

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON TRANSPORTATION
AND INFRASTRUCTURE

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June 25, 2024
Start: 1:22 p.m.
Recess: 3:43 p.m.

HELD AT: Council Chambers - City Hall

B E F O R E: Selvena N. Brooks-Powers
Chairperson

COUNCIL MEMBERS:

Joan Ariola
Chris Banks
Carmen N. De La Rosa
Amanda Farías
Farah N. Louis
Mercedes Narcisse
Carlina Rivera
Julie Won

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

Margaret Forgione
Department of Transportation First Deputy
Commissioner

Leon Heyward
Department of Transportation Commissioner of
Sidewalks and Inspection Management

Rick Rodriguez
Department of Transportation Assistant
Commissioner of Intergovernmental and Community
Affairs

Monty Dean
Department of Transportation Director of
Operations

Thomas Alps
NYPD Deputy Chief of Transportation Bureau

Elizabeth Adams
Transportation Alternatives

Natalie Peeples
Legal Aid Society

Robin Felsher
Families for Safe Streets

William Medina
Worker's Justice Program

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

Matthew Choi
Open Plans

Glen Bolofsky

Eric McClure
StreetsPAC

Diana Maeurer
W200BA

Alan Mooiman

2 SERGEANT AT ARMS: Good afternoon and
3 welcome to today's New York City Council hearing for
4 the Committee on Transportation and Infrastructure.
5 At this time, please silence all cellphones and
6 electronic devices to minimize disruptions throughout
7 the hearing. If you have testimony you wish to
8 submit for the record, you may do so via email at
9 testimony@council.nyc.gov. Once again, that is
10 testimony@council.nyc.gov. At any time throughout
11 the hearing, do not approach the dais. We thank you
12 for your kind cooperation. Chair, we are ready to
13 begin.

14 CHAIRPERSON BROOKS-POWERS: [gavel] Good
15 afternoon and thank you for attending this hearing of
16 the Committee on Transportation and Infrastructure.
17 Today's oversight hearing will focus on the City's
18 intersections, sidewalk, and pedestrian safety. To
19 that end, the Committee will hear 14 pieces of
20 legislation, including Intro 144 sponsored by myself
21 in relation to the installation of bollards at
22 reconstructed sidewalks, curb extensions, and
23 pedestrian ramps. Before we begin, I'd like to thank
24 all the committee members present here today as well
25 as my colleagues. We are joined by Council Member

2 Farah Louis, Council Member Julie Menin, Council
3 Member Oswald Feliz, Council Member Joan Ariola, and
4 Council Member Chris Banks. The Department of
5 Transportation manages and maintains a vast portfolio
6 of streets, sidewalks, intersections, and public
7 spaces within the City of New York. With an annual
8 operating budget of \$1.4 billion and a 10-year \$33
9 billion capital program, the Department manages over
10 6,300 miles of streets and highways, over 12,000
11 miles of sidewalks, and approximately 800 bridges and
12 tunnels. In addition, the Department of
13 Transportation maintains nearly one million street
14 signs, 13,250 signalized intersections, over 350
15 linear feet of markings, and 2,600 automated
16 enforcement cameras. In order to ensure the safety
17 of New Yorkers, the Department implemented a number
18 of measures to increase pedestrian and vehicle
19 safety, including enhanced crossings, neighborhood
20 slow zones, pedestrian ramps and smart street design.
21 Overall, the Committee expects to learn about the
22 work that the Department of Transportation is
23 undertaking to safeguard pedestrians. As Chair of
24 this Committee, I want to ensure that these DOT
25 improvements are being employed equitably and

2 efficiently throughout the City so that all New
3 Yorkers benefit. In addition, our oversight topic--
4 to our oversight topic, we will also be hearing, as I
5 mentioned before, 14 pieces of legislation which
6 include: Intro 79 sponsored by Council Member Restler
7 in relation to installation of pedestrian lighting
8 fixtures; Intro 95 sponsored by Council Member
9 Schulman in relation to a study on the feasibility of
10 installing raised crosswalks, raised intersections,
11 and speed-reducers at intersections and roadways
12 adjacent to schools, and to repeal Section 19-189 of
13 such code relating to the installation of speed humps
14 on roadways adjacent to schools; Intro 103 sponsored
15 by Council Member Ariola in relation to notification
16 of the removal of parking spaces; Intro 104, also
17 sponsored by amendment Ariola, in relation to
18 requiring the Department of Transportation to consult
19 with the Fire Department prior to approving open
20 street applications and certain bicycle lane
21 projects, and to notify affected fire houses prior to
22 approving to open street applications, bicycle lane
23 projects, and major transportation projects; Intro
24 301, sponsored by Council Member Menin, in relation
25 to installation of solar powered crosswalks; Intro

2 346, sponsored by Council Member Narcisse, in
3 relation to pedestrian crossing guidelines in right-
4 of-way; Intro 468, sponsored by Council Member
5 Williams who has now joined us, in relation to
6 Department of Transportation posting information on
7 traffic control device and speed reducer requests on
8 its website; Intro 504, sponsored by Council Member
9 Abreu in relation to establishing priority for
10 sidewalks repairs at developments operated by the New
11 York City Housing Authority; Intro 542 sponsored by
12 Council Member Brannan, in relation to requiring the
13 traffic study determinations be issued no later than
14 60 days from the date a traffic control device is
15 requested by a City Council Member or Community
16 Board; Intro 663, sponsored by Council Member
17 Bottcher, in relation to news rack requirements and
18 to repeal and replace subdivision A of Section 19-
19 128.1 of the Administrative Code of the City of New
20 York; Intro 745, sponsored by Majority Leader Fariás,
21 in relation to requiring the Department of
22 Transportation to conduct an annual study for bicycle
23 activity; Intro 746, sponsored by Council Member
24 Feliz, in relation to the improvement of paved
25 medians through the planting of vegetation or use in

2 storm water management; and Intro 773, sponsored by

3 Council Member Lee, in relation to requiring the

4 Department of Transportation and notify property

5 owners order to repair sidewalks of existing

6 Department plans to make repairs on same sidewalks.

7 The Committee hopes to hear input from the

8 Administration and advocates on today's bills-- and

9 advocates, excuse me, on today's bills. Each sponsor

10 will also be given an opportunity to give opening

11 remarks as well as further details regarding their

12 legislation. I will now turn to Council Member

13 Ariola to talk about her bills.

14 COUNCIL MEMBER ARIOLA: Thank you, Chair

15 Brooks-Powers, for hearing these important pieces of

16 legislation this afternoon. Today, we're hearing

17 Intros 103 and 104, both of which would require the

18 Department of Transportation to be more transparent

19 and listen to community input before making changes

20 to our neighborhoods. Intro 103 would require the

21 Department of Transportation to notify affected

22 Community Boards and Council Members 15 days before

23 removing a parking space. Many times our residents

24 wake up to their parking spaces replaced with bike

25 racks, no standing zones, with nor prior notification

2 or input. This bill would require the DOT to notify
3 the Council Member and Community Board so that
4 discussion prior to the removal can be had with
5 residents and changes could be made if necessary.
6 Intro 104 would require the Department of
7 Transportation to notify affected local FDNY fire
8 houses to prior approving open street applications, a
9 and prior to implementing bicycle lane projects and
10 major transportation projects. This bill would also
11 require DOT to consult with the local Fire Department
12 prior to approving an open street application prior
13 to the construction or removal of any bicycle lane
14 that would result in the removal of a vehicular
15 traveling or a parking le. DOT would also be
16 required to provide certification of such
17 consultation. We are seeking response times to
18 emergencies that increase year after year as more and
19 more streets are being closed. Fire trucks are
20 coming to screeching halts after nearby colliding
21 with planters that have been suddenly placed to close
22 off a street. Trucks can't make it-- make u-turns
23 and/or get on or off blocks. Non-car lanes forcing
24 trucks to set up 10 feet further away from a curb
25 reducing how high a ladder can reach and how close

2 New Yorkers are before they can be saved. The
3 members of the local fire houses must be consulted
4 before these changes are decided on so they can
5 decide if these changes will impeded their response
6 to an emergency. We need this legislation so that
7 the members of the FDNY can respond quickly to fire
8 or medical emergencies and keep New Yorkers safe. And
9 I did have a chance to take a look at your response
10 to both 103 and 104, and I will tell you that this
11 was not generated because I had nothing better to do
12 then want to make you have more work. It's generated
13 because there have been problems with the current way
14 you're doing things, and it needs to change. Chair,
15 thank you for the time.

16 CHAIRPERSON BROOKS-POWERS: Thank you.

17 Next we will hear from Council Member Menin to talk
18 about her bill.

19 COUNCIL MEMBER MENIN: thank you, Chair,
20 for holding today's hearing. There have been far too
21 many New Yorkers who've lost their lives for simply
22 crossing a street. Last year in Astoria, a seven-
23 year-old girl was killed by an SUV after a driver
24 failed to observe a stop sign. A 76-year-old man was
25 killed last October while crossing a street in

2 Washington Heights, and in January a 14-year-old
3 teenager was fatally struck in Canarsie by a person
4 driving without a license. New York City became the
5 first the city in the country to adopt a Vision Zero
6 platform in 2014. Ten years later, it is clear more
7 needs to be done. In 2022, there were 1,761 severe
8 injuries according to DOT. From January to September
9 2023 it was 1,840 which is simply unacceptable. That
10 is why we need Intro 301 that requires DOT to install
11 500 solar paneled crosswalks over five years. These
12 illuminated-- these can be illuminated crosswalks,
13 stop signs, or other traffic signs. Any person can
14 press a button before crossing the street or DOT can
15 install weight-activated devices. The devices would
16 ensure distracted devices have visual signal for
17 pedestrians crossing. In addition, the bill requires
18 that DOT would conduct a study on the effectiveness
19 of traffic control devices, any challenges with these
20 devices, and recommendations for their expanded use.
21 From San Francisco to Newhaven, Connecticut,
22 communities have embraced solar panel crosswalks, and
23 New York City can benefit from it. In fact, one
24 study found that the odds of a fatality at an
25 intersection crosswalk with street lighting, it's 54

2 percent lower than without street lighting. Just
3 last year, there were 258 fatalities resulting from
4 traffic crashes. The majority of these deaths, 61
5 percent, happened between 6:00 p.m. to 6:00 a.m. The
6 three individuals I mentioned earlier were all
7 fatally hit after 5:00 p.m. Clearly, this is a
8 problem that remains unaddressed, and that is why
9 this bill is necessary as an additional Vision Zero
10 measure. I want to thank the bill drafter, Keith
11 Felsenfeld and from my team, Jonathan Szott, Brendan
12 Jordan, and Mercedes Anderson [sp?]. Thank you so
13 much, Chair, and I look forward to today's hearing.

14 CHAIRPERSON BROOKS-POWERS: thank you.

15 Next we will hear from Council Member Mercedes
16 Narcisse who is joining us virtually.

17 COUNCIL MEMBER NARCISSE: Alright, thank
18 you. Thank you, Chair and my colleagues. I urge you
19 to support this Intro 346, a bill designed to reform
20 our approach to pedestrian crossing and decriminalize
21 jaywalking in New York City. Our current walking
22 laws disproportionately impact communities of color.
23 In just the first three months of this year, 96.5
24 percent of jaywalking tickets were issued to Black
25

2 and Hispanic New Yorkers. This is very clear
3 indication of systemic bias and how these laws are
4 enforced. Intro 346 seeks to correct this imbalance
5 by allowing pedestrians to cross at any point while
6 maintaining their safety. You heard it, a lot of
7 folks that get hit by cars is on the crossing line
8 itself, and you heard my colleague's bill just spoke
9 about it. This legislation I'm talking now, 346, will
10 remove penalties associated with crossing outside of
11 designated areas and provide clearer guidelines for
12 pedestrian signals, aligning our laws with the
13 reality of our city's dynamic streets. The bill is
14 about fairness, equity, and public safety. It
15 ensures that all New Yorkers can move freely and
16 safely without fear of unjust penalties. I have
17 never heard a New Yorker explain being happy-- said I
18 am so glad because that jaywalker-- never. By
19 removing the criminal penalty associated with the
20 jaywalking, we can redirect resources to more
21 pressing public safety concerns. And one other thing
22 I want to put for you from New York Times, February
23 8th, 1998. There was a police officers, and one of
24 the quote that I took out of this, "This is just
25 taking hard-earned money from people who cannot

2 afford it." So, when he was talking about jaywalking
3 to go out there and give tickets to those folks, and
4 he knew exactly where he was going to give those
5 tickets. It's not me said it. You can look at New
6 York Times, February 8th, 1998. So, to bring it
7 back, I am support of all my police officers. NYPD
8 they're doing the right thing, but we have to
9 understand that it's folks that take it out of the
10 rim [sic], and those are the things that we have to
11 create structure, and that's the reason of this bill.
12 I urge all to support this Intro, all my colleagues,
13 346, and join us in making our city a more just and a
14 critical place for everyone, not some. So thank you,
15 Chairs, for the opportunity.

16 CHAIRPERSON BROOKS-POWERS: Thank you and
17 feel better. Next we will hear from Majority Leader
18 Amanda Fariás to talk about her bill.

19 COUNCIL MEMBER FARÍAS: Thank you,
20 Majority Whip. Good afternoon everyone. I'm Majority
21 Leader Amanda Fariás and I'm proud to be attending
22 today's hearing to discuss intersections, sidewalks,
23 and pedestrian safety in New York City, and hear my
24 bill Introduction 745 in relation to requiring the
25 Department of Transportation to conduct an annual

2 study on cycling activity in the City for the
3 previous year. on the DOT website, it reads that New
4 York City DOT's goal is to accelerate the growth of
5 safe cycling where providing a system of bicycle
6 routes that traverse and connect all five boroughs,
7 while also creating a dense, fine grained network of
8 bike lanes-- sorry-- in communities where cycling is
9 already a popular mode of transportation. My bill
10 Intro 745 ensures that this mission is met by
11 bringing concrete data to the table to assess and
12 reassess what is consistent, what is not working, and
13 where we all need additional services. The study
14 outlined in the legislation we're hearing today would
15 require the Department to identify key information
16 like frequently biked streets and bridges to be able
17 to make data-driven improvements to bike safety
18 citywide. With more than 900,000 New Yorkers riding
19 a bike regularly for commuting and work, and that
20 number growing each year with our city's concerted
21 effort to ensure New Yorkers are utilizing all the
22 options to make them more mobile, we have to begin to
23 collect the data needed to create the safest city
24 possible for all. Thank you again to Majority whip
25 Brooks-Powers for hearing this legislation, and I

2 look forward to discussing it today based off of your
3 response and your testimony.

