

Testimony of David Yassky
NYC Taxi & Limousine Commissioner/Chair
Testimony on Intro. No 635-A and Intro. No. 1123
City Council Transportation Committee
October 31, 2013

Good morning Chairman Vacca and members of the City Council Committee on Transportation. I am David Yassky, Chairman of the Taxi and Limousine Commission. Thank you for the opportunity to speak with you today regarding Intro. 1123, a local law to amend the administrative code to require all HAIL vehicles with installed payment technology to be accessible to those with visual impairments; and Intro. 635-A, a local law to amend the administrative code to require notification of community boards of new commuter van service areas and to require publication of these service areas on the TLC website.

I'll turn first to Intro. 1123, which affects HAIL vehicles. As you no doubt know, HAIL vehicles, known in TLC rules as Street Hail Livery vehicles (or SHLs) and colloquially referred to as "boro taxis", started providing street hail service this Summer to passengers in Northern Manhattan, the Bronx, Brooklyn, Queens and Staten Island. As of the close of business Tuesday, there were 800 Street Hail Liveries serving communities throughout the five boroughs, and another 4,447 permittees have purchased licenses to begin providing service in the coming weeks and months. By next week, I expect that all of the 6,000 SHL licenses which state law authorizes us to sell in the first year of the program will have been sold. To date, these 800 green SHLs have completed over 200,000 trips, with an average of 10 to 15 trips per day per vehicle.

The TLC supports Intro. 1123, which would require all Street Hail Liveries with installed payment technology to be accessible to people with visual disabilities. This requirement exists currently with respect to yellow medallion taxis, and would be extended to comparable Street Hail Liveries. Thanks in large part to your initiative, Chairman Vacca, all yellow taxis are required to have payment technology that is accessible to people with visual impairments. The Taxi TV screens, when prompted, provide visually impaired users a running audio tally of the fare, audio directions on how to pay for the taxi trip and how to set a tip amount without any assistance from the driver.

All Street Hail Liveries currently in service are equipped with similar technology from the same two vendors authorized by the TLC to provide this service in yellow taxis – namely, Verifone and CMT. As they do in yellow taxis, their payment systems installed in Street Hail Liveries can be made to provide these same functions. In fact, the TLC published in September of this year rules that would require them to do just that, with one difference: our rules permit the owner of a Street Hail Livery vehicle to choose a one-device system – that is a system which combines the driