

**STATEMENT OF**  
**SUSAN PETITO**  
**ASSISTANT DEPUTY COMMISSIONER, LEGISLATIVE AFFAIRS**  
**NEW YORK CITY POLICE DEPARTMENT**

**BEFORE THE NEW YORK CITY COUNCIL**  
**TRANSPORTATION COMMITTEE**  
**SEPTEMBER 3, 2014**

**Good morning, Chair Rodriguez and members of the Council. I am Susan Petito, Assistant Deputy Commissioner of Legislative Affairs of the New York City Police Department. On behalf of Police Commissioner William J. Bratton, I am pleased to be here today to express the Administration's support for Intro. 371, which would amend the Administrative Code to create civil penalties for violation of Vehicle and Traffic Law Section 600, commonly referred to as "leaving the scene."**

**As you know, there is an intense and comprehensive focus within the Administration and the Police Department on enhancing traffic safety and preventing vehicle collisions. The bill provides an additional tool to encourage compliance with one of the most basic responsibilities of drivers – to stop and provide their identifying information, if they have cause to know that they hit someone or something, causing either personal injury or property damage.**

**The Vehicle and Traffic Law sets forth a penalty scheme for leaving the scene, based on the type of injury or damage caused. For property damage, leaving the scene is a traffic infraction punishable by a fine of up to \$250 and/or imprisonment for up to 15 days. For personal injury, the criminal penalties range from a class B misdemeanor to a class D felony, with fines ranging from \$250 to \$5,000 depending upon the circumstances, the extent of the personal injury, and any prior convictions. Intro. 371 provides an additional remedy for these egregious violations, allowing for civil penalties, which would be enforced by the service of a notice of violation returnable to the Environmental Control Board. The bill represents a thoughtful means of holding drivers accountable for the basic decency one would expect from those operating motor vehicles on our crowded streets.**

**We appreciate the opportunity to provide our comments on the bill, and thank you for your consistent focus on the issue of traffic safety.**

**Testimony from Carolyn Castro of the Livery Roundtable**

**Before the Committees of Transportation**

**September 3, 2014**

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Good morning, my name is Carolyn Castro and I am the Executive Director of the Livery Roundtable. I am here this morning to discuss Intro Number 82, "requiring signs regarding penalties for assaulting taxi and livery drivers." We thank you for spearheading protective measures to the drivers of the Livery and Black Car Industry and for listening to our concerns for our constituents. Overall we have no issue with this bill. However, we would like the language to reflect more closely to the bill that Council Member Lancman carried in the Assembly, which states:

"Every for-hire vehicle shall post a sign on the interior of such vehicle stating in not less than sixteen point print that "ATTENTION: Assaulting a Taxi Driver Is Punishable By Up to Twenty-Five Years in Prison"

provided, that operators of livery or black car vehicles shall have the

right but not the obligation to post such a sign while providing for-hire vehicle services”

It is a minor difference in the description of the bill but a very big difference to the driver as it will allow him the flexibility to decide whether or not he would like this placed on his vehicle.

Thank you for allowing me to convey our concerns to you this morning.

Regarding Intro 82, before the New York City Council Transportation Committee, my name is Michael Arvanites and I am the Director of External Affairs at the Black Car Assistance Corporation. I appreciate the opportunity to once again, speak with you and give testimony regarding the package of bills before the committee.

While The Black Car Assistance Corporation always supports efforts to improve driver safety, Intro 82's requirement that signage be placed in EVERY for hire vehicle and taxi is against 40 years of regulations for the industry in New York City. Placing any signage in black cars and luxury limos is counter to historic TLC rules.

There have always been exemptions for black cars showing any signage; licensing of the vehicle, base affiliation, camera requirements, no passenger bill of rights, driver's license information, etc. in the rear of the car in passenger view. Quite frankly this is a non-issue in our end of the industry.

Almost exclusively, we deal in corporate accounts and near 100% credit cards and invoiced accounts, not cash. When safety practices like the cameras and or partitions were wisely put into place in the yellow and livery industry vehicles; a carve-out was made for the black car industry. As one should be made in this instance.

Simply stated, the signage is not necessary in our cars, as the drivers and passengers have a professional relationship and understanding. The clients know their driver and the driver knows the client. The professional look of the cars as well as the client's perceived safety would be diminished by requiring otherwise.

