

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON TRANSPORTATION

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January 12, 2021
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HELD AT: Remote Hearing (Virtual Room 1)

B E F O R E: Ydanis Rodriguez
CHAIRPERSON

COUNCIL MEMBERS:
Fernando Cabrera
Chaim Deutsch
R. Diaz, Sr.
Robert Holden
Peter Koo
Stephen Levin
March Levine
Carlos Menchaca
I. Daneek Miller
Antonio Reynoso
Debbie Rose

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

Margaret Forgione, Commissioner
Department of Transportation

Eric Beaton, Deputy Commissioner for
Transportation Planning and Management
Department of Transportation

Rebecca Zack, Assistant Commissioner for
Intergovernmental Affairs
Department of Transportation

Kim Royster, Chief of Transportation
New York Police Department

Michael Pilecki, Deputy Chief
New York Police Department

John Castelli, Deputy Commissioner for
Legislative Affairs
OATH

Michael Clark, Legislative Affairs
New York Police Department

Marco Cannon DiAquoi, Deputy Director
Transportation Alternatives

Jon Orcutt
Bike New York

Sean Adair, member
Families for Safe Streets

Melody Bryant, member
Families for Safe Streets

Axel Carrion, Vice President for State
Governmental and Public Affairs
UPS

Rocco Lacertosa, Chief Executive Officer
New York State Energy Coalition (NYSEC)

Eric McClure, Executive Director
Streets PAC

Glenn Bolofsky, New York City Resident

Paul Scheiber, New York City Resident

Michael Dunn, New York City Resident

Hannah Carlin, New York City Resident

Iain Robertson, New York City Resident

Kyle Guske, New York City Resident

Dimitris Koutoumbas, New York City
Resident

Lucia Dame, New York City Resident

Bill Feinberg, New York City Resident

Jeff Novich, New York City Resident

Ryan Frank, New York City Resident

Jana Leo de Blas, New York City Resident

2 SERGEANT-AT-ARMS: Sergeants, can you start
3 your recordings, please?

4 SERGEANT-AT-ARMS: PC recording underway.

5 SERGEANT-AT-ARMS: Sergeant Bradley, can
6 you give the opening, please?

7 SERGEANT-AT-ARMS: Okay. Good morning and
8 welcome to today's New York City Council hearing of
9 the Committee on Transportation. At this time, will
10 all panelists please turn on their videos? To
11 minimize disruption, please place electronic devices
12 on vibrate or silent mode. If you wish to submit a
13 testimony, you may do so at
14 testimony@council.nyc.gov. Again, that is
15 testimony@council.nyc.gov. Thank you for your
16 cooperation. We are ready to begin, Chair.

17 CHAIRPERSON RODRIGUEZ: Thank you,
18 Sergeants. Good morning, everyone. Before I get
19 into the topic that we have in this hearing today, I
20 would like to say my prayer to everyone, especially
21 the police officer who was killed in the capital in
22 the last couple of days and I hope, again, that all
23 law enforcement throughout the whole nation are
24 taking all the necessary measures to be sure that
25 everyone is safe, especially after the API discovery

2 plan to the potential attack in some capital
3 buildings throughout the whole nation. So, I know
4 that this is a tough moment that we are living in and
5 I know that, at the end of the day, people should be
6 responsible for these terrorist attacks, again,
7 promoted by fake news of President Trump and former
8 Mayor Giuliani. And I would also like to thank the
9 police commissioner for taking all the necessary
10 measures to do all the investigations to find out if
11 any police officer has any participation with a
12 terrorist attack that happened in the city a few days
13 ago.

14 Good morning and thank you all for
15 joining the Committee on Transportation's virtual
16 hearing today on illegal parking and bike lanes. We
17 will be also hearing a related bill, Intro 2159,
18 introduced by Council member Levin and Speaker
19 Johnson. First, I'm going to turn it over to the
20 committee counsel to go over some procedural items.

21 COMMITTEE COUNSEL: Thank you, Chair.
22 I am Elliot Lin, counsel to the Transportation
23 Committee of the New York City Council. Before we
24 begin, I want to remind everyone that you will be on
25 mute until you are called on to testify when you will

2 be on muted by the host. Please listen for your name
3 to be called. I will be periodically announcing who
4 the next panelist will be. The first panelist will
5 be from the administration rubbed the Department of
6 Transportation, acting Commissioner Margaret
7 Forgione, Deputy Commissioner for transportation
8 management, Eric Beaton, and assistant commissioner
9 for intergovernmental and community affairs, but
10 Rebecca Zach. From the NYPD, chief of transportation
11 [inaudible 00:03:32], and deputy chief Michael
12 Pilecki. And from Oath, Deputy Commissioner for
13 legislative affairs, John Castelli. During the
14 hearing, have Council members would like to ask a
15 question, please use the zoom raise hand function as
16 the Chair or I will call on you in order. We will be
17 limiting Council member questions to five minutes,
18 including answers. Please also note that, for ease
19 of this virtual hearing, we will not be allowing the
20 second round of questioning. Chair Rodriguez?

21 CHAIRPERSON RODRIGUEZ: Thank you. Thank
22 you, Elliott. Good morning everyone. Today, the
23 Committee and Transportation convenes remotely to
24 hold this important hearing on illegal parking and
25 bike lanes. We will also be hearing Intro number

2 2159, a bill in relation to hazardous obstructions by
3 vehicles and civilian complaints to the DOT for
4 hazardous obstructions violations. In 2014, the de
5 Blasio administration instituted Vision Zero, a
6 citywide initiative to improve the safety of all
7 these streets. Everyone knows that this policy is
8 following a worldwide initiative and is dedicated to
9 save lives. As part of an effort to combat
10 preventable traffic violence, the initiative has
11 included expanding enforcement against reckless and
12 dangerous drivers, implementing new street designs
13 and configurations, enhancing public outreach and
14 communication, and implementing a number of pieces of
15 legislation to increase penalties for dangerous
16 drivers. Today, I look forward to hearing from the
17 DOT administration in regard to the illegal parking,
18 including delivery trucks and how they all contribute
19 to the city's congestion. We have certainly made
20 progress addressing pedestrian cyclists and
21 motorists' deaths. Since 1920-- So, since 1920,
22 traffic fatalities in New York City have fallen from
23 701 deaths in 1990 to an all-time low of 20-- 202
24 deaths in 2018. In addition, traffic deaths have
25 fallen by a third since a year before Vision Zero

2 began. Although these results are encouraging, the
3 past two years have seen a market increase in the
4 number of traffic fatalities. In 2020, at least 243
5 people died due to the traffic crashes, marking the
6 deadliest year since the implementation of Vision
7 Zero. For a nearly two months during the Covid 19
8 pandemic, there were zero pedestrian fatalities in
9 New York City, however, as the vehicles returned,
10 this trend quickly reversed with increases in
11 overnight motorist and motorcycle deaths in a
12 nationwide increase and in speeding that began when
13 the streets were empty due to the pandemic and
14 subsequent show lockdowns. Although the Mayor
15 maintained that Vision Zero has been affected, the
16 reasons that this has begun to tell us. That we have
17 to continue working harder to make Vision Zero a
18 reality. DOT parking regulation determines where
19 vehicles can stand and park throughout the city,
20 however-- and this is important-- parking
21 enforcement is the sole responsibility of the NYPD
22 and they are responsible for actually administering
23 parking tickets. With our enforcement, parking
24 regulations alone will not address the problem.
25 Illegal parking is, in the city, serious safety

2 hazard for all New Yorkers, especially cyclists and
3 pedestrians. There have been numerous recent
4 instances of pedestrians, cyclists, and drivers being
5 killed or injured due to illegal parking. This is
6 something that needs to be addressed, especially in
7 [inaudible 00:08:10] of the increase in fatalities
8 over the past two years. In addition to legally
9 parked vehicles, we also know that, in many
10 communities, delivery vehicles of also been seen
11 obstructing bike lanes and bus lanes. I would like
12 to hear from DOT any plan they might have to ensure
13 that we are minimizing the impact of these vehicles
14 on pedestrians and cyclists, as well. During today's
15 hearing, the committee will look to learn more from
16 DOT about their efforts to reduce illegal bike lane
17 obstructions and, ultimately, to reduce traffic
18 fatalities and injuries. In addition, Intro 2159 by
19 Council member Levin and the Speaker will be heard.
20 The bill will create a penalty for passenger
21 obstructions by vehicles and require DOT to create a
22 civilian reporting program for such violations.
23 Council member Levin has an early commitment but will
24 give remarks on his bill when he joins us. Before we
25 hear from the administration, I will now have our

2 moderator and committee counsel recognize the members
3 and attendance with us today to call on the
4 administration to testify and administer the oath.
5 And, of course, I would like to welcome our new DOT
6 Commissioner Margaret Forgione, someone that I have
7 the honor to be working with her for so many years
8 before she took unto the leadership of DOT. Thank
9 you.

10 COMMITTEE COUNSEL: Thank you, Chair.
11 I'd first like to acknowledge that we've been joined
12 by Council members Diaz, Rose, Koo, Menchaca,
13 Cabrera, Deutsch, Miller, and Holden. I'll now call
14 on the following members of the administration to
15 testify. Margaret Forgione, Eric Beaton, Rebecca
16 Zack, Kim Royster, Michael Pilecki, and John
17 Castelli. I will now read the affirmation and then I
18 will call on each of you to confirm your response
19 aloud for the record. If you could please raise your
20 right hand. Do you affirm to tell the truth, the
21 whole truth, and nothing but the truth in your
22 testimony before this committee and to respond
23 honestly to Council member questions? Commissioner
24 Forgione?

25 COMMISSIONER FORGIONE: Yes.

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2 COMMITTEE COUNSEL: Deputy Commissioner

3 Beaton?

4 DEPUTY COMMISSIONER BEATON: Yes.

5 COMMITTEE COUNSEL: Assistant

6 Commissioner Zack?

7 ASSISTANT COMMISSIONER ZACK: Yes.

8 COMMITTEE COUNSEL: Chief Royster?

9 CHIEF ROYSTER: Yes.

10 COMMITTEE COUNSEL: Deputy Chief

11 Pilecki?

12 DEPUTY CHIEF PILECKI: Yes.

13 COMMITTEE COUNSEL: Deputy Commissioner

14 Castelli?

15 DEPUTY COMMISSIONER CASTELLI: Yes.

16 MICHAEL CLARK: And Michael Clark from

17 legislative affairs. Yes.

18 COMMITTEE COUNSEL: Thank you, Michael.

19 You may begin your testimony when ready.

20 COMMISSIONER FORGIONE: Thank you. Good

21 morning, Chair Rodriguez, and members of the

22 Transportation Committee. I am Margaret Forgione,

23 acting Commissioner of the Department of

24 Transportation. I joined by Eric Beaton, Deputy

25 Commissioner for Transportation Planning and

2 Management and Rebecca Zack, assistant commissioner
3 for intergovernmental and community affairs. On the
4 topic of enforcement, we are also joined by NYPD

5 chief of transportation, Kim Royster. And we are
6 joined by John Castelli, OATH's Deputy Commissioner
7 for legislative affairs. Thank you for the

8 opportunity to testify today on behalf of Mayor de
9 Blasio on illegal parking and bike lanes as well as
10 Intro 2159. First, let me say that I am incredibly

11 honored to have the opportunity to serve as DOT
12 acting Commissioner. I believe so strongly in this
13 agency and what we are capable of accomplishing.

14 Throughout my years here, I have been impressed each
15 and every day by our teams unfailing dedication to
16 this city. I look forward to leading the agency

17 during this time under the Mayor's leadership and
18 working with you, Chair Rodriguez, and the whole
19 Council, as we continue our critical work and help

20 New York City recover from this challenging year. I
21 also want to thank Commissioner Trottenberg for her
22 leadership over the past seven years. We were lucky

23 to have had someone at the helm with her vision,

24 passion for improving transportation options across

25 the five boroughs, and deep expertise and together we

2 accomplished so much during her tenure. I know the
3 whole department wishes for all the best in her
4 future endeavors. Before discussing the legislation
5 in front of the city Council today, I want to
6 acknowledge that 2020 was a difficult year for our
7 city and country and we all know the road ahead is
8 challenging. The pandemic took lives of far too many
9 New Yorkers, brought on an economic fallout that
10 forced businesses to close, and put many New Yorkers
11 out of work. As Chair Rodriguez just stated, it was
12 a very challenging year also for Vision Zero. During
13 the unprecedented events of 2020, drivers across the
14 city took advantage of emptier streets to speak
15 recklessly, a phenomenon reported nationwide.
16 Unfortunately, this trend in speeding had deadly
17 consequences and contributed to an increase in
18 motorcyclist and motor vehicle occupant fatalities,
19 including many late-night crashes with operators who
20 were inexperienced or unlicensed and too often
21 raising on our streets and unregistered vehicles. On
22 the other hand, 2020, fortunately, had record low
23 pedestrian deaths, including the longest. Without a
24 pedestrian fatality since we began tracking fatality
25 by mode in 1983. And while cyclist fatalities are

2 tragically still too high, the number held
3 effectively steady last year even as we saw a huge
4 increase in cyclists on our streets which translates
5 to fewer serious crashes per trip. I am proud we
6 continue keeping more vulnerable street users alive
7 and safe despite the significant operational
8 challenges posed by the pandemic and the resourced
9 constraints of the city's massive fiscal crisis. We
10 installed our highest number ever of new protected
11 bike lanes, 28.6 miles, and we continue to expand the
12 speed camera program, installing more speed cameras
13 in 2020 than in the first six years of the program
14 combined. With now over 1300 speed cameras active
15 across 750 school speed zones citywide. We also
16 reimagined our streets to meet the needs of the
17 moment. We created 83 miles of open streets to give
18 people more space to socially distance and get
19 outside. We established the Open Restaurants program
20 through which over 10,800 restaurants have set up
21 outdoors on the city's roadways and sidewalks. And
22 we installed a record number of new bus lines, 16.3
23 miles, to shorten commute times for the city's
24 essential workers, many of whom travel by bus.
25 Looking ahead, we will continue to follow the data in

2 our efforts to make the city streets safer. We will
3 combat increased speeding with tools that are proven
4 to be effective. Our latest speed camera report made
5 clear what we already knew: speed cameras save lives.
6 But in 2020, 36 percent of non-highway fatalities
7 occurred in school speed zones during hours when
8 cameras could not issue tickets, specifically
9 overnight and on weekends. We must leverage this
10 lifesaving technology to the greatest extent possible
11 and, as the Mayor announced, the city is calling on
12 the state to amend the speed camera law and allow us
13 to keep cameras on 24/7. And as the Mayor said, we
14 will have more to say soon on the aggressive
15 strategies that we are employing as we continue
16 expanding Vision Zero.

17 Now, turning to Intro 2159, co-sponsored
18 by Council member Levin and Speaker Johnson. This
19 bill could create a new hazardous parking violation
20 for obstructing a bike lane, bus lane, sidewalk,
21 crosswalk, or hydrant adjudicated at oath, as well as
22 a new citizen complaint system for these violations.
23 Compliance with our traffic and parking rules is
24 essential, whether by private, commercial, for hire,
25 or government vehicles. Otherwise, our streets

2 cannot effectively function properly for all street
3 users and safety, mobility, and emergency response
4 can all be negatively affected. So, we are always
5 open to exploring new models to enhance safety and
6 help our street designs function most effectively.
7 We support the intent and creativity of the bill, but
8 while it is an idea with understandable appeal, we
9 believe it would be of limited effectiveness in
10 ensuring compliance while requiring substantial
11 resources on the part of DOT and our sister agencies
12 to stand up and, therefore, oppose this legislation
13 as drafted. We also have significant concerns about
14 implementing such a program and it would take much
15 longer to do so than allowed for in the current bill.
16 First, we have significant concerns about the
17 potential that citizen enforcement could lead to
18 conflicts between motorists and citizen complainants.
19 For NYPD's TEA's, we know that despite the legal
20 protection and authority of the uniformed agents,
21 there are typically dozens of cases of assault filed
22 each year. Under this program, people who are not
23 perceived to have any authority would submit
24 complaints and we are concerned that this could lead
25 to many verbal and physical confrontations pitting

2 neighbor against neighbor causing personal conflicts
3 and safety risks. Second, most parking violations
4 are handled at the Parking Violations Bureau and we
5 believe that it is inadvisable to create a program
6 involving parking summonses that are adjudicated at
7 OATH, which could be difficult for the city to
8 collect and, thus, not cost effective. As drafted
9 and conceived, the bill raises legal and logistical
10 questions that need to be explored further. Third,
11 DOT is committed to a data-driven approach to all
12 things under Vision Zero, from our street improvement
13 projects to enforcement to education by focusing on
14 the locations and driver behaviors associated with
15 the most deaths and serious injuries. This approach
16 allows us to have the greatest impact and it builds
17 in more equity by making sure the benefits of Vision
18 Zero are not skewed to the communities that are the
19 loudest or have the most community capacity to
20 advocate for street safety. In contrast, we are
21 concerned that, while it would take very significant
22 up front effort for us to set this program up, the
23 program would have an uneven impact reaching some
24 neighborhoods more than others. As we know, the city
25 faces an ongoing budget crisis. We operate under

2 severe resource constraints will, at the same time,
3 stretching our capacity in every possible way. We
4 must respond to the traumatic evolution of our
5 streets amidst the ongoing pandemic while continuing
6 to address the urgency of eliminating traffic
7 fatalities and meet so many other demands on the
8 agency you. So we must prioritize our efforts
9 towards the most proven, effective, and promising
10 strategies and, regardless of the concerns we are
11 raising, this proposal Road requires staffing,
12 upfront IT investment, legal work to make rules and
13 evidence guidelines for multiple types of offenses,
14 as well as capacity and effort at OATH. All
15 requiring significant time to stand up. When it
16 comes to enforcement of our bike lanes and other
17 safety critical curb regulations, automated
18 enforcement using bike lane cameras could be a very
19 useful and powerful tool. As we called for in our
20 Green wave plan back in 2019, DOT is interested in
21 exploring the use applications and the possibility of
22 obtaining the necessary state authority to pilot
23 them.

24 In conclusion, I want to thank the
25 Council for the opportunity to testify before you

2 today. I look forward to working together during
3 this final year of the de Blasio administration in
4 your term as Transportation Chair, Council member
5 Rodriguez. I know together we will be effective
6 towards our shared goal of safety while building on
7 the transformative reimagining of our streets during
8 this unprecedented time. I would now be happy to
9 answer any questions.

10 CHAIRPERSON RODRIGUEZ: Thank you,
11 Commissioner. And it's a great honor, as I said
12 before, to be sharing these responsibilities both
13 with the [inaudible 00:19:55] my case, elected in
14 2009 and you working-- you know, being the
15 [inaudible 00:20:01] we're going to ending today
16 servicing in this capacity, so I know where your
17 heart is and I know that, for the next couple of
18 months, we still have a lot to do to address this
19 epidemic. And even though we have to eradicate and
20 we believe that New Yorkers and, as a country, we
21 have to the let the signs guide us when it comes to
22 the coronavirus and we need to believe that 2021 will
23 be the year to come back to a [inaudible 00:20:31]
24 and put the city back where we should be and we know
25 that we are dealing with that epidemic. However, we

2 have another epidemic which is the one related to the
3 numbers of pedestrians and cyclists, you know, being
4 killed every year. It's something that we, as a
5 city, addressing and putting a lot of tools in place.
6 However, looks like it is taken as to long for us to
7 be able to eradicate that culture that we inherited
8 of so many drivers committing hit-and-run, so many
9 drivers not realizing that the street doesn't belong
10 to them, that we have to share the street and not
11 recognizing that, for 8.6 million New Yorkers, only
12 1.4 million have vehicles. And more than 7 million
13 New Yorkers are walking every day and rely on public
14 transportation. So, I feel, again, that we need to
15 elevate, you know, our work to be sure that we have
16 addressed all areas that contribute to fatalities
17 from cyclists and pedestrians. So, one of those
18 groups that I wanted to get some feedback, some
19 information from you is about trucks and, in that
20 direction, I would like to ask you-- and, again, I'm
21 not saying the trucks are the ones that contribute to
22 a legal parking and, of course, illegal parking
23 affects the visibility of other people who are
24 driving behind, therefore, they can contribute to
25 crashes and I will-- and my approach is about

2 illegal parking overall. Any and that puts their
3 vehicles on the sidewalk, anyone who parks in the bus
4 lane-- but let me start looking and trying to dig
5 into trucks. Approximately how many delivery trucks
6 are operating around the city at any given time and
7 have we seen an increase in the last couple months?

8 COMMISSIONER FORGIONE: Yes. Thank you,
9 Chair Rodriguez, and we very much share your concerns
10 about illegal parking that impacts street users and
11 certainly trucks in particular. Prior to the
12 pandemic, we saw-- we don't have exact numbers on
13 the numbers of truck deliveries, but we do have
14 information. Prior to the pandemic, we saw about 60
15 percent of deliveries were for commercial
16 establishments and about 40 percent were residential.
17 Now, during Covid, we see about 80 percent of the
18 deliveries are residential with people staying at
19 home and less commercial activity we have
20 implemented-- and I will pass it off to Eric
21 Beaton, our deputy commissioner who's very deeply
22 involved in all of our truck initiatives, in a moment
23 to kind of elaborate further, but we are taking steps
24 to work directly-- when we have taken steps with the
25 truck industry, one recent example is our expansion

2 of our neighborhood loading zone program. This
3 program seeks to stop trucks and other vehicles such
4 as for hire vehicles, from double parking in travel
5 lanes, bike lanes, bus lines, by giving them
6 dedicated space at the curbside. So, we had started
7 this program a while back and, most recently, last
8 month we actually extended the number of spaces and
9 we are seeing some good success with that program.
10 We have also done targeted outreach to the truck
11 industry and we are continuing to expand on that.
12 Bellamy pass it off to Eric Beaton now who can give
13 you little more detail on our efforts.

14 CHAIRPERSON RODRIGUEZ: Thank you.

15 COMMISSIONER FORGIONE: Oh. Can we unmute
16 Eric Beaton?

17 DEPUTY COMMISSIONER BEATON: Thank you.

18 And thank you, Chair Rodriguez, for all of your words
19 and, Commissioner Forgione. And as the Commissioner
20 said, you know, we've been working very hard to work
21 with the truck industry because we have seen any
22 recent trucks, particularly in residential areas and
23 we that, on the one hand, they are providing a
24 tremendous service to New Yorkers, you know, where
25 people who may not want to go out or can't go out are

2 able to get food and other necessities delivered at
3 home and, you know, it is, in a lot of ways, I think,
4 allowing New York to continue to function throughout
5 this pandemic. But, on the other hand, means that we
6 are seeing or trucks in areas that we are not
7 necessarily that. But don't have commercial loading
8 zones and don't have places for trucks to legally get
9 to the curb. So, we are seeing a lot of double
10 parking and trucks where we don't want them, but that
11 is in part because we haven't created the space for
12 them. So, we want to sort of approach it from both
13 directions and we are working with NYPD and making
14 sure that there is robust enforcement out there, but
15 we also want to make sure that we are providing legal
16 opportunities for people to get to the curb. And
17 trying to make sure that there are neighborhood
18 losing zones and regular commercial loading zones.
19 We are providing for those opportunities.

20 CHAIRPERSON RODRIGUEZ: Okay.

21 DEPUTY COMMISSIONER BEATON: As the
22 Commissioner said, we have expanded those
23 neighborhood loading zones from a small pilot that
24 was started about a year ago. It is shown many
25 tremendous results in reducing double parking on our

2 streets and we think that most truck drivers are
3 trying to do the right thing and when we provide
4 legal space for them to get to the curb, we are
5 seeing them use it, even if they have to use a hand
6 truck to bring some of the boxes or deliveries part
7 of the way down the street. So, we want to continue
8 to work with the trucking industry and make sure that
9 people can get their deliveries. We want to continue
10 to provide space at the curb so that those deliveries
11 can happen legally and, working with the Police
12 Department, we want to make sure that, when anyone is
13 not following the rules, they are being appropriately
14 enforced against.

15 CHAIRPERSON RODRIGUEZ: Commissioner, does
16 a truck company-- or not company. The delivery
17 company such as Amazon, when they are adding these
18 much larger numbers of trucks to deliver, of course,
19 responding to the demand of New Yorkers that now has
20 been relying more on ordering online and expecting
21 that they will get the product on time, when they
22 place an order through a private sector such as
23 Amazon-- so it's not about blaming on them, but
24 would that increase what we have seen of more Amazon
25 vans and trucks throughout the five boroughs in the

2 last couple of months? Who has the numbers of how
3 many more trucks have Amazon registered to be used
4 for delivering a good in the city? And if that--
5 And if DOT has those members, what is been the
6 increase based on the numbers that you guys have?

7 COMMISSIONER FORGIONE: Yes, Chair. We do
8 not have the number of additional Amazon or other
9 delivery type vehicles specifically that have taken
10 place in the city during Covid times. You know,
11 maybe anecdotally NYPD Chief Royster might want to
12 add a little information to this discussion. You
13 know, what they are seeing out on the street. I
14 don't know if Chief Royster have--

15 CHAIRPERSON RODRIGUEZ: Before getting
16 information from them, who-- is it DOT? Who can
17 have that information?

18 COMMISSIONER FORGIONE: Well, the trucks
19 are all registered by their company with the state.
20 We don't have that information. You know, I suppose
21 we can-- we have good relationships with many of the
22 trucking companies. Were happy to talk with them and
23 try to solicit some more information on the increased
24 activity.

2 CHAIRPERSON RODRIGUEZ: So, based on,
3 again, the information every now, the city doesn't
4 have-- none of the agencies in the city-- you guys,
5 DOT, Consumer Affairs, is there any agency that
6 collects that information?

7 COMMISSIONER FORGIONE: Right. My
8 understanding is that we do not have any agency
9 within the city that does it. Again, because the
10 vehicles are registered with the DMV, that might be
11 the place for us to go to to get some tangible
12 information.

13 CHAIRPERSON RODRIGUEZ: Okay. I think that
14 that is one of those areas that we should definitely
15 look at it because it's like that with the mopeds
16 that Revel, even though in the beginning they were
17 saying that there was a lot of things that the city
18 couldn't do and, even, at some point we heard from
19 the city that we were limited because they were
20 registered under the Department of Motor Vehicles,
21 however, that day, and the particular case, they are,
22 you know, operating in the city of New York. So,
23 even though I get that Amazon, UPS, and all those
24 delivery company institutions, the vehicles are
25 registered under the DMV. However, the purpose of

2 their use in this case for delivering which is adding
3 congestion to the city of New York, this is something
4 that definitely I think that we as a city should
5 identify the mechanism that we should be able to now.
6 Not to rely on a state agency that says, can you give
7 us that information, but we, in the city of New York,
8 should be able to know and accurate time, how many of
9 those vehicles are those companies adding because
10 there is no doubt when I walk around, it can be in
11 wood. It can be Riverdale. In any place that you
12 get to see, it's like the new every day new Amazon
13 vans in the city of New York. So, that, for me, is
14 the trouble that we, as a city, we don't have
15 accurate information on when new vehicles are added
16 by those companies when they are contributing to
17 congestion, when they are contributing in the
18 environmental area contamination that we have in the
19 city, so I hope that, again, that is why I and if I
20 that area is one of those that we should definitely
21 close in the loop if we have the opportunity to make
22 any changes for the city to centralize and give us
23 information. On fines-- And probably NYPD will be
24 the ones that has the information. How many finds to
25 they tend to accumulate for illegal parking and do

2 you know how many of those parking finds or forgot
3 vehicles who were parked on bus lanes and bike lanes?

4 CHIEF ROYSTER: Good morning, Chair
5 Rodriguez.

6 CHAIRPERSON RODRIGUEZ: Good morning.

7 CHIEF ROYSTER: And to the
8 Transportation Committee, as well as Council members
9 that are here today. I'm Chief Royster, as
10 Commissioner Forgione mentioned. I'm grateful to be
11 here today and be afforded the opportunity to share
12 information with you. I was appointed to this
13 position in October of last year to the
14 Transportation Bureau and I grateful to serve the
15 city in this capacity. I believe the traffic safety
16 is an intricate part of Covid safety and I look
17 forward to listening to our communities, working with
18 the Council, as well as partying with our sister
19 agencies to make sure all New Yorkers are safe, as
20 you mentioned earlier in your presentation today.
21 When we start to look at the number of parking
22 summonses that were issued throughout the city, there
23 were, at least, 7 million parking summonses that were
24 issued in the year of 2020. However, when you start
25 to drill down and look at the number of parking

2 summonses that were issued to trucks, it was over 1
3 million parking summonses and over 25,000 moving
4 summonses which are for traffic violations in 2020.

5 CHAIRPERSON RODRIGUEZ: Do you know, from
6 that million fines that they got in 2020, how many of
7 those-- and, of course, I know that all is probably
8 an entity that, you know, deals with that parking
9 tickets, but how many of those million dollars ended
10 with the trucking or delivery company paying those
11 fines or how many are still pending or they are part
12 of the agreement that they pay a percentage of those
13 tickets?

14 CHIEF ROYSTER: So, unfortunately,
15 Chair, I wouldn't have that level of information as
16 it relates to the parking summonses that were issued.
17 I am not sure if our other agencies will.

18 MICHAEL CLARK: Yeah. The Department of
19 Finance is the one that collects that, so we don't
20 get reports of how much money is actually collected
21 for those million plus summonses that are issued.

22 CHAIRPERSON RODRIGUEZ: Okay. If you look
23 if you have that information, what is the number in
24 2020 compared to 2019? If we saw an increase or a
25 decrease?

2 CHIEF ROYSTER: So, yes. So, in 2019,
3 we had over 2 million summonses that were issued to
4 trucks. Parking summonses that were issued to trucks
5 which is a decrease four 2020 which is over 1 million
6 summonses that were issued to trucks. And in an
7 area of traffic violations there were over 35,000
8 summonses that were issued to trucks compared to
9 2020, which is a decrease in the number of 24,000.
10 Over 24,000.

11 CHAIRPERSON RODRIGUEZ: Okay. And, in
12 general, and besides including the truck that, as you
13 shared, the 7 million that we have for all illegal
14 parking vehicles and when you look at the general
15 number, that number in 2020 compared to 2019, can you
16 also share that number?

17 CHIEF ROYSTER: Sure. So, as we know in
18 2020, it was a challenging time for all of us
19 nationally, as well as within that department and
20 throughout the city. And we saw an 18 percent
21 decrease in parking enforcement throughout the city.
22 Before I actually get you the number, if you don't
23 mind, there were some challenges that we saw in the
24 city as it relates to parking enforcement. One,
25 traffic enforcement agents, we experienced a 20% sick

2 rate with our agents as a result of Covid. In
3 addition to that, or more importantly, I lost 10
4 traffic enforcement agents, as well as one tow truck
5 operator and my predecessor during the pandemic, so
6 that took a toll on our department, as well as the
7 Transportation Bureau. But in spite of everything
8 that we were going through, we still continued to
9 issue summonses in the area of parking enforcement,
10 so, just to let you know, one of the things that we
11 realized throughout the year, even though there was a
12 decrease, we saw in January and February, as we were
13 issuing parking summonses, we saw that that number
14 increased in 2020. However, when the pandemic hit
15 the city in March, we saw a gross decrease from March
16 throughout the entire year. So, it is clearly there
17 is a connection with the pandemic and what was going
18 on in the city as it relates to parking summonses. I
19 also know that my agents were reassigned to
20 hospitals, as well as testing areas to ensure traffic
21 flow and to make sure that it was fluid. We just
22 want to say that it is clear that the parking
23 enforcement that took place in the city was also
24 related to the changes that took place as far as
25 alternate side of the street parking which was

2 suspended in March, however, there was a change in
3 the actual rules in parking where it is now the
4 parking is-- alternate side is only on the last day
5 of the [inaudible 00:37:59]. So, with all of those
6 changes, there seems to be a connection in the
7 decrease in parking enforcement throughout the city.

8 MICHAEL CLARK: And if I could on one
9 thing, in addition of those factors, there was also a
10 noticeable decrease in cars on the road in April,
11 May, June. The data backs that up that, with a
12 significant decrease in the number of cars, there was
13 a decrease in the number parked illegally during that
14 time. So it does make sense that a lot of our
15 numbers on parking summonses would be down in 2020
16 versus 2019.

17 CHAIRPERSON RODRIGUEZ: And, Chief, what is
18 your take on the proposal on the ideas and
19 suggestions by Brooklyn borough president Eric Adams,
20 that in order for the city to have more men and women
21 in blue to be dedicated to fight crimes, NYPD should
22 know [inaudible 00:30:55] the men and women in
23 uniform to be responsible to go out and give tickets,
24 but that we should have another civil part of the
25 NYPD or other entities be responsible to go after the

2 illegal parking not necessarily the men and women of
3 uniform to be the ones responsible to give tickets on
4 illegal parking?

5 CHIEF ROYSTER: Well, there are a lot of
6 dynamics in looking at traffic and parking. I'm sure
7 this is a conversation that I will be something that
8 all of the agencies will be looking at. I just think
9 that the police department is clear and it is evident
10 that the police department in our civilian members of
11 the service are doing what we can to protect the
12 city. I think that we are always looking at ways to
13 make the city safe and, if that determines that some
14 of the responsibilities have to be to other agencies,
15 I'm not sure how that would work right now, but I
16 could clearly say that the police department is
17 currently and will continue to make the city safe.

18 CHAIRPERSON RODRIGUEZ: Okay. Thank you.
19 And going back to-- and thank you, Chief, for the
20 great job and it's an honor to be working with you
21 and I know that all of us will stand on the shoulder
22 of Chief Morris so that everyone will always remember
23 her for being the big ambassador of the NYPD to go
24 around developing good relationships between the
25 police and the community and I know that we all have

2 good experience working with Chief Morris. So I know
3 that all of you guys that are responsible for Vision
4 Zero from the NYPD will have a Chief [inaudible
5 00:40:54] in our lives, but I also know that you have
6 a great background and I know that all of us will
7 have an important leader who works together with DOT
8 and the Council and City Hall to fight against this
9 epidemic of pedestrians and cyclists losing their
10 lives because of irresponsible drivers.
11 Unfortunately, they don't get that they need to share
12 the streets and that the streets don't belong to them
13 only. So, thank you for your leadership.

14 CHIEF ROYSTER: Thank you.

15 CHAIRPERSON RODRIGUEZ: Going back to in
16 general and I don't know if DOT Commissioners the one
17 probably appropriate to answer this question. How
18 are we doing when it came to protect bike lanes
19 from-- bike lanes and bus lanes from drivers that
20 leave those cars, their cars, in those areas and
21 probably that also can be the transition to what you
22 think about the bill introduced by Council member
23 Levin and Speaker Johnson.

24 COMMISSIONER FORGIONE: Yes. Thank you.
25 So, as you know, we have a pretty robust bus lane

2 camera program that has proven to be quite effective
3 in reducing the violations in bus lanes. You know,
4 there is always room to do better and to do more.
5 Bike lanes, we have, you know, wherever we can we
6 seek to build protected bike lanes that are more
7 difficult for drivers to get into. So, that is
8 always a goal to be able to do that. Do we need to
9 do better on enforcement of bike lanes? We would
10 definitely agree there is room to improve there. As
11 we mentioned, previously, in our Green Wave plan, we
12 are very interested in automated bike lane
13 enforcement and I think that is something that we are
14 going to give some serious thought to going forward.
15 So I definitely want to acknowledge that we seek to
16 do better as a city in terms of enforcement to keep
17 people safer. Absolutely. But all that being said,
18 the proposed bill at hand does give us pause. We
19 would like to work with you further on it to see how
20 we can go forward in a way that is more workable, but
21 the way it is conceived currently is something that
22 we do will pose. First and foremost, we truly see a
23 very concerning result of citizen on citizen
24 assaults. You know, verbal assaults which are one
25 thing, but, most concerning, physical assaults. We

2 know that every year NYPD has close to 40 traffic
3 agents who are assaulted by members of the public.
4 No, these are agents that are in uniform with the
5 police department patch on their arms with the full
6 backing of the Police Department and yet they are
7 assaulted. We worry that, with this program, you
8 know, members of the public are going to see another
9 member of the public taking a picture of their
10 license plate or what have you and that could result
11 in, you know, split second violent confrontation.
12 So, we are very concerned about safety under this
13 proposed bill.

14 CHAIRPERSON RODRIGUEZ: Okay.

15 COMMISSIONER FORGIONE: Secondly, it does
16 require quite a bit of resources to step it up. We
17 would need a very elaborate IT program so that when
18 people, when members of the public, submit
19 violations, we know that they are being submitted
20 correctly. So, for example, in a bustling, we would
21 have to establish that the car or the vehicle was
22 there for period of time because you are allowed to
23 drop somebody off or pick somebody up in a bustling.
24 So, we can't just take one picture. It would be more
25 than one picture. We have to make sure the members

2 of the public understand the parking regulations when
3 they are submitting these violations. So, we would
4 need a really robust, perhaps complicated IT system
5 for people to submit complaints. We would also need
6 staffing and OATH would need some significant
7 staffing for this. Two more concerns with the bill
8 that we think that the benefits could potentially be
9 distributed unevenly around the city. We don't know
10 that people would end up submitting violations in the
11 places that we most need them to be, so you might
12 have too much in one area and not enough in another
13 area. And, lastly, returning the violations to OATH
14 do create some issues which we can expand on further.
15 We have a Deputy Commissioner from OATH, John
16 Castelli, here today who can explain if you would
17 like, but basically, the OATH violations are much
18 harder to collect on and that calls into questions
19 even, you know, whether or not this proposal makes
20 sense financially. But that's sort of my overview
21 and we can talk further about any one aspect of that.

22 CHAIRPERSON RODRIGUEZ: Okay. Let me take
23 you to two more questions into areas and them will
24 call my colleagues for questions. One is on delivery
25 trucks. I have seen more work being done, especially

2 on the inside where we have to say like a center
3 where 86th and third Avenue the delivery company,
4 they go and mess distribution from there. Like
5 centralized distribution that, from there, most of
6 the orders they are delivering in tricycles and
7 bicycles so that they avoided reduce the number of
8 trucks in those areas. Is that something that we
9 expect to see? How much progress has been made when
10 it comes to identify an area throughout the five
11 boroughs where Amazon, UPS, or anyone brings all
12 those goods and delivering them to what area and,
13 from there, deliveries are made using tricycles,
14 bicycles, or any motor transportation so that we can
15 reduce trucks and reduce congestion?

16 COMMISSIONER FORGIONE: Yes. So, we are
17 very interested and we have a cargo bike pilot
18 program that is currently underway. We can tell you
19 a little bit more about that, but we are very
20 interested in seeing more deliveries have been via
21 cargo bike. The question becomes what you just
22 described. I think you said 86th Street. If the
23 truck that the pikes are replenishing from like 86th
24 Street and other trucks are coming to replenish it
25 and then the cargo bikes go out from there, that is

2 the cause of concern. I think we are much more
3 interested in seeing the activity of replenishing the
4 vehicles happen not in the congested neighborhoods or
5 outside of the congested neighborhoods. But it is
6 the program with a lot of promise and it is something
7 that we are working with the industry on. If you
8 would like a little more detail, Eric Beaton can
9 explain which companies we are working with in our
10 cargo bike program and some of the results we have
11 seen so far.

12 CHAIRPERSON RODRIGUEZ: Okay.

13 COMMISSIONER FORGIONE: Why don't we have
14 Eric talk a little bit about that. Sorry. We need
15 to unmute him again. Eric Beaton. Do we have
16 somebody who can unmute Eric Beaton? There we go.

17 DEPUTY COMMISSIONER BEATON: Hi. Hi.
18 There we go. So, yes. As Commissioner Forgione
19 said, we are very excited about the potential for
20 seeing more deliveries by cargo bike and as some of
21 you may know, we stood up a cargo bike pilot program
22 about a year ago and, since then, we've more than
23 doubled the number of cargo bikes delivering on our
24 streets which we think is really terrific and a lot
25 more to do and we think in a lot of these narrower

2 residential streets, a cargo bike is a more
3 appropriate vehicle to deliver. And what we've heard
4 from the delivery companies is that a cargo bike can
5 effectively carry as much as a truck because, given
6 the traffic on the streets, you know, the trucks
7 aren't necessarily even always full. So, the
8 delivery bikes can be a very effective way of doing
9 this and we worked with Whole Foods. We've been
10 working with a lot of the big commercial package
11 carriers and we're seeing a consistent increase until
12 we've been looking at what we can do to continue to
13 encourage this, whether it's providing some dedicated
14 space on the street where some of the loading
15 happens. You know, that's not appropriate
16 everywhere, but in very busy locations. And then,
17 Chairman, to your point, we've also been trying to
18 find places where some of these transfers can happen
19 off street. You know, it's not necessarily in space
20 that the city controls, but trying to work with some
21 of the companies and some of the parking garages to
22 try to find spots where some of those transfers might
23 be able to happen outside of the public right of way,
24 as well. So, we think there is a tremendous amount
25 of potential here, but you are also exactly right

2 that we wanted to make sure that we do it in a way
3 that really encourages this clean and efficient mode,
4 but does it without creating these sort of intermodal
5 transfer hubs in the middle of busy commercial
6 streets. So we think there's a lot of progress there
7 but also about [inaudible 00:51:04] to do.

8 CHAIRPERSON RODRIGUEZ: Yes. Thank you
9 assuring that. And Commissioner [inaudible 00:51:11]
10 follow with our staff so that we can get more details
11 about the evolution of the pilot project so that we
12 can, you know, get information and be able to--

13 SERGEANT-AT-ARMS: [inaudible 00:51:27]

14 COMMISSIONER FORGIONE: Yes. Absolutely.

15 CHAIRPERSON RODRIGUEZ: Okay. And my last
16 question at this moment is related to bicycle
17 cyclists being killed. In 2020, as you know, it has
18 been reported that there were at least 26 cyclist
19 fatalities in New York City and if you can show what
20 else [inaudible 00:51:50] and how many of these
21 fatalities were the result of illegal parked cars,
22 can you give us a breakdown by borough or where the
23 cyclist deaths occurred? And has the city identified
24 any intersection or road that are particular dangers
25 for cyclists and what measures have been undertaken

2 to make these intersections or roads safer for
3 cyclists?

4 COMMISSIONER FORGIONE: Yes. So, I don't
5 have the borough numbers at hand. We can probably
6 get them while we are taught and have them for you in
7 a few minutes and we would have to get back to you on
8 which of those, perhaps, detailed a blocked bike
9 lane. So, we can talk a little bit more about
10 locations that we have focused on. I would like Eric
11 to explain how we have chosen, you know, our
12 locations for both protected and conventional bike
13 lanes in response to fatalities.

14 CHAIRPERSON RODRIGUEZ: Thank you. Now let
15 me-- Sorry?

16 MICHAEL CLARK: Chair, we do have the
17 borough breakdowns if you'd like to hear them now.

18 CHAIRPERSON RODRIGUEZ: Okay.

19 CHIEF ROYSTER: So, Chair, when it comes
20 to bicycle fatalities, we know one fatality is too
21 many. For the year 2020, we had 25 bicycle
22 fatalities, but when you break it down for boroughs,
23 the borough the Bronx had eight fatalities that
24 relates to bicycle fatalities, then Manhattan north
25 had four, Brooklyn North had four, Brooklyn South

2 five, Manhattan South two. We had no bike fatalities
3 in Queens South. One in Brooklyn North and one in
4 Staten Island.

5 CHAIRPERSON RODRIGUEZ: Do you have, Chief,
6 a breakdown of how many of those fatalities involved
7 trucks? [inaudible 00:54:10].

8 CHIEF ROYSTER: One second.

9 UNIDENTIFIED: 10.

10 CHIEF ROYSTER: 10 of those fatalities--
11 of bike fatalities-- involved trucks.

12 CHAIRPERSON RODRIGUEZ: Okay. Thank you,
13 Chief. And thank you, Commissioner. Let me go back
14 now to our staff so that they can direct the Council
15 members the order that they raise their hands who
16 will smooth questions. Thank you.

17 COMMITTEE COUNSEL: Thank you, Chair.
18 First, I would like to acknowledge that we were
19 joined earlier by Council member Levine. We will now
20 call on Council members in the order that they have
21 used the zoom raise hand function. Council members,
22 please keep your questions to five minutes. The
23 sergeant-at-arms will keep a timer and he will let
24 you know when your time is up. Council member
25 Menchaca will be first. Council member Menchaca?

2 COUNCIL MEMBER MENCHACA: Yes. Thank
3 you.

4 SERGEANT-AT-ARMS: Starting time.

5 COUNCIL MEMBER MENCHACA: Thank you to
6 the Chair, the members of this committee, and the DOT
7 for being here today. Acting Commissioner, I want to
8 say hi and welcome to this work. This has been
9 beautiful work in the Council and so, welcome.

10 COMMISSIONER FORGIONE: Thank you, Council
11 member.

12 COUNCIL MEMBER MENCHACA: that connect
13 to the cargo bikes. I see UPS is on there, as well,
14 and really bringing you to Redhook as a site to
15 consider in this larger conversation about just focus
16 on the bike lanes. Earlier I think you gave a
17 lukewarm response to bringing more infrastructure,
18 heightened design, and just more But all investment
19 in our bike lanes, thinking about them not as we have
20 them today, but what we need them in the future and
21 bike lanes could be, and industrial use with cargo
22 bikes to be shipping some of our cargo and I am
23 wondering what is preventing you from really kind of
24 adding more support to thinking about them in
25 different ways both as commuters, like myself, who

2 bike around the city and our cargo bikes, that is
3 going to require heightened design and focus.

4 COMMISSIONER FORGIONE: Yes. So, I also
5 work forward to looking with you, Council member
6 Menchaca. Thank you for those words. So, I didn't
7 mean to convey any kind of lukewarm endorsement of
8 protected bike lanes. This year, as you know, we did
9 more protected bike lanes than we have any other
10 year. We did 28 miles of them and we intend-- for
11 this past year. In this current year we do intend to
12 do about the same number. Hopefully, little bit
13 more. So, we are very aggressively installing
14 protected bike lanes and that is absolutely the best
15 alternative for safety on our streets. You know, to
16 be fair, though, they do present challenges.
17 Operationally, they are more to keep up. If we have
18 delineators or other devices protecting traffic from
19 the bike lane, they present challenges in both terms
20 of maintenance for both snow removal and sleeping
21 with sanitation. So, we can't dismiss those other
22 concerns. We are aggressively looking to be able to
23 work on them better. We are talking with sanitation.
24 They are pursuing more and more small equipment that

2 helps them get into these lanes and we very much want
3 to increase the number of protected bike lanes.

4 COUNCIL MEMBER MENCHACA: Okay. So, I'm
5 looking forward to that and really looking forward to
6 working with you and the team and something that the
7 previous Commissioner really and finally understood
8 the issue in Redhook where you have six last mile
9 delivery sites sprouting that is going to can just
10 our streets and if we just don't get that right, were
11 going to-- with really creative ideas like cargo
12 bikes in bringing more stipulation to companies like
13 UPS and Amazon and others, we are going to create a
14 lot more issues that are going to endanger pedestrian
15 cyclists and drivers in Redhook. You can answer if
16 you have any kind of updates on that, that would be
17 great, but let's just move over and in the short time
18 that I have, on the enforcement conversation that
19 this bill was asking us to consider and civilians
20 versus agencies support. And I want to kind of ask
21 you to go deeper into this understanding that may be
22 some communities will have more eyes on the street
23 and really moving to a civilian operation for this
24 kind of enforcement. I just want to get a sense
25 about how you are thinking about that more deeply.

2 COMMISSIONER FORGIONE: Right. Well, we
3 think that, clearly, as the violation is 175 dollars
4 and the citizen gets 25 percent, that is sort of
5 substantial. So we think that, you know, I whole
6 sort of industry and workforce will spring up as
7 could spring up as a result of this proposed bill.
8 So, we don't completely know how that plays out. Do
9 they go to the neighborhoods? Do they stay in their
10 own neighborhoods? Do they travel the neighborhoods
11 that they think are good pickings on violations? We
12 don't know. It is certainly not methodical. We do
13 know that, right? So, we do think it would be
14 uneven. It might not be in the areas that we have
15 the most safety concerns. It might just be in more
16 sleepy places that may be are less comparatively less
17 concerned about those violations. We are concerned
18 about all of them, but, obviously, on key major
19 corridors where we are more concerned about safety.
20 So, I don't know exactly how it would play out, but
21 it won't--

22 SERGEANT-AT-ARMS: Time expired.

23 COMMISSIONER FORGIONE: be methodical.

24 That's what I can say.

2 COUNCIL MEMBER MENCHACA: Okay. I would
3 like to come on do a second round of questions and
4 maybe dig a little bit deeper on that front. Thank
5 you. Thank you, Chair.

6 COMMISSIONER FORGIONE: Thank you.

7 CHAIRPERSON RODRIGUEZ: Council member, if
8 you have other questions on that, you can ask them
9 now.

10 COUNCIL MEMBER MENCHACA: Okay. Thank
11 you. So, just to, again-- the spirit of this bill,
12 I think, really begs us to have a conversation about
13 how we can bring in a very material and civilian
14 force. There are so many cyclists like myself who
15 are taking photos already and wishing they could do
16 something more than just put it on Twitter and
17 shaming people and I think that that is part of the
18 culture that the enforcement is that there and that
19 people are just going to get away with it. And so,
20 there is an opportunity here to take a leap in
21 shifting culture that allows for communities. And
22 so, I'm hoping that you can really sit down with us.
23 And I think there are a lot of other ways that we can
24 take this civilian response, especially when there
25 are more people riding their bikes and they are

2 writing them as families and I think that there is a
3 way to really push the culture that we are seeing on
4 the streets in bringing in our community boards.
5 Maybe we train our community boards to be part of
6 this is new civilian force. Our communities know
7 which corners are the problematic corners. Again,
8 that shifts how we think about enforcement and I know
9 that we have a big conversation around defunding the
10 NYPD which means that we don't want to put more work
11 on armed humans in our streets, either. And so, this
12 is, I think, the response that we are looking for for
13 DOT and I'm wondering if you can kind of take that
14 and respond.

15 COMMISSIONER FORGIONE: Good. So, I agree.
16 People in their communities, they do know best and
17 they have very good feedback to provide us and,
18 obviously, we take an NYPD takes in lots of
19 complaints, but maybe there is a more methodical way
20 of doing that. A more analytical way of like
21 crowdsourcing all of the hotspots and the trouble
22 spots. So, we would definitely like to talk with you
23 more, and your colleagues, about how we can better
24 get feedback from people in the communities. We
25 totally agree with you.

2 COUNCIL MEMBER MENCHACA: And would you
3 be open to 311 being an access point for this?

4 COMMISSIONER FORGIONE: Absolutely.

5 COUNCIL MEMBER MENCHACA: Okay. That's
6 great. So, we should bring 311 into this---

7 COMMISSIONER FORGIONE: Sure.

8 COUNCIL MEMBER MENCHACA: conversation,
9 as well.

10 COMMISSIONER FORGIONE: Yes.

11 COUNCIL MEMBER MENCHACA: And I think
12 the last thing I want to ask is the ability for you
13 or your team to give us an update about what's
14 happening in Redhook because it is going to be a
15 microcosm to other communities that are going to see
16 us sprout a last mile delivery and I just don't think
17 the city is moving fast enough to address these
18 issues until they are going to become-- they will
19 become-- these issues are going to become issues
20 that are going to take lives of New Yorkers. More
21 lives of New Yorkers in our communities like East New
22 York and some other industrial areas that are going
23 to see us sprout a very dangerous last mile delivery.

24

25

2 COMMISSIONER FORGIONE: Yes. Okay. I
3 would like to ask Rebecca Zach to chime in on this as
4 she has more--

5 COUNCIL MEMBER MENCHACA: Hi, Rebecca.
6 Happy new year.

7 COMMISSIONER FORGIONE: Oh, we need to
8 unmute Rebecca.

9 REBECCA ZACH: I got it. Hi. Happy
10 new year. How are you?

11 COUNCIL MEMBER MENCHACA: Good. Good.

12 REBECCA ZACH: It's good to see. I
13 hope your office and Renée and everyone is doing
14 okay.

15 COUNCIL MEMBER MENCHACA: Yeah. Thank
16 you.

17 REBECCA ZACH: You're welcome. So, I
18 know we had that conversation that Congresswoman
19 Velasquez's office spearheaded and I know that, at
20 that time, they were talking about kind of getting
21 everyone back on the phone. Multiple agencies. EDC,
22 DCP. I don't know if there's been progress on that.
23 Maybe it is time to touch base with them and see if
24 there is-- I know that the Congresswoman is probably
25 been very busy this year and into late 2020 and early

2 2021 with what is happening in DC, but I think we you
3 were-- I think the next step from the call that we
4 had was them convening a larger call with multiple
5 agencies which we are happy to be a part of. And I
6 think we would obviously be happy to be having a
7 conversation about cargo bike usage in that part of
8 Brooklyn. I would say we would be open to having any
9 conversation about what kind of alternatives can be
10 used in this area.

11 COUNCIL MEMBER MENCHACA: Okay. So,
12 just wanted to say that these are all connected
13 components and it is both the Congresswoman and I who
14 are leading this discussion as the city
15 representative for these agencies that we need to
16 convene. So--

17 REBECCA ZACH: Great.

18 COUNCIL MEMBER MENCHACA: Commissioner,
19 I look forward to working with you on that. Thank
20 you.

21 COMMISSIONER FORGIONE: Thank you.

22 REBECCA ZACH: Thanks, Council member.

23 COUNCIL MEMBER MENCHACA: Thank you.

24 CHAIRPERSON RODRIGUEZ: Thank you, Council
25 member. Commissioner, give me one second please. My

2 other question-- and living it back to some
3 questions on-- if you don't mind, give me one
4 second, please. People have a right, New Yorkers
5 have a right to call 311 for all the issues and how
6 many calls were made in 2020 related to illegally
7 parked vehicles in the city of New York? I mean,
8 [inaudible 1:05:50] calls to 311? Does NYPD have
9 that information?

10 CHIEF ROYSTER: Chair, I can provide you
11 with the number of 311 calls that were made for
12 vehicles parked in bike lanes for 2020.

13 CHAIRPERSON RODRIGUEZ: Sure. If you
14 would. And if you can also compare 2019 and whatever
15 universe you can cover that is important.

16 CHIEF ROYSTER: Very well. I'll start
17 with 2019. In 2019, we had approximately 17,851
18 calls for vehicles parked in bike lanes. 311 calls.
19 In 2020, however, we had 8369 calls. That is the
20 decrease in 53 percent of calls for vehicles parked
21 in bike lanes. To add some level of specificity to
22 that, in January and February, we had the highest
23 number of calls in 2020 and, from March on, it seemed
24 like the calls for 2020 for vehicles parked in bike
25 lanes decrease dramatically.

2 CHAIRPERSON RODRIGUEZ: Okay. Thanks. In
3 another question probably to you guys from the NYPD,
4 chief, is related to the numbers of NYPD cars
5 illegally parked in the surrounding area of the
6 prisons. Again, myself, and someone led anyone knows
7 that has been organizing since I landed in New York
8 City in 1983, has not been shy to say you we need to
9 address the issue of police brutality and any issue
10 related to the men and women. They want PD
11 accountable is all of us that serve the government
12 should be accountable to. No one should be treated
13 different. And we always also understand that our
14 responsibility is also to provide that, you know, men
15 and women, they want to be accountable and at the
16 same time that we need to provide all the resources
17 that they need in order to do their job. So, I'm not
18 questioning the need that, you know, the men and
19 women at in order to park their vehicles, you know,
20 when they come to work through the prisons.
21 Especially those of them who live in areas that are
22 transportation desert area that they need to drive.
23 The one on my questions is how can you-- What is the
24 city doing to address the over parked vehicles around
25 prisons that we see today? Like I don't get to-- I

2 know that math is not my background, but when I look
3 around and see and, based on the information that we
4 have with local inspectors or friends of those that,
5 you know, from you guys and the NYPD that also are
6 inspectors or sergeants and cops in different prisons
7 throughout the five boroughs. I don't get to see why
8 there's so many cars parked on the sidewalk on the
9 middle of the street around prisons. So what is--
10 why should we expect [inaudible 01:09:24] or what has
11 been done to address the abuse of the use of the
12 street space around prison by some members of the
13 NYPD.

14 CHIEF ROYSTER: So, you're absolutely
15 right, Chair, when you talk about parking whether
16 it's an emergency vehicles or private vehicles around
17 a facility, a police facility. One of the things I
18 would like to talk about is that we are leaders in
19 the community and serve the community. So, if we are
20 parking illegally or we are abusing our authority to
21 park, what it does is the road the trust that the
22 community has in the police department and, more
23 importantly, in the officers that serve that
24 community. So, when you have a certain culture, what
25 you want to do is to invoke change and, throughout

2 the time, we have been instructing our officers, as
3 well as our members of the service and our
4 facilities, about parking illegally and double
5 parking, bus stops, or whether there is a bike lane
6 in front of that facility. And we have done that
7 through messages, but we realize that messaging just
8 does not reach everyone, so we have also identified
9 supervisors, as you mentioned before, that will be
10 accountable in the way we need to this is through
11 previously our traffic stats which is responsible for
12 addressing traffic safety issues-- which parking is
13 a traffic safety issue-- but we, more importantly,
14 address the executive officers in that precinct and
15 that's going to continue under our traffic safety
16 forum which should be done every month where we bring
17 in executives and talk about some of the traffic
18 safety issues that we are having not just with the
19 community and drivers and motorists, but also our
20 members of the service because we have to continue to
21 be leaders in the sight of the community. We want
22 our executive officers to be held accountable. I
23 hold those traffic safety forums and I am going to
24 drill down on the fact that this is a culture we will
25 continue to inform officers, but not only inform, we

2 will actually take into consideration the information
3 that we received from 311, as well as the community
4 and I have an outreach team that will go out and look
5 at the infrastructure of that precinct to determine
6 what we need to do it internally to make sure that
7 officers are not parking illegally in front of the
8 facilities or around the facilities. And may I also
9 say that, in each of our 77 precincts, transit
10 districts, as well as housing facilities, we have
11 tenants that are integrity or are sergeants that are
12 ICLs, integrity control officers. They are
13 responsible for circulating information, as well as
14 doing observations every tour to instruct and make
15 sure that officers or civilian members of the service
16 are not parking their vehicles in [inaudible
17 01:13:07]. Going forward, Chair, for the year 2020,
18 in addition to all these steps that we are taking, we
19 are also going to make sure that there is signage
20 inside of our facilities to address the
21 infrastructure that is in and around the police
22 facility so that officers will be aware of where they
23 actually are not supposed to park as well as instruct
24 them and give them additional training. So, this is
25 something that we-- I am going to continue to

2 monitor with not just the Transportation Bureau, but
3 also the other units within the police department.
4 Our Chief of Departments Office, our Patrol Services
5 Bureau which actually oversees the officers, or any
6 other bureau within the department. This message
7 will be amplified going forward.

8 CHAIRPERSON RODRIGUEZ: Yeah. I just think
9 that some assessment-- I'm happy to hear I think
10 that the additional assessment must be done about--
11 what is the numbers of parking spots that each prison
12 needs? Because what I feel is that-- and I get it.
13 And I will assume that the prison has a number of
14 vehicles used for undercover operations. I get that
15 those prisons also need to have others, you know--
16 they have other needs, but let's say if in X prisons
17 we have, let's say, 250 police officers, in no time,
18 have of them work at the same time and sometimes you
19 pass by and will drive around some of those prisons
20 and you get to see so many cars partaking blocks
21 around prisons. Taking the sidewalk and it's like
22 all the time all police officers are working. I mean
23 all. I know that it's not only about those with you
24 for. There is also the civilians. I know that there
25 is also the detective, but I feel that an assessment

2 must be done because, when I and some friends, it's
3 like. Of parking spots taking at the same time. So,
4 if there is no point in order any assessments, I
5 think it is important, I think, that the Council
6 should be reported on how many parking spots are
7 needed in each prison, working in collaboration with
8 you guys, we can have a better understanding of the
9 use of parking spots around prisons.

10 CHIEF ROYSTER: I agree, Chair. I think
11 this is something-- but assessment that you are
12 mentioning, I think that is something that the police
13 department, as well as the Department of
14 Transportation, when we start to work at the
15 infrastructure of each of our facilities, we each
16 have a discussion about, Chairman, what is feasible
17 and also what is necessary as far as the parking of
18 our emergency vehicles so that we can safely respond
19 as well as park and make sure that the community is
20 not actually troubled by the parking situation that
21 is around our facilities.

22 CHAIRPERSON RODRIGUEZ: So, Commissioner,
23 so what should we expect in 2021 when it comes to,
24 you know, the only-- I know that all of us in your
25 case, we follow the [inaudible 01:16:52] of former

2 Commissioner Polly Trottenberg to whom we have a lot
3 of respect and I can say that we have good things to
4 say about her when it came to her leadership and we
5 all [inaudible 01:17:05] or whatever it is she would
6 decide to do in the future, hopefully at the national
7 level, too, which would be a great access to the city
8 of New York if that's what she would decide to do,
9 but in your leadership, what should we expect?
10 Because this is about leaving our fingerprints. We
11 all have to continue [inaudible 01:17:24] we are, you
12 know, doing the work to be a role model to our kids,
13 but also we want to expect that the future generation
14 will do better than us. So, what should we expect in
15 21 when it comes to you as the leaders of DOT at
16 least for these couple months-- starting this couple
17 months-- to see how aggressive will we be when it
18 comes to addressing illegal park happening in New
19 York City?

20 COMMISSIONER FORGIONE: Yes. Thank you,
21 Chair, and I share your feelings very much so about
22 Polly Trottenberg. We accomplished so much the last
23 seven years with her at the helm. That it is my
24 largest priority to continue that good work and take
25 it further. You know, for 2021, first and foremost,

2 is safety. As we have been discussing this morning,
3 2020 was not the direction of Vision Zero that we
4 want to see it go, so I think the largest thing that
5 we need to focus on is doing much better for Vision
6 Zero in 2021. Now, everything will be overshadowed
7 by the continuing pandemic. Hopefully in the coming
8 months we will start to see that abate and things
9 will get more back or somewhat back to what they used
10 to be, you know, in our lives and on the roadways in
11 terms of some of the negative effects of the
12 pandemic. But, you know, we at DOT will be juggling
13 our work. You know, we have done a tremendous amount
14 of work with Open Restaurants and outdoor learning.
15 Open Storefronts. So, we will be continuing that
16 work this year as long as we need to and some of
17 those programs, as we know, we really want to see
18 them last far into the future, but thought all that,
19 we also need to really double down on what we can do
20 with Vision Zero. So, right now we are in pretty
21 deep discussions about what else we can do this year
22 and, in the coming weeks, I think the Mayor mentioned
23 this a week ago, we will be talking more about the
24 specifics of what we can do in 2021 for Vision Zero.

2 CHAIRPERSON RODRIGUEZ: Thank you,
3 Commissioner. And, Rebecca, too, unless they have
4 conversations on the possibility of doing some level
5 of our Earth Day celebration and it, of course
6 [inaudible 1:19:58] that you're committed to doing
7 now. I know that this is something that we were not
8 able to do because of the Covid 19, but hopefully
9 with the vaccine and the city coming back, you know,
10 in place, probably we should look at the possibility
11 to do like add our Earth Day celebration in April.
12 So, if you don't mind, let's touch base on other
13 conversations to see how--

14 REBECCA ZACH: Yeah. I know the state
15 guidance is going to dictate a lot of like the size
16 of gathering right now. Like that is suspended I
17 think until the end of February, I believe. But we
18 will confirm. You know, it has been a thought year
19 to, obviously, because April is right around the
20 corner.

21 CHAIRPERSON RODRIGUEZ: Uh-hm.

22 REBECCA ZACH: Yeah. Happy to talk.

23 CHAIRPERSON RODRIGUEZ: Thanks. And,
24 Commissioner, the in known related illegal parking
25 issues, but on the scooter pilot project, are we on

2 time? Is that pilot project planning continue moving
3 and should we expect that? What like, of course, I
4 know I'm not expecting for you to like pull out
5 information, but I know since your team has been
6 working with this, the if you can show where are we
7 with the status of the pilot project for the scooter?
8 I know that March is important and, of course, I'm
9 not talking about discussion information that it is
10 only you guys discussing with those who respond to
11 the RFP, but it is about timing wise and, of course,
12 I started saying that I would like to see the pilot
13 project coming out and, you know, moving forward as
14 March being important. So, can you update us with
15 some information in regards to that?

16 COMMISSIONER FORGIONE: Yes. So, we are
17 doing well in terms of our schedule. We received the
18 proposals maybe three weeks ago. We are currently
19 evaluating proposals. We got a good number to work
20 with and, you know, the next weeks or month or so we
21 will be able to talk more publicly about next steps.

22 CHAIRPERSON RODRIGUEZ: Okay.

23 COMMISSIONER FORGIONE: So, we are doing
24 well. We are on track.

2 CHAIRPERSON RODRIGUEZ: Thank you. And the
3 last item that I want to address with you on non-
4 bike-- on a matter that you seem to be working very
5 close and I appreciate what you're doing which is
6 about the bike lane along 181st Street. One idea is-
7 - and this is something that I know in the past--
8 in your previously law, the Manhattan commissioner, I
9 think that you are familiar with something that has
10 been mentioned in the past that I would like to say,
11 you know, how you are in the new role in working with
12 a team that is having the meeting. There was one
13 last week with the stakeholder of this community did
14 take a think back about how do we move forward
15 showing that 181st is included as part of the new
16 vision for buses. I'm sorry. Did I say bike lane?
17 For buses along 181st. one idea is can we-- and,
18 again, I know I'm putting this [inaudible 1:23:23]
19 it's to look at it because you haven't mentioned it
20 in the past. I think all buses that come from the
21 Bronx to Manhattan to 181st, they should stop in the
22 Bronx side at university and have shuttle busses that
23 go along 181st up to Fort Washington so that instead
24 of having the four buses lane-- 13, 36-- coming to
25 Manhattan, they should end at the university and

2 having the shuttle buses. I think it would help big
3 time for us to reduce the congestion of buses coming
4 to this area. So, we, again, at the community board,
5 this is something that has brought in the past. I
6 have not brought to the stakeholder meeting, but if
7 you can also, you know, look at it and I'm more than
8 happy to continue this conversation with the team
9 that you have assigned to work with this. I'm more
10 than happy to continue, but I feel that it will help
11 us big time.

12 COMMISSIONER FORGIONE: Sure. We'd be
13 happy to talk with you more about that. We can get
14 our team together with the MTA talk through it.

15 CHAIRPERSON RODRIGUEZ: Okay.

16 COMMISSIONER FORGIONE: Good.

17 CHAIRPERSON RODRIGUEZ: So, from IN, I
18 don't have more questions. I don't know if Council
19 member Levin has been able to join us, but I see
20 Paul--

21 COMMITTEE COUNSEL: Yes. Council
22 member Levin has joined us.

23 CHAIRPERSON RODRIGUEZ: So, Elliott, I
24 bring it back to you.

2 COMMITTEE COUNSEL: Council member
3 Levin, if we have you now, would you like to give
4 remarks on your bill?

5 COUNCIL MEMBER LEVIN: Yes, sir. And I
6 want to thank Chair Rodriguez and I want to thank the
7 Commissioner. My apologies. I was delivering
8 remarks on a conference, so I apologize for
9 [inaudible 01:25:19]. I just want to take a moment
10 here to speak on Intro 2159. 2159 came about as a
11 result of years of unaddressed placard abuse. This
12 is not the first step. This was not the first step
13 solar should or the second, but years of agencies
14 failing to keep our streets free from obtrusive and
15 harmful parking has made this bill a necessity. I
16 have gotten thousands of calls from constituents over
17 the years who have watched vehicles abuse bike lanes
18 and bus stops, bus lanes as parking lots. In fact, I
19 got goals what about cars using travel lanes and
20 those parking lots. And agencies blatantly ignore
21 the law and it has grown to be a persistent and
22 endemic problem. We cannot let people who use
23 placards be held to a different standard and it is
24 time for some accountability. This bill takes a
25 pragmatic and responsive approach to all long-

2 standing and entrenched issue and provides community
3 members with the tools that the government is had,
4 but not effectively used for years. Intro 2159 does
5 not prohibit agencies from enforcing parking
6 violations. DOT and NYPD can continue issuing
7 violations and towing vehicles at any point if they
8 are worried about equitable enforcement. I have
9 waited for enforcement on placard abuse and extreme
10 parking violations for years and it hasn't happened
11 and we cannot continue to wait, especially as we put
12 in place more dedicated bike lanes. More bike lanes
13 only work when they are actually able to be used.
14 The fact is if we continue to allow parking abuse to
15 go on unfettered, we are not doing our jobs as
16 government officials. It is irresponsible to
17 continue to do nothing. And, you know, this is not,
18 obviously limited to those holding placards, but in
19 areas around-- particularly in downtown areas around
20 the city, you know, it is so clearly a double
21 standard in enforcement and, frankly, I have, you
22 know, after years of banging my head against the
23 wall, I mean, we have just landed at a point now
24 where I am not confident that the administration has--
25 - or the police department has an answer for-- you

2 know, and so I guess my question is to the
3 Commissioner if this isn't the solution that the city
4 wants to pursue, what then is the solution that the
5 city is putting forward? Because, you know, all you
6 have to do is go anywhere in my district in downtown
7 Brooklyn. Jay Street. Monpillory Street. Don't
8 even get me started on the ramps on and off of the
9 BQE. And, frankly, it is just, you know-- you don't
10 even have to have a placard. You just have to have
11 some indication that you are a member of the uniform
12 service in the city and you well be exempt from
13 getting any type of parking violation. And I will
14 say this. I am a city Council member. I have a
15 placard. I will give you an example. Outside of my
16 district office on Atlantic Avenue there used to be a
17 no standing four to seven so it was clear for a
18 travel lane. This was on the south side of Atlantic
19 Avenue. And there would be times I was in a meeting
20 and I would forget and I would realize and lock up.
21 It is a quarter after four. I would look up and run
22 out to move my car and my car would be towed and that
23 happened several times. I had my car towed to the
24 Navy Yard multiple times. I stopped driving into
25 work. But it's not as if it is just placard holders

2 because I had a placard in the window, but I was
3 parked illegally in an outstanding zone. It is that
4 it is uniformed personnel. If you have indicated
5 that you are a uniformed personnel, there is the code
6 of solidarity between uniformed personnel. Maybe DOT
7 is lumped into that and, you know, DOB cars, as well,
8 but, you know, it doesn't just go across the board
9 and it is just-- I just have heard no solution in
10 the 11 years at the Council that the administration
11 has put forward to have addressed. That is why we
12 are where we are today. Sorry.

13 COMMISSIONER FORGIONE: So, thank you,
14 Council member. We understand your frustration and
15 will pass it off in a moment to Chief Royster to
16 speak more specifically about law enforcement, but as
17 I mentioned earlier, a few things. One is that we
18 are very interested in automated bike lane
19 enforcement. We have been very successful with our
20 other camera programs for enforcement and we would
21 really like to advance that in the future and
22 hopefully in the near future. So, that doesn't
23 necessarily specifically address placard abuse, but
24 it would include that. So that is one thing that--

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2 COUNCIL MEMBER LEVIN: Does that-- Would
3 that require state legislation?

4 COMMISSIONER FORGIONE: Yes. It would.
5 Yes.

6 COUNCIL MEMBER LEVIN: Is it on our agenda
7 in our state-- is it part of our state agenda?
8 State legislative agenda for discussion?

9 COMMISSIONER FORGIONE: Well, we've , but
10 we would like to talk with our colleagues more about
11 that.

12 COUNCIL MEMBER LEVIN: Because the clock
13 is ticking there. I am going to be out and you guys
14 are-- maybe not you, but the de Blasio
15 administration is going to be out. We don't have
16 another state legislative session after this one,
17 so--

18 COMMISSIONER FORGIONE: Correct. Right.

19 COUNCIL MEMBER LEVIN: If it is not done
20 this year, then I don't, you know?

21 COMMISSIONER FORGIONE: Right.

22 COUNCIL MEMBER LEVIN: I will have any
23 part of it, you know?

24 COMMISSIONER FORGIONE: Understood. It is
25 something that we raised in our Green Wave plan a

2 year or two ago and it is something that we think has
3 a lot of promise. So, we'd like to make sure that we
4 have those discussions. But in terms of enforcement
5 in general, we believe it is very important to take
6 the discretion out of enforcement. That is why we
7 have been working with NYPD over the last few years
8 to move to a license plate reading technology for
9 enforcement. So, the way it would work-- and we are
10 about this year were starting to modify all or 14,000
11 parking meters to be able to accept license plates
12 for enforcement. In the way it would work for
13 placards is that any given vehicle that is legitimate
14 to have a placard would be included in the system in
15 this database. It doesn't mean you can park
16 anywhere, as you're pointing out, with a placard, but
17 it tells you that that vehicle is legitimate by only
18 having-- by not having a physical placard in the
19 windshield, you prevent people from lending their
20 placard to somebody else, using an outdated one
21 instead of turning it in is there supposed to. It
22 eliminates a lot of abuse, so were moving in this
23 direction with NYPD. NYPD is getting new devices for
24 their agents to be able to better utilize this new
25 technology. So, in the next few years, this is the

2 direction that were moving in and that will also help
3 address some of the placard abuse.