4 CHAIRPERSON BROOKS-POWERS: Thank you.

5 Next, I will turn to Council Member Williams to talk
6 about her bill.

7 COUNCIL MEMBER WILLIAMS: Thank you,

8 Chair. I'm here today to advocate for Intro 468, a
9 crucial piece of legislation aimed at enhancing and
10 expanding transparency and accountability within our
11 city's Department of Transportation. As we gather
12 here to address matters of intersections, sidewalk,
13 and pedestrian safety, it is imperative that we also
14 discuss the means by which we can empower our
15 constituents with readily accessible information
16 regarding traffic control measures. Our city streets
17 are bustling arteries of activity filled with
18 commuters, pedestrians and cyclists navigating their
19 way through the urban landscape. Ensuring their
20 safety should be our paramount concern. Yet, too
21 often residents find themselves in the dark regarding
22 the status of traffic control device and speed-reduce
23 requests within their community. This lack of
24 transparency not only breeds frustration, but also
25 undermines the trust between our city agencies and

2 the communities they serve. It is time for a change,
3 a change that places the power of information
4 directly into the hands of our constituents. The
5 legislation that I am proposing today would mandate
6 DOT to maintain a comprehensive online database
7 providing detailed updates. This database will
8 include a lot of the things that the database already
9 includes, but we hope it can include other things
10 like the rationale behind the approval or denial of
11 requests, timelines, and any other relevant
12 information that would increase transparency at every
13 step of the process. By making this information
14 readily accessible to the public, we empower them to
15 actively engage with the decision-making process
16 concerning their own safety, and no longer will be
17 left in the dark wondering about the progress of
18 their request. Instead, they will have the tools
19 they need to hold our city accountable and advocate
20 effectively for safety measures they deem necessary.
21 And if I was staying for questions, I would have a
22 ton of questions around how-- what the cadence is
23 around updating the current website that you have and
24 the propensity to add additional things to it. So a
25 lot of times they may get a denial, but they'll have

2 like the details that you may send to our elected
3 official offices about why you potentially denied
4 something. Like, that level of transparency is really
5 not available to the public online, and so I'm hoping
6 and looking forward to working with you all to figure
7 out what other things can be added to the website to
8 increase and expand transparency. Thank you very
9 much, Chair.

10 CHAIRPERSON BROOKS-POWERS: Thank you.
11 Next we will hear from Council Member Feliz to talk
12 about his bill.

13 COUNCIL MEMBER FELIZ: Thank you. Thank
14 you so much. Good afternoon everyone. Thank you all
15 for being here and thank you, Chair Brooks-Powers for
16 this hearing. I'm very proud of the many bills
17 before this committee today, including my bill,
18 Operation Green NYC. My bill will create better
19 communities for all New Yorkers by improving our
20 street medians, many which are made up with nothing
21 by concrete and pavement. It'll require that street
22 medians be turned into green three miles per borough
23 per year street medians be converted into green. The
24 greenery will bring millions of benefits to our
25 communities. It'll not only beautify our communities

2 making them more attractive, including the
3 neighborhood that we live in, but also our small
4 business corridors. It'll also help clean our air.
5 It'll also help reduce noise pollution. The
6 beautiful green will even help with mental health.
7 And of course, even more than that, it'll also help
8 on the issues related to flooding and other
9 environmental threats that we continue to face. So
10 many benefits. We need to be creative. We have many
11 medians in our communities. They're made up of
12 concrete, pavement. Many are already there. There's
13 also many new ones coming up. Why not beautify them
14 with green? Why instead of just creating nothing but
15 pavement and concrete in our communities, why not
16 build a green infrastructure so that we can easily
17 achieve the many benefits that come with that? Thank
18 you so much. Look forward to talking about my bill
19 with all of you.

20 CHAIRPERSON BROOKS-POWERS: thank you.
21 And next I'll read a statement prepared by Council
22 Member Lynn Schulman. "Good morning, Chair Brooks-
23 Powers, members of the Transportation Committee and
24 all those in attendance. I am Council Member Lynn
25 Schulman and I'm here to discuss Intro 95. Intro 95

2 is a critical piece of legislation that mandates the
3 Department of Transportation to conduct a
4 comprehensive feasibility study on the installation
5 of raised crosswalks, intersections, and speed-
6 reducers adjacent to our city schools. This
7 initiative is not just about infrastructure, it's
8 about the safety and wellbeing of our children who
9 are among our most vulnerable pedestrians. Every day
10 thousands of students navigate busy streets on their
11 way to and from school. Despite existing safety
12 measures, we continue to witness tragic accidents and
13 close calls. Raised crosswalks and intersections
14 along with speed-reducers have proven to be effective
15 traffic calming measures in various cities worldwide,
16 including here in New York City. These modifications
17 not only slow down vehicular traffic, but also
18 enhance the visibility of pedestrians making our
19 streets safer for everyone. The feasibility study
20 proposed in Intro 95 will provide us with the crucial
21 data on the practicality cost and potential benefits
22 of implementing these safety measures. It will
23 examine the specific needs of different school zones
24 across the city considering factors such as traffic
25 volume, accident history, and the unique

2 characteristic of each location. Importantly, this

3 bill also ensure accountability by requiring the

4 Department of Transportation to report its findings

5 to both the Mayor and the Speaker of the Council.

6 This transparency will allow us to make informed

7 decisions based on solid evidence and expert

8 analysis, ensuring that any actions taken are both

9 effective and fiscally responsible. I believe that

10 the safety of our children should be a top priority.

11 By supporting Intro 95 we are taking a significant

12 step towards creating a safer environment for our

13 students and giving peace of mind to parents and

14 guardians. I urge my colleagues on the

15 Transportation Committee to support this vital piece

16 of legislation and work together to safeguard the

17 future of our city's youth. Thank you for your

18 attention to this important matter." Finally, as I

19 mentioned before, we'll be hearing my sponsored bill

20 Intro 144. This bill would also require the

21 Department of Transportation to conduct a study on

22 the effectiveness of bollards in high pedestrian

23 traffic areas through the City and develop guidelines

24 no later than six months after the effective date of

25 this Local Law governing the installation of bollards

2 during the repair or reconstruction of sidewalks,
3 curb extensions and pedestrian ramps. The use of
4 bollards is an effective strategy in reducing traffic
5 crashes and the resulting fatalities and injuries
6 from these incidents, and so it is imperative that
7 DOT develops a comprehensive approach to determining
8 when and where bollards should be installed to keep
9 everyone safe. Before we begin, I would like to
10 thank my staff and the committee staff for their hard
11 work, Kevin Katowsky, Senior Policy Analyst, John
12 Basile Senior Policy Analyst, Mark Chen
13 [sp?], Senior Counsel to the Committee, Connor
14 Mealey, Counsel to the Committee, David Lowenstein,
15 Legal extern, Julian Martin [sp?], my Policy and
16 Budget Director, and Renee Taylor [sp?], my Chief of
17 Staff. I will now as the Committee Counsel to swear
18 in the representatives from the Department of
19 Transportation.

20 COMMITTEE COUNSEL: Our first witnesses
21 will be from the Department of Transportation. First
22 Deputy Commissioner Margaret Forgione, Deputy
23 Commissioner of Sidewalks and Inspection Management
24 Leon Heyward, Assistant Commissioner of
25 Intergovernmental and Community Affairs, Rick

2 Rodriguez, Director of Operations Monty Dean, and
3 from the New York Police Department, Chief Thomas
4 Alps. I'll now administer the oath. Please raise
5 your right hands. Do you affirm to tell the truth,
6 the whole truth, and nothing but the truth before
7 this committee and to respond honestly to Council
8 Member questions? Thank you. You may begin when
9 ready.

10 FIRST DEPUTY COMMISSIONER FORGIONE: Good
11 afternoon Chair Brooks-Powers and members of the
12 Committee on Transportation and Infrastructure. I am
13 First Deputy Commissioner Margaret Forgione. I am
14 joined by Deputy Commissioner of Sidewalk and
15 Inspection Management, Leon Heyward, Assistant
16 Commissioner of Intergovernmental and Community
17 Affairs, Rick Rodriguez, and Director of Operations
18 Monty Dean. We are also joined by Deputy Chief
19 Thomas Alps from NYPD's Transportation Bureau. Thank
20 you for the opportunity to testify on behalf of Mayor
21 Adams and Commissioner Rodriguez about the
22 Administration's work to enhance intersections,
23 sidewalks, and pedestrian safety on New York City
24 streets. DOT's responsible for operating and
25 maintaining 6,300 miles of streets and highways. This

2 includes maintaining roadways, curbs, and pedestrian
3 ramps and jurisdiction over 12,000 miles of sidewalk,
4 as well as maintaining nearly 400,000 street lights.

5 All New Yorkers use roadways and sidewalks to get
6 around, whether by foot, bike, wheelchair, bus, car,
7 or other mode, and all of our goods travel to their
8 final destinations on our streets. Our goal is to
9 always make sure that that can happen in a safe,
10 efficient, and environmentally responsible way. To
11 that end, DOT continues to work hard and creatively
12 with available resources to deliver high-quality,
13 high-impact safety projects for New York City's
14 streets and sidewalks and our interventions are
15 working. Last year, while pedestrian fatalities
16 across the country reached the highest number since
17 1987, New York City had the lowest number of
18 pedestrian fatalities since we started collecting
19 data 113 years ago, other than 2020's year of
20 pandemic lockdowns. These local trends are
21 encouraging and show that the steps we are taking as
22 a city to make our streets safer are working.

23 Turning to the legislation before the Council today.
24 First, Intro 79, sponsored by Council Member Restler.
25 This bill would require DOT to study lighting levels

2 and install pedestrian lighting fixtures at 500
3 commercial corridors each year until every commercial
4 corridor has sufficient lighting, as defined the in
5 the bill. DOT recognizes the importance of street
6 lighting and enhancing both street safety and
7 accessibility, as well as the feeling of security,
8 and we are committed to ensuring streets are well-lit
9 for vehicle traffic as well as pedestrians in both
10 roadway and on the sidewalk. In many cases, DOT
11 streetlights provide sufficient lighting for both
12 roadways and sidewalks and separate lighting for each
13 is not necessary, but DOT evaluates street lighting
14 levels throughout the City on a regular basis. In
15 locations that need more light on sidewalks, we often
16 install additional lights on the back of existing
17 poles over the sidewalk at a lower height or even new
18 standalone poles. We are also continuously enhancing
19 lighting levels at intersections. Since the start of
20 Vision Zero, we have installed 3,000 additional
21 lights to illuminate sidewalk corners and crosswalks
22 at over 2,200 intersections across the City.
23 Enhancing lighting to improve the pedestrian
24 experience is a core part of the agency's work. We
25 conduct lighting studies based on DOT standards,

2 including recommended practices and guidelines
3 published by the Illuminating Engineer Society, the
4 internationally recognized entity that sets
5 recommended practices for lighting levels and various
6 applications. If a study finds that lighting is
7 needed in the location, DOT will install it which
8 requires extensive coordination with contractors and
9 utilities. To install it, we often reduce the
10 distance in between street lights or add secondary
11 lighting to street light poles. We routinely make
12 these types of upgrades in any street reconstruction
13 project in addition to locations where we receive
14 lighting requests from the public. In 2023 alone, we
15 enhanced lighting at over 150 locations in Brooklyn,
16 over 130 locations in both Staten Island and Queens,
17 and over 100 locations in both Manhattan and the
18 Bronx. DOT has concerns about this bill as written.
19 The bill proposes and extremely high and
20 uncomfortable sidewalk lighting standard that would
21 be too bright even for an expressway. The bill also
22 mandates significant number of lighting installations
23 without considering the challenges to installing new
24 lighting. Installing new light poles requires
25 working around obstructions caused by trees and

2 hydrants and existing below-ground infrastructure
3 such as gas mains and electric docks which requires
4 extensive survey in design work. Installations also
5 often require time consuming and disruptive street
6 excavations to lay new electrical conduit and cables.
7 We would be happy to discuss with the Council how can
8 enhance lighting in your district and welcome
9 feedback if there are particular locations of
10 concern. Next, Intro 95 sponsored by Council Member
11 Schulman, this bill would require DOT to study the
12 feasibility of installing raised crosswalks, raised
13 intersections, and speed-reducers at intersections
14 and roadways adjacent to schools. DOT works to
15 enhance safety at many intersections throughout the
16 City including those adjacent to schools, and also
17 implement a wide range of safety treatments near
18 schools. This work includes installing speed-
19 reducers and raised crosswalks as well as other
20 treatments such as school slow zones, school loading
21 zones, turn calming treatments, new signals, all-way
22 stops, and leading pedestrian intervals. We also
23 implement a number of projects in the vicinity of
24 schools. In 2023 alone, we completed 242 projects
25 within a quarter mile of a school, including 124

2 turn-calming projects, 106 street improvement
3 projects, seven bike lane hardenings, and five
4 capital projects. For speed-reducers DOT has
5 prioritized installing speed-reducers near schools
6 and has exceeded the legal mandate of installing
7 speed humps on 50 blocks adjacent to schools with
8 annual installations adjacent to schools ranging from
9 60 to 100 per year. For raised crosswalks, in the
10 first two years of this Administration, DOT installed
11 over 80 raise crosswalks in-house and through capital
12 contracts with 45 percent installed near schools. To
13 identify raised crosswalks locations, DOT primarily
14 works from a citywide list of intersections that meet
15 certain criteria for the treatment based on
16 engineering judgment. For example, raised crosswalks
17 cannot be installed on a bus or truck route, around
18 streets with more than one lane in each direction.
19 This list of intersections is then ranked by
20 pedestrian injuries and killed or seriously injured,
21 as well as other treatment siting criteria which
22 includes proximity to schools, parks, playgrounds,
23 senior centers and transit. This ensures we are
24 targeting the treatment where it is most needed. We
25 then review locations to ensure that existing

2 drainage patterns will not be impacted and there are
3 no conflicts with existing underground utilities.

4 For raised intersections, DOT is exploring including
5 raised intersections in some upcoming capital

6 projects. The same drainage and utility conflict

7 challenges that apply raised crosswalks also apply to

8 raised intersections, but it is even more difficult

9 to find entire intersections that meet the criteria

10 previously discussed. These types of projects may

11 involve relocating or adding new catch basins for

12 drainage and relocating utilities to make the

13 treatment feasible. Each of these safety treatments

14 is an important tool in our tool box that we continue

15 to plan and install. Given our ongoing work to

16 implement these treatments near schools and other

17 locations that would benefit most, we do not think a

18 larger study is necessary nor valuable at this time.

19 We would be happy to discuss this work further with

20 the Council, and as always, we welcome your

21 partnership in locations of concern and implementing

22 critical safety projects in your district. Next,

23 Intro 103 sponsored by Council Member Ariola. This

24 bill would require DOT to notify Community Boards and

25 Council Members 15 days before removing a parking

2 space. DOT has serious concerns with this bill as it
3 would slow the pace of operations and be extremely
4 burdensome. Streets are fluid spaces and parking
5 spaces are added and removed every day. Providing
6 such notice would be overly burdensome for DOT, and
7 the volume of such notices would undermine the
8 usefulness for recipients. On average, DOT issues
9 2,800 construction permits each business day, 900 of
10 which affect parking. With this bill, DOT would be
11 required to send out 900 notices a day or 4,500
12 notices a week to Community Boards and Council
13 Members. For permanent removals, DOT is already
14 required to give notice before implementing major
15 transportation projects that involve fulltime removal
16 of a parking lane. This bill creates a much wider
17 universe of notice by including both permanent and
18 temporary parking space removals that could include
19 temporary removals for maintenance, construction or
20 resurfacing. Overall, this would slow down a
21 significant portion of DOT's work, including
22 implementing daylighting in 1,000 locations which the
23 Council has advocated for us to do. Next, Intro 104
24 also sponsored by Council Member Ariola. This bill
25 would require DOT to consult with the Fire Department

2 before approving an open street application and
3 certain bike lane projects. Further, this bill would
4 require DOT to notify affected fire houses before
5 approving an open street application, a bicycle lane
6 project, and major transportation project. DOT
7 works closely with our sister agencies and believes
8 that such coordination is important. We already
9 consult with FDNY on these projects including meeting
10 regularly with FDNY's Bureau of Operations planning
11 and quarterly meetings between DOT borough
12 Commissioners and each FDNY Borough Commander to
13 discuss our projects and solicit their feedback on
14 potential issues that may arise, including concerns
15 raised by local fire houses. Typical changes we make
16 after FDNY review involve adding daylighting or
17 changing geometry of neck downs [sic] and islands to
18 ensure fire trucks are able to make necessary turns,
19 modifying locations of new pedestrian space and clear
20 path to ensure hydrant and building access is
21 maintained, and modifying signal timing to reduce
22 congestion along a desired response route. These are
23 important conversations that we will continue to
24 have, but such communication must continue in a
25 centralized manner. We defer to our sister agency on

2 how best to disseminate information between the
3 borough commanders, FDNY operations, and the fire
4 houses. Next, Intro 144 sponsored by Chair Brooks-
5 Powers. This bill would require DOT to install
6 bollards at sidewalks, curb extensions and pedestrian
7 ramps being reconstructed to make them accessible and
8 to study the efficacy of bollards in high pedestrian
9 traffic areas throughout the City. Bollards are an
10 important tool in the City's toolbox. In partnership
11 with NYPD, DOT previously installed over 800
12 security-related bollards at locations chosen by
13 security experts including in Times Square,
14 Rockefeller Center, the Empire State Building and St.
15 Patrick's cathedral. These locations were chosen
16 after careful analysis by security experts which is
17 capital because installing security bollards is often
18 complicated and expensive, potentially costing
19 millions of dollars at each location. It may involve
20 moving or accommodating underground infrastructure,
21 water, sewer, power, and telecommunications, subway
22 tunnels, and building vaults. It can also interfere
23 with pedestrian ramps and block curb access for
24 loading and unloading of goods and passengers. DOT
25 understands and supports the intent of wanting to use

2 additional tools to keep pedestrians safe. However,
3 crashes that take place on sidewalks are horrific and
4 shocking, but are responsible for a very small
5 percentage pedestrian fatalities and serious
6 injuries. They're also hard to predict. Given this,
7 and that DOT already considers this tool where
8 appropriate, we do not think a larger study is
9 necessary nor valuable at this time. Moreover, we
10 have concerns with this bill as drafted, because it
11 would tie critical safety and accessibility work to
12 one specific treatment that is costly and complicated
13 to install. Next, Intro 301 sponsored by Council
14 Member Menin. This bill would require DOT to install
15 at least 100 solar powered traffic control devices at
16 crosswalks annually over the next five years and to
17 study the efficacy of these devices compared to
18 regular crosswalks. DOT frequently tests new
19 materials to enhance safety on our streets, and we'd
20 be happy to do additional tests for promising
21 technology. However, we have done some preliminary
22 studies of the type of technologies envisioned in the
23 bill and have some concerns about their efficacy.
24 The agency previously tested a small number of
25 illuminated stop signs and found no notable

2 difference in compliance compared to regular stop
3 sign, and also tested rectangular flashing beacons to
4 supplement warning signs and did not find significant
5 improvement in yielding rates. However, according to
6 the manual and uniformed traffic control devices, in-
7 roadway warning lights cannot be used at
8 intersections controlled by traffic signals, stop
9 signs, or yield signs, meaning only a limited
10 universe of intersections would be eligible for that
11 type of treatment. In addition, analysis from other
12 jurisdictions across the country identifies greater
13 benefits in higher speed lower traffic streets which
14 are typically in non-urban settings. Research also
15 indicates a flashing light fatigue effect in which
16 the more widespread the treatment, the less effective
17 it is. Finally, this bill would require DOT to
18 install a large number of devices significantly more
19 than as needed to determine efficacy. That said, we
20 would be happy to discuss possible new technologies
21 in small scale pilots with the Council. Next, Intro
22 346 sponsored by Council Member Narcisse. This bill
23 would permit pedestrians to legally cross a roadway
24 at any point including outside of a marked or
25 unmarked crosswalks and allow for crossing against

2 traffic signals. It would legalize the activity
3 commonly referred to as jaywalking and specify that
4 no penalties can be imposed for jaywalking. DOT
5 continuously works to enhance the pedestrian
6 experience throughout New York City. In the first
7 two years of this Administration, DOT delivered one
8 million square feet of new plazas, sidewalk
9 extensions, pedestrian islands and more. We've
10 implemented a record number of safety initiatives in
11 intersections including adding leading pedestrian
12 intervals at 6,000 intersections to give pedestrians
13 a head-start. In this year we will be adding
14 daylighting to 1,000 intersections to improve
15 visibility among all road users. We also look to add
16 mid-block crossings where needed to shorten walking
17 distances. Although jaywalking is a common practice
18 in New York City, it can have deadly consequences.
19 Over the last five years, 200 people lost their lives
20 while crossing the street mid-block or against the
21 signal, making up about 34 percent of all pedestrian
22 fatalities. Our laws require that all road users
23 including pedestrians share the responsibility of
24 abiding by the traffic rules designed to keep us
25 safe. Therefore, we have concerns with fully

2 legalizing this practice. However, we do support
3 reducing the penalty for such behavior and removing
4 the criminal summons and replacing it with a civil
5 summons. We look forward to discussing this further
6 with the Council. Next, Intro 468 sponsored by
7 Council Member Williams. This bill would require DOT
8 to make available and searchable on its website
9 information on speed-reducer and traffic control
10 device requests. I'm happy to say that DOT already
11 has such a page on our website. If you go to contact
12 the commissioner page on our website, you can find
13 the link to check case status now. You can enter the
14 case number or search the address to check on the
15 status of the request. If a 311 service request as
16 submitted, there is also a link on the page that
17 takes you to 311 page to look up your previously
18 submitted request. We would be happy to discuss this
19 page further with the Council and how we can make
20 this information more accessible. Next, Intro 504
21 sponsored by Council Member Abreu. This bill would
22 require DOT to prioritize sidewalk repairs at senior-
23 only NYCHA housing developments, then non-senior
24 NYCHA housing development, and report to the Council
25 which sidewalks have been repaired and a timeline of

2 sidewalk repair for NYCHA developments. The goal of
3 DOT's sidewalk program is to ensure the safety of all
4 pedestrians who travel on the city's 12,700 miles of
5 sidewalk. DOT budgets \$4 million per year for NYCHA
6 repairs. While NYCHA is responsible for sidewalks
7 within their development, DOT is generally
8 responsible for the sidewalks on the outside
9 perimeter of NYCHA developments. We coordinate with
10 NYCHA to prioritize locations for our sidewalk
11 repairs and consider factors including the presence
12 of older adults and people with disabilities, as well
13 as complaints. But DOT also repairs sidewalks in
14 front of schools and parks in addition to certain
15 privately-owned property which are also important
16 locations that attract high numbers of pedestrians.
17 DOT has concerns with this bill as drafted, because
18 it could slow down emergency sidewalk repairs,
19 interfere with our ability to prioritize locations
20 for repairs based on numerous factors and be
21 difficult programmatically. We would be happy to
22 continue conversations with the Council about our
23 sidewalk program, our prioritization process, and how
24 this can improve. Next, Intro 542 sponsored by
25 Council Member Brannan. This bill would require DOT

2 to issue traffic study determinations no later than
3 60 days from the date that a traffic control device
4 is requested by a City Council or Community Board.

5 DOT understands the importance of and shares the
6 Council's intent to increase efficiency in traffic
7 studies and communicating such studies'

8 determinations. However, we have serious concerns

9 about this bill as it is too restrictive and does not

10 consider the many requests for traffic studies that

11 we receive. Last year, DOT received over 3,000

12 intersections study requests and completed about

13 2,000. Studies take time and resources and in order

14 to get the most representative data, they're often

15 scheduled so locations can be studied at the most

16 appropriate times. For example, intersections

17 adjacent to schools should be studied while schools

18 are in session. While being selective in this way

19 increases the average completion time, it allows us

20 to get a more appropriate and accurate representation

21 of the activity at a given intersection, which this

22 bill could limit. Of the over 3,000 traffic study

23 requests DOT received last year, 350 were from

24 Council Members and Community Boards. By requiring

25 the DOT complete requests from council and Community

2 Boards within 60 days, this bill would necessitate
3 prioritizing such requests over those received from
4 the general public which could lead to more people
5 submitting their requests of their local Council
6 Member or Community Board. We would be happy to
7 discuss our intersection studies further with the
8 Council and welcome suggestions to improve our
9 processes. Next, Intro 663 sponsored by Council
10 Member Bottcher. This bill would repeal the current
11 news rack requirements and replace them with new
12 requirements for news rack maintenance and placement.
13 DOT has previously supported news rack reforms and
14 we'd be happy to discuss this bill further with the
15 Council. Next, Intro 745 sponsored by Council Member
16 Farías. This bill would require DOT to conduct and
17 make public an annual study on cycling activity in
18 the City for the previous year. The study would
19 improve which streets and bridges are most frequently
20 biked on and recommendations for enhancing bike
21 safety in these areas. Cycling is one of the best
22 ways for New Yorkers to get around, and more New
23 Yorkers are taking advantage than ever before. Bike
24 ridership in New York City has reached an all-time
25 high. On a typical day, there are 610,000 cycling

2 trips made in New York City with cyclists biking 220
3 million trips annually. DOT already posts cycling
4 ridership and activity data on our Cycling in the
5 City webpage, and this information is also available
6 through Open Data. DOT updates the website
7 throughout the year as data becomes available, rather
8 than annually. DOT uses data from local and national
9 sources to determine cyclist trends, how frequently
10 New Yorkers ride bicycles and how that frequency
11 changes over time. While we do not have counts for
12 each city street, we have other metrics to determine
13 where we install new bike lanes and where we
14 implement safety improvements to the existing
15 network. This includes NYPD crash data, DOT's
16 Greenwave Plan which outlines a full network of local
17 and connector bike facilities, community input, land
18 use, bridge access, street priority investment areas,
19 and count data. We would be happy to discuss this
20 data further with the Council. Next, Intro 746
21 sponsored by Council Member Feliz. This bill would
22 require DOT in collaboration with Parks and DEP to
23 modify vacant paved medians by planting vegetation or
24 adding storm water management infrastructure at a
25 minimum of three miles of paved medians per borough

2 per year until all medians have improved. This
3 Administration shares the Council's goal of enhancing
4 resiliency through New York City and we support the
5 bill's intent. With an increase in the intensity and
6 frequency of storms, the Administration has increased
7 its focus on storm water management infrastructure.
8 DOT works closely with our sister agencies including
9 DEP and Parks to make infrastructure more resilient
10 and to coordinate our response to extreme weather
11 events, including adding storm water management
12 infrastructure. DEP regularly studies and identifies
13 areas that needs interventions, and DOT and DDC then
14 incorporates storm water infrastructure into our
15 capital projects. Furthermore, since the Unified
16 Storm Water Rule came into effect in 2022, DOT has
17 also embraced installing pre-cast porous concrete
18 panels in capital projects. Roadway reconstruction
19 projects that disturb over an acre of the subbase of
20 the roadway or any project that has 5,000 square feet
21 of impervious surface are required to include storm
22 water management practices to reduce impervious
23 space. DOT and DEP have either completed or plan to
24 complete in the near term approximately 92 linear
25 miles of porous pavement that will result in

2 approximately 450 million gallons of storm water
3 managed per year, the vast majority of which has been
4 installed as part of DEP projects. Beyond DEP's
5 focus on storm water management, DOT and DDC also
6 implement planted medians through our capital
7 programs along Vision Zero Great Street corridors,
8 priority bus corridors and greenways among others for
9 community beautification and greening. In total, we
10 have installed approximately seven acres of planted
11 space along these corridors which will grow to more
12 than 14 acres in the coming years. While we support
13 the bill's intent for furthering resiliency and green
14 space, we have concerns about its blanket mandate. It
15 is important that we're able to target our efforts to
16 locations most in need of storm water infrastructure.
17 We also have concerns about the resources such a
18 mandate would require and ongoing maintenance needs.
19 We welcome feedback regarding particular locations of
20 concerns in your district and would be happy to work
21 with our sister agencies to respond. Finally, Intro
22 773 sponsored by Council Member Lee. This bill would
23 require DOT prior to issuing a notice of violation
24 for a sidewalk defect to determine if DOT or Parks
25 already have plans to repair the same section of

2 sidewalk. If so, DOT's notice of violation would
3 need to notify the property owner of the planned work
4 and not issue a violation if such work would begin
5 within 90 days. DOT coordinates closely with Parks
6 and other agencies on sidewalk repairs. Prior to
7 construction, DOT performs a conflict check comparing
8 the sidewalk repair plan with DOT and Park's
9 scheduled projects and coordinates with the
10 appropriate staff if there are any overlapping
11 projects. DOT and Parks also have quarterly
12 coordination meetings. It is important to note that
13 a notice of violation for a sidewalk defect is a non-
14 monetary lien and there is no fine associated with
15 the notice. In addition, DOT does not issues notices
16 of violation for sidewalk defects caused solely by
17 tree roots. Finally, in the last five construction
18 seasons, less than one percent of sidewalk repairs by
19 the city have been made within 90 days of issuing a
20 notice of violation. While DOT supports the bill's
21 intent to avoid redundant work, we believe this bill
22 may have the opposite effect from what is intended.
23 This bill would create confusion about who is
24 responsible for making sidewalk repairs, delay such
25 repairs, and thus, potentially undermine sidewalk

2 safety. We would be happy to discuss our current
3 coordination efforts and how they can be improved
4 with Council. In conclusion, I would like to thank
5 the Council for the opportunity to testify before you
6 today on the work DOT is doing to enhance
7 intersections, sidewalks, and pedestrian safety on
8 New York City Streets. We would now be happy to
9 answer any questions.

10 CHAIRPERSON BROOKS-POWERS: Thank you for
11 that, Commissioner. I'll start with questions on my
12 bill that's introduced, and wanting to know has DOT
13 previously studied or relied on third-party studies
14 of bollards? And if so, what were the findings?

15 FIRST DEPUTY COMMISSIONER FORGIONE: Can
16 you repeat the question, third study-- third--

17 CHAIRPERSON BROOKS-POWERS: [interposing]
18 Had DOT previously studied or relied on third-party
19 studies of bollards, and if so, what were the
20 findings?

21 FIRST DEPUTY COMMISSIONER FORGIONE:
22 Okay, so I'll start and then Monty Dean can also add
23 in his thoughts. So, when it comes to the placement
24 of bollards, for security purposes currently NYPD
25 determines if the bollard is necessary from a

2 counter-terrorism point of view. My understanding is
3 that sometimes third parties do come forward and make
4 the request. I don't know if that's what you're
5 getting at, but then NYPD would work with that party
6 to analyze the need, have that party provide
7 information, and then my understanding is conduct
8 their own analysis on whether or not the bollards are
9 necessary.

10 CHAIRPERSON BROOKS-POWERS: But just
11 generally outside of the security bollards, has DOT
12 engaged with any type of studies around the bollards?
13 I feel like in a past hearing, DOT did share that
14 there was information that they leaned on to make
15 decisions about bollards and what have you.

16 DIRECTOR DEAN: For the security
17 bollards, as Commissioner Forgione said, we do rely
18 on NYPD for other types. It sort of depends on the
19 circumstances. We don't have a study that I'm aware
20 of that we've done of where they can be used, but
21 we've used them for instance bell bollards on
22 pedestrian islands to protect from turning vehicles.
23 Those are the sort of most common type of bollards
24 that we use for non-security purposes.

2 CHAIRPERSON BROOKS-POWERS: That has--
3 that you've conducted a study for.

4 DIRECTOR DEAN: We have not conducted a
5 study.

6 CHAIRPERSON BROOKS-POWERS: You haven't,
7 okay. What safety advantages does DOT feel bollards
8 provide compared to other sidewalk or street
9 treatments?

10 DIRECTOR DEAN: Thank you, Council
11 Member. Well, certainly for the security bollards,
12 they are intended to stop vehicles that are going at
13 speed from mounting the curb. For other types of
14 bollards, as I've mentioned, there are the ones that
15 we call bell bollards from our tele [sic] bollards
16 which are sort of lower to the ground that we use
17 mostly on pedestrian island because they address
18 vehicles from making a turn onto that street and try
19 to prevent them from getting onto those islands. The
20 only other instances-- there are a handful of
21 instances where, for instance, pipe bollards might be
22 used, but it's usually for things like preventing
23 people from parking in those areas or from backing
24 into something. But it's-- those, because they're
25

2 not security rated they're not intended to stop
3 vehicles that are going at speed.

4 CHAIRPERSON BROOKS-POWERS: And currently
5 what factors is DOT consider when consider when
6 deciding whether or not to install bollards?

7 DIRECTOR DEAN: Well, when it comes again
8 to the non-security ones, it's really just to make
9 sure that those pedestrian islands are protected from
10 turning vehicles, and then again, only in instances
11 where we think that there might be a likelihood that
12 someone is trying to park in an area that's intended
13 for pedestrians. So those are the types of uses that
14 we're looking at.

15 CHAIRPERSON BROOKS-POWERS: And how many
16 bollard requests does DOT receive annually? What do
17 you feel the percentage of requests are fulfilled
18 with the requested bollard installations, just as a
19 follow-up to that?

20 DIRECTOR DEAN: We have to double-check
21 what the exact number is, but as Commissioner
22 Forgiione said, a lot of them are people who might
23 request for private properties, and the NYPD would
24 make a determination whether it's necessary or not to
25

2 do their own assessment. So, we'd have to look to
3 see what the number is on an annual basis.

4 CHAIRPERSON BROOKS-POWERS: Would be
5 somebody be able to look for it while we continue
6 with the hearing?

7 DIRECTOR DEAN: Yeah, we'll--

8 FIRST DEPUTY COMMISSIONER FORGIONE:
9 [interposing] We'll try to get that number, but I
10 don't know that we do have it readily available.

11 CHAIRPERSON BROOKS-POWERS: Thank you,
12 Commissioner. Has DOT studied the use of light or
13 medium-duty bollards?

14 DIRECTOR DEAN: I think that would be
15 sort of what we were describing as the Martello
16 bollards or the pipe bollards. Again, those would be
17 mainly in instances where somebody might be trying to
18 park in an area that pedestrians are using or backing
19 into something. So, it's sort of limited instances
20 where those might be useful, and wouldn't be
21 preventing vehicles from driving onto the-- onto
22 sidewalks.

23 CHAIRPERSON BROOKS-POWERS: In 2018, \$50
24 million was dedicated to DOT for the installation of
25 1,500 bollards. Was that threshold met?

2 DIRECTOR DEAN: The dollar amount is all
3 either spent or programmed, yes, and the total number
4 of bollards we have in so far from that is about 800.
5 And we'll have to double-check if there's still more
6 in the pipeline.

7 CHAIRPERSON BROOKS-POWERS: That'd be
8 good to know, because our understanding is that
9 approximately 300 bollards were installed in fiscal
10 year 2019 and fiscal year 2020, and then nothing
11 since then.

12 DIRECTOR DEAN: That sounds correct.
13 We'll double-check the dates, but yes, there were
14 many of the high-profile locations that we did. For
15 instance, the Empire State Building, St. Patrick's
16 Cathedral, as was mentioned in the testimony, were
17 done during those years.

18 CHAIRPERSON BROOKS-POWERS: Thank you.
19 Next, I'm going to move onto a couple of questions on
20 jaywalking, and I'm going to probably come back to
21 some other questions for Council Member Narcisse as
22 she sends them to me. But press reports and data
23 analysis from the Council have found that jaywalking
24 tickets are disproportionately given to Black and
25 Latino New Yorkers. Has there been any analysis or

2 review to determine the cause of this disparity? And
3 certainly, no one can claim that only Black and
4 Latino jaywalkers, everyone jaywalk. So, just wanting
5 to understand that a bit better.

6 DEPUTY CHIEF ALPS: So, good afternoon,
7 Council Members. My name is Deputy Chief Thomas
8 Alps. I'm the Executive Officer of the
9 Transportation Bureau. I did an analysis of the
10 jaywalking summonses written year-to-date in the New
11 York City Police Department, and let me just describe
12 my findings. First of all, less than one percent of
13 our criminal court summonses issued year-to-date
14 involve a jaywalking offense. 23 of the 77 commands
15 across the City have not written one jaywalking
16 summons. Eight of the 77 commands across the City
17 have only written jaywalking summons. So, that
18 findings-- this is not widespread and it's not common
19 that a jaywalking summons is written, and we're
20 talking for the 4-04 VTL offense, Criminal Court
21 summons. When you look at the arrests year-to-date
22 related to jaywalking where a jaywalking offense is
23 constituted or put on an online booking sheet, there
24 were 49. I mean,-- I'm sorry. Let me give you the
25 correct number on that one. But I'll say 49 of the

2 77 commands have no arrests for jaywalking when you
3 do a look-back to 202. The remaining 28 commands
4 throughout the City, and we're going back to 2022, 17
5 commands have one arrest related to jaywalking, seven
6 had two arrests related to jaywalking, and one
7 command had three, one command had four, one command
8 had five, and one command had six. So, again, when
9 we talk about arrests for jaywalking and Criminal
10 Court summonses issued for jaywalking, it's not
11 common and it's not widespread. So, then we look at
12 the jaywalking summonses issues year-to-date. So, I
13 looked at citywide. There's 439 jaywalking summonses
14 issued year-to-date, and when I looked through the
15 commands-- there's 77 commands-- the one command that
16 kind of popped off the page was the 115th. The 115
17 had written 45 summonses year-to-date for jaywalking.
18 It's a large number. We haven't seen a number like
19 that in maybe two or three years. So, it was
20 particular interest of us. Let's look at this
21 command, what's going on. I'm aware of the concerns
22 that Council Members have. I understand the data on
23 the back end and that it disproportionately affects
24 certain communities, and I understand that concern.
25 We have guidelines in place in the Police Department

2 that prohibits bias-based policing, implicit bias
3 training currently being conducted, and given to all
4 the executives within the Police Department which I
5 partake in, and we've had fair and impartial training
6 conducted by all the offices in the Police
7 Department. So, again, I understand the data on the
8 back end is of concern, and it was a concern to me.
9 So, I look at it. I do the dive into the 115
10 specifically. So, I look at the 115's data. They
11 write 45 jaywalkers year-to-date. This is a command
12 that is number one in the city for pedestrian
13 fatalities. Okay? They have four year-to-date.
14 Three of their four is on 37th Avenue. Two of those
15 three was pedestrian crossing outside of the
16 crosswalk and it was pedestrian error that resulted
17 in fatality. The other one was two blocks off
18 Northern Boulevard which is a corridor that DOT and
19 NYPD are working in unison and doing an initiative
20 where we're doing both, we're doing outreach. NYPD's
21 doing enforcement, and then there's engineering
22 concepts being conducted on that corridor in and of
23 itself. So there's a lot of focus in that area. So,
24 I laid out the pedestrian fatalities for you. Again,
25 I said three of them happened on 37th Avenue. So then

2 I mapped out the 45 jaywalkers that was written in
3 the 115 from there. Approximately 75 percent of that
4 45 were written in close proximity to 37th Avenue
5 where those three fatalities happened. Plus, there
6 was 20 pedestrians injured on that corridor, that
7 37th Avenue. So, it gives clear indications there's
8 precision policing taking place. They're looking at
9 data. They're understanding it. They're saying
10 there's fatalities happening here. There's
11 pedestrians getting struck and injured. This is
12 where we need to do it. The other 25 percent of that
13 45 that they wrote year-to-date was written on
14 Roosevelt Avenue, very familiar, very topical
15 Roosevelt Avenue, business district. They've had 19
16 collisions year-to-date on that Roosevelt Avenue
17 where a pedestrian was struck and injured. Again, it
18 points to precision policing. They're recognizing
19 data. They're doing their enforcement based on that.
20 What really was of interest and highlighted, we do
21 our first mode to combat traffic fatalities,
22 specifically pedestrian fatalities, is outreach. We
23 have street teams, and our prescient personnel go out
24 into the street and we hand out fliers. It educates
25 the public and the pedestrians how to navigate the

2 roadway safely. It gives them tips. This precinct,
3 which is the highest precinct pedestrian fatalities
4 has handed out 907 fliers year-to-date, that's versus
5 291 last year. That's telling me that this command,
6 the 115 that's wrote the highest number of jaywalker
7 summonses recognizes the fact we've got a traffic
8 safety problem in the 115. We need to get out and
9 educate. As a matter of fact, that 907 surpasses all
10 they did last year in outreach. In 2023 there were
11 897. So, I'm not-- I'm looking at data and I'm
12 saying they understand the problem. They're going
13 out there to educate the public first and foremost,
14 and then when they have to do enforcement, following
15 this educational outreach, they're doing it in the
16 right locations, the right place. So, I said to
17 myself, okay, let's just go back and look at 2023
18 now, make sure that the 115 is practicing fair and
19 impartial policing. Let's look to make sure that
20 they're doing it right. So we look at the 115. In
21 2023, they wrote 13 jaywalking summonses. So, I
22 said, okay, where are they writing the jaywalking
23 summonses. I mapped it out. We look at it. In
24 2023, they wrote five jaywalking summonses on
25 Roosevelt Avenue, again, the corridor that we all

2 know is problematic concern-- business district. That
3 year they had a fatal pedestrian struck on Roosevelt
4 and B Way [sic]. So, again, it's precision policing.
5 They're going where they need to go on Roosevelt.
6 The other five was written on 37th Avenue. So, they
7 know 37th Avenue is a historic problem for
8 pedestrians, and matter of fact, they wrote that five
9 summonses and then this year they got the three
10 fatalities, which is really, you know, thoughtful,
11 insightful. They know the geography, the landscape
12 and the problems. So they wrote five of their
13 summonses on 37th Avenue, and the last three that
14 they wrote that year was on Northern Boulevard, our
15 Vision Zero corridor that we work in partnership
16 with. So, the 115 knows their community, they know
17 the issues, and I'm comfortable in how they're doing
18 their analysis and their issuing the jaywalk summons
19 in total. So, again, it's not a summons that is
20 commonly used, but it is used. I would say, and I'll
21 just point to this fact, and I'll give you an
22 example. I think, you know, especially in 2024,
23 there's all these different modes of transportation
24 that have evolved. We got bicyclists, we got e-
25 bikes, we stand-up scooters, we got mopeds, and then

2 obviously we have vehicles and we have pedestrians. I
3 think each mode of transportation should have an
4 expectation, a certainty of what's going to happen
5 when they're moving down the roadway. And I'll use
6 the example of a bicyclist. If you're in a bike lane
7 and you're traveling down your bike lane, you don't--
8 and you're comfortable. You're in your protected
9 bike lane. You don't expect a pedestrian to walk out
10 in front of you, because that pedestrian could walk
11 out in front of you, and you could swerve off and go
12 into the roadway and get struck and killed, struck
13 and seriously hurt, or you could hit that pedestrian
14 and fall to the ground, hit your head, and be
15 seriously injured. So, I think there needs to be
16 some level of certainty when you're moving down the
17 roadway that the other modes of transportation,
18 whether you're a pedestrian, a motorist, an e-bike, a
19 moped, stand-up scooter, that they're going to follow
20 the rules that we all know. And when you just have
21 straight no consequences for-- as we were just
22 discussing-- jaywalking, it's-- you have no
23 certainty, and it's going to cause collisions. It's
24 going to cause fatalities as was noted by DOT, 200
25 pedestrian deaths, mid-block. Thirty-four percent of

2 our fatals over the past five years, and then on top
3 of that we have injuries occurring mid-block as well,
4 not just fatals that we can point to. So, there is--
5 you know, we have 5,360 persons who were struck or
6 injured mid-block in the past three and a half years.
7 That's DOT--

8 CHAIRPERSON BROOKS-POWERS: [interposing]
9 Can I just interject a question? Because I
10 appreciate the context. So, what traffic calming
11 measures, like traffic lights or speed bumps, are
12 along, for example, Roosevelt or 37th Avenue where
13 you're seeing some of the highest traffic fatalities?

14 FIRST DEPUTY COMMISSIONER FORGIONE: So,
15 we'd have to check for you specifically any given
16 corridor and what, you know, our crash stats are,
17 what we've done to-date and any plans that we have.
18 I don't have that information right now.

19 CHAIRPERSON BROOKS-POWERS: And has DOT
20 studied how often jaywalking occurs and what
21 percentage of pedestrian's crossings would constitute
22 jaywalking?

23 FIRST DEPUTY COMMISSIONER FORGIONE: So,
24 as I mentioned, we do know that within the last five
25 years there were 200 fatalities involving jaywalking,

2 and jaywalking is defined by either crossing mid-
3 block or not at the crosswalk, or crossing in the
4 crosswalk, but without the walk signal. So, that's 34
5 percent of pedestrian fatalities are due to
6 jaywalking. So that's a significant percentage.

7 CHAIRPERSON BROOKS-POWERS: And NYPD
8 issued approximately 450 jaywalking summonses last
9 year. Does either DOT or NYPD believe that there
10 were only 450 jaywalkers last year?

11 FIRST DEPUTY COMMISSIONER FORGIONE: I
12 think we would all agree that jaywalking is in larger
13 incidents than that.

14 CHAIRPERSON BROOKS-POWERS: And we want
15 New Yorkers to cross the street safely, but how does-
16 - but does DOT and NYPD in this instance have any
17 evidence that the law actually deters jaywalking, and
18 how do we reconcile the fact that this law is
19 basically never enforced except largely against Black
20 and Brown New Yorkers? So, I hear you in terms of
21 them being in high crash locations, but when we look
22 at the data across the City, there are four precincts
23 that have the highest number of tickets issued, and
24 that is three in Brooklyn, and one that is in the
25 115th precinct, and so-- and they're overwhelmingly

2 Black and Brown. So we know that, as just mentioned,
3 more than 450 jaywalking instances took place last
4 year. Only 450 were ticketed. Those were ticketed
5 in communities where overwhelmingly Black and Brown
6 people were getting tickets for that. So, we're
7 trying to kind of reconcile this. And so going back
8 to the question, is there any evidence that the law
9 actually deters jaywalking, and how do we reconcile
10 that with the fact that this law is basically never
11 enforced except against Black and Brown walkers?

12 FIRST DEPUTY COMMISSIONER FORGIONE: So,
13 let me comment a little, and then I'll turn it back
14 over to NYPD. We are also concerned about this issue
15 that you're raising, and that is why we believe or we
16 support having jaywalking be a civil offense, not a
17 criminal offense. However, just stating that
18 jaywalking is totally legal, we believe very strongly
19 that's the wrong message to send to New Yorkers,
20 right? You know, every user, as the Chief said, has
21 a responsibility. Motorists, cyclists, pedestrians,
22 everybody has to do the part to keep themselves safe
23 and to keep other safe. So, pedestrians crossing in
24 a crosswalk at the expected time and in the expected
25 place is better for everyone else on the road,

2 motorists in particular to know where to expect them.
3 When a pedestrian steps out mid-block or sometimes we
4 see pedestrians walking on highways, places like that
5 that they are not expected that catches a driver
6 unaware and increases the chance of something
7 happening to that pedestrian. So we feel very
8 strongly we should not legalize this and send the
9 message out that it's okay to walk anywhere at any
10 time.

11 DEPUTY CHIEF ALPS: yeah, so we're in
12 agreement with that stance. In my experience as a
13 police officer, the vast majority of times when a
14 police officer witnesses jaywalking in an extreme
15 case where someone is almost struck or is causing a
16 congestion issues, there's a conversation between the
17 police officer and that person, and it rarely ever
18 leads to a summons as the data suggests. But at
19 times, there is a summons that takes place if that is
20 not well-received or not taken seriously. That
21 option, that level of option to hold someone
22 accountable that could cause injury to another I
23 think needs to be in place, and it's got to be a
24 level of expectation as people navigate the roadway.
25 We all follow the same rules and keep each other

2 safe. It can't be just haphazard to do as we will.

3 So, I think we're in lock-step, NYPD and DOT, in our
4 understanding on this.

5 CHAIRPERSON BROOKS-POWERS: And regarding
6 de-criminalizing it and making a civil penalty rather
7 than legalizing it altogether, how would this result
8 in fewer discriminatory stops? It could be still
9 used as pre-text to target minority communities which
10 is a serious harm to the social fabric of the City. I
11 think we all would agree, and would reduce it to
12 civil penalty result in a lower deterrence effect.

13 DEPUTY CHIEF ALPS: And again, the Police
14 Department is very conscious of implicit and explicit
15 bias policing in policing. So, when the data suggest
16 something like that, we're more conscious now than
17 ever to dig into that data to make sure that that
18 policing method that was used and whatever that
19 outcome was, was lawful and within guidelines where
20 our administrative guide specifically 304-17
21 prohibits bias-based policing. So--

22 CHAIRPERSON BROOKS-POWERS: [interposing]
23 Have you begun digging into those numbers? Because I
24 personally was shown a video of an engagement with
25 about three young men of color that was followed into

2 a bodega in Brooklyn, and asked for ID, and when they
3 were approached and they asked why are you asking for
4 the ID, they would say you are jaywalking. But this
5 incident is now away from that site, and the
6 aggression that was displayed in that leads to, you
7 know, lots of questions. So when we see these high
8 numbers, like you said it like jumped off the page to
9 you, what steps are being taken to correct that or to
10 understand it better, rather?

11 DEPUTY CHIEF ALPS: Right. Chair, I
12 agree with you. This is something-- this data has to
13 be examined. I examined the 115. By my examination
14 of the 115 I found that their use of a jaywalking DTL
15 violations, criminal court summons, was strategic,
16 but like I said it was 439 criminal court summonses
17 for jaywalking so far year-to-date. Each individual
18 case is different. It would take extensive research
19 for each-- you know, it's all different circumstances
20 how that encounter happened and what the observations
21 were. I'm saying with the 115, just the data itself--
22 - whatever happened on the back end, the data itself
23 shows it's precision-related.

24 CHAIRPERSON BROOKS-POWERS: Do you have
25 an idea of what tools in the toolbox the officers in

2 other precincts that have lower citations for
3 jaywalking are using? Because I'm sure there are
4 high-crash areas as well. Because like, when you--
5 right here by City Hall, people jaywalk back and
6 forth going across these streets here. In certain
7 communities, downtown Brooklyn, folks are crossing.
8 I see them jaywalking all the time. They're not
9 necessarily getting these citations either. So what
10 are those officers seeing or doing differently, or
11 how are they engaging differently versus the ones
12 that, like you said, are being strategic with those
13 tickets or engagements, rather?

14 DEPUTY CHIEF ALPS: Well, I would say for
15 the 115, they're doing both approach. They're doing
16 an educational outreach approach and they're doing an
17 enforcement approach. So, they're combatting in both
18 ways. Some commands perhaps strictly go with an
19 educational approach. Every command, every community
20 is different, and the officers approach it in a
21 different manner. there's really no specific
22 directive given down, but we want the public to know
23 that we expect them to cross these roadways in a safe
24 manner, and we know through common sense, the
25 crosswalks with the signal is the safest area for

2 them. And we want to drive down the numbers of
3 pedestrian fatalities to zero, and we made a great
4 accomplishment in 2023 to the lowest numbers in quite
5 some time. It's not looking that way this year.
6 We're plus 11 year-to-date in pedestrian fatalities.
7 We had two pedestrians struck just this morning. One
8 up in Mott Haven, 149 and Morris, struck mid-block
9 crossing the road, critically injured. The other one
10 on 58th between 9th and 10th, crossing mid-block struck
11 and killed. So this is a serious problem that I
12 think just a blanket legalizing it and put the
13 message out there it's a free-for-all would be a very
14 bad message and would be an extreme danger to public
15 safety.

16 CHAIRPERSON BROOKS-POWERS: And
17 Commissioner, do you find that there are more crashes
18 that occur with jaywalking from the middle of the
19 block versus the crosswalk, or are they happening
20 more at the crosswalk?

21 FIRST DEPUTY COMMISSIONER FORGIONE: I'd
22 have to get back to you.

23 CHAIRPERSON BROOKS-POWERS: Because I'm
24 interested in understanding that, too. Like, maybe
25 it's a matter of street design as well. Because I

2 know sometimes when DOT lays out certain street
3 designs that complicates the way traffic and
4 pedestrians move that I found at my own district.
5 So, I wonder if that contributes to it in any way as
6 well. And has DOT considered outreach campaigns to
7 encourage safer crossing rather than rely on NYPD's
8 enforcement of the law? Like, has there been a
9 public late campaign around this?

10 FIRST DEPUTY COMMISSIONER FORGIONE: We
11 have done some in the past, but I think it's an
12 excellent suggestion, and we can look at doing
13 something new.

14 CHAIRPERSON BROOKS-POWERS: And has DOT
15 examined other jurisdictions like Virginia and
16 Nevada, California and other cities like Denver that
17 have legalized jaywalking to see what they're doing
18 right or what we can learn from them in terms of
19 prioritizing pedestrians on the streets while also
20 keeping them safe?

21 FIRST DEPUTY COMMISSIONER FORGIONE: I
22 know one of our units that does a lot of analysis and
23 research has looked at that in the past. We will see
24 if they have looked at any of that recently to see
25 what we can learn from it.

2 CHAIRPERSON BROOKS-POWERS: And just to
3 kind of re-emphasize, I agree, like, we want to make
4 sure that folks are definitely following the law,
5 whatever it is, whether you're a motorist, a cyclist,
6 or a pedestrian is just that it is alarming when you
7 see that in the 115 precinct seeing as many tickets
8 that have been issued, 92 percent of them went to
9 Hispanics even though they only comprise 63 percent
10 of that population in that particular community. And
11 so that is something that we need to figure out how
12 to reconcile that as well. Next, I'll go to move on
13 to sidewalk repair outside of NYCHA. When DOT
14 receives a complaint regarding a sidewalk on a NYCHA
15 campus that is not their responsibility, what
16 communication takes place with NYCHA? 123

17 DEPUTY COMMISSIONER HEYWARD: So, when
18 DOT gets a complaint on a NYCHA property, and the
19 complaint is on the perimeter, DOT will go out and
20 inspect and DOT will make it safe so that the defect
21 and the complaint is basically kind of resolved, and
22 then DOT will work with the Housing Authority to put
23 it on a repair for permanent-- put it on our schedule
24 for a permanent repair.

2 CHAIRPERSON BROOKS-POWERS: Is DOT aware
3 of the conditions of sidewalks outside of NYCHA-
4 operated developments, and why aren't these sidewalks
5 properly taken care of?

6 DEPUTY COMMISSIONER HEYWARD: So, DOT is
7 generally aware of conditions on Housing Authority
8 property. However, when we get complaints, that will
9 draw us to a property quicker. However, every year,
10 we work with the Housing Authority to identify the
11 properties that have the worst conditions, and we put
12 them in our program for reconstruction for that
13 construction year. So, the Housing Authority, they
14 identify properties that they want to get taken care
15 of, and our team, we also identify properties that we
16 would like to get-- take care of as well. And so
17 every year, we do coordinate to do repairs to Housing
18 Authority properties.

19 CHAIRPERSON BROOKS-POWERS: Thank you.
20 And what would it take for DOT to get all sidewalks
21 outside of the perimeter of NYCHA developments back
22 into good condition?

23 DEPUTY COMMISSIONER HEYWARD: I would--
24 we would have to get back to you on that number.

2 CHAIRPERSON BROOKS-POWERS: Thank you.

3 Next, I'm going to have Majority Leader Farías ask
4 questions.

5 COUNCIL MEMBER FARIÁS: Thank you so
6 much, Majority Whip. Just quickly for DOT on
7 Introduction 745. I know you've listed a variety of
8 areas where we are aggregating this data and putting
9 it out for public consumption. Is there a specific
10 report or analysis that the agency does that reflects
11 anything surrounding cycling or cycling activity, or
12 any streets or bridges most frequently biked on? Is
13 there is a study, or is there a report that goes out
14 to the Mayor, to the City Council, or to the public
15 that's aggregated information into a report either
16 quarterly, annually, bi-annually, anything like that?

17 FIRST DEPUTY COMMISSIONER FORGIONE: Yes.

18 So, speaking about our cycling information, on our
19 website we have pretty extensive information
20 concerning cycling in the City. We have information
21 that we collect ourselves. We do counts using
22 sensors. We also do some counts that we get from the
23 Department of Health and Mental Hygiene, and we're
24 constantly updating that information. We also have
25 information on the bridges that we collect every

2 year. In addition, some of the work that we do is--
3 that we base our cycling plans on-- also has to do
4 with development of greenways, parts of the City that
5 have been underserved for cycling, and we're trying
6 to encourage more cycling in the future, and we sort
7 of package all of this together and we put together
8 our yearly cycling plans for both conventional lanes
9 and parking protected or other protected bikes lanes.

10 COUNCIL MEMBER FARIÁS: Okay, so I'm on
11 the Cycling in the City website. It does have great
12 highlights and some trend data which I think is super
13 important, but then there is at the bottom I guess a
14 bunch of other links that are to the safety, the
15 parking, the networking stats, the maps, events which
16 is great, and information on e-bikes. Is this-- I
17 guess I'm-- what I'm hoping out of this bill is have
18 a one-stop kind of document that we get. What I'm
19 hearing folks say is that you do that in a variety of
20 different phase that for aggregated data on the
21 website for people to consume. So I'm happy to
22 continue talking about maybe this page looking a bit
23 more thorough through just policy-wise and what that
24 looks like from the agency, or maybe having this bill
25 tweaked a bit to see what the outcome could be. So,

2 I appreciate your response here, and I'll take some
3 further look at the cycling sites from DOT to give
4 any feedback. And then I just have some follow-up
5 questions for the PD on the jaywalking bill. So, I
6 really appreciated the analysis that you came with
7 today on the 115th precinct stats. I think that's a
8 component and an aspect that we don't typically get
9 to see in terms of analysis of data, and you know,
10 overlapping that with the DOT data we see versus the
11 year before data and how the precinct is trying to
12 respond locally to actually answer for public safety.
13 Like, that is-- they're targeting that area with
14 tickets to say stop jaywalking, people are dying
15 here, which I think is really important to highlight.
16 The level of education I think in the public-- this
17 comment is both for Department of Transportation and
18 the PD, is just not real. I mean, we can all
19 commonly agree that everyone jaywalks at some point
20 in their life throughout the year, if not throughout
21 the week, to just make crossing the street easier,
22 getting to the bodega faster, whatever it is, and I
23 think we probably as a city are failing in trying to
24 encourage people that what safety really means in the
25 public, and that is actually how they walk throughout

2 the street in their relationship as pedestrians to
3 cyclists, people on bicycles, and people in cars.
4 And I know that's not necessarily very liked to say,
5 but I had quick question on the body camera footage.
6 Are body cameras on when-- they're supposed to be on,
7 correct, with any interaction with someone in the
8 public?

9 DEPUTY CHIEF ALPS: Correct.

10 COUNCIL MEMBER FARIAS: Are we regularly
11 reviewing in these off-hand instances where-- like,
12 in reference to what the Majority Whip stated with
13 the video I think we all saw where officers went in
14 after into a store with young people, stating that
15 they were jaywalking. Like, do we review that, and
16 in that moment kind of-- with any of these off-hand
17 interactions, or is it just complaint basis? How are
18 those instances reviewed?

19 DEPUTY CHIEF ALPS: So, that's a great
20 point you made, and I apologize, I didn't bring that
21 up. So, with that technology we can review these
22 stops to make sure that they are within guidelines
23 and they don't go against our administrative
24 guidelines. So, that's our ability. And our
25 executive officers and the integrity control officers

2 in each command and direct supervisors on the regular
3 review a certain amount of body-worn cameras from
4 their subordinates or those officers throughout the
5 command. They do spot checks. This could be an area
6 where we could pinpoint and we can make sure that
7 we're not outside guidelines when we're making this
8 type of enforcement. So we can make it a pinpoint
9 oversight if you wanted to. We understand that this
10 was-- this incident resulted in a jaywalk summons.
11 Let's look at the body-worn camera. We can do
12 investigation, if we wanted to have that deep
13 oversight on each jaywalk summons that issued year-
14 to-date.

15 COUNCIL MEMBER FARIÁS: Okay, I
16 appreciate the responses. I'd like-- what I will
17 request is of you folks is to please, and I know you
18 will anyway, but speak with the prime sponsor on this
19 bill. I'm a co-sponsor on the jaywalking bill. I
20 appreciate what you brought up today with the data. I
21 do think where we can as a city encourage people to
22 be good neighbors and that includes how you move
23 throughout your community which means also whether or
24 not you are jaywalking. It's important for us to
25 encourage good common practices by New Yorkers. I

2 would also say if there's a way to incorporate having
3 you folks be as detailed in these instances in some
4 of your reporting out to the Council and to the Mayor
5 like this moment where you're seeing-- might not be
6 necessary to do every single interaction, but where
7 you saw a spike when you looked at this data in
8 preparation for this hearing, maybe that should be a
9 regular practice in how we communicate outwards to
10 the local elected, and you know, to the City Council,
11 to even our partnering agencies, because it might be
12 helpful in how we get to even interface-- like, when
13 I go to a Community Board, if I had my commanding
14 officer telling me we're seeing a spike, we're giving
15 out a lot of tickets, that's my responsibility to
16 then go outward to the community and say this is
17 what's happening, and we need you all to be better
18 neighbors. So, I just would hope that you are in
19 good communication with the prime sponsor to see how
20 we could incorporate that into this bill.

21 DEPUTY CHIEF ALPS: That's a great idea.

22 I agree with you wholeheartedly.

23 COUNCIL MEMBER FARÍAS: Thank you, folks.

24 Thank you, Chair.

2 CHAIRPERSON BROOKS-POWERS: thank you.

3 Next, we will hear from Council Member Feliz. We've
4 also been joined by Council Member Bottcher and
5 Restler. Just ask everyone if you can adhere to the
6 two-minute time. Thank you.

7 COUNCIL MEMBER FELIZ: Thank you so much.

8 A few questions about my bill, the Green NYC bill
9 which would require that the City improve paved
10 medians by turning them into green and storm water
11 management systems. So, in your testimony you
12 mentioned that you oppose the bill because of the
13 resources that it'll take and also because of the
14 priorities in terms of locations that are set by DOT
15 or the different agencies. Just got to say that's a
16 very interesting position to take. When I drive
17 around the City, I see many street medians. When you
18 go to the wealthier parts of the City, whether it's
19 residential areas or high-traffic commercial
20 corridors, they generally have improved medians.
21 They have greenery. They have trees, cozy
22 neighborhoods. When you go to low-income
23 communities, their medians have nothing but pavement,
24 nothing but concrete. Perfect example, Fordham Road
25 in my district, large median that runs for about 20

2 blocks, in the wealthier parts where the big
3 institutions are at, they all have cozy medians with
4 green trees and etcetera. When you get to the low-
5 income parts of that specific median, that again runs
6 for about 10 blocks, nothing but pavement, nothing
7 but concrete. So, you know, it just seems like-- it
8 just seems like, you know, there's very little to no
9 investment in the lower income communities. People
10 should not have to, you know, live in a wealthy
11 neighborhood to be able to get these types of
12 investments in their communities. So, a few
13 questions, I know you mentioned resources in your
14 testimony. How much would it cost to improve a
15 general median, let's say 50 by eight feet? Let's
16 say a median that's already there, turning it from
17 pavement to greenery?

18 FIRST DEPUTY COMMISSIONER FORGIONE: Okay,
19 Council Member, first of all, we totally share your
20 desire to have more green, to be more resilient.
21 First, to make a comment on your first statement
22 about different neighborhoods having more green or
23 less green. I wanted to point out that one recent
24 approach that we've had with bringing greenery to
25 neighborhoods with our safety projects are in several

2 corridors such as Grand concourse, Atlantic Avenue,
3 Fourth Avenue that have also gone through
4 disadvantaged neighborhoods and we've brought quite
5 acres of greenery into those neighborhoods. In terms
6 of cost, we normally-- the way we do this is we work
7 with DEP, maybe Parks, and DDC to implement projects
8 such as the ones you're proposing. They're usually
9 part of a larger project. DEP may do a standalone
10 project to a resiliency project, but for DOT they are
11 often roadway redesign projects where we would
12 install the planted medians. Every project is
13 different in terms of what it entails, the width of
14 the road, the complication from underground utilities
15 and the need. So, I don't have any easy number to
16 provide for you at this time, but we could see if we
17 can put something together with DDC.

18 COUNCIL MEMBER FELIZ: Alright, but you
19 know, I think that large median on Fordham Road is a
20 great example to just illustrate my point. Literally,
21 you have a low-income community and also just minutes
22 away from it you have some of the largest
23 institutions in the entire city, those parts where
24 the large institutions are at, they all have
25 greenery. They all have cozy parts of the community.

2 The same is not true for the lower income parts of
3 Fordham Road. They get gates. They get concrete
4 pavement, nothing more. So, I hope you could take a
5 look at that as an example of a larger problem around
6 our city. And if the Chair could just permit one
7 second brief question. Yep. [inaudible] about new
8 streets, new medians, new sidewalks going up. Just
9 curious how many have we created more or less in the
10 last year, and how many have included greenery?

11 FIRST DEPUTY COMMISSIONER FORGIONE: How
12 many medians in particular have we created, is that
13 your question?

14 COUNCIL MEMBER FELIZ: Whether it's
15 medians or new sidewalk space. Generally, when
16 street space has very little to no value, they turn
17 it to sidewalks. So, how many of those have we built
18 or expanded, and how many include greenery?

19 FIRST DEPUTY COMMISSIONER FORGIONE:
20 Okay, so have a number of capital projects either
21 ongoing or completed with DDC. We can provide that
22 information. Obviously, we have lots of plazas. We
23 bring greenery into all of the plazas. We have, as I
24 mentioned, very few standalone median projects, so
25 it's very hard to pull that out. We collaborate with

2 a lot of entities. One other location in the Bronx I
3 wanted to mention was we did a lot of work with State
4 DOT on the Sheraton, turning the Sheraton from an
5 expressway into a local street, and there was a
6 tremendous amount of greenery that was added to that
7 as well. So, we have like a lot of different irons
8 in the fire, but they're all different types of
9 projects, and we'd have to put together for you.

10 COUNCIL MEMBER FELIZ: Thank you. Thank
11 you, Chair.

12 CHAIRPERSON BROOKS-POWERS: Thank you.
13 Next we will hear from Council Member Ariola,
14 followed by Council Member Restler. Just reinforcing
15 the two-minute limit today, please.

16 COUNCIL MEMBER ARIOLA: Thank you, Chair.
17 So, there are 14 bills here, and you're not fully
18 supportive of any of them which blows my mind. In
19 fact, you demeaned a number of them by calling them
20 redundant or burdensome. That tells me that at your
21 level in the DOT, you're operating in a silo, which
22 means we need this legislation, because we don't
23 operate in a silo. We operate in our communities.
24 So, we're going to go to 103 where we're asking for
25 notification. You did note in your testimony that

2 you notify for repaving, resurfacing, speed bumps,
3 and things of that nature to Community Boards and
4 Council Members. How many of those notifications go
5 out monthly?

6 FIRST DEPUTY COMMISSIONER: So, to first
7 comment on what you said before. We very much
8 support the intent of many of these bills and we're
9 more than happy to work with the Council on them. We
10 can't just accept them wholesale if they have
11 implications or there are issues with them. So, I
12 would just like to make a statement that we're very
13 willing to work with you and you colleagues to see
14 how we can go forward with these bills. In terms of
15 notifications to Community Board, we have our borough
16 commissioners and other staff that are at community
17 meetings like literally each and every day talking
18 through the projects that we're working on. When
19 they affect parking, obviously we speak about the
20 parking. We comply with the major transportation
21 project law which states that if we're affecting a
22 thousand feet of parking or four or more blocks, we
23 provide notification. That's about a number of
24 parties and it's about two months before we would
25 remove any of that parking. We also work with

2 entities for construction-related purposes like the
3 MTA or the Department of Design and Construction when
4 a large project is coming to make sure that
5 communities are notified. The tricky thing about the
6 bill that you're proposing, while we understand the
7 intent of it, is that as I stated, we have each and
8 every day, we issue about 900 permits that can affect
9 or do affect parking. And for us to start to delay
10 that permit process and either do notifications
11 ourselves or require those entities to notify
12 Community Boards or Council Members, they'd be
13 inundated with thousand and thousands of
14 notifications every week. So, that's where we feel
15 that one is a little tricky.

16 COUNCIL MEMBER ARIOLA: So, it's not
17 tricky and I'll tell you why it's not tricky, because
18 we deserve those notifications. Our communities
19 deserve those notifications, and it's not you that
20 are receiving the complaints when they wake up and
21 find out there are bicycle racks outside their house
22 or that there is a bike lane. And yes, we do support
23 things like that. we have supported things like
24 that, and we deserve to know prior to, and that's why
25 this legislation is so important, because if we can

2 then notify our communities, then there could be
3 either less push back or a better place where you
4 could do the placement of what you'd like to do. As
5 far as the 104, we can't do enough to save people's
6 lives. You're saying that you do all of this. You
7 work with your sister agency to make the contact with
8 FDNY. So where's the disconnect? Why are we seeing
9 fire engines having ladders going across an entire
10 closed street just so that they can get to a building
11 that's on fire? Why do we see ambulances not able to
12 go into open streets when someone's having a heart
13 attack? Where is the disconnect in the notification?

14 FIRST DEPUTY COMMISSIONER FORGIONE:

15 First, on the parking removal you mentioned both bike
16 racks and bike lanes. For every City Bike station we
17 do inform and work with the community prior to these-

18 -

19 COUNCIL MEMBER ARIOLA: [interposing] I'm
20 not talking about City Bike. I'm talking about just
21 the regular bike racks that just pop up. And even if
22 it's in the wrong spot-- we have a lot of commercial
23 corridors in our area, and a lot of parking is really
24 at a premium, and when you put in five or six bike
25 racks in parking spots and take up three or four

2 parking spots for our brick and mortar store-keeps,
3 that's a problem. It's a problem that can be
4 alleviated if you just had communication. But as I
5 said, you're operating in a silo. You're not
6 operating at a borough-level. You're operating not
7 knowing the community. So, what I think is that
8 Intro 103 and 104 will hold you accountable to let us
9 know, let the Fire Department know, to make sure that
10 safety is put first, to make sure the community is
11 put first, and to make sure that everyone can have
12 input, meaning our Community Board and Council
13 Members. We cannot just field these complaints each
14 and every day, because people are waking up to no
15 parking in front of their homes. I mean, how much
16 more could it slow you down? Look at how long it
17 takes just to get a one-way sign up. Fifteen days of
18 notification is not burdensome. It's what you should
19 be doing. It's what we're asking you to do. It's
20 legislation that we're putting forth, because we were
21 asked to do it. Each and every piece of legislation
22 that's before you right now was put together because
23 our constituents asked for it. So, instead of
24 pushing back, we need to find ways to make this
25 happen. Thank you for the extra time, Chair.

2 COUNCIL MEMBER RESTLER: Thank you so
3 much, Chair. And I just want to thank you for co-
4 prime sponsoring Intro 79 with me. I really
5 appreciate it. Always great to work together. Good
6 to see you, DOT team. I hope you're all doing great
7 on primary day. So, you know, our legislation as you
8 know is about improving sidewalk lighting, and when
9 our neighborhoods are well-lit, our commercial-- our
10 mixed-used commercial corridors are well-lit, they
11 are safer communities. They're healthier
12 communities. They're more economically vibrant
13 communities. There was a great U Chicago study that
14 found when there was improved lighting in NYCHA
15 developments, we reduced crime by 40 percent in those
16 development during night time hours, and improved
17 economic activities in those communities. So, we're
18 real excited about-- I'm real excited about this
19 legislation. Hope others are too. I don't know,
20 royal [sic] we [sic] maybe. So, I just wanted to try
21 and understand a little bit better. Does DOT
22 currently track what percentage of sidewalks on
23 commercial corridors are adequately lit?

24 FIRST DEPUTY COMMISSIONER FORGIONE: So,
25 we do-- every year we perform many studies of

2 illumination on roadways and in sidewalks. A lot of
3 that--

4 COUNCIL MEMBER RESTLER: [interposing]
5 Individual roadways? Like, a given-- I will say that
6 Atlantic is dark, and you'll come out and study
7 Atlantic and assess whether more illumination is
8 necessary?

9 FIRST DEPUTY COMMISSIONER FORGIONE:
10 Correct.

11 COUNCIL MEMBER RESTLER: But you couldn't
12 answer a question citywide what percentage of
13 commercial corridors are adequately lit or
14 inadequately lit?

15 FIRST DEPUTY COMMISSIONER FORGIONE: We
16 don't have that information readily available.

17 COUNCIL MEMBER RESTLER: That data isn't
18 tracked. And so if you do come out to Livingston
19 Street in downtown Brooklyn and determine that there
20 is inadequate lighting, could you give me the
21 timeframe, Deputy Commissioner, from the time that--
22 let's say you come out right away, because we have a
23 great relationship, or Commissioner Bray [sic] does a
24 walking tour with me of the area, what's the time
25 frame first, study to be completed, for project to be

2 funded, project to be executed from the time that an
3 analysis is conducted?

4 FIRST DEPUTY COMMISSIONER FORGIONE:

5 Right, so currently we have several different ways
6 that we install new street lights. We have a small
7 capability of doing that ourselves. Most of them go
8 into street lighting contracts. We have different--
9 we have several different street lighting contracts.
10 We're looking at more capacity to get those done more
11 quickly. We are aware that they do take too long and
12 that sometimes it takes up to several years for
13 people to get an increased level of lighting.

14 COUNCIL MEMBER RESTLER: Yeah. No, I
15 appreciate you saying that. I appreciate you
16 recognizing that the status quo is not working,
17 because you know, we've gone on tours with DOT two
18 and a half years ago where they recognized there was
19 a need for lighting. It was approved that there
20 would be more illumination, and we're still waiting,
21 and waiting through multiple winters is scary for
22 people on dark mixed-use corridors there they're not
23 getting the lighting they deserve. Just wanted to
24 also ask about this from kind of a traffic safety
25 standpoint. NYPD testified earlier this year--

2 earlier in the hearing that we saw a substantial
3 increase in pedestrian-- we've experienced a
4 substantial increase in pedestrian deaths, pedestrian
5 fatalities on our roadways this year-to-date. What
6 effect does distance to closest street light have on
7 the frequency of night-time pedestrians killed and
8 severely-- of the rates of pedestrians killed or
9 severely injured during night-times? Is that
10 something that you all have studied or could offer
11 some insight on?

12 FIRST DEPUTY COMMISSIONER FORGIONE: So,
13 at every fatal site we send out our staff to inspect
14 the conditions, okay. They look at like was there
15 some kind of pavement condition. Was the-- are the
16 markings good? Are any lights out? Does the
17 lighting appear adequate if it was at night? So, we
18 look at that--

19 COUNCIL MEMBER RESTLER: [interposing] I
20 know that your team does analysis after tragedies
21 occur, but what I'm asking--

22 FIRST DEPUTY COMMISSIONER FORGIONE:
23 [interposing] Yeah.

24 COUNCIL MEMBER RESTLER: actually in
25 advance. Is-- are we--

2 FIRST DEPUTY COMMISSIONER FORGIONE:

3 [interposing] Okay, so let me mention--

4 COUNCIL MEMBER RESTLER: thinking

5 holistically about how we could prevent--

6 FIRST DEPUTY COMMISSIONER FORGIONE:

7 [interposing] Sure.

8 COUNCIL MEMBER RESTLER: these unnecessary
9 deaths that are increasing at unfortunately higher
10 rates?

11 FIRST DEPUTY COMMISSIONER FORGIONE:

12 Sure. So as part of Vision Zero since 2014, we have
13 improved lighting at thousands of intersections to
14 illuminate the sidewalk and the crosswalks at, you
15 know, high crash or high concern corridors. We've
16 installed over 3,000 new lights as part of this
17 effort to get at exactly what you're saying, Council
18 Member.

19 COUNCIL MEMBER RESTLER: Okay. I mean,
20 look, I guess what I would-- and I'll shut up after
21 this, Chair-- is I really appreciate that all are
22 trying to do a lot of good, and that you're
23 recognizing there's some operational issues that need
24 to be improved upon, and we talked about this at a
25 previous hearing, so I appreciate you underscoring

2 that point again. What I think our legislation gets
3 at that's important is that we are not
4 comprehensively tracking this information. We're not
5 setting appropriate goals for ourselves as a city and
6 as a Department of Transportation for how many of our
7 commercial corridors are being properly lit each and
8 every year and what the myriad benefit impacts are of
9 that proper lighting of our sidewalk and
10 intersections-- that sidewalk space and intersections
11 in terms of reducing traffic fatalities, in terms of
12 improving economic activity, in terms of improving
13 safety in our community, and in terms of just making
14 our neighbors feel better walking in their community.
15 It would make a big difference. I, you know, am
16 happy to discuss and debate the exact rate, you know,
17 the power of the lights and making sure that we
18 legislate that appropriately, but we should be
19 prioritizing improving pedestrian spaces much more
20 than we do today and having north star goals and
21 metrics that we're holding ourselves to account to,
22 not just responding when incidents occur I think
23 would be a better approach than where we are
24 currently. So, appreciate the little bit extra time
25 there, and thanks for answering the questions.

2 CHAIRPERSON BROOKS-POWERS: Council
3 Member Bottcher?

4 COUNCIL MEMBER BOTTCHEER: Thank you,
5 Chair Brooks-Powers, for hearing our legislation
6 today. I want to begin by acknowledging Robin Felsher
7 who's here with us today whose-- Robin's wife who is
8 also a beloved community leader in Greenwich Village
9 was tragically struck and killed by an SUV on October
10 3rd on Greenwich Avenue right in front of their
11 apartment building in the Village, and Lori's death
12 not only left a heart-- a hole in the heart of the
13 Greenwich Village community, it was also a extremely
14 tragic reminder of how much more work we need to do
15 to make our streets safe from traffic violence. And I
16 want to thank Robin for the bravery that it must take
17 to come here and testify to make our streets safer to
18 save the lives of others. Today, our legislation,
19 Introduction 633 is being heard that would address
20 the news racks on the sidewalks, and people asked,
21 "Eric, why are you spending time focusing on those
22 news boxes on the sidewalks with those publications?"
23 Because they look bad a lot of times. And look I
24 like these things, you know, I like to get the free
25 dailies, but it matters how a neighborhood looks. We

2 have to do more to uplift how neighborhoods look.

3 Things that these news boxes when they're abandoned,

4 vandalized, tipped over, filled with garbage, it

5 sends a message that this is a neighborhood that is

6 not cared for, and it sends a signal to others that

7 this is something that's okay in this neighborhood.

8 On the contrary, something's well-maintained it sends

9 a message that this is a neighborhood that's well

10 cared for and this is a place that-- of respect and

11 it affects people's everyday lives. So, the

12 legislation that we're introducing that would enable

13 the Department of Transportation to establish

14 stricter guidelines for the maintenance of these news

15 boxes while also allowing them to continue to be

16 there, because we want to support our local media, I

17 think it's overdue. In your testimony you said that

18 you had previously supported news rack reforms and

19 would be happy to discuss this bill further with the

20 Council. Could you be a little more clear about your

21 stance on this legislation?

22 DEPUTY COMMISSIONER HEYWARD: So, we do

23 agree with you that having standards on the type of

24 news rack that should be out there is very important,

25 having guidelines where the news rack should be

2 positioned in the corner in relation to other of
3 infrastructure that are out there. That's important.
4 We agree with you 100 percent. One of our concerns
5 is the level of communication that it takes for us to
6 reach out to the publisher to actually allow us to
7 then do some type of an enforcement effort. You
8 know, we wish that there could be online registration
9 of publications. We wish that we could do email
10 notifications to make them aware of conditions that
11 we see out there. We wish that we can issue
12 electronic summonses so that they can-- have to
13 respond in a much more quicker way. So, you know,
14 we-- would then allow us to have removals a lot
15 quicker than we presently have as well. So, we are
16 lock-step in trying to have news racks that are
17 standardized, that are placed in the right place, and
18 that aren't tipping over and falling. We totally
19 agree with that. And so we're not stopping you.
20 We're simply saying what can do more? What we can do
21 more is that we can have, we feel, more timely
22 communication with the publishers so that they can
23 respond to us and then we can then respond with all
24 of our enforcement efforts around other permits that
25 we have around the City that we go out and inspect

2 and have to give out summonses. We have those type
3 of communications. So, if we can do that, we feel we
4 could have a greater impact.

5 COUNCIL MEMBER BOTTCHEER: And the
6 language that we included in the legislation to
7 require the Mayor's Office of Ethnic and Community
8 Media to be involved in the promulgation of the
9 rules. That should help address some of the
10 communication issues. So, the Administration
11 supports the legislation?

12 DEPUTY COMMISSIONER HEYWARD: We support
13 your legislation, because--

14 COUNCIL MEMBER BOTTCHEER: [interposing]
15 Thank you.

16 DEPUTY COMMISSIONER HEYWARD: it takes us
17 a step further.

18 CHAIRPERSON BROOKS-POWERS: Thank you.
19 Okay, we're going to move on to public testimony now.
20 Thank you for--

21 FIRST DEPUTY COMMISSIONER FORGIONE:
22 [interposing] Oh, Chair, I have some answers to a few
23 of your questions if you have a moment?

24 CHAIRPERSON BROOKS-POWERS: Okay.

2 FIRST DEPUTY COMMISSIONER FORGIONE:

3 Okay. You asked about how many bollard requests we
4 get. We get about five revocable consent bollards
5 from private entities per year on average. We don't
6 generally get bollard requests for individual safety
7 locations. These are more for buildings or private
8 sites. For jaywalking, it's about 50/50 split
9 between mid-block versus intersection. And then you
10 asked about Denver and Virginia. Both Denver and
11 Virginia are actually seeing a rise in pedestrian
12 fatalities. Denver had the highest number of
13 pedestrian fatalities ever in 2023, and of course,
14 you know, we had our lowest. So, that's some
15 information on those places.

16 CHAIRPERSON BROOKS-POWERS: Thanks so
17 much. We'll have some questions to follow up with I'm
18 sure. Thank you for your testimony. Next, we'll go
19 to the public comment portion of this hearing. I
20 remind members of the public that this is a
21 government proceeding, and that decorum shall be
22 observed at all times. As such, members of the
23 public shall remain silent at all times. The witness
24 table is reserved for people who wish to testify. No
25 video recording or photography is allowed from the

2 witness table. Further, members of the public may
3 not present audio or video recordings as testimony,
4 but may submit transcripts of such recordings to the
5 Sergeant at Arms for inclusion in the hearing record.

6 If you wish to speak at today's hearing, please fill
7 out an appearance card with the Sergeant at Arms and
8 wait to be recognized. When recognized you will have
9 two minutes to speak on today's hearing topics:

10 oversight, intersections, sidewalks, and pedestrian
11 safety. This will focus on Introduction 79,

12 Introduction 95, Introduction 103, Introduction 104,

13 Introduction 144, Introduction 301, Introduction 346,

14 Introduction 468, Introduction 504, Introduction 542,

15 Introduction 663, Introduction 745, Introduction 746,

16 Introduction 773. If you have a written statement or

17 additional written testimony you wish to submit for

18 the record, please provide a copy of that testimony

19 to the Sergeant at Arms. You may also email written

20 testimony to testimony@council.nyc.gov within 72

21 hours of this hearing. Audio and video recordings

22 will not be accepted. Now, we will call the first

23 panel. Elizabeth Adams, Natalie Peeples, Robin

24 Fischer, and I apologize if I mess it up-- maybe

2 Felsher, Felsher, sorry. William Medina and Mathew
3 Choi. You may begin.

4 ELIZABETH ADAMS: Hi, good afternoon.
5 Thank you, Chair, and to the Committee for today's
6 hearing. I'm Elizabeth Adams, Interim Co-Executive
7 Director at Transportation Alternatives. Almost
8 every New Yorker is a pedestrian, and everyone
9 deserves safe, sustainable, and healthy streets.
10 Investing in pedestrian safety makes our streetscape
11 a safer and more pleasant place to spend time for
12 all, whether someone is commuting to work, walking to
13 their doctor's appointment or spending time with
14 family and loved ones in pedestrian plaza. As we
15 enter the 10th year of Vision Zero, it is time for
16 the City to make serious urgent investments in
17 pedestrian infrastructure and make New York the most
18 walkable city in the world. Safe infrastructure
19 means daylighting every intersection. Hardened
20 infrastructure measures talked about today like
21 raised crosswalks and bollards, and dedicating more
22 sidewalk and streetscapes overall for pedestrians to
23 move around safely. People with various mobility
24 needs and across ages deserve a streetscape that
25 prioritizes their needs and their wellbeing. We

2 support the following pieces of legislation that
3 improve pedestrian safety fully laid out in our
4 written testimony submitted, but first I want to
5 specifically call out the importance of Council
6 Member Narcisse's bill Intro 346, and I have to say
7 I'm extremely disappointed to hear the DOT put blame
8 on pedestrians in this matter. Jaywalking has no
9 business being criminalized in New York City in 2024.
10 Most every New Yorker jaywalks regularly, certainly
11 more than 450 or the summons cited, but enforcement
12 disproportionately overwhelmingly and unfairly
13 targets Black and Brown New Yorkers, over 90 percent.
14 TA wholeheartedly supports this bill which would de-
15 criminalize jaywalking, and it is time to take this
16 outdated policy off the books. In addition, we support
17 Intro 144, Intro 79, and 301, 504, 745, 746, and
18 really appreciate the discussion being held here
19 today. And then lastly, we oppose 103 and 104 which
20 would add bureaucratic barriers to critical safety
21 infrastructure. Thank you so much.

22 CHAIRPERSON BROOKS-POWERS: Thank you.

23 Next. Turn on the mic, please.

24 NATALIE PEEPLES: Thank you. Thank you
25 for this opportunity to speak. My name is Natalie

2 Peeples. I am the Director of Youth Justice Policy
3 and Training at the Juvenile Rights practice at the
4 Legal Aid Society. We heard at the beginning of this
5 hearing from Council Member Narcisse about the
6 statistics related to jaywalking and the ticketing of
7 jaywalking and its disproportionality. What I want
8 to talk a little bit about is about a population
9 that's dear to my heart which are our kids. In 2023,
10 there are statistics that are amiable on Open Data
11 that shows that Youth, Children, so people under the
12 age of 18 that were ticketed for jaywalking, 80
13 percent of them were Black. Now, there was a study
14 that was published in 2022 in the Journal of
15 Developmental Psychology, and it was studying police
16 stops and its impact on youth, and it found that
17 adolescents who were stopped by the police reported
18 more disengagement at school and enhanced
19 psychological distress. Now, free and open streets
20 should be a right for all New Yorkers regardless of
21 the color of their skin, and that's not what's
22 happening here in our city. I walked from my office
23 over here, and I lost count at about 10, the number
24 of people who were jaywalking. The kids I work with
25 see this happening in other parts of the City. They

2 see people who don't look like them who are allowed
3 to jaywalk and who do not get ticketed. As I said,
4 free and open streets should be available for
5 everybody regardless of the color of their skin.
6 Thank you.

7 CHAIRPERSON BROOKS-POWERS: Thank you.
8 Next? Please turn on the mic. Press the button.

9 ROBIN FELSHER: Thank you. Thank you,
10 Chairperson Brooks-Powers, the Committee and other
11 council persons who are serving New York. We really
12 appreciate your service. My name is Robin Felsher. I
13 am a member of Families for Safe Streets, and I'm
14 here today for the first time at a City Council
15 hearing to one, speak on the pedestrian public safety
16 emergency we're experiencing, and two, to urge the
17 Council to take concrete steps to protect
18 pedestrians. I'm also here on behalf of myself, my
19 beloved wife of 12 years Lori Clineman [sp?], 76, who
20 was hit at about 6:45 p.m. on October 3rd by a
21 mammoth SUV that was being driven by an Uber driver.
22 Lori had the green light and was in the middle of a
23 crosswalk on Greenwich Avenue in front of our home
24 when the driver failed to yield and struck her. She
25 died the next day at Bellevue Medical Center from

2 severe brain trauma. I've not been told since then
3 that there had been any criminal consequences for the
4 driver as a result of this horrific crash. My life
5 has been totally upended as a result of Lori's death.
6 As a member of families for safe streets, I have met
7 many families whose loved ones have been injured or
8 killed by vehicles. I know for sure that these
9 senseless deaths and injuries could have been
10 prevented. Pedestrian safety improvements make our
11 streets safer for every single road user. Raised
12 crosswalks at intersections and speed-reducers near
13 schools are critical infrastructure that will save
14 lives. Bollards, too, are important protection for
15 pedestrians and should be required at sidewalks, curb
16 extensions, and pedestrian ramps. It is also very
17 important to me that we decriminalize jaywalking.
18 Most New Yorkers jaywalk regularly, but enforcement
19 disproportionately, overwhelmingly and unfairly
20 targets Black and Brown New Yorkers. In 2022, 84
21 percent of jaywalking tickets went to Black and Brown
22 New Yorkers. We deserve a city that makes it safe to
23 travel on our sidewalks and streets, no matter what
24 transportation we use. You have the power to make
25 the changes needed to prevent crashes like the one

2 that happened to my wife and the loved ones of so
3 many other members of Families for Safe Streets.

4 CHAIRPERSON BROOKS-POWERS: Thank you.
5 Next? No, you, Mr. Medina.

6 WILLIAM MEDINA: Good afternoon. Thank
7 you to Council Member Brooks-Powers, Chair of the
8 Committee on Transportation and Infrastructure, and
9 all the member of this committee for the opportunity
10 to testify on behalf of the Worker's Justice Project
11 [inaudible]. My name is William Medina. I'm a
12 deliverista [sic] with Uber Eats, member of Workers
13 Justice Project, and leader of Deliveristas Unidos to
14 fight for better workplace conditions for a base
15 delivery worker in the gig economy. We are grateful
16 to testify today in support of a number of
17 legislative proposals that will make our city safer
18 for pedestrian, bike riders, and deliveristas. As a
19 delivery worker I work on the front lines delivering
20 food and essential goods to New Yorkers who rely on
21 us to stay home safe. We work as independent
22 contractors for multibillion dollar delivery
23 companies who are continually pressuring us to do
24 this job faster without regard to our safety. As
25 more and more worker depend on e-micromobility

2 devices to work or get to work. There is a need to
3 build a better infrastructure that keeps e-bike
4 working cyclists and pedestrians safe. We strongly
5 support Int. 0144, 0079, 0095 which will improve the
6 safety of pedestrian and e-bike riders. As
7 deliveristas, we deeply care about the safety of
8 pedestrian, and we are looking for work to work with
9 New York City Council to deliver a comprehensive
10 approach to safety, one that prioritizes education,
11 collaboration, and empowerment greater than punitive
12 measures. Our city has an infrastructure crisis that
13 does not meet the new reality of working class New
14 Yorkers-- new workers [sic]. At Los Deliveristas
15 Unidos, we are looking for work to working together
16 to make the streets safe for pedestrian, e-bike
17 rider, and all New Yorkers. We're ready to partner
18 with New York City Council to delivery safety
19 education, resign [sic] our sidewalks, and expand
20 bike protected bike lanes, and make accessible and
21 affordable to transition to e-micromobility devices.
22 Thank you all Council Members for your support, and
23 we're ready to empower our community and protect
24 everyone in our streets. Thank you for your time and
25 consideration.

2 CHAIRPERSON BROOKS-POWERS: Thank you.

3 Next?

4 MATTHEW CHOI: Thank you, Chair. I just
5 want to thank Robin for that powerful testimony as
6 well. My name is Matthew Choi. I'm testifying on
7 behalf of Open Plans. Our mission is promote a
8 people-first street culture and safe public streets
9 are critical to that mission. In that spirit, we
10 support a number of the bills on the slate today with
11 the notable exception of 103 and 104 which we
12 strongly oppose. I do, however, want to call out
13 support of Intro 95 in particular. Our group has
14 been helping public schools across the city enroll in
15 School Streets programming. We consistently hear
16 from those partners about struggles to hire crossing
17 guards and about dangerous traffic conditions around
18 schools. Of the 70 children killed in the Vision
19 Zero era while walking or biking, a third of them
20 have been killed on their way to or from schools.
21 These tragedies are completely preventable. While we
22 think raised crosswalks and speedbumps are essential
23 tools in making streets safer for kids, these are one
24 solution in a wide-ranging toolkit, and as we heard
25 from the Department, they cannot be installed

2 everywhere. We would love a holistic study inclusive
3 of raised crosswalks, bollards, curb bumps,
4 daylighting, car-free school streets, speed limits,
5 and better lighting and signaling. Many of these
6 measures have actually been addressed piecemeal in
7 other legislation and other DOT efforts, some of
8 which have been discussed at this session. We also
9 know a study is not the same as implementation.
10 We're very heartened by the commitment to
11 intersection safety, but we're pushing to quicken the
12 pace of improvements. In this spirit, we strongly
13 oppose 103 and 104 as we did at the December 4th,
14 2023 hearing. These bills would be barriers to
15 changes, and they would cement parking in our view as
16 the default view of the curb, when we really should
17 be transitioning into making our curb work for all
18 users, not just those with cars. As DOT is trying
19 and struggling, frankly, to implement its curb
20 management action plan, it's already struggling to
21 meet the mandates in the Streets Plan, we think these
22 requirements would serve as a major impediment. We
23 also oppose Intro 103, as we heard DOT already
24 consults with FDNY and first responders on its
25 projects. The rise in emergency response times goes

2 hand-in-hand with the rise of the number of private
3 cars on our streets. Blaming this on a lack of
4 parking spaces or corner planters is misguided.
5 Further detail on our opposition and support of
6 various bills is in our written testimony. Thank you
7 very much.

8 CHAIRPERSON BROOKS-POWERS: Thank you.
9 And I appreciate everyone's testimony. We're about
10 to go to those who are online to testify. I will say
11 the bill in particular that talks about engaging the
12 FDNY, we've seen and heard firsthand from our local
13 firehouses, particularly in Rockaway, where there
14 have been modifications to the landscape of our
15 roads, and they have as a result delayed response
16 times because of that. So, while DOT may currently
17 work in tandem at headquarters, that is not trickling
18 down currently in a way that ensures that everyone is
19 safe, and that includes whether it's a crash, whether
20 it's a heart attack or a stroke. I literally have
21 videos sitting on the block of my office where the
22 fire truck cannot get through. And they have made
23 modifications, and it's not only limited to the bike
24 lanes and things like, because quite honestly it's
25 the construction, too. Because when I first got

2 elected there was construction happening and there
3 was no coordination with the local firehouses, and
4 that's dangerous. So, I hear you, but at the end of
5 the day, I think we have to be responsible and we
6 have to find a way to work together to make sure it's
7 not just bureaucratic, but to make sure at the same
8 time that emergency personnel can get to people when
9 they need to. Next, we'll hear from Glen Bolofsky as
10 well as-- followed by Eric McClure and followed by
11 Diana Maeurer. Glen, you can start.

12 SERGEANT AT ARMS: You may begin. Glen,
13 you're unmuted. I guess we'll come back.

14 CHAIRPERSON BROOKS-POWERS: Next, we'll
15 hear from Eric McClure.

16 SERGEANT AT ARMS: You may begin.

17 ERIC MCCLURE: Good afternoon Madam
18 Chair. Thank you for the opportunity to testify. My
19 name is Eric McClure. I am the Executive Director of
20 StreetsPAC. I hope you'll indulge me if I go a
21 little long, because there's a lot of legislation
22 under consideration today. Pedestrian safety,
23 especially at intersections and on sidewalks is a
24 critical issue. Even in 2023, a relatively safe year,
25 more than 100 New Yorkers were killed by drivers

2 while walking with many of those fatalities occurring
3 in or near crosswalks. And while last year saw some
4 of the lowest totals for pedestrian deaths on record,
5 it was an unusually deadly year for people in bikes
6 with many of those fatalities happening in or near
7 intersections. The bottom line is that we need to do
8 better as a City in protecting vulnerable street
9 users. We need to continue slowing common vehicular
10 traffic with the passage of Sammy's [sic] Law earlier
11 this year. That should help. We need to continue
12 investing in street designs that improve safety,
13 including getting the City on track to meet the
14 benchmarks set by the Streets Plan, adhering to state
15 law that mandates daylighting at intersections and
16 making additional investments in life-saving
17 infrastructure like curb extensions, bollards,
18 concrete pedestrian refuges, and hardened protected
19 bike lanes. All these steps and many more are
20 necessary if Vision Zero is ever going to be more
21 than a slogan. As the North American city with the
22 best public transit system and one of the most robust
23 cycling networks, we must continue to get people out
24 of cars, make walking and biking safe, and put
25 preserving lives above all else. As to the

2 legislation under consideration today, Intro 746 we
3 support. That would require the City to improve paved
4 medians by planting vegetation or adding storm water
5 management infrastructure. The City should certainly
6 do more to increase greenery, reduce heat island
7 effects, and minimize run-off. We also need to make
8 sure that we're providing the Parks Department with
9 sufficient resources to install and maintain
10 planning's. Intro 663 we support. New York City--
11 while we support free speech and understand its
12 implications regarding news, there's no reason that
13 in 2024 New York City can't better regulate news
14 racks. With sidewalks facing a premium in the City,
15 news racks should be orderly well-maintained. Intro
16 346 we support with qualification. Intro 346, we
17 should decriminalize jaywalking, a construct of the
18 advent of the motoring--

19 SERGEANT AT ARMS: [interposing] Your time
20 is expired.

21 ERIC MCCLURE: [inaudible] of the
22 automobile we support with qualification. It's often
23 safer for pedestrians to cross streets mid-block away
24 from the turning movements that so often are the
25 cause of injury and death, and the existing

2 prohibition on crossing outside of the crosswalks is
3 not applied remotely equitably with the vast majority
4 of jaywalking tickets issued to people of color.

5 However, we have concern with the language in the
6 bill that advises pedestrians to yield when crossing
7 mid-block, rather than requirement to yield which
8 would likely reduce unsafe conflict. For the
9 remainder of the legislation, Intro 79 we support in
10 concept. We're not sure about the lighting levels or
11 the extent of the need for the sidewalk lighting
12 outlined in the legislation. Intro 95 we also
13 support in concept although we don't think it's
14 necessary to have a study. These things are things
15 that the City should just do. Same goes for Intro
16 144 for bollard installation--

17 CHAIRPERSON BROOKS-POWERS: [interposing]
18 Just going to-- sorry, Eric--

19 SERGEANT AT ARMS: [interposing] Your time
20 is expired.

21 CHAIRPERSON BROOKS-POWERS: I'm just
22 going to ask if you could-- if you don't mind
23 wrapping it up and then put the rest in writing to
24 me.

2 ERIC MCCLURE: Sure. Just to wrap up.

3 We also join our other colleagues who've testified in
4 strongly opposing Intros 103 and 104 which we believe
5 are really just designed to hamstring projects like
6 bike lanes and open street applications. We will
7 submit more detailed responses in our written
8 testimony. Thank you, Chair.

9 CHAIRPERSON BROOKS-POWERS: Thank you,
10 Eric. I just want to make sure that we have not
11 missed anyone online or in the room. Online we have
12 listed Kelly Carol [sp?], Vanessa De La Osa [sp?],
13 Dashiel Cane [sp?], Sara Lind [sp?], Alejandro
14 Grajales [sp?], Fay Hill [sp?], Diana Maeurer.
15 Diana, are you on?

16 DIANA MAEURER: Yes. Can you hear me?

17 CHAIRPERSON BROOKS-POWERS: We can now.

18 DIANA MAEURER: Oh, okay, thank you.

19 I'm-- my name is Diana Maeurer. I'm speaking about
20 the new proposals put forward by Council Member Eric
21 Bottcher regarding the news rack situation. This is
22 an issue that I've been railing about since like I
23 think 1999. In the new-- and I appreciate that
24 Council Member Bottcher is looking into the
25 situation. He says he-- some people don't think it's

2 important. I still think it is. one of the things
3 is listed is-- and some of the other people on the
4 panel spoke to it, that it would-- they said it would
5 be easier as far as DOT if the boxes were, you know,
6 identified with the publication's name, their
7 address, their phone number, their email and all that
8 stuff. This was passed in 2003. That is 21 years
9 ago where those boxes were required to be identified
10 so that they could be reported either by the public
11 or DOT or whoever. It's a sticker. It hasn't been
12 done. It's being put on here again why it's already
13 part of the current regulations, and like I said,
14 that was issued 21 years ago in 2003. As far as the
15 maintenance goes, they're terrible. People complain
16 about garbage. I want to mention that last-- I've
17 seen it twice, but one time last year I was with
18 actually a business owner here on 7th Avenue. In
19 addition to garbage, these boxes are now being used
20 as-- and who knows for how long-- being used as drug
21 drop-off points. We were standing outside. This
22 super hot vehicle comes racing up 7th Avenue-- down
23 7th Avenue. A guy jumps out of the driver seat, opens
24 up the box, pulls out a brown paper bag, jumps back

2 in the car, and speeds off. We were both standing
3 there looking at each other like--

4 CHAIRPERSON BROOKS-POWERS: [interposing]
5 Thank you. I'm sorry, I'm going ask you to wrap up
6 please.

7 DIANA MAUERER: And I just want-- as far
8 as maintenance goes, I feel that the publications
9 should-- they should pay for use of the sidewalk
10 space. We're charging our restaurants to use
11 sidewalk space. Free speech does not mean free
12 space, and I think they should pay for the privilege
13 of using public space. Thank you very much.

14 CHAIRPERSON BROOKS-POWERS: Thank you,
15 Diana. Next, we will hear from Glen Bolofsky
16 followed by Alan Mooiman.

17 SERGEANT AT ARMS: You may begin.

18 GLEN BOLOFSKY: Good afternoon. Good
19 afternoon, Madam Chair. Can everyone hear me today?

20 SERGEANT AT ARMS: We can hear you.

21 GLEN BOLOFSKY: Good afternoon. Can
22 everyone hear me today?

23 CHAIRPERSON BROOKS-POWERS: Yes, we can
24 hear you.

2 GLEN BOLOFKSY: Thank you so much. Thank
3 you so much. I want to compliment the Chair, the
4 staff, and the district staff as well, because
5 there's just an immense amount of legislation here
6 today. I think I counted 14 items which is just a
7 very large amount of scope. And our teams as well as
8 the disability community supports all of these
9 legislative items. We want to see progress. This
10 represents progress, and I want to thank the Chair
11 and the team for getting it done. Thank you for
12 getting it done.

13 CHAIRPERSON BROOKS-POWERS: Thank you,
14 Glen. Good to see you. Next we will hear from Alan
15 Mooiman.

16 SERGEANT AT ARMS: You may begin.

17 ALAN MOOIMAN: Thank you. Hi, I'm a
18 resident of Brooklyn. I want to just reiterate what
19 past speakers have said in favor of most of these,
20 especially 346 for jaywalking, 144 and 195. I am
21 strongly opposed to 103 and 104. They are as others
22 have said just designed to slow down the process of
23 improving safety in our streets and continue to
24 promote our car-centric city. While I'm keeping
25 around those, around fire safety, I want to remind

2 the Council that building codes have continued to
3 improve in recent years, yet streets have gotten
4 wider at the request of Fire Departments. We need to
5 make sure that we're taking a sensible approach to
6 street safety and being holistic about public safety
7 overall, and not favoring fire safety in exchange for
8 more and more traffic deaths we've seen to continue
9 to rise over the last, you know, many years. Thank
10 you so much.

11 CHAIRPERSON BROOKS-POWERS: Thank you.

12 And with that, if we have not missed anyone here in
13 the Chamber-- with that, we thank everybody who
14 testified today. It was a long list of bills, but
15 they were really important bills. I thank everyone
16 for taking their time to express their support or
17 opposition of all of these bills. And with that,
18 this meeting is adjourned. Thank you.

19 [gavel]

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date July 29, 2024