transportation Research Record*, 2675(7), 335–349. <https://doi.org/10.1177/03611981211017900>

¹² https://smhttp-ssl-58547.nexcesscdn.net/nycss/images/uploads/pubs/031324_UHT2023_Transit_Brief_V6.pdf

are unable to fully benefit from the public transit system as a means of accessing economic opportunities. Because of the fare increase in August 2023 from \$2.75 to \$2.90 coupled with the growing expense of living in New York City, it is now more difficult to afford mass transit and significantly more difficult for low-income New Yorkers.

Financial woes and transportation affordability gets even worse for New York City college students, where costs extend beyond the classroom. Affording a Metrocard swipe or Omny tap can be the difference between earning a degree or dropping out altogether. While knowing that those with a college degree continue to have better career opportunities and higher annual wages than those with less education,¹³ a recent survey by the Center for Urban Future found that affording a Metrocard was the biggest financial barrier cited by students when discussing college costs.¹⁴ Acknowledging the importance of mass transit to education equity, New York City's K-12 students receive free Metrocards, yet that resource doesn't exist for higher education. And with housing and food cost increases outpacing wage growth in the City, the need to address transit affordability to support educational attainment could not be more pressing.

With the steady increase in ridership along with the increase in fares last year, there is no better time to find ways to ensure New Yorkers have affordable access to our transit system.

In line with Speaker Adams' call to action, Fair Fares should be expanded to include New Yorkers with incomes below 200% of the poverty level, while including all current CUNY students.

Thank you.

¹³ *National Center for Education Statistics*. <https://nces.ed.gov/pubs2022/2022144.pdf>.

¹⁴ *Opportunity Costs - Nycfuture.org*. https://nycfuture.org/pdf/CUF_OpportunityCosts_Final.pdf.



Budget Hearing Testimony

March 14, 2024

Open Plans is a nonprofit with the mission to make New York city's streets, sidewalks and public spaces livable, joyful and equitable.

New York City's budget reflects the priorities of the city; safe, livable and equitable streets and public spaces must be included in those priorities. As New Yorkers, we deserve access to streets and public spaces that are joyful and vibrant. But, without proper funding and attention, they cannot fulfill their potential of being equitable, successful, and prosperous. Therefore, it is important that the City properly invests in streets and public spaces that serve as assets to our public health, economy, and quality of life.

In particular, it's critical that the City allocate funding for the following items:

- **Maintain full funding of the Streets Plan.** The Streets Plan is an ambitious initiative that, if implemented, will help create the transportation system our city deserves. However, the City is not meeting their goals. If the necessary funding isn't maintained, the City will continue to fall further and further behind the schedule outlined in the plan. It is imperative that the Streets Plan's funding is maintained, as Mayor Adams has committed to.
- **Hardening existing and new daylight spots.** Daylighting intersections has proven to be an effective way to activate curb space and improve the pedestrian experience while also making our streets safer. However, hardening daylight spaces by placing infrastructure in the spaces — boulders, planters, or bike racks for example — is key to increasing safety. Funding should be provided so that the Department of Transportation can continue to harden existing locations, as well as the 1,000 locations Mayor Adams committed to creating annually.
- **Prepare for congestion pricing by making public and active transportation work better.** Congestion pricing will soon be implemented, and it's critical that we get it right. We need to make it easier for New Yorkers to get in, around, and out of the Central Business District using public and active transportation. That means creating more bus and bike lanes which have proven to increase efficiency and safety, and improving the pedestrian experience. The city should also push for the state level "Get Congestion Pricing Right" package that would provide \$90 million more for better bus service.
- **Properly fund Open Streets.** Open Streets have proven to be a popular and joyful use of our public spaces that increase a neighborhood's access to public space and [boost nearby businesses' sales by 19% of pre-pandemic levels](#). However, Open Streets typically rely heavily on volunteer assistance due to a lack of City funding. Additionally, what little money the City does provide to Open Streets groups takes months to arrive and be reimbursed, causing small, neighborhood groups to incur thousands of dollars of

debt in the meanwhile. The City should dedicate the full funding necessary to provide every Open Street maintenance support (including through the Hort and other similar programs), and reform the reimbursement process so that public space partners aren't being hung out to dry.

- **Expand and fund School Streets.** The School Streets program is another vital DOT initiative that provides kids safe and accessible Open Streets in front of their schools in order to make it safer to get to and from school. Unlike Open Streets, which are eligible for up to \$20,000 in funding, School Streets are not eligible for any such funding. The city should expand eligibility for this funding to School Streets and should also dedicate \$10 million to provide stipends to Sustainability Coordinators or other employees at schools to help run School Streets.
- **Fund local public space management.** In 2023, Mayor Adams appointed Ya-Ting Liu as our city's first ever Chief Public Realm Officer, a historic step to ensure our public spaces are cohesively and efficiently managed. However, there is still a need for local-level public space managers that would help communities coordinate and manage their public spaces to have more support, care, and stewardship. The City should allocate funding for local public space managers across the city. We are working on creating a proposal that would outline the funding necessary to create such a program, and will share it with the Council when it is complete.
- **Prioritize Street Improvement Projects.** Due to the current budgetary resources allocated to complete Street Improvement Projects (SIPS), Open Streets are pitted against each other to vie for these scarce resources. As the City expands these projects in line with Streets Plan priorities and the New New York Panel recommendations, the city must also increase funding to expedite and complete SIP projects.
- **Fully realize the Office of Livable Streets and the Public Realm.** Recently, units were combined to create the Office of Livable Streets and the Public Realm at the Department of Transportation. In order to realize the namesake and mission of the office, the City should adequately fund the office which allows them to ambitiously complete public space and livable streets projects, and support vital public space partners.

With these investments, the City can take an important step forward in ensuring that every New Yorker has equitable access to joyful, vibrant, and safe streets and public spaces.

Sincerely,

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New York City Council Committee on Transportation and Infrastructure

March 14, 2024

Testimony of Eric McClure, Executive Director, StreetsPAC

At the March 2023 hearing of this committee on the fiscal 2024 budget, we testified about our deep concern regarding the city's failure to have met the 2022 benchmarks for the creation of physically separated bike lanes and bus lanes required by the city's Streets Plan. We noted that those benchmarks were increasing in 2023, underscoring our worry. Unfortunately, our concern was prescient, as the administration failed again to reach the Streets Plan mandates, building about 32 of the 50 required bike-lane miles, less than 20% of the prescribed 30 miles of separated bus lanes, and upgrading only a fraction of the 500 bus stops mandated.

So, while the Department of Transportation reports that it is back to pre-pandemic staffing levels and that it's adequately funded, the continued failure to meet legally required benchmarks indicates otherwise. That the vast majority of cycling deaths that have occurred on city streets over the past year happened on streets without protected bike lanes underscores the human cost of not doing better. And with the advent of congestion pricing right around the corner, we should be doing everything we can to improve bus service, not leaving straphangers stuck behind double-parked SUVs.

This isn't a case of DOT staff needing to work harder or smarter, it's a case of needing to give them the resources and tools to deliver on the Streets Plan. And we gladly acknowledge that there has been progress, notably in redesigned intersections and expanded public space. But we'll note that Mayor Adams two years ago announced an historic five-year, \$900 million commitment to "rapidly build out critical street safety and public transportation infrastructure." Given the number of projects in both realms that have been slow-walked or outright obstructed, we were heartened to hear Speaker Adams announce yesterday her intent to legislate the creation of a Streets Plan tracker to help hold the administration accountable for the lackluster progress.

We also need to ensure that investment is focusing on the equity gaps that persist in our transportation system and infrastructure. As we said at last year's hearing, the Streets Plan rightly focuses on addressing equity by prioritizing upgrades in those areas of the city whose residents are predominantly people of color, where incomes are lowest, and where investment in infrastructure has lagged the most. It's therefore critical that funding is sufficient to prioritize those efforts, and that Streets Plan targets are met.

At the same time, we need the members of the City Council to be full and constructive partners in that work. We were very disappointed to learn that only six Council Members responded to Commissioner Rodriguez's request for ideas on where to make street-

safety upgrades in their districts. Yes, it is DOT's job to take the lead on that work, but we hear plenty of criticism from the Council about what DOT should or shouldn't do, and a cold shoulder is an odd and unacceptable response to an invitation for input. We can assure you that we and our advocacy colleagues would jump at such a chance to inform project priorities.

Turning back to the administration, we're deeply concerned about the city's failure to deliver promised funding to many of the volunteer organizations operating Open Streets, and we in fact signed on to a letter sent by several such groups to DOT last month. In some cases, Open Streets volunteers haven't received reimbursement for *any* of the funds they advanced in 2023. This is a serious problem that threatens the future viability of some of the city's most popular new open-space efforts, and disproportionately affects under-resourced communities. This situation must be rectified, whether the issue is a need for more funds for reimbursement or for adding staff to process those payments in a much timelier fashion.

We also support Speaker Adams's call to increase eligibility for the Fair Fares program to New Yorkers who are at 200% of the federal poverty level. Expanding the effort will require only a sliver of the city's budget and create more economic opportunity for those New Yorkers who need it most, and it should apply to commuter rail within the city, as well. Expanding Fair Fares eligibility is an easy way to advance transportation equity.

Lastly, we want to circle back to two areas we highlighted in last year's testimony. We renew our call for public investment in the city's bike-share system to accelerate Citi Bike's expansion into all city neighborhoods. We'll note again that the Chairs of the Transportation and Infrastructure and Finance Committees have said they're eager for bike share in their respective districts, and we'll reiterate that bike share is the only facet of our public transit system that receives no public subsidy.

We also renew our call for the city to make a significant investment in safe, secure bike parking infrastructure. We know that the absence of secure storage options is a critical barrier to growing the use of bicycles, and it's also a partial solution to the lack of sufficient charging infrastructure for e-bikes, and for reducing the dangers of battery fires. We urge the administration to aggressively increase its investment in secure bike parking facilities.

Kathleen Collins
Telephone No.: [REDACTED]
Email Address: kclawprof1@gmail.com

March 13, 2024

Council Member Selvena N. Brooks-Powers
Chair
New York City Council Committee On Transportation
And Infrastructure
Sent to: council.nyc.gov/testify/

Re: New York City Council Budget and Oversight Hearings on The Preliminary Budget for Fiscal Year 2025, the Preliminary Capital Plan for Fiscal Years 2024-2028, and The Fiscal 2024 Preliminary Mayor's Management Report-T2024-0289

Dear Chair Brooks-Powers;

My name is Kathleen Collins. I am a native New Yorker who is a congenital quadruple amputee who uses a wheelchair. I am on the board of Disabled In Action of Metropolitan New York, Inc. (also known as Disabled In Action or DIA). Disabled In Action is a 501(c)(3) grassroots civil rights organization run by and for people with disabilities. Disabled In Action's mission is to eliminate discrimination for people with all kinds of disabilities.

Thank you for holding a public hearing on the Budget with respect to transportation and infrastructure.

I am having deja vu. Another year has passed and New Yorkers with disabilities are still asked to gamble with the safety of their lives.

We are still required to request rides before 5 pm the day before. When will all Access-A-Ride customers be able to use On Demand? At the very least, all Access-A-Ride customers should be able to use taxi authorization between boroughs in the same way that Access-A-Ride customers can use taxi authorization within a borough.

When we make our reservation for Access-A-Ride and see that we are assigned a black car, we, who use wheelchairs, wonder whether the wheelchair vehicle will have a seatbelt and shoulder belt. New Yorkers who are blind and New Yorkers with low vision wonder if the driver will come over to them and assist them into and out of the vehicle.

We all wonder if we will be picked up on time and arrive at our destination on time.

Further, we ask when will Access-A-Ride come into the 21st century and coordinate with the Taxi and Limousine Commission concerning filing complaints? Presently, the information you need to provide 311 in order to make a complaint about an Access-A-Ride trip is not provided to Access-A-Ride customers. The two systems need to be connected and streamlined.

Finally, online Access-A-Ride has a button that states "Give Feedback (coming soon)". We would ask that the City Council inquire when this will be accomplished?

Turning to the New York City Department of Transportation, crossing streets is hazardous to your health when you have a disability since you are more likely to have to cross a street that has no Accessible Pedestrian Signal than one that does have one. Further, you may encounter sidewalks with no curb ramps or curb ramps which are very steep, have cracks and potholes, be uneven or guide you into traffic instead of a safe way to the other sidewalk. Even in the 21st century we still encounter bus stops that are not accessible, this is not acceptable and illegal.

With respect to the New York City Taxi and Limousine Commission again we don't know when taxis and for hire vehicles will help us into and out of the vehicle. Riders who use wheelchairs do not know if they will be provided with a seatbelt and shoulder belt.

What we see is the Taxi and Limousine dismissing our needs, specifically its refusal to comply with the binding settlement agreement with New Yorkers with disabilities and its refusal to not provide us even the bare minimum 50% of the yellow taxi cabs wheelchair accessible. At the very same time, the Taxi and Limousine has allowed several Revel for hire vehicles that are not wheelchair accessible on the roadways of New York City and advocates for the use of electric vehicles that at this time are not wheelchair accessible and probably will never become wheelchair accessible without a demand being made that they be accessible. For instance, if a large organization such as the City Council were to pass a law that mandated that the New York City Taxi Limousine Commission require that all electric for hire vehicles be wheelchair accessible then manufacturers would make them. Why are our tax dollars being used to deliberately exclude us, the largest voting minority in New York City?

With respect to the New York City Department of Design and Construction, the Department of Design and Construction must ensure that the capital projects it oversees are accessible to people with disabilities. This is vital. Thus, the Department of Design and Construction needs to make sure that all the infrastructure and public building projects are made accessible to people with all types of disabilities. The Department of Design and Construction needs to confer with cross-sectional grassroots disability advocacy organizations, such as Disabled In Action before and not after it does its work and thus, avoid making costly mistakes.

Thank you for the opportunity to comment today since equal access to all New York City's services, activities and programs is important to all New Yorkers. If you would like additional information or have any questions, please do not hesitate to contact DIA at info@disabledinaction.org.

Thank you for your continued work on behalf of all of us.

Sincerely,
Kathleen Collins
Board Member of Disabled In Action

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 3/14/24

(PLEASE PRINT)

Name: Thomas Foley

Address: DDC - 30-30 Thomson LIC

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Margalit Austin

Address: 30-30 Thomson LIC

I represent: DDC

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Rachel Laiseria

Address: _____

I represent: DDC

Address: 30-30 Thomson Ave LIC

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 3/14/29

(PLEASE PRINT)

Name: Emerita Torres

Address: 633 3rd Avenue

I represent: Community Service Society

Address: 633 3rd Avenue

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 8/1

(PLEASE PRINT)

Name: Michael Ring

Address: _____

I represent: D.I.A.

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Commissioner David D.

Address: (76)

I represent: _____

Address: _____

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Edward Wilton

Address: Finance Deputy Commissioner

I represent: (TLC)

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Public

Date: _____

(PLEASE PRINT)

Name: Leroy Morris

Address: 3712 Flatlands Ave

I represent: NYC Computer Vain Association

Address: 1

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Public

Date: _____

(PLEASE PRINT)

Name: Amanda Berman

Address: _____

I represent: Center for Justice Innovation

Address: _____

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Margaret Forgione

Address: _____

I represent: DOT

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Eric Beaton

Address: _____

I represent: DOT

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Ricardo Rodriguez

Address: _____

I represent: DOT

Address: _____

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Pduli Ochodoguite

Address: _____

I represent: DOT

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Ydannis Rodriguez

Address: _____

I represent: DOT

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 3/14/24 (Pie Day)

(PLEASE PRINT)

Name: Lisa Daglian

Address: 2. Broadway, 16C NYC

I represent: Permanent Citizens Advisory Comm to the MTA
PCAC

Address: _____

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Jean Ryan

Address: pansies007@gmail.com

I represent: Disabled In Action

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: March 14, 2024

(PLEASE PRINT)

Name: Emerita Torres

Address: _____

I represent: Community Service Society

Address: 633 3rd Ave 10th Fl, NY, NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Rosa Chang

Address: _____

I represent: Brooklyn Bridge Manhattan
(a.k.a. - Gotham Park)

Address: _____

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Shan Pak Riccio

Address: 2 Broadway NY NY

I represent: Metropolitan Transportation Authority

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 3/1/91

(PLEASE PRINT)

Name: Richard Davis

Address: 2 Broadway NY NY

I represent: MTA New York

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: John McCarthy, Chief Policy & Ext Affairs

Address: 2 Broadway

I represent: MTA

Address: _____

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Jai Patel, Dep CFO

Address: 2 Broadway

I represent: MTA

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 3/14

(PLEASE PRINT)

Name: Kathleen Collins

Address: 245 E 24th Street, New York, NY

I represent: DIA

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 3/14

(PLEASE PRINT)

Name: Toshia Lecebauf

Address: 1010 16th Avenue

I represent: Center for Independence of the Disabled, NY

Address: _____

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