4 COUNCIL MEMBER LEVIN: Yeah. The purpose
5 of this legislation, though, specifically as to the
6 crackdown on dangerous parking. You know, it's not
7 just all-- you know, it's not just all parking
8 violations. It's not overstaying at the meter. It's
9 not even parking at all no standing zones. It
10 specific to the kind of parking that requires other
11 users of the road to put themselves into incoming
12 traffic. You know, a blocked bike lane means that
13 you are going into-- and we have seen tragic
14 results. The young woman who on Central Park West a
15 couple years ago now. But it's, you know, as a
16 cyclist myself, you know, you're kind of putting
17 yourself into-- you're putting yourself at risk when
18 you have to go around a parked vehicle and out by
19 going. And similarly with pedestrians having to walk
20 around parked cars in crosswalks. And so, what's
21 the-- because I'm not quite sure, what is the-- I
22 mean, placard or no placard, what is the enforcement
23 plan? I mean, it's one of those things. It's like a
24 big open secret in the city that, you know, that you
25 won't get a ticket if you're seen as like, you know,

2 if you're somehow a part of this code that doesn't
3 get tickets.

4 COMMISSIONER FORGIONE: Okay. I mean, this
5 point, maybe Chief Royster wants to talk a little bit
6 more about the initiatives and the police department
7 that they have been pursuing.

8 CHIEF ROYSTER: Thank you, Commissioner.

9 COUNCIL MEMBER LEVIN: Thank you.

10 CHIEF ROYSTER: How are you?

11 COUNCIL MEMBER LEVIN: Good. How are you?

12 CHIEF ROYSTER: So, there were a couple
13 of measures that we have taken previously as it
14 relates to parking. One of the things that I would
15 like to mention that you mentioned before is the
16 overarching [inaudible 1:35:51] safety. The safety
17 for our most vulnerable road users, our cyclists, our
18 elderly, our people. Our community that is walking
19 on sidewalks. We will continue to make sure that our
20 officers are aware that parking in areas like this is
21 a safety hazard, but one of the things I would like
22 to share with you today is that the conversation and
23 giving instructions to officers is just not where we
24 are going to stop. We know that this is a cultural
25 thing and we are going to change it and were going to

2 work with all of our units within the department to
3 make sure that message is down to the lowest rung on
4 the ladder. It is an issue in our community. It
5 erodes the trust in our community and the one thing
6 that we are going to do is make sure that our leaders
7 are held accountable in the precinct to make sure
8 that it is not done. I just want to say that every
9 year we issue placards, restrictive parking permits,
10 to our members of the department. That message is
11 going to be amplified when they do get parking
12 permits. One of the things is that there are rules
13 that go along with these permits that they get. The
14 rules are very clear. They are not to violate the
15 rules. They are not to park in locations where they
16 cause safety hazards. The other things is that we're
17 going to look and make sure that there isn't a
18 pattern of this being done. You now, instructions
19 are one thing. Holding someone accountable is
20 another thing. But if a person is found to do this,
21 then we're going to make sure that we revoke those
22 permits. We issue them every year, as I mentioned
23 before, there is the process in doing that. The
24 misuse of a placard is very important to us. We
25 don't take it lightly. We will continue to work with

2 all of our units within the police department and we
3 will continue to do external outreach to other law
4 enforcement agencies to ensure that they know the
5 importance of not parking in bike lanes or bus lanes
6 or misusing placards.

7 COUNCIL MEMBER LEVIN: Thank you, Chief.
8 I appreciated I do look forward to working with you
9 on all those initiatives and I appreciate the work
10 that you put into this. You know, I do think that,
11 at a certain point, you know, the purpose of this
12 legislation is to give citizens, everyday people in
13 the city, you know, that agency to be able to take
14 action themselves. And it is reflecting, you know,
15 the level of frustration over the years. So I do
16 look forward to working with you. I know you are
17 relatively new in the position, so there's, I think,
18 opportunities to be had, but I do want to move
19 forward with this legislation and I will be in touch.

20 CHIEF ROYSTER: Yes, sir. Thank you.

21 COUNCIL MEMBER LEVIN: Thank you. And
22 with that, I'll turn it back over to the Chair. I
23 appreciate everybody's patience and I know that my
24 colleagues have to ask numerous questions, as well.

2 CHAIRPERSON RODRIGUEZ: Well, with that,
3 Council member Levin-- unless Elliott has somebody
4 else, I think that we can move to the end of
5 questions for Council members. Both Chief and
6 Commissioners, it is an honor to be working with you.
7 I know that this is a tough time, but I also know
8 that we have the responsibility to continue working
9 around Vision Zero. Yes, we can save lives. Yes, we
10 can reduce to zero the numbers of New Yorkers who
11 lose their lives as a result of crashes and I think
12 that having the great leadership-- in this case by
13 both of you-- was achieved in the commissioner and
14 in working with City Hall and Speaker Johnson with
15 colleagues, we will accomplish this goal. So, with
16 that, thank you to the administration.

17 REBECCA ZACH: Thank you.

18 CHAIRPERSON RODRIGUEZ: And now I go back
19 to Elliott.

20 COMMISSIONER FORGIONE: Thank you very
21 much, Chair Rodriguez.

22 CHIEF ROYSTER: Thank you.

23 COMMITTEE COUNSEL: Thank you. We will
24 now turn to public testimony. I would like to remind
25 everyone that, unlike our typical Council hearings,

2 we will be calling individuals one by one to testify,
3 so there is no need to use the raise hand function.
4 We will call everyone who has signed up to testify.
5 Each panelist will be given two minutes to speak and
6 if your testimony will run longer than two minutes,
7 please summarize. Please begin once the sergeant was
8 started the timer. Council members who have
9 questions for a particular panelist should use the
10 raise hand function in Zoom and I will call on you
11 after that panelist has completed their testimony.
12 For panelists, once your name is called, a member of
13 our staff will unmute you and the sergeant-at-arms
14 will give you the go ahead to begin upon setting the
15 timer. Please wait for the sergeant to announce that
16 you may begin before delivering your testimony. Our
17 first panelists today will be Marco Connor DiAquoio.
18 Marco?

19 SERGEANT-AT-ARMS: Starting time.

20 MARCO CONNOR DIAQUOIO: Thank you very
21 much. Thank you, Chair Rodriguez for convening this
22 hearing and Speaker Johnson and Council member Levin
23 for introducing this legislation. My name is Marco
24 Connor DiAquoio and I am deputy director at
25 Transportation Alternatives. I am testifying today

2 in support of Intro 2159. Now, I also want to urge
3 the Council to pass another bill, Intro 1141 by
4 Council member Constantinides, to reform the
5 stipulated fine abatement program for commercial
6 vehicles obstructing pedestrians and cyclists right
7 away. That bill, 1141, as more than a majority of
8 Council cosponsors and it is long overdue to bring it
9 to about. In 2018, Madison Jane Lydon was killed
10 while riding her bicycle in the Central Park West
11 bike lane, but she was forced into traffic by the
12 driver of a large truck because of a car driver who
13 was parked in her right-of-way and she was struck and
14 killed. This is precisely the type of reckless
15 behavior that this legislation aims to address and
16 for every person like Madison, hundreds more are
17 injured for the exact same dangerous parking
18 behavior. Vehicles illegally blocking crosswalks,
19 bike lanes, bus lanes, and sidewalks is a problem
20 that is rampant throughout our city and it is
21 something that the administration is not remotely
22 addressed with the seriousness it requires. The
23 proof of this inaction is right before us on every
24 street where pedestrians and cyclists are forced to
25 walk into dangerous traffic where driver sightlines

2 are obstructed, limiting their ability to see
3 pedestrians and where transit riders are on accepted
4 lead to delayed. And the proof is in the absence of
5 Madison Jane Leiden. The fact that she is no longer
6 here, that is the proof of the utter inadequacy of
7 this city and prior administration efforts today. I
8 want to also highlight how illegal and dangerous
9 parking affects people using wheelchairs in many
10 ways. When already limited ADA complied sidewalk
11 curbs are blocked by vehicles parked in the
12 crosswalk, it forces wheelchair users who are
13 pedestrians under state law, to travel in the vehicle
14 traveling next to multitouch and lethal vehicles to
15 the next intersection in the hopes of being able to
16 ride onto the sidewalk there. And these are just
17 some of the many ways illegally parked cars cause
18 real harm in creating unacceptably dangerous
19 conditions throughout our city. In addition, and
20 harms how we feel about using public space. Already,
21 more than 75 percent of our street space is reserved
22 for moving or storing, for free, private cars and
23 trucks with pedestrians and cyclists pushed to the
24 margins of the road. When cars then occupy
25 additional space by blocking sidewalks and bus lanes

2 and bike lanes, spaces that is reserved for other
3 road users, it sends the signal that these streets
4 are not for you if you aren't in a car. That you are
5 not welcome here. And when our city fails to enforce
6 against that behavior, it says that our city, our
7 Mayor, and our government do not care about us
8 feeling safe and free to move around in our own city.
9 These are spaces that should be sacred, not free for
10 all parking spaces that harm New Yorkers. Operating
11 a large multi done vehicle comes with a tremendous
12 responsibility, including not speeding and also not
13 creating hazardous conditions like parking illegally.
14 We generally are cautious of enforcement measures or
15 new enforcement measures, but this proposed law
16 creates a civil, not a criminal fine and would not
17 result in more officers on the street. We all have a
18 responsibility in operating large multi time vehicles
19 to do so with extreme caution in ways that do not
20 harm our fellow New Yorkers and, if you can't do
21 that, then a civil fine is appropriate to deter that
22 behavior. Finally, to help ensure this loss of
23 fairness, we urge you to consider a fine structure
24 that perhaps starts with fines of more than 175
25 dollars, a warning for your first offense followed by

2 escalating fines for subsequent violations, and also
3 ensuring that these violations never lead to awards
4 being issued. These are just some of the ways that
5 we can address some of the concerns raised. So,
6 there is also precedents for this citizen enforcement
7 in the form of the city's idling laws administered by
8 the Department of Environmental Protection, structure
9 that is already in place and can easily be emulated
10 to quickly implement this proposed law. So, in
11 closing, thank you, Council member Levin for
12 advancing this, Speaker Johnson, and thank you,
13 Council member Rodriguez for your steadfast
14 lifesaving leadership in advance of Vision Zero and
15 livable streets for all New Yorkers. At
16 Transportation Alternatives, we support this
17 legislation and we urge its passage and enactment as
18 soon as possible. Thank you.

19 COMMITTEE COUNSEL: Thank you, Marco.
20 Do any Council members have any questions for this
21 panelists?

22 CHAIRPERSON RODRIGUEZ: I just want to
23 thank Marco for his leader and no questions at all.
24 We know that you are a great partner on all the
25

2 effort that we take at the Council to save lives.

3 Like so pedestrians like yourself. Thank you.

4 COMMITTEE COUNSEL: Okay. Our next
5 panelist will be Jon Orcutt. Jon?

6 SERGEANT-AT-ARMS: Starting time.

7 JON ORCUTT: Hi, Council members and Chair
8 Rodriguez. Apologies, but I am having some technical
9 issues with video, so it may be voice only, but I
10 will be quick. First of all, I want to thank Council
11 member Levin and Speaker Johnson as a sponsor for his
12 bill. Bike New York strongly supports the Intro in
13 instituting citizen enforcement of parking. As
14 Council member Levin said, it's ubiquitous. We have
15 a completely out of control illegal parking situation
16 that's been allowed to develop and deteriorate for
17 decades in this city and we need measures to take it
18 back. I want to point out that, you know, the DOT in
19 the PD discussions today had really no analysis of
20 that problem. They were just talking in general and
21 kind of off-the-cuff to oppose the bill with very
22 little to offer. It's just especially maddening for
23 an agency like DOT to come in and say. You know, we
24 are data driven and all things, but they never
25 admitted that there is the problem with chronic

2 parking and bike lanes. So, we have never looked at
3 it. They don't have a solution because they don't
4 really study it and to say that we can't have a
5 solution because we may have more citizen activity in
6 one place than another is really just kind of
7 throwing in the towel all on this thing. So, I
8 really appreciate the Councils continued policy
9 leadership and to the vacuum left by the de Blasio
10 administration. Having said all that, on the issue
11 of parking enforcement, I do want to say we are kind
12 of astonished that we can have a hearing on cars and
13 trucks and bike lanes for going on in several hours
14 now that is not even wants brought up the idea of
15 bike lane design. We have what the city calls
16 protected bike lanes and the city celebrates as more
17 and more protected bike lanes all over the city, but
18 they're not designed to really protect cyclists from
19 cars and trucks. Cars and trucks get in the
20 protected bike lanes on a regular basis. You know,
21 you don't need our daily experience with that.
22 Hunter College study did and said, you know, for
23 every 10 block stretch, we find three cars and bike
24 lanes. That is just students going out and, you
25 know, writing down what they see. It's a huge

2 problem in the bike lanes that we have today are not
3 solving that. The practice of moving cars off the
4 curb to create a third space on the street, parking
5 protected bike lanes, those are working for the most
6 part. They are better than we have, but they still
7 have problems at intersections. But the plastic
8 stick protected bike lanes are just not protected
9 bike lanes. Cars drive over them. The plastic
10 sticks are designed to be driven over by cars and
11 trucks. There are a variety of issues no matter how
12 you solve this. Cities all over the world solve it
13 and they do it and it takes leadership from the top.
14 We are really looking for some of the May oral
15 candidates the probably save us from this, but I
16 wasn't heartening to hear--

17 COMMITTEE COUNSEL: Thank you, Jon.

18 JON ORCUTT: city DOT saying, you know,
19 our plans for next year are stay tuned and we'll let
20 you know. But anyway, thanks, again. Please pass
21 Council member Levin's legislation.

22 COMMITTEE COUNSEL: Thank you, Jon. Do
23 any Council members have questions for this panelist?
24 Okay. Seeing none, our next panelist will be Sean
25 Adair. Sean?

2 SEAN ADAIR: I hope you all can hear me.

3 SERGEANT-AT-ARMS: Starting time.

4 SEAN ADAIR: My name is Sean Adair. I'm
5 going to read my prepared statement first and then
6 the ongoing testimony that I have heard so far has
7 also alerted me to a number of other very specific
8 issues which I am familiar with. My name is Sean
9 Adair and I am a member of Families for Safe Streets.
10 And I am here to strongly support the bill 2159. I
11 know firsthand the dangers of illegally parked cars.
12 About three years ago I was riding my bicycle home in
13 the first avenue bicycle lane near 21st Street when a
14 truck was illegally parked in the left turning lane
15 forcing other vehicles to pass around it in a very
16 difficult intersection area blocking all visibility
17 between me and turning traffic and a car swerved
18 around this truck and stops to, you know, pedestrians
19 in that area and abruptly in an area that caused me
20 to crash into this car. Fortunately, this was not a
21 dangerous accident. However, I wasn't so lucky a
22 year later when a car for hire went through a red
23 light, hit me from behind, giving me lasting injuries
24 and part of the reason why I have become very, very
25 passionate about safety on the streets. I actually

2 live on the East West bicycle corridor of 12th and
3 13th Streets in Manhattan and I use these bike lanes
4 on nearly a daily basis. It's the is welcome, but
5 very different kind of lane that is especially prone
6 to vehicle interference. This is one that could be
7 called a protected bike lane, but it is not really.
8 There are I want that trucks just run over, that car
9 service circumvents, and it is a particularly
10 dangerous area because, if you do leave this area,
11 but the street is-- the remainder of the street is
12 extremely narrow. It's actually more dangerous than
13 sharing that space. When I go out and walk down my
14 street, there is always a vehicle in the bicycle lane
15 regularly requiring me and other cyclists to ride
16 around the parked car or truck and putting us in
17 danger. I have had doors open in my path from both
18 delivery and car service vehicles which use this no
19 stopping designated area as a free-for-all pullover
20 zone, there are regular service trucks parked
21 illegally throughout the day in the bike lane. For
22 instance, near the Verizon [inaudible 1:54:10] 13th
23 Street and second Avenue. There is no effective
24 enforcement of this. There are also NYU vehicles
25 that park in the lane between Third and Fourth

2 Avenues on 13th Street. The result is, anyway, that
3 it is more dangerous than sharing the road, in many
4 cases. And I have complained to the parking
5 enforcement officers that have actually seen it that
6 don't seem to be willing to address this type of
7 infringement. If someone is in the vehicle, saying,
8 the car service or a delivery truck, they do not want
9 to address the safety issue that is taking place
10 there. You know, they might ask them to move, but I
11 don't see any fines taking place for this type of
12 thing.

13 COMMITTEE COUNSEL: Thank you, Sean.
14 If you can summarize.

15 SEAN ADAIR: One more quick issue is that
16 I'm a member of the Citizens Reporting for Idling
17 Commercial Vehicles. This has been a successful
18 program. It was one started by George Packenham and
19 I think it has been one that is been very successful
20 to the city. So, there is an existing pilot program
21 for citizen reporting of street addresses. This is
22 specifically for commercial vehicles and I think
23 everyone would find it successful.

24 COMMITTEE COUNSEL: Thank you. Do any
25 Council members have questions for this panelist?

2 Okay. Seeing nine, our next panelist will be Melody
3 Bryant. Melody?

4 SERGEANT-AT-ARMS: Time begins now.

5 MELODY BRYANT: Hi. My name is Melody
6 Bryant and I am a member of Families for Safe
7 Streets. I will be reading a statement of Amanda
8 Berry's daughter, Madison Lydon, was killed on
9 Central Park West for reasons that I have already
10 been described. Amanda couldn't be here because she
11 lives in Australia and the time difference. It has
12 been my honor with founding member Daniel Lerner to
13 take care of Madison's memorial bike. We adorn it
14 with photos of Madison and her family, poems they
15 have written, her diploma, ribbons they have sent
16 with messages for her. We take photos of the bike
17 and send it to her family in Australia so they know
18 that Madison is not and will never be forgotten.
19 This year she would've been 25. This is her
20 testimony. Amanda's testimony. I still cannot
21 comprehend that my daughter, Madison, is no longer
22 with us. No longer gracing this art with her
23 infectious laughter, her inner and outer beauty.
24 Maddie was so loud and clumsy. She asked so many
25 questions. Her thirst for knowledge was unlimited.

2 I could talk forever about her endless qualities in
3 her zest for life. Madison was 23. She had saved up
4 for the trip of a lifetime and traveled from
5 Australia to see the world. She went to so many
6 islands and countries: Japan, Philippines, and then,
7 most exciting, America. She had just graduated with
8 honors after studying psychology for four years and
9 she wanted to do so many things with her degree to
10 help people, but she didn't get the opportunity to
11 even apply for the Master's program she had hoped to
12 attend. Madison was killed in New York while she was
13 cycling in the bike lane on Central Park West. She
14 was hit from behind by a truck driver after swerving
15 out of the bike lane as an Uber driver was parking in
16 it. Her best friend Pam witnessed the whole thing,
17 but she could only scream. I relive it in my mind
18 constantly and have regular nightmares, always
19 worried that she suffered. Since the crash that
20 claimed her precious life, I became severely
21 depressed and suffer from PTSD. I'm not the only one
22 suffering a lifetime without her. Her dad, Andrew,
23 is terribly broken, as well as Madison's three
24 siblings. A big brother and two sisters. Page is
25 Madison's identical twin sister. They were meant to

2 be together always. Madison also has a huge family
3 and huge network of friends and colleagues and so
4 many are suffering because of her death. Our
5 hometown lowered the flags to half-mast in her
6 memory. Now is had that horrific event shape her in
7 ways we will never know. You don't just pick up the
8 pieces no matter how hard you try or pretend. Our
9 friends and family can see we are just not the same
10 anymore. We never will be. The what if's always go
11 through my mind. What if that Uber had been in the
12 bike lane? My daughter would have been safe. If
13 only he hadn't moved back when he saw her. If only
14 he hadn't been there in the first place. I hope my
15 daughter and so many others who have been killed and
16 injured because of the dangerous act of parking in a
17 bike lane is forever present when you consider this
18 new lifesaving bill, sincerely, Amanda. Families
19 for Safe Streets has joined with others to fight
20 tirelessly to change the parking and bike lanes and,
21 for the first time, because of Madison's death,
22 Central Park West has a protected bike lane. But
23 even with this, drivers still Park and it. Bicycle I
24 need more protection. A civilian reporting program
25 that both finds abusers and incentivizes reporting

2 will, we hope, be a solid step in ensuring that
3 bicyclists are truly protected in New York and that
4 no other families will have to suffer such a loss.
5 Families for Safe Streets strongly supports this
6 lifesaving bill. It cannot pass soon enough and I
7 want to thank Council member Levin for his leadership
8 in advancing it. Thank you.

9 COMMITTEE COUNSEL: Thank you, Melody.
10 Do any Council members have any questions for this
11 panelist? Okay. Seeing none-- First of all, I just
12 want to remind everyone to try as best you can to
13 keep your testimony to two minutes. You are also
14 welcome to submit written testimony at
15 testimony@Council.NYC.gov and I apologize for having
16 to cut people off. Our next panelist will be Axel
17 Carrion. Axel?

18 SERGEANT-AT-ARMS: Clock stands ready.

19 AXEL CARRION: Good afternoon and thank
20 you to Speaker John setting Chair Rodriguez for
21 holding this important hearing on illegal parking and
22 bike lanes and the opportunity to testify today. My
23 name is Axel Carrion, VP for state government and
24 public affairs at UPS. As UPS looks to expand its
25 cargo bike operations in New York City, in

2 coordination with New York City DOT E cargo bike
3 pilot, we appreciate the city's efforts to expand the
4 bike network and reduce conflict between cyclists and
5 vehicles. UPS invests millions of dollars in safety
6 training every year. UPS has collectively spent
7 nearly 6 million hours in training classes. Over
8 10,300 drivers nationally and including many of our
9 drivers operating right here in New York City, have
10 earned UPS circle of honor distinction, meaning they
11 have not had an unavoidable accident and over 25
12 years. Our commitment to safety goes beyond our own
13 fleet, as well. As members of the Together for Safer
14 Roads Coalition, the UPS foundation is proud to help
15 underwrite the installation of backup cameras, convex
16 mirrors, and side view cameras. The City Harvest,
17 New York's largest food rescue organization through
18 division zero tech fund. Further, UPS utilizes
19 technology to increase the efficiency of our routes
20 and reduce the number of vehicles on the road.
21 However, training and technology alone cannot solve
22 for the fact that, as more residents and businesses
23 rely on e-commerce and deliveries further amplified
24 by Covid 19, illegal parking positions for final mile
25 deliveries have not Pace with demand, making our

2 streets less safe for everyone. However, there are
3 steps that the city can take in short order to
4 address some of the root causes of illegal parking
5 and increased safety for cyclists, pedestrians, and
6 drivers alike. First and foremost, UPS supports
7 increased enforcement to ensure that existing loading
8 zones are reserved for those making commercial
9 deliveries and are not simply area as for for-hire
10 vehicles and private cards to idle. Second, we
11 encourage DOT to review all permanent and temporary
12 changes to the streetscape holistically. When
13 commercial loading positions are displaced by
14 construction activity or infrastructure improvements,
15 DOT should identify alternative positions to allow
16 for expeditious delivery. It is time to rethink our
17 curb space to make New York City streets safer. UPS
18 has put forth a fleet of proposals that we believe
19 will increase street safety and reduce illegal
20 parking, including a pilot program to dedicate
21 loading zones with low admission we across, expand
22 the use of Walker systems to reduce redelivery
23 attempts, and increase the maximum all allowable time
24 for commercial parking to reduce the chances of
25 conflicts between cyclists and vehicles. UPS

2 appreciates the opportunity to work collaboratively
3 with the Council and DOT need to identify and
4 implement solutions that move our city into a safer,
5 more sustainable future. UPS hopes that the city
6 will continue to partner with us and other logistic
7 companies--

8 SERGEANT-AT-ARMS: Time expired.

9 AXEL CARRION: to make delivery safer
10 and more efficient. Thank you.

11 COMMITTEE COUNSEL: Thank you for your
12 testimony. Do any Council members have questions for
13 this panelist?

14 CHAIRPERSON RODRIGUEZ: Yeah. Axel, that
15 proposal that you mentioned is something new or is
16 this a document that you shared with us in the past?

17 AXEL CARRION: It is a document that I
18 have shared working with DOT, Chairman.

19 CHAIRPERSON RODRIGUEZ: Okay. So, if DOT
20 or you guys can also send it to us to look what is in
21 those proposals, that would be good.

22 AXEL CARRION: Absolutely, Chairman.

23 CHAIRPERSON RODRIGUEZ: Thank you. Thanks.

24 AXEL CARRION: Thank you, Mr. Chairman.

2 COMMITTEE COUNSEL: Thank you. Council
3 member Levin would also like to ask a question.

4 COUNCIL MEMBER LEVIN: Mr. Carrion, a
5 quick question. And I'm sorry if you had mentioned
6 this is in your testimony. How many spots does UPS
7 or UPS and FedEx or the overall kind of delivery
8 companies-- how many spots around the city do they
9 feel are short right now?

10 AXEL CARRION: I would say more on the
11 commercial zone. The DOT has done a good job, as
12 they mentioned before, and expanding from
13 residential--

14 COUNCIL MEMBER LEVIN: Oh, yeah.

15 AXEL CARRION: parking. The Covid 19
16 pandemic, Councilman, is definitely-- Council
17 member, Covid 19 is definitely changed the landscape
18 of our delivery percentages as far as residential and
19 commercial product mix, whereas it used to be 60
20 percent or 40 percent give or take commercial to
21 residential. During the height of the pandemic, we
22 were looking at summaries of 85 to 15, even 90 to 10.
23 So, we have seen a dramatic change in parking needs
24 for our residential areas, but I will note that there
25 were many comments made earlier, Council member, as

2 far as the number of tickets going down and there is
3 some truth that there was less, I guess, traffic
4 enforcement officers on the road who are dedicated to
5 ticket issuance, but I will subscribe that-- and
6 make the argument that it was more to illegal parking
7 just being available. So, I think working with the
8 city, one of the focus that we have been trying to
9 hammer out is taking a look at holistically the set
10 up from the street to the curb, and from the curb to
11 the street. There is a legal parking definitely
12 taking place every day in our city streets and the
13 question is, if we still have final amounts of
14 deliveries that need to be made, where those parking
15 positions [inaudible 2:06:03].

16 COUNCIL MEMBER LEVIN: Yeah. Absolutely.
17 And I don't think you get a lot of argument from a
18 lot of us in the Council that, you know, the only--
19 you know, there is only-- you are looking at a
20 pretty fixed hi and so, you know, in my opinion and,
21 I think, in the opinion of a lot of elected
22 officials, you know, the if we are taking-- if we
23 have to take parking away from kind of unfettered on
24 street parking, that is-- I am entirely supportive
25 of that. And I mean, across the board, and if there

2 are-- you know, we all are ordering Amazon. We are
3 all ordinary things online and not just because of
4 Covid. Covid has changed that, but I don't know what
5 that is going to be going back and that other
6 direction anytime soon. And so, you know, kind of on
7 the hierarchy of priorities, you know, people need to
8 park their private vehicles on the street is the
9 lowest priority in the hierarchy of priorities.
10 Sorry. So, the that needs to be done aggressively in
11 the city because we can't-- the status quo is just
12 not acceptable. And so, I know UPS and FedEx have
13 like a kind of system with the city where you guys
14 pay, you know, a certain amount up front and then
15 have tickets dismissed, but that is not a workable
16 solution and I mean, again, I understand the need of,
17 you know, your driver's. You have to park somewhere
18 in order to get the packages off the truck, but I am
19 all in favor of having, you know, bike loaded last
20 mile delivery, but there are some limitations to
21 that. I mean, again, the hierarchy must go safety
22 and then, you know, accommodating commerce and then
23 the last priority has to be, you know, the ability of
24 people to park their cars for free on the street, you
25 know, all the time. So--

2 AXEL CARRION: Yeah. I agree. And we
3 do reserve a great interest in the safety of bike
4 lanes because, as I mentioned in the testimony, we
5 are looking to have a significant part of our
6 operations that are cargo bike related, so, you know,
7 when it comes to bike lanes, we have an interest in
8 making sure that the bike lanes are rolled out--

9 COUNCIL MEMBER LEVIN: No. And I get it.
10 I get it. But I have been to your distribution
11 facility in Queens. Like, you know-- in that
12 parking lot, there's got to be 700 trucks or
13 something like that. We are not going to be totally
14 getting-- you know, were not moving entirely out of
15 tracking from UPS and FedEx. That's just not
16 happening. But, I mean, I appreciate that and the
17 more the better.

18 SERGEANT-AT-ARMS: Time expired.

19 COUNCIL MEMBER LEVIN: But, you. Anyway,
20 I will leave it at that.

21 AXEL CARRION: Thank you, Council
22 member.

23 COMMITTEE COUNSEL: Thank you. Our
24 next panelist will be Rocco Lacertosa. Rocco?

25 SERGEANT-AT-ARMS: Clock stands ready.

2 ROCCO LACERTOSA: Good morning, Chairman
3 Rodriguez and the rest of the committee members and
4 thank you for the opportunity to testify today. My
5 name is Rocco J. Lacertosa and I serve as the Chief
6 Executive Officer of the New York State Energy
7 Coalition, better known as NYSEC. NYSEC serves as
8 the voice of the renewable biodiesel and heating oil
9 industry in the five boroughs of New York City and
10 [inaudible 2:09:40] Suffolk County. Today's hearing
11 will involve a broader discussion about the issues of
12 illegal parking and bike lanes throughout the city,
13 but I would like to focus my testimony on Intro 2159
14 which we believe will negatively affect to the impact
15 of the way our industry operates. The heating oil
16 industry is well into the 2020 - 2021 heating season
17 and we are already seeing cold temperatures and
18 winter conditions in the city. As a result, our
19 members are working harder than ever to deliver
20 consistent service amongst a number of obstacles.
21 Furthermore, given the pandemic, an increasing number
22 of people are working from home and residing in the
23 home for longer periods of time. The demand for
24 heating oil has been higher than ever, which should
25 be of no surprise to the members of this committee

2 that delivering any type of essential service in New
3 York City is becoming increasingly difficult given
4 the expansion of transit infrastructure improvements
5 and such as dedicated bus lanes and the proliferation
6 of bike lanes in neighborhoods throughout the five
7 boroughs. The heating oil industry, however, faces a
8 unique set of challenges as we are unable to park
9 just anywhere when conducting our deliveries. In
10 almost all cases, our fuel trucks most park is
11 closely as possible to the customer's location,
12 whether it be commercial or residential, in order to
13 access the point of delivery for the fuel tank.
14 Thankfully, our delivery personnel take, on average,
15 15 to 20 minutes to complete a fuel delivery
16 depending on the size of the tank with a maximum of
17 30 minutes in some specific cases. As the city
18 implements more bus and bike lanes to improve the
19 transit system in New York City, our members have had
20 to adapt their delivery options to fix the current
21 landscape, however, some of our members have reported
22 customer locations where they have no physical way of
23 delivering fuel without temporarily occupying a bus
24 or a bike lane. It's important to note that our
25 members go out of their way to ensure that their

2 vehicles are complying with all New York City parking
3 and traffic regulations, but the legislation being
4 proposed today could make things significantly more
5 difficult for members.

6 SERGEANT-AT-ARMS: Time expired.

7 ROCCO LACERTOSA: As written in Intro
8 2159, it would create a new civil violation
9 punishable by up to 175 dollars for parking in a bus
10 lane or bike lane within a radial distance of 1320
11 feet [inaudible 02:11:48] or exit of a school. Many
12 of our members serve not only the department of
13 education, private school facilities, but also a
14 number of residential and commercial customer
15 locations would fall within that distance. As such,
16 the legislation imposes a number of concerns for our
17 members and we look forward to working with the bill
18 sponsor and that Council to address these concerns.
19 Thank you.

20 COMMITTEE COUNSEL: Thank you, Rocco.
21 Do any Council members have questions for this
22 panelists? Council member Levin?

23 COUNCIL MEMBER LEVIN: Thank you very
24 much. Thank you, Mr. Lacertosa. We spoke earlier in
25 the week as you reached out-- or last week and, you

2 know, I am understanding of the concern because
3 there's, obviously, [inaudible 02:12:47] that you
4 pointed out. So, we will continue talking and engage
5 with the individuals, the advocacy organizations that
6 have been testifying here, as well, to kind of talk
7 through how we would address the specific issue of
8 home heating oil delivery and that very narrow kind
9 of category of where there is, you know-- for
10 example, the-- also the facilities where there is
11 [inaudible 2:13:25]. Thank you so much. I
12 appreciate it.

13 ROCCO LACERTOSA: Thank you. Thank you
14 for your time.

15 COMMITTEE COUNSEL: Thank you. If
16 there are no other questions, our next panelist will
17 be Eric McClure. Eric?

18 ERIC MCCLURE: Thank you. Thank you,
19 Chair really appreciate the opportunity to testify
20 today. Streets PAC strongly-- my name is Eric
21 McClure. I am the executive director of Streets PAC.
22 We strongly support Intro 2159. Reporting mechanism
23 called [inaudible 02:13:59] the bill is modeled on
24 the Department of Environmental Protection citizens
25 air complaint program which works the same way you

2 for idling violations in a bit like the TLC's
3 complaint system which is not [inaudible 2:14:09].
4 Both of those programs are considered successful and
5 allow the city to increase enforcement of harmful
6 behavior without burdening law enforcement personnel.
7 Illegal parking is rampant in New York City and, in
8 too many cases, creates hazardous situations for
9 people using the streets. One of the most tragic
10 recent examples was the death of Madison Jane Lydon
11 which my colleagues have talked about extensively.
12 While such instance, illegal parking happens in
13 thousands, if not tens of thousands of times every
14 day, they are reportable to 311. However, existing
15 enforcement efforts are severely lacking. It often
16 takes hours for police to respond, frequently well
17 after the violator has driven off. Worse, in too
18 many cases, police failed to take action when they do
19 respond. Not only will Intro 2159 help hold those
20 creating dangerous street conditions accountable, but
21 it will, in many cases, the free up police for other
22 tasks. Ideally, we would like to see the bill
23 advance without the quarter-mile restrictions since
24 illegal parking can create danger anywhere. I'm not
25 sure, for example, if there is a school within that

2 radius from where Madison was killed, but we support
3 this legislation regardless. The concerns expressed
4 by the administration can be addressed. We urge the
5 Council to reconcile these concerns quickly and vote
6 Intro 2159 out of committee and pass it into law at
7 the earliest opportunity. Of course, this
8 legislation alone won't eradicate the rampant problem
9 of illegal parking and bike lanes. We strongly
10 support the use of bike lane cameras and will gladly
11 work with the administration to help advance
12 legislation permitting their use in Albany, however,
13 the best way to address the problem is to design and
14 build bike lanes that can't be parked and driven in.
15 Too many of the cities quote unquote protected bike
16 lanes are only protected by flexible plastic posts
17 that drivers too often flattened. The bike lane
18 should only be counted as protected if it can't be
19 driven in which means hard physical protection in the
20 form of parking protection, Jersey barriers, or curbs
21 that can't be mounted. We also strongly support
22 expansion of cities pilot neighborhood the loading
23 zones program and urge that the program be expanded
24 widely and be made permanent. Finally, it is
25 imperative that the Department of Transportation

2 release it's overdue smart truck management plan
3 without any further delay. As the number of truck
4 deliveries continues to soar, the potential--

5 SERGEANT-AT-ARMS: Time expired.

6 ERIC MCCLURE: to overwhelm
7 neighborhoods with truck traffic. In Brooklyn's Red
8 Hook, for example, there were at least for e-commerce
9 distribution centers planned all as of right in the
10 neighborhood whose old cobblestone streets are ill-
11 equipped to handle the onslaught. Thank you very
12 much for the opportunity today and I look forward to
13 seeing you all again in person at some point soon.

14 COMMITTEE COUNSEL: Thank you, Eric.

15 Do any Council members have questions for this
16 panelists? Okay. Seeing nine, our next panelist
17 will be Glenn Bolofsky. Glenn?

18 SERGEANT-AT-ARMS: Clock stands ready.

19 GLENN BOLOFSKY: Yep. How is everybody
20 doing today? Nice to see everybody again. Thank you
21 to Speaker Johnson and Chairman Rodriguez. Very
22 happy to be with everybody today and I want to thank
23 Council member Levin for introducing this bill and
24 all the cosponsors of the bill, as well. I support
25 this bill to protect the safety of our community. I

2 mean, too many lives are lost every single day, every
3 week. It doesn't end. It's got to end. You know,
4 we have got to do more. We deserve more. Our
5 families, our friends. We all deserve more. I know
6 DOT has restraints. I have complete respect for
7 their efforts, but we still have to do more. I not
8 only support this bill to protect the safety of our
9 community. I secondly support Transportation
10 Alternatives and others to not only support this bill
11 but for Intro 1141 2018 which will end the stipulated
12 find program and generate as much as 300 million a
13 year in revenue that we all desperately need for the
14 new budget. With more than a majority of the members
15 on the bill and that package delivery companies
16 enjoying windfall profits, they really should do
17 their share and pay the same fine as everyone else.
18 I think it's about time we start calling this the
19 fair finds program because of the social inequity in
20 the social injustice of people who are out of work,
21 trying to put food on the table, and having to pay
22 sometimes five or six times the price-- or multiple
23 five or six times in the largest companies who enjoy
24 the use of our streets. They enjoy the use of our
25 streets, the record profits. They should need to pay

2 a fair fine. Regarding DOT's testimony earlier that
3 they did not know-- in answer to Chairman
4 Rodriguez's question--

5 SERGEANT-AT-ARMS: Time expired.

6 GLENN BOLOFSKY: Yes.

7 COMMITTEE COUNSEL: Please summarize.

8 GLENN BOLOFSKY: Summarize? DOT should
9 have a mechanism to know every vehicle operating in
10 the city. In the last point is that most of these
11 parking problems can go away in, literally, would be
12 that. If DOT just quickly amends its rules to say
13 that no standing any time zone should be no standing
14 except trucks loading and unloading zones which would
15 make parking a track and making a delivery legal--
16 they don't need to change the sign to spend any
17 money. Just change the law and they could put for--
18 or seven to seven. They could put something like
19 that I would help UPS, FedEx, and everyone else.
20 Thank you for the opportunity to testify today.

21 COMMITTEE COUNSEL: Thank you, Glenn.

22 Do any Council members have questions for this
23 panelist? Okay. Seeing none at this time, our next
24 panelist will be Paul Schreiber. Paul?

25 SERGEANT-AT-ARMS: Clock stands ready.

2 PAUL SCHREIBER: Hi, there. My name is
3 Paul Schreiber. I live in Council member Levin's
4 district in Brooklyn. I am here to speak in support
5 of the bill. As a cyclist and pedestrian, that not a
6 day goes by that I have up for a bike ride where I do
7 not have to avoid a vehicle parked in the bike lane
8 or put myself in danger by writing into oncoming
9 traffic. I would like to make two additional points
10 here. One is there are a couple of ways to improve
11 the bill. The fine of 175 dollars is to allow to
12 start and it should increase with subsequent finds.
13 And, secondly, the restriction of being way then 1320
14 feet, which I looked up as one mile, is unnecessarily
15 limiting and should be expanded to protect all bike
16 lanes everywhere. And, lastly, I would like to bring
17 some data to this discussion. The 8245 block bike
18 lane complaints filed with 311 in 2020, only 109--
19 I'm sorry. That's 1.3% of them resulted in a
20 summons. 76% of these complaints resulted in no
21 action and 19% resulted in the police took action to
22 fix the condition, which is unclear what that
23 actually means. So, if the NYPD thinks that 99% of
24 complaints are unfounded and don't require a summons,
25 then something is really, really wrong here and we

2 need to figure out what that is and fix it. Thank
3 you.

4 COMMITTEE COUNSEL: Thank you, Paul.

5 Do any Council members have questions for this
6 panelist? Okay. Seeing nine, our next panelist will
7 be Michael Dunn. Michael?

8 MICHAEL DUNN: Yeah. Present. I am
9 going to read a prepared statement and then I'm going
10 to try and share my screen to just share some
11 pictures of what I'm talking about. Hopefully, that
12 works. We will see. Hello, my name is Michael Dunn
13 and I am here to ask some questions about the NYPD
14 and our parking placards on Classen Avenue,
15 specifically. Classen Avenue has a lovely park,
16 playground, and a school, PS 270. It also has an
17 NYPD precinct, the 88th precinct. The 88th precinct
18 has decided that the laws of the city of New York to
19 not apply to them. They have painted parking spaces
20 onto the sidewalk of Classen Avenue. These parking
21 spaces are labeled XO, patrol Lieutenant, ICO
22 Sergeant, etc. These spaces are assigned and clearly
23 maintained [inaudible 02:22:39] endorsement of every
24 command level within the building and beyond.
25 Indeed, the ICO Sergeant is the Integrity Control

2 Officer. That is the person who is responsible for
3 the placards and every day they are parking on the
4 sidewalk. These spaces are clearly in violation of
5 both the city charter and the Americans with
6 Disabilities Act. By habitually parking on the
7 sidewalk, the 88th precinct demonstrates a flagrant
8 lawlessness and poses an active threat to the health
9 and wellness of the surrounding community. I have
10 personally witnessed New Yorkers in wheelchairs who
11 have been forced into the street because of these
12 vehicles parked on the sidewalk. Placard abuse may
13 seem like mundane corruption, but the lack of
14 accountability and civilian oversight contributes to
15 a cultural lawlessness that permeates the NYPD. NYPD
16 comes to the city Council and they live. They lie
17 about placard abuse. They lie about their
18 disciplinary process. They lie about bail reform.
19 They lie about the New Yorkers who they shoot in the
20 streets. They are not good-faith participants in
21 this process. They are not seriously trying to fix
22 their culture. They relish the privileges of the
23 lacquered class. They said they would do nothing
24 different about the protests earlier this summer when
25 they beat us in the street. The NYPD operates

2 outside of civilian control and they are a lawless
3 gang and city Council would be wise to start treating
4 them that way.

5 SERGEANT-AT-ARMS: Time expired.

6 MICHAEL DUNN: That's fine. I will
7 share my screen and show you the pictures of the--

8 COMMITTEE COUNSEL: Michael, without
9 the prior notice--

10 MICHAEL DUNN: It's just a bunch of
11 pictures of the cars outside the 88th precinct parked
12 and it's all my 311 complaints that a been falsely
13 closed saying that the Police Department responded
14 and it wasn't necessary. And then the last thing
15 I'll say is about the automated enforcement of bike
16 lanes. It's illegal to have a license plate cover in
17 the state of New York, but there's a lot of NYPD
18 officers that have license plate covers on their
19 cars. So, if you're going to do these automated
20 enforcement, it's still going to be inequitable.
21 Fuck the fucking police. Cheers.

22 COMMITTEE COUNSEL: Okay. I just want
23 to let everyone know that if you would like to submit
24 any kind of written testimony or anything like that,
25 you can do so at testimony@NYC--

2 testimony@council.nyc.gov. Our next panelist will be
3 Michael Streeter.

4 SERGEANT-AT-ARMS: Clock stands ready.

5 MICHAEL STREETER: Hi. Council member
6 Levin's district. I wanted to speak in support of
7 Intro 2159 which is modeled after the DEP's Anti-
8 Idling initiative. Both of these bills were drafted
9 to address laws that are constantly being broken all
10 day, every day all over the city which, despite years
11 of begging and pleading, have been ignored by NYPD.
12 I wanted to use my time to make two quick points.
13 Number one, regarding safety of civilian reporting,
14 there have been just over 18,000 complaints submitted
15 to the DEP's idling program in three years and I
16 personally am responsible for nearly 1% of them.
17 Each submission requires that I walk around the
18 vehicle with the phone pointed at it for over four
19 minutes while the driver is in their vehicle. I have
20 not experienced any incidents with drivers, nor have
21 I heard of any physical confrontations from the many
22 other complainants that I speak with. Or TLC or 311
23 complaints instead of making assumptions like we have
24 heard argued by DOT this morning. My other point
25 regarding the potential of this proposed bill, the

2 idling complaint program has made a huge impact on
3 truck driver behavior in very little time. I can
4 only tell you about this firsthand anecdotally, but I
5 have a clear before-and-after perspective. In 2019,
6 the on a lunch break in Midtown and one hour I
7 recorded five idling trucks just while walking to a
8 bookstore and back to my office. I submitted five
9 videos. Five summonses were issued. Five hearings
10 were won by the DEP. Less than two years later,
11 that's not happening anymore. Truck drivers know
12 what is going on. They have changed their behavior.
13 There is still plenty of idling, but it is not at
14 that level anymore and it is thanks to the crowd
15 sourced enforcement. So, every day I see cars
16 illegally parked--

17 SERGEANT-AT-ARMS: Time expired.

18 MICHAEL STREETER: it's time to finally
19 hold them accountable just like we were able to hold
20 polluting truck drivers accountable. Thank you.

21 COMMITTEE COUNSEL: Thank you for your
22 testimony. Do any Council members have questions for
23 this panelist? Okay. Seeing none, our next panelist
24 will be Hannah C. Hannah?

25 SERGEANT-AT-ARMS: Starting time.

2 COMMITTEE COUNSEL: Hannah, are you--

3 HANNAH CARLIN: Hi. Sorry. I was
4 having a little technical difficulties. Is it me
5 now?

6 COMMITTEE COUNSEL: Yes. Go ahead.

7 HANNAH CARLIN: Sorry. I'm trying to
8 get a couple things to happen at once. I know I am
9 burning time. Just a moment. Okay. Yeah. Hi. I
10 am Hannah Carlin. I'm a lifelong New Yorker,
11 Brooklyn resident. I don't have a prepared
12 statement. I found out about this hearing and just
13 decided to make time for it not realizing how much
14 time it would be. I am passionate about this issue
15 for a number of reasons, but chiefly because my
16 friend, Sarah Pitts, who was an activist and Brooklyn
17 assistant district attorney was killed on her bike on
18 her way home in September. Individual space has been
19 built where this happened on Wythe in Williamsburg
20 Street and every single time we are there, there are
21 buses in the bike lane. There are private buses.
22 There are private transportation vehicles every time
23 we go. About half the time we go, there are also
24 police vehicles there because they know that it is a
25 dangerous intersection and when we ask them to do

2 something about the bikes, they do nothing. They
3 tell us that they are not going to do anything. We
4 get I don't know what to tell you every single time.
5 It's awful that we have so much data about bicycle
6 safety and infrastructure and death, but I feel like
7 it shouldn't actually take a death tally to see that
8 a legal parking of this type is dangerous and that
9 protecting a legal parking of this type makes space
10 for injury and for death. I get that it is a burden
11 on businesses. We are asking is to make space for
12 people who get hurt and killed. The intersection of
13 Wythe in Williamsburg is a perfect example. It's a
14 dangerous intersection for a lot of different
15 reasons. The illegal parking is one of those
16 reasons. But, you know, you have to solve the whole
17 thing. Again, they have sent police there because
18 they know it is a dangerous intersection. It is not
19 enough. Every piece of this puzzle has to get
20 solved. I want to speak very, very quickly just to,
21 I think, the notion of an IT system worry is
22 nonsense. I think repeat offenders are ridiculously
23 easy to document and a simple upload recording of an
24 empty your idling vehicle would be easy enough. I
25 think the school radius strikes me as a totally

2 needless restriction. It is dangerous everywhere.
3 Every single person on this call knows that it is
4 everywhere and we know that it needs addressing.
5 And, lastly, I want to thank, in particular, Council
6 member Menchaca for working really passionately on
7 this issue, for doing it with an eye for it's
8 intersections of race and class, and for showing up
9 for Sarah on multiple occasions. Thank you, Council
10 member Menchaca.

11 COMMITTEE COUNSEL: Thank you for
12 testimony. Do any Council members have questions for
13 this panelist? Okay. Seeing none, our next panelist
14 will be Iain. If you could just say your name for
15 the record.

16 SERGEANT-AT-ARMS: Time.

17 IAIN ROBERTSON: Hi. My name is Iain
18 thank you so much for your time today in 2019, I was
19 almost crushed by an MTA bus which broke the law and
20 almost killed me on the sidewalk, hence my interest
21 in traffic safety. Vision Zero and the current
22 traffic laws and enforcement are simply not working.
23 There are hundreds of millions-- and I do repeat.
24 Hundreds of millions of traffic violations in New
25 York. Traffic violence is out of control and has

2 destroyed many lives, polluted our neighborhoods,
3 gridlocked our cities, and endangered, especially,
4 are young and old. The police union has publicly
5 acknowledged the problem and the inability of the
6 police to now address this. As a result of my near-
7 death experience, I actually proposed a new law to
8 New York City Council based on both my experience in
9 DEP and in TLC. Drivers break the law for one simple
10 reason. NYPD cannot enforce the law given the scale
11 of violations, you had an army of citizens is willing
12 to assist New York City to make the street safer in
13 our neighborhoods towards a vision zero have dealt
14 with both the DEP and the TLC. I can tell you that,
15 in the last year I've managed to have convictions of
16 over 100 taxi drivers without a single failure. It
17 is a simple photo to the TLC. It is a very simple
18 and easy system to do. In the eight years of Vision
19 Zero, let's be honest. The issue of traffic violence
20 has simply not been addressed. People are still
21 dying. People are still being injured on a daily
22 basis and I would like to make one offer to the
23 Council today. I fully support this law, but I
24 propose to the Council already a law that is exactly
25 this law. I would like to make further proposals

2 within one year which reduces the deaths by 50% in
3 New York City at no additional cost. The current
4 laws and technologies could be enhanced to and
5 traffic violence. It is simply a question of
6 political will. Finally, I would like to thank
7 sincerely the Council members for bringing this bill
8 and for giving me the time to talk today. Thank you
9 so much.

10 COMMITTEE COUNSEL: Thank you for your
11 testimony. Do any of the Council members have
12 questions for this panelist?

13 CHAIRPERSON RODRIGUEZ: Let's just be sure
14 that we keep his contact so that our staff also can
15 follow up with him on what is the ideas on the law
16 that he is referring to as a potential one to
17 introduce. Thank you.

18 IAIN ROBERTSON: Thank you.

19 COMMITTEE COUNSEL: Okay. Will be Kyle
20 Guske. Kyle?

21 SERGEANT-AT-ARMS: Starting time.

22 KYLE GUSKE: Hello. Good morning. I'm
23 going to read from a prepared statement today. I am
24 a resident in Williamsburg. District 34. I have
25 taken cycling is a form of exercise, recreation, and

2 transportation for the last two years. Grant Street
3 in Brooklyn which is supposed to have protected bike
4 lanes is both a major through fair for psychologists
5 in large commercial vehicles, but every time I ride
6 there, there are vehicles parked just about every
7 other block. This forces cyclists to ride with large
8 commercial traffic which is a very dangerous and
9 prevents newcomers from adopting cycling in the city
10 which is so important, especially during the
11 pandemic. This happens every time I ride here and
12 I've never seen a single vehicle ticketed. Of
13 course, this phenomenon is not limited to Grand
14 Street, but occurs across our city. I observed way
15 too many cars parked in the bike lane, endangering
16 the lives of cyclists. This means there is not
17 enough enforcement. Many of these vehicles are here
18 for short times, so, regardless of the will of the
19 NYPD to enforce parking in the bike lanes, they may
20 not be equipped to do so. Moreover, their
21 enforcement will is questionable because nearly every
22 precinct is both police and private vehicles parked
23 illegally on the sidewalk sand and bike lanes. Short
24 of fixing our infrastructure to prevent these
25 scenarios which should be our Northstar, we must act

2 now and provided Avenue of enforcement to save lives
3 and encourage cycling, a green, socially distant, and
4 healthy form of transit. I have many friends here in
5 New York City who expressed interest in cycling, but
6 are hesitant for safety reasons. We need to move
7 forward with every reasonable effort from increased
8 cycling safety to the point that everyone who wants
9 to cycle feels safe cycling in our city. Currently,
10 there is no mechanism to report these parking issues
11 that carry any accountability. 311 will close the
12 case and it will not be investigated. Constituents
13 must feel empowered to make their streets safer.

14 SERGEANT-AT-ARMS: Time expired.

15 KYLE GUSKE: I would like to thank the
16 Council for the opportunity to testify today. Thank
17 you.

18 COMMITTEE COUNSEL: Thank you for your
19 testimony. Do any Council members have questions for
20 this panelist? Okay. Seeing none, our next panelist
21 will be Dimitris Koutoumbas.

22 DIMITRIS KOUTOUMBAS: Good afternoon. I
23 wanted to--

24 SERGEANT-AT-ARMS: Starting time.

2 DIMITRIS KOUTOUMBAS: I want to thank the
3 Chair, Council member hearing. Speaker Johnson and
4 Council member Levin for introducing this bill and
5 the opportunity to testify today. My name is
6 Dimitris Koutoumbas. I am a resident of Washington
7 Heights and biking has been my main mode of
8 transportation for getting around since moving to the
9 city a couple of years ago. It has been very
10 rewarding to see the positive changes happening on
11 our streets to the benefit of safety and slower
12 travel speeds, but at most times, these changes have
13 been happening reactively. The city is not done
14 enough to proactively encourage its citizens to try
15 alternative modes of transportation. Through my
16 experiences, I can clearly say that many drivers do
17 not see a reason to share the street with anyone but
18 themselves. It is very discouraging and infuriating
19 for bicyclists to continuously see double parked
20 vehicles on St. Nicholas and Amsterdam Avenues. The
21 only two major thoroughfares up town with dedicated
22 bike lanes. The culture needs to change and it all
23 starts from leadership at the top. I am a strong
24 believer that if you design proper streets for the
25 needs of all users, enforcement shouldn't be

2 required. I can say that, through my experience, the
3 NYPD has done a terrible job in enforcing drivers to
4 obey the rules of the law. They should not be in a
5 position of enforcement when they, themselves,
6 disregard the safety of bicyclists and pedestrians
7 through blocking bike lanes, blocking crosswalks,
8 blocking sidewalks, and converting blocks into
9 parking lots. I do not understand why police
10 officers need to patrol their neighborhood in the
11 comfort of their SUV when New York City is extremely
12 walkable. It is bad for community relations, the
13 environment, and the safety of other users on the
14 street. I have also been an avid user of the Report
15 in New York City at which provides a simplified way
16 to submit feedback to 311 and the TLC Commissioner
17 regarding any infractions by drivers on the road. I
18 have many times submitted photographs through the app
19 which allows the TLC to prosecute drivers and, if
20 guilty, pay a penalty. Even though this is a
21 terrific, I do not have any direct incentive to keep
22 submitting evidence of traffic violations. In
23 closing, this bill introduced today would benefit all
24 citizens to proactively engage with government and
25 help with the revenue the city desperately needs. I

2 understand that this should not be the only solution
3 to our problems. The city has to start looking at
4 our transportation system holistically and recognize
5 that, in order to properly implement Vision Zero,
6 government should not rely on enforcement, but
7 adequately engineer its streets to the benefit of all
8 users. Thank you.

9 COMMITTEE COUNSEL: Thank you for your
10 testimony. Do any Council members have questions for
11 this panel as?

12 CHAIRPERSON RODRIGUEZ: I would like to
13 thank Dimitris, a former intern in my office,
14 resident of our community, so one that I know has a
15 lot to offer today and someone that I know is to hear
16 from these amazing ideas on how to focus on our
17 planning and bring solutions to transportation issues
18 that we face. So, thank you for being a resident in
19 my district and for the year that you served as an
20 intern and I know that the city will continue
21 listening to a lot of good ideas coming from you in
22 the near future, especially on transportation. Thank
23 you, Dimitris.

24

25

2 COMMITTEE COUNSEL: Thank you. Our
3 next panelist will be Lucia D. and if you could just
4 say your name for the record, please.

5 SERGEANT-AT-ARMS: Starting time.

6 LUCIA DAME: Hi. Yes. My name is Lucia
7 Dame. I am a resident of the Bronx in the concourse
8 in Fernando Cabrera's district. District 14. I am
9 in full support. Thank you, by the way, for the
10 opportunity to speak on this. I am in full support
11 of the bill introduced by Council member Levin for a
12 lot of the reasons that everyone else had already
13 mentioned. In particular, you know, every day I
14 observe NYPD and other city officials parking their
15 cars on the sidewalk median ride on the Grand
16 Concourse. I mean, it is unsafe. It prevents
17 merging traffic from seeing folks riding in the bike
18 lane. It is unsafe. They are parking right on top
19 of subway grates and I think the biggest thing is
20 that it, essentially, sends a signal to others that
21 it is acceptable to do this and it completely erodes
22 the respect, trust, and legitimacy of the NYPD and
23 other city officials. And when you do submit 311
24 reports of this, the reports are immediately closed
25 and, essentially, the local precinct says, oh, we are

2 taking care of it. When, in fact, it hasn't. So, on
3 top of the illegal parking, there actually creating
4 an additional legal document. A false document. So,
5 you know, we definitely need to look at other
6 mechanisms to prevent this from happening and it
7 really needs to start from the top. You know, it
8 really needs to start from leadership holding
9 themselves accountable and it is shown that NYPD is
10 just either incapable or unwilling to do this and I
11 think it is a great idea to move this enforcement
12 action to a different agency. So, I really hope that
13 everyone can support this bill. Thank you.

14 COMMITTEE COUNSEL: Thank you for your
15 testimony. Do any Council members have questions for
16 this panelist? Okay. Our next panelist will be Bill
17 Feinberg. Bill?

18 BILL FEINBERG: Yes. I'm Bill Feinberg.
19 I live in the Gramercy area and I was actually taken
20 aback by Ms. Foregione's testimony that placards
21 don't really have anything to do this hearing and we
22 are concentrating on bike lanes which I appreciate
23 the bike lane issue, but what I'm looking at is--
24 and I proposed and made a proposal to Polly
25 Trottenberg and city Council members and I really

2 appreciate what Stephen Levin has done. Everything
3 is connected. And I had proposed charging \$500 a
4 year for the 166,000 placards in New York City. It
5 would generate probably \$100 million just in
6 Manhattan. Eliminate all lacquered parking at Uni
7 meters. Here, and Gramercy, between 22nd and Third
8 and 15th and Irving, there are 50 metered spots.
9 Every day, an average of 38 spots are taken up by
10 Parker parking. That is about \$1.2 million a year
11 loss just on those 38 parking spaces for 300 days a
12 year. We have also proposed resident parking \$250 a
13 year. Only residents of the neighborhood. Let's say
14 in my neighborhood. 14th to 34th, River to Fifth.
15 That would generate about \$3 million a year. It
16 would also eliminate people driving in from outside
17 the city and searching for spots, double parking,
18 idling. All told, the city could raise about 250
19 million. Cops park--

20 SERGEANT-AT-ARMS: Time.

21 BILL FEINBERG: everywhere in my
22 neighborhood. They park on meters. They park on
23 sidewalks. They block streets. In fact, the DOT
24 has, the 13th precinct, they haven't done a thing
25 about blocking 21st Street between Second and Third

2 which the cops took up after George Floyd. They
3 haven't done a thing. The NYPD can't block streets.
4 Only the DOT can, but in my proposal we would raise
5 250 million, eliminate congestion, and stop
6 corruption. Also, it was also pointed out that
7 police destroy their plates. They alter plates.
8 They bend plates. And that is only meant to stop
9 paying tolls. I have to pay tolls. I have no
10 problem. I understand it brings in revenue and pays
11 for streets. But they destroy their plates--

12 SERGEANT-AT-ARMS: Time.

13 BILL FEINBERG: to get around paying
14 their rightful number.

15 COMMITTEE COUNSEL: Thank you for your
16 testimony.

17 BILL FEINBERG: I also wanted to thank
18 Michael Dunn. He's absolutely right about license
19 plate covers. Michael Streeter about idling. And
20 also it is absolutely ridiculous, as Glenn Bolofsky
21 pointed out, that UPS and all these other companies
22 bulk pay tickets at between five and 10 dollars where
23 if I am five minutes over a meter, I have to pay \$65.
24 Absolutely ridiculous and insulting. Thank you.

2 COMMITTEE COUNSEL: Thank you, Bill.

3 Are there any questions for this panelist? Okay.

4 Seeing none, our next panelist will be Jeff Novich.

5 Jeff?

6 SERGEANT-AT-ARMS: Starting time.

7 JEFF NOVICH: Hi, everybody. I'm Jeff

8 Novich and I strongly support it is a free app for

9 New Yorkers to quickly submit complaints about cars

10 illegally blocking bike lanes and crosswalks and, in

11 2019, over 900 New Yorkers, many of them on this

12 call, filed over 18,000 submissions, all of them with

13 photos that would qualify under this bill. Now,

14 these complaints are then relayed to 311 and that is

15 how Report It works. It is a passion project. It

16 makes no money and there is no business. You can

17 guess what happened to each of these. I ran the

18 numbers, looked at the SR numbers, and virtually none

19 of these complaints sent to the NYPD yielded a

20 summons. Literally like 10 out of 18,000. In

21 addition, NYPD responded on average three hours after

22 the submission was made, making it nearly impossible

23 to catch these drivers. Now, 311 basically requires

24 citizens to beg the New York Police Department to

25 respond to egregious violations like cars routinely

2 blocking bike lanes and just pray that they do their
3 job. We have all been there. And I'm here today to
4 say that that current system does not work in this is
5 why we need this bill. On a more personal note, I
6 live in Harlem and, before Covid, I regularly
7 commuted to Chelsea by City Bike. My wife bikes our
8 two children, soon to be three, on a dutch cargo
9 bike. We have routinely had to deal with drivers
10 blocking bike lanes, something that is made more
11 dangerous when you have children with you. The NYPD
12 has been virtually ineffective. They frequently
13 block the bike lanes themselves as Streets Block has
14 uncovered recently. So, I recognize this bill won't
15 solve all the problems, but it gives citizens a way
16 to hold drivers accountable without having to engage
17 NYPD. So, it is a major step forward towards
18 directly addressing the scourge of cars and bike
19 lanes. In about two seconds. I just want to add
20 three additional pieces of feedback to strengthen the
21 bill. One, I think it should include no standing
22 zones. I don't know why that is excluded. It's
23 illegal even if you have a valid placard.

24 SERGEANT-AT-ARMS: Time.

2 JEFF NOVICH: Two, the designation of 1320
3 feet from a school entrance is arbitrary and
4 irrelevant. That is been said. No one is carrying a
5 tape measure here. An SUV blocking a crosswalk that
6 is 1400 feet from a school is still blocking your
7 crosswalk. And, number three, I think the
8 requirements need to be simple. New Yorkers need to
9 be able to submit these in under 30 seconds. That is
10 how we build Report It. It makes it really easy. If
11 you make those requirements really tedious, you are
12 not going to have citizens engaging in this bill.
13 Thank you for your time on this important subject.
14 Thank you.

15 COMMITTEE COUNSEL: Thank you, Jeff.
16 Does anyone have questions for this panelist? Okay.
17 Seeing none, our next panelist will be Ryan Frank.
18 Ryan?

19 SERGEANT-AT-ARMS: Starting time.

20 RYAN FRANK: Thank you. My name is Ryan
21 Frank. I am a resident of the upper West side and I
22 work in Sunset Park. I am testifying today in
23 support of Council member Levin's legislation. I
24 started to raise concern about cyclist safety after a
25 friend of mine, Deborah Freeland, was killed in

2 2019 while riding her bike on Bushwick Avenue. She
3 was one of 29 cyclist fatalities in New York City
4 that year. And after Deborah's death, I became more
5 conscious of the scourge of illegal parking and how
6 it creates unsafe road conditions for cyclists, as
7 well as pedestrians and drivers. One spot that has
8 been consistently problematic is the bike lane on
9 Columbus Avenue near the 20th precinct not far from
10 where I live. Cars with placards are consistently
11 parked there illegally, partially obstructing a bike
12 lane and a no standing zone. I reached out to the
13 20th precinct. I have attended community Council
14 meetings. I have spoken with Helen Rosenthal's
15 office, made numerous 311 complaints, all to no
16 avail. And the problem persists and it, in my
17 experience, the Police Department has been unhelpful
18 and unwilling to address the issue. I've witnessed
19 and heard about countless other placard abuse
20 hotspots throughout the city. We have heard from
21 some of these from the panelists and speakers today.
22 There is a car with an FDNY placard that parks on my
23 block on a near daily basis blocking a crosswalk in a
24 hydrant. I have made 311 complaints and nothing gets
25 done. With all due respect to NYPD chief Royster who

2 spoke earlier, you know, I don't think we need more
3 communication or messaging. We need consequences for
4 illegal behavior. We see illegal parking happening
5 throughout the city every single day and, as many
6 people pointed out, all you need is not just an NYPD
7 placard, but, you know, sometimes it is just a thin
8 blue line sticker on the bumper and they seem to be
9 exempt from parking laws. You know, the Department
10 of Transportation with the city Council, with
11 community--

12 SERGEANT-AT-ARMS: Time.

13 RYAN FRANK: boards, they collectively
14 determine how our space is allocated. It should not
15 be up to a few people who happen to have a parking
16 placard to supersede those roles. They need to be
17 leading by example. We need more transparency and
18 accountability. Thank you.

19 COMMITTEE COUNSEL: Thank you for your
20 testimony. Are there any questions for this
21 panelist? Okay. Seeing none, I would now like to
22 ask if there were any other panelists that we might
23 have missed on our list. If you could please use the
24 raise hand function. Okay. Seeing none, I will turn
25 it back over to Chair Rodriguez.

2 CHAIRPERSON RODRIGUEZ: Elliott, I think
3 there is someone raising her hand in the screen, so
4 if you can look at it?

5 COMMITTEE COUNSEL: Okay. It looks
6 like we want more. Jana. If we could give her two
7 minutes.

8 SERGEANT-AT-ARMS: Starting time.

9 COMMITTEE COUNSEL: Can we please
10 unmute Jana Leo?

11 JANA LEO DE BLAS: Okay. In support of
12 this law. I will say to remove the limitation from
13 the school and apply everywhere and not only to
14 certain areas. The fine should be increased at least
15 two 250. My experience is that all the reports are
16 always closed and I will say this. A fine is
17 necessary. You know, we are in violence with traffic
18 and the same state that we were with sexual violence
19 in the 70s. You know, to prevent date rape, you
20 don't tell a guy to behave. You charge for breaking
21 the law. Okay? This is what we have to do. We have
22 to charge for breaking the law and the charges going
23 to be a fine. You know, if [inaudible 02:54:01], it
24 doesn't mean only disability block, but bodies
25 exposed to cars on the other line. It's almost

2 impossible to have an accident on a bike. At least
3 you have a heart attack, you know? You know, biking
4 on itself is very safe. It's the that is what is
5 not. Most likely, if you have an accident in your
6 bike, you are going to be hit by a car or by a truck.
7 In my route daily from Carlin to Chinatown, the
8 number of trucks has increased. I see with the Green
9 Wave and Hudson close, in Riverside Park I see five
10 delivery trucks every day. I have to avoid a bus
11 every day. Then, when I take my route east on
12 Carmina Street, there are five to seven cars there
13 every day. You know, often, if I have the time, I go
14 down to my bike and I actually make a point of
15 talking to them. Hopefully, they moved. Sometimes
16 they do. Most likely, they laugh at me. You know,
17 we really need to do finds. We need to enforce these
18 because that's the way we do everything here. You do
19 something that is illegal, you get the fine or you go
20 to jail. Period. I really, really want to add
21 something else and this is a--

22 SERGEANT-AT-ARMS: Time expired.

23 JANA LEO DE BLAS: plea to the de Blasio
24 administration. Please, stop the blah blah blah blah
25 blah blah. De Blasio. Blah blah blah. Stop the

2 blah blah blah rhetoric. The rhetoric talk is used
3 in this de Blasio administration.

4 CHAIRPERSON RODRIGUEZ: Thank you.

5 JANA LEO DE BLAS: We are having--

6 CHAIRPERSON RODRIGUEZ: Sorry. Thank you.
7 The time expired, so thank you very much. Thanks a
8 lot. Now, before close, I would like to call Council
9 member Levin if he has anything to say before I do my
10 closing remarks.

11 COUNCIL MEMBER LEVIN: Thank you, Chair.

12 I greatly appreciate all the testimony from the
13 public just now and it certainly is heartening to
14 know that the public sees the need for legislation so
15 strongly. And certainly that there is-- calling out
16 that there is certainly not a valid and prevailing
17 argument made by the administration. It's really
18 devoid of any real substance. And, you know, I'm
19 happy to talk with anybody about kind of the
20 parameters of the bill. There are certain reasons
21 why the radius is in place and with some of the--
22 for example, why regular no standing is not in this
23 bill. The goal on our end is to-- at least from my
24 end is to ensure that the most dangerous parking
25 infractions that are going unpunished right now, that

2 those are covered. And so, you know, focusing on the
3 ones that really force not just illegal parking
4 because, you know, there is a lot of illegal parking
5 that is not covered in this bill, but the ones that
6 are forcing cyclists or pedestrians into oncoming
7 traffic and into harm's way. That is the goal of
8 this legislation. Because, keep in mind that all of
9 these things are illegal to begin with and so what
10 we're doing here-- we are not allowed legally to
11 create ultimate means of enforcement for existing
12 laws. That is why we are creating a new infraction.
13 And so, there it gets into the legality of it, but
14 I'm happy to talk about that further with anyone.
15 And, with that, alternate back over to Chair
16 Rodriguez.

17 CHAIRPERSON RODRIGUEZ: Thank you. Thank
18 you, Council member. I would like to thank everyone.
19 The applicant, the administration for being a part of
20 this hearing and we will continue to have
21 conversations with the Speaker in Council member
22 Levin on the bill that we are discussing today. As
23 Chairman of this committee, I can tell you that those
24 of you who were the leaders and the champions in the
25 80s and 90s when we didn't have bike lanes in many

2 places [inaudible 02:58:55] and Amsterdam Avenue and
3 many other areas throughout the five boroughs. We
4 can compare how far the things that we were not doing
5 in the 80s and the 90s and where we are today. So, I
6 am pretty sure that all of us agree that last year
7 was a bad would for all of us when it came to the
8 numbers of cyclists and pedestrians that lost their
9 lives. However, when we compare numbers before and
10 after Vision Zero, what we have done in the last
11 eight years, no doubt that we have taken the city to
12 a better place when it comes to the safety of
13 pedestrians and cyclists. Is that enough? The
14 answer is no. I'm we, as New Yorkers, have to be
15 ambitious. We cannot accomplish our goals, as
16 established by Mayor de Blasio by all of us on that
17 Council to be sure that we bring 20 the numbers of
18 pedestrians and cyclists being counted and losing
19 their life in the city of New York. So, I think that
20 there is a lot that has to be done and I am proud of
21 all of those bills in every different way that we
22 have addressed Vision Zero, especially from those at
23 the Council and the administration, the DOT
24 Commissioner. We are here today holding this hearing
25 because we know that much more can be done. So,

2 let's continue working together. Let's be sure that
3 we save the lives of every single New Yorker. Let's
4 be sure that we take the necessary measure to address
5 illegal parking. Let's be sure that, as we hear from
6 the NYPD, and assessment on how many cars in the
7 parking space and spots around the precinct. I feel
8 that we are in a good place because, thanks to Vision
9 Zero initiative, thanks to Transportation
10 Alternatives, Families for Safe Streets, academics,
11 individuals of the public and private sectors, we all
12 understand and agree that we can reduce the number of
13 individuals losing their lives. Covid 19 is a
14 pandemic that has [inaudible 03:00:58], however, the
15 numbers of the year individuals losing their lives as
16 a result of crashes is another pandemic that we can
17 control and we can eradicate it. We need to look at
18 urban planning. We need to look on adjusting that
19 technology. We need to look at enforcement. I feel
20 that if we can bind all those areas and all those
21 tools, we definitely can make the city of New York a
22 role model in the foundation when it comes to build
23 us up as a cyclist and pedestrian friendly city.
24 This is issue related to safety in our streets, but I
25 also want to close this hearing on the topic that is

2 not related to safety on our streets. We need to get
3 rid of that guy that took our nation to allow
4 terrorist attacks to happen in the city. We need to
5 throw all of our support to 11 members of the New
6 York City Congressional delegation, to majority very
7 soon to be Senator Schumer, to Pelosi and everyone.
8 It is a sad, sad to hear that guy was unfortunately
9 from Brooklyn in the White House and going to the
10 border of Texas saying that he doesn't regret what
11 you did. He needs to pay for his consequences.
12 Using fake news and his son, former Mayor Giuliani,
13 to deny the victory of a Biden and Harris and took
14 our nation to be endangered and, as yesterday, what
15 has been discussed, they had a plan to attack the
16 state capital building. So, let's continue
17 addressing and improving safety for pedestrians and
18 cyclists. But as we are speaking today, the danger
19 that we face today is by that guy that we have in DC.
20 Any minute that we have in DC puts our nation and the
21 world in danger and we need to take him out of the
22 White House. With that, this hearing was adjourned.

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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 February 9, 2021