Chair Rodriguez, I thank you and your committee members for their time and attention to protecting our driver's and pedestrian safety. We support the other bills, however, I leave you with the request that intro 82 be further reviewed and altered to reflect what has been long standing practice by the TLC for licensing and signage of black cars and luxury limos.



**League of Mutual Taxi Owners, Inc.**

**LOMTO**

**50-24 Queens Blvd.**

**Woodside, NY 11377**

**(212) 947-3380**

**Fax (212) 629-7973**



September 3, 2014

Good morning Chairman Rodriguez and the members of the Transportation Committee. My name is Erhan Tuncel. I am the Managing Director of the League of Mutual Taxi Owners. Thank you for allowing me to testify today.

On September 20, 2010, we were shocked to hear that Governor Paterson used his veto power to deny taxi drivers, the unsung heroes of our City and State, the right to be protected from assailants. Taxi Driver's Protection Act had a great potential to give taxi drivers the protection they deserve by becoming the ultimate deterrent to anyone with intent to cause harm.

The League of Mutual Taxi Owners thanks and appreciates Council Member Laneman for his efforts as a NY State Assemblyman and as a NYC Council Member. LOMTO supports Intro. 82. We also thank Council Members Koo, Levine, Rose, Vacca, Rosenthal, Dromm and Richards for sponsoring Intro. 82, Taxi and Livery Driver Protection Act which, without a doubt, will save lives of taxi drivers.

Some members of the riding public think it's open season on taxi drivers and assault them at will for variety of reasons from driver's religion, ethnicity or skin color to his desire to follow the law to fulfill his obligations to the Vision Zero Initiative such as obeying the speed limit. Yes, as ridiculous as it might sound, it's true - obeying the speed limit caused one of our members to get assaulted where he received laceration to his lip and bruising on his forehead, face and elbows when he tried to protect himself from this madman whose only reason to attack our member was that he was driving too slowly by obeying NYC speed limit. The assailant was arrested and charged with only a misdemeanor.

There isn't a reason in the world that justifies an assault on taxi drivers. We deserve better protection under the law. Assaulting a taxi driver should be a felony and carry a mandatory jail sentence. In NYC, you can assault a taxi driver and walk away, but if you assault a bus driver, you go to jail. Taxi drivers deserve the same protection as bus or subway operators. We ask that the penalties for assaulting taxi drivers to be brought up to equal the penalties for assaulting a bus driver.

Once again, we support the Intro. 82 and urge you to vote for it, however we would like you to consider amending the law to require these signs to be posted on both the exterior as well as the interior of the taxis for greater effect.

Thank you for your time.

*P.S. Attached are a copy of the charges brought up against the assailant who assaulted our member, Bora Hasan Tuzcuoglu and a copy of the news clip reporting the jail sentence for an assailant of a NYC bus driver.*

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



CYRUS R. VANCE, JR.  
DISTRICT ATTORNEY

August 8, 2014

Hasan Tuzcuoglu

RE: People vs. Daniel Berry  
Docket No. 2014NY053693

Dear Mr. Tuzcuoglu:

The New York County District Attorney's Office is prosecuting the above referenced criminal case. As a witness for the state, it is your responsibility to assist with the prosecution of a criminal case. In this regard, I have enclosed several materials for your review.

Carefully read the enclosed misdemeanor complaint. If the facts attributed to you in the complaint are accurate, please sign and date the supporting deposition. By signing this deposition, you are swearing to the truth of the facts attributed to you in the complaint. If the information is inaccurate or if you have any questions, contact me at (212) 335-9201.

The signed supporting deposition should be mailed immediately to the Witness Aid Services Unit in the enclosed postage paid envelope. If you prefer, the deposition can be faxed to (212) 385-4150.

I have enclosed a brochure describing the services provided by the Witness Aid Services Unit. The unit offers a variety of social services and counseling services to meet the needs of victims, witnesses, and their families. Please call the appropriate number listed in the brochure if you are in need of any of these services. For general information about the New York County District Attorney's Office, you can access the office's website at [www.manhattanda.org](http://www.manhattanda.org).

Thank you for your cooperation.

Sincerely,

Rafael Perez  
Witness Aid Services Unit  
(212) 335-9201

Encl. (4)

COMPLAINT

CRIMINAL COURT OF THE CITY OF NEW YORK  
COUNTY OF NEW YORK

THE PEOPLE OF THE STATE OF NEW YORK

-against-

1. Berry, Daniel (M 35)

Misdemeanor

2611760

ADA Alissa Marque

Defendant

(212) 335-9197

Police Officer Jose Maldonado, Shield 24369 of the 19th Precinct , states as follows:

The defendant is charged with

Assault in the Third Degree

(1 count)

Assault in the Third Degree

(1 count)

Attempted Assault in the Third Degree

(1 count)

Harassment in the Second Degree

(1 count)

On 6/15/2014 , at about 01:28:00 hours near the corner of 1 Avenue & East 74 Street in the County of NEW YORK , the defendant, with intent to cause physical injury to another person, caused such injury to another person; the defendant recklessly caused physical injury to another person; the defendant, with intent to cause physical injury to another person, attempted to cause such injury to another person; the defendant, with intent to harass, annoy and alarm another, subjected that person to physical contact and attempted and threatened to do the same.

*The factual basis for these charges is as follows:*

I am informed by Hasan Tuzcuoglu, of an address known to the District Attorney's Office, that he observed the defendant hit him in the face area multiple times, resulting in a laceration on his face, bruising on his forehead, a cut inside his lip, and bruising on his elbow.

False statements made in this written instrument are punishable as a class A misdemeanor pursuant to section 210.45 of the Penal Law, and as other crimes.

\_\_\_\_\_  
Police Officer Jose Maldonado

\_\_\_\_\_  
Date

\_\_\_\_\_  
Time



(http://googleads.g.doubleclick.net/ack?sa=L&ai=Cghw-fsQFVW3kEYgXlQji4CQBe\_cjM6FAAAQASAAUKavej8\_wFgyeb4lrSk2A-CARdjYS1wdVWRNzodNTgxOTYxNjk4NDQ3OcqBA-ACAKgDAaoEwgFP0CodZ\_AaD\_f900aZ5XUMMEPsfmN2cXYRRBmg99v2AhL3WHlHugEdzuo40E4zcfws\_cMzY3trhV9XCJlqVhIwnDkF-J2vsIWYYOyBYHrcvsziS5U5XYuctRTPCznoWR9T4RfhrITKncCd0MoiPhHTOAUuFgUQSiHWXd7dCFbaFDd0fC60mK26m8mnMatuHeatpZHOzErWazE4MUJdNK2HA3r1fK\_XOuWSM6T-JStm11GBSD2EG4nuD-AEAAAGFA&num=0&sig=AOD64\_1DNu77ldWR0ISXs2emJIRGog2SZw&client=ca-pub-7915819616984879&adurl=http://www.nyu.edu/info/dental/gd1006d1)



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NEWS (/CONTENT/NEWS/)

# Woman Who Assaulted Bus Driver Begins Six-Month Jail Term

By: Jose Martinez Updated 12/12/2013 06:21 PM

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A frustrated passenger who took it out on her bus driver received a six-month sentence on Riker's Island and the driver was in court to see the sentence handed down. Transit Reporter Jose Martinez filed the following report.

On Thursday, Steangeli Medina began serving a six-month sentence on Rikers Island for assaulting a veteran bus driver who wouldn't let her board a Bx9 in the company of an uncaged Chihuahua.

"I feel very good, justice is served. It showed that people cannot just go and hit on the operators, we're only doing our job," said Marlene Bien-Aime.

Bien Aime suffered eye, knee and shoulder injuries after getting thrashed in June 2011 by the enraged passenger, who didn't have a carrier for her pooch.

"I was only doing my job. I just let her know what MTA wanted me to do, tell her to put the dog in a dog bag and she could come in the bus. But without that, she cannot come," said Bien-Aime.

Bronx Supreme Court Justice Robert Torres ordered a psychiatric exam for Medina, who pleaded guilty last week to felony assault. She gets five years' probation in addition to jail time.

The threat of getting locked up is plain to see for any rider hopping on-board.

There's a sticker on the outside of every city bus warning of punishment for anyone who assaults a bus driver. And officials with Transport Workers Union Local 100 want riders to know, they should take it seriously.

"The sticker is just not there on the side of the bus for entertainment. If you hit a bus operator or a transit employee, we will take you to court," said LaTonya Crisp-Sauray of TWU Local 100.

And while the six-month sentence isn't the stiff punishment advertised on the sticker, it's still jail time.

"They do keep their words. You're not going for seven years, but you will pay the consequences of it," said Bien-Aime.

According to the MTA, assaults against bus drivers have been dropping since 2009, when 126 drivers were beaten. The union has also pushed the agency to pick up the pace on installing shields to protect drivers from angry passengers.

"We cannot tolerate that type of assault. And we will not — anymore," said Elizabeth Wilson of TWU Local 100.

Just ask this unhappy Chihuahua owner.



(http://googleads.g.doubleclick.net/ack?sa=L&ai=C2ZHJf8QFVKuSMoLnIweXmYHwAe\_cjM6FAAAQASAAJNH8kqsGYMm-lqOpNgPggEXY2EteHVLTCsMTU4Mtk2MTY5ODQ4NznIAQLgAgCoAwGqBMBT9Ar9PDZHsK\_w88a9YQOavAp5VgdbHAnBnbAwWOYe-STdBLdtuRB6M9iQfBJ1bgQi7Vog4D\_LYpBNaf\_Vh7\_D23PU75Yw718fS2alpLwK5x6WHh7VzOEIMFzqTH4ZTUbg8MNOnFAEz5QipI\_I7gBdnU7M4w9fJwYwgc1uC4Aypx\_4A7Yn-6egwpdLMMkjbHNg&client=ca-pub-7915819616984879&adurl=http://www.nyu.edu/info/dental/gd1005d1)

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CREDIT UNION

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**NYC Transportation Committee of the NYC Council  
Testimony on Intro 82 - Signs Regarding Penalties for Assaulting Taxi and Livery Drivers  
David Pollack for the Melrose Taxi Action Center  
September 3, 2014**

**Good morning Chairman Rodriguez and Councilmembers,**

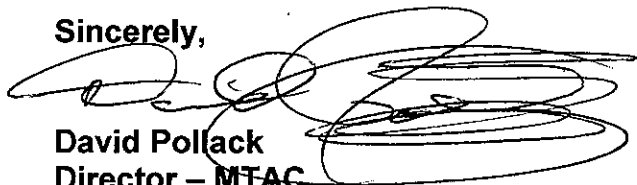
**My name is David Pollack, Director of the Melrose Taxi Action Center representing the 26,000 members of Melrose Credit Union.**

**We support the Taxi and Livery Driver Protection Act known as Intro 82 and thank Councilman Lancman and all sponsors for initiating this long overdue law.**

**This law will result in criminals thinking twice before making our drivers their next victim. Amtrak train cars, NJ Transit train cars and even NYC buses all have signage warning potential criminals of the penalties involved for assaulting transportation workers. We believe this law is a visual deterrent to crime and finally equalizes the value of the lives of our drivers with those in other segments of the transportation.**

**On behalf of each member of Melrose Credit Union we urge this committee to vote and pass this proposed legislation.**

**Sincerely,**



**David Pollack  
Director – MTAC  
Melrose Taxi Action Center**



**CAB RIDERS UNITED**

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Testimony of Michael O'Loughlin  
on behalf of  
**CAB RIDERS UNITED**  
before the  
**New York City Council Committee on Transportation**  
Hearing on  
**Intro 82-2014, the "Taxi and Livery Driver Protection Act"**  
September 3, 2014

Good morning. My name is Michael O'Loughlin. I speak today on behalf of Cab Riders United. Cab Riders United is a newly launched initiative to organize a public voice for the 1.2 million daily passengers who ride in New York City's taxicabs and other for-hire vehicles and for the countless other New Yorkers and New York businesses that rely on taxicab and for-hire vehicle service to keep the city moving every day. The mission of Cab Riders United is to improve the safety, quality of service and environmental impact of New York City's taxi and for-hire vehicle industry.

Cab Riders United supports the goal of Intro 82-2014, which would require the posting of signs regarding penalties for assaulting taxi and livery drivers. Passengers have a right to expect that when they enter a city-regulated taxi or for-hire vehicle, their ride will be as safe as possible. Cab drivers have the same right.

Cab Riders United strongly advocates the principle of Vision Zero, that death and injury on our city's streets is unacceptable. We consider Intro 82 to be directly consistent with this principle. Taxi and livery drivers should not have to fear abuse, assault or violence as a condition of their work any more than City Council members, or advocates or anyone else should. What steps we can take to remove this fear of violence, we should take. It is the right thing to do for the drivers, and we believe it will also improve the safety and the quality of the service that drivers provide the public by eliminating a source of stress and fear.

Drivers have a right to safety. So do passengers and the public outside the vehicle.

As a relatively new effort – we launched less than a month ago – Cab Riders United frequently asks New Yorkers for their opinions about taxis, liveries and other for-hire vehicles. Not surprisingly, New Yorkers do not hesitate to share those opinions with us.

Joe D. from Great Kills shared his opinion: "Car service cars should have reliable drivers, not lunatics who just come up the street and drive 40 - 70 miles an hour through the street."

Linda S. from Bay Ridge reported: "My main concern is the safety of the driver because I've heard in the media of some incidents where they were harmed or killed and also with the safety of the vehicle. Sometimes I'm not so sure about that. I'd be interested in pursuing anything that would have more inspections of the vehicle itself."

They're both right, aren't they?

Drivers have a right to safety. So do passengers and the New Yorkers outside the vehicle. Driving a taxi or for-hire vehicle in New York is challenging and important work. We all benefit when the work is treated as such.

Violent assault of a driver is unacceptable, and that should be unmistakably clear. Intro 82 is a worthwhile step toward that goal.

Likewise, no driver should suffer what Robert Kennedy might have called “another kind of violence, slower but just as deadly... the violence of institutions; indifference, inaction and slow decay.”

In New York City, we have for decades expected taxi drivers to work up to a 12-hour shift behind the wheel (longer than the federal government allows long-haul truckers to work without resting), and yet many taxi drivers cannot even adjust their seat position because of the way an unsafe partition has been installed in the vehicle when it was “hacked up” for use as a taxi. This is not only inhumane as a matter of occupational safety and health for the driver; it is contrary to the goal of maintaining the driver’s alertness and safety behind the wheel. It directly harms the driver and threatens the safety of passengers and the public as well.

Those same partitions that we’ve all seen for decades, installed after the vehicle is manufactured, not designed by the manufacturer and not present when the vehicle undergoes federally required safety testing can also endanger drivers and the public in other ways. The typical partition installed during the “hacking-up” of a taxi can compromise the vehicle’s structural integrity, airbag deployment and overall safety because it alters the manufacturer’s intended performance of the vehicle during a crash.

New York City should never allow taxi business practices or vehicle modifications such as unsafe partitions or bumper guards that can put drivers, passengers or the New Yorkers outside the vehicle at greater risk. Every Taxi and Limousine Commission regulated taxi and for-hire vehicle should meet all federal crash, safety and EPA standards even after they’re hacked-up for use as a taxi.

A few additional points on safety:

Research shows that well-paid drivers are safer drivers. Drivers should be better paid.

The TLC is right to honor the safest drivers, but we also need higher standards for all drivers. The TLC should require drivers to complete a specialized road test as a condition of TLC licensure and renewal.

Taxis and liveries are exempted from the New York State seatbelt law. In the age of Vision Zero, it is time to close that loophole.

Additional information on the Cab Riders United agenda for safety, as well as our agenda for quality service and reducing environmental impact, can be found at our website: [CabRidersUnited.org](http://CabRidersUnited.org)

Thank you for the opportunity to speak with you today.



**TRANSPORTATION  
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## **New York City Council Transportation Committee Hearing**

Hearing on Introductions 82 and 371

Regarding Taxi and Livery Driver Safety and Crash Reporting

Testimony by Noah Budnick, Deputy Director, Transportation Alternatives

Wednesday, September 3, 2014

Good morning Chairman Rodriguez and members of the transportation committee. My name is Noah Budnick, and I am the deputy director of Transportation Alternatives, New York City's advocates for safe streets, biking, walking and public transportation. Thank you for convening this important hearing.

I'm very happy to be at the City Council this morning to testify in strong support of these important legislative proposals. Thanks to Council member Van Bramer and Council member Lancman for moving the bills forward. They will advance Mayor de Blasio's Vision Zero agenda and help eliminate traffic deaths and serious injuries in New York City by 2024.

### **Protecting Professional Taxi and Livery Drivers and Protecting New Yorkers**

Transportation Alternatives supports Councilmember Lancman's proposal to post warning in taxis and liveries that it is a serious crime to assault the drivers. This bill is commonsense and will make drivers, passengers and the public safer.

Transportation Alternatives is a long-time supporter of taxis, liveries and for-hire vehicles because we view them as part of New York's public transportation network. They enable New Yorkers to take advantage of the city's great car-free way of life by providing convenient, on-demand transportation for over 250 million people a year.

Taxis, liveries and other for-hire vehicles also set the pace on New York City streets, which means that they are inseparable from achieving Vision Zero and their drivers must be able to give their undivided attention to navigating our dense urban landscape, filled with young and old people who are walking, biking, strolling and are extremely vulnerable to injury or death if struck by any driver.

Taxi and livery drivers work demanding jobs that expose them to the breadth of the city and, as such, have earned legal protections. We are all familiar with the signs the MTA posts in subways and buses,

informing passengers that it's a crime to assault MTA workers. Councilmember Lancman's proposal simply extends a similar provision to another form of public transportation and its workers.

Being assaulted should be the last thing on a taxi or livery driver's mind, and promoting the laws that protect them is a commonsense step towards their safety and towards road safety at a higher level.

### Creating a Culture of Justice and Responsibility on Our Roads

We've all read the lede in the papers so many times that we can recite it by heart..."police are searching for a driver of a vehicle who struck a pedestrian and fled the scene." We've all worked with families to bring them justice after someone struck a loved one and abandoned them. To hit and run—i.e. to leave the scene of a crash without reporting it—to leave a fellow human being to die is beyond unjust, it's immoral and heartless.

Nonetheless, it feels like we read about it daily in the newspapers:

On November 27, 2009, "Funeral arrangements have been released for the Great Kills couple killed on their way to Thanksgiving eve mass in a hit-and-run accident," the Staten Island Advance announced.

The next day: November 28, 2009, "A 40-year-old woman walking with her fiancé in the Bronx was killed by a hit-and-run driver who had a suspended license, records show," wrote the Daily News.

On March 4, 2013, "A close-knit ultra-Orthodox Jewish community in Brooklyn was plunged into a new round of mourning Monday by the death of a baby who was delivered by cesarean section after his parents were killed in a grisly hit-and-run crash a day earlier," reported the Huffington Post.

And, on August 18 of this year, "One pedestrian was killed and another critically injured in separate collisions involving hit-and-run drivers in Queens and the Bronx on Monday," the Daily News wrote.

There are roughly three-dozen hit and run deaths a year in New York City. Three-dozen instances where a victim and their family are deprived of help and answers. The more time that passes after a crash, the faster the evidence disappears and the harder it is for the police to investigate it.

Transportation Alternatives strongly supports Councilmember Van Bramer's bill to create civil penalties for leaving the scene of a crash without filing a report—otherwise known as "hit and run."

Striking someone with a car, causing them serious injury or death, and then fleeing the scene, is one of the most heinous crimes. Not only does the driver ignore their own responsibility to another person's life, but they also leave victims exposed and without treatment in the street, and they deny families closure and justice. Drivers who hit a person and flee, also remain on the streets to continue driving recklessly, putting more lives at risk.

Transportation Alternatives has five recommendations to strengthen Intro 371 with the goal of holding hit and run drivers accountable and protecting the most vulnerable people.

1. Since the City of New York cannot pass laws that assign jail time for hit and run, Transportation Alternatives urges the City to increase the monetary penalties for all sections in Intro 371 to compensate. This will help ensure that the law is an effective deterrent to hit and run and compel people from leaving the scene of a collision.

It is our social responsibility to protect the most vulnerable people in our city, which is why New York has laws like “Hayley & Diego’s Law” (Vehicle and Traffic Law Article 1146) and the City’s important new section of Administrative Code section 19-190 that require drivers to exercise due care and yield the right-of-way to people on foot and bicycle (Intro 238-2014/Local Law 29-2014). In New York, on our roads, the most vulnerable are the old and the young and those on foot and on bicycle, and they need extra protection in any way we can provide it, laws included.

Pedestrians and bike riders account for over half the traffic deaths in New York City every year. In a collision with a vehicle, they are 10-times more likely to die than vehicle occupants. For New York City kids 14 and younger, traffic is the number one cause of injury death, and for older New Yorkers traffic is leading cause of injury death after falls —and, though they make up only 13-percent of New York City’s population, people over 65 years old account for 35% of the pedestrian deaths.

2. Transportation Alternatives urges the City to include similar protections for vulnerable road users in Intro 371 by increasing the penalties for drivers who leave the scene of a crash with a pedestrian or bicyclist and to raise them further if the walker or bike rider was under 14 or over 65 years old.

Hit and run drivers are often serial reckless drivers. In the 2013 crash that killed the family in Williamsburg, Brooklyn, the driver had been arrested for drunken driving two weeks earlier. The pattern of repeat offenders raises important issues to consider in developing this legislation.

Under New York State Vehicle and Traffic Law (Article 22, Section 600), anyone who is convicted of hit and run more than once may face a penalty of \$1,000 to \$2,500 in addition to any other hit and run and other penalties set in relation to the crash.

3. Transportation Alternatives urges the City to include a similar provision for repeat offenders in Intro 371, so that it continues to mirror the fiscal penalties in the New York State statute.

Traffic safety and traffic enforcement experts believe that many hit and run drivers are intoxicated and flee the scene in order to sober up. In New York State, the penalties for hit and run are less severe than for

DWI, so, perversely, it's in an intoxicated driver's own best interest to leave the scene after a crash and get the drugs or alcohol out of their system.

4. To prevent intoxicated drivers from leaving the scene of a crash, Transportation Alternatives recommends that the City include additional penalties in Intro 371 for any driver who leaves the scene of a crash and is found to have been intoxicated at the time of the collision. (These additional penalties might mirror the fine structure under New York State Driving While Intoxicated and Driving While Ability Impaired laws.)

Similarly, unlicensed drivers or people with suspended licenses may flee the scene of a crash because they think they can escape penalties. The 2009 crash in the Bronx was perpetrated by a driver with a suspended license. These people are four times more likely to be involved in crashes than those with valid licenses. According to US DOT data, 10% of drivers involved in fatal crashes in New York State did not have valid licenses (of these, 20% had previously been involved in crashes).

5. To prevent unlicensed and suspended license drivers from abandoning a crash victim, Transportation Alternatives urges the City to include additional penalties in Intro 371 for these drivers who hit and run.

The goals here are all the same: to deliver aide and justice to crash victims as quickly as possible and to deter reckless driving and prevent crashes in the first place. As the City Council and de Blasio Administration continue to develop this proposal, we hope that you will invest in a sustained, high profile public education campaign to ensure that New Yorkers know it is illegal and culturally unacceptable in the five boroughs to leave the scene of a collision.

The best possible outcome would be for the City Council and Mayor to pass this law and for the Police Department to never enforce it because New Yorkers know that it is their civic responsibility and morally the right thing to do to stay by the side of an injured party and get them help.

This is the leadership that brought Vision Zero to New York City and this is the leadership that will help us achieve it.

Thank you.



# New York Taxi Workers Alliance

*Union of NYC Taxi Drivers!*

*AFL-CIO, NYC CLC, NYS AFL-CIO, Intl. Transport Workers' Federation*

31-10 37<sup>th</sup> Avenue, Suite 300 LIC, New York 11101

Phone: 718-70-NYTWA (718-706-9892) E-mail: [nytwa1@aol.com](mailto:nytwa1@aol.com) / [www.nytwa.org](http://www.nytwa.org)

## PASS THE TAXI DRIVER PROTECTION ACT! (Intro 82)

A Call to All Members of the NYC City Council:

On behalf of the 18,000 members of the New York Taxi Workers Alliance, we strongly urge you to amend and pass Intro 82, 'The Taxi Drivers Protection Act', and send a resounding signal that you stand with the 100,000 men and women who labor tirelessly in the City of New York, serving a million passengers per day! Taxi and For-Hire-Vehicle Drivers are thirty times more likely to be killed on the job than other workers. Drivers face high rates of felony assaults, suffering permanent injury and long-term trauma. No worker should have to choose between earning a living for their family and reaching home safe after an honest day's of work.

California and Illinois already have laws to prosecute assaults on drivers as felonies. Pennsylvania requires warning signs. NYC bus drivers and subway operators are afforded the same protections. Don't let New York State lag behind in protecting vulnerable workers.

Proposed Amendments:

1) Require following wording:

**Taxi Drivers Serve the Public.**

**Respect Their Labor.**

**WARNING**

**Assaulting a Taxi or Livery Driver is  
Punishable By Up to 25 Years in Prison.**

2) Specify the font size and placement of sign: 22 pt. Cambria; To be posted in the middle of the partition in taxis or a similar conspicuous place in the rear passenger compartment.

3) Cost of sign should be paid for by the TLC or fleet owner or agent; cannot be passed down to the driver.





# PASS THE TAXI DRIVER PROTECTION ACT!

Taxi Drivers Serve the Public.  
Respect Their Labor.

## WARNING

Assaulting a Taxi or Livery Driver is  
Punishable By Up to 25 Years in Prison.

Among Thousands....

J. Singh	<b>STRUCK WITH METAL ROD</b> and told to "go back to your country"
A. Abdallah	<b>CAR JACKED and ASSAULTED</b> suffering a fractured nose
Mohammed Chowdhury	<b>SLASHED</b> Across Neck And Beaten In Head And Face
Ndiaye Serigne	<b>ASSAULTED</b> By Four Masked Passengers
Enois Malbranche	<b>BLINDED</b> In the Right Eye after Being Shot Point Blank
Neeru Singh	<b>CHOKED</b> By Passenger Through Partition Window. Called Racial Slurs and Harassed
Zakir Howlader	<b>CHOKED, Kicked, Punched, Spat On</b> By Rider Exiting Cab.
Gurmail Singh	<b>BEATEN WITH IRON ROD</b> Repeatedly In The Head – Required 16 Stitches – When Parking Car At End Of Shift.
Mohammed Elwaleed	<b>KILLED.</b> Mowed Down By Motorist While Checking Car For Damages After Collision
Shajedur Rahman	<b>REMAINS IN COMA.</b> Assaulted On The Job By Private Car Motorists
Mamnun Ul Haq	<b>STABBED</b> In Back With 10-Inch Hunting Knife, Grazed On Both Sides.

**WE DESERVE BETTER. You Can Make It Happen.**

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 82 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 9/3/14

Name: David Pollack (PLEASE PRINT)

Address: \_\_\_\_\_

I represent: MELROSE TAXI ACTION CENTER

Address: 139-30 QUEENS BLVD. BRIDGE PLAZA NY 11435

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 82 Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

Name: ERHAN TINCEL (PLEASE PRINT)

Address: 226 E 83<sup>RD</sup> ST #44 NY, NY 10028

I represent: LEAGUE OF MUTUAL TAXI OWNERS (LDMTO)

Address: 50-24 QUEENS BLVD. WOODSIDE, NY 11377

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 371 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 09/03/2014

Name: SUSAN PETITO, Assistant Deputy Comm'r of (PLEASE PRINT)

Address: Legislative Affairs

I represent: NYPD

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 371 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 09/03/2014

(PLEASE PRINT)

Name: MATTHEW SMITH

Address: \_\_\_\_\_

I represent: NYPD

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: NOAH BUDAICK

Address: \_\_\_\_\_

I represent: Deputy Director Transportation

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 82 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 9/3/14

(PLEASE PRINT)

Name: MEERA JOSHI, CHAIR + COMMISSIONER

Address: \_\_\_\_\_

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

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

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 82 Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: CAROLYN CASTRO

Address: \_\_\_\_\_

I represent: LIVERY ROUNDTABLE

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: BHARAVI DESAI

Address: NY TAXI WORKERS ALLIANCE

I represent: 31-10 27<sup>th</sup> Ave LIC, NY 11101

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 82 Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Michael Arcanites

Address: 30 Wall St.

I represent: Black Car Assistance Loop

Address: same

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

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 09/3/14

Name: MAMMUNUC HAR. (PLEASE PRINT)

Address: 402 Ocean Pkwy, Bklyn, NY 11218

I represent: LINK NYTLA

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 82 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 9/3/14

Name: Michael O'Loughlin (PLEASE PRINT)

Address: 11 Park Place, Suite 1807

I represent: Cab Riders United

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

Name: Maribel Egipciano (PLEASE PRINT)

Address: \_\_\_\_\_

I represent: Make Queen Safer / Families for

Address: Safer Streets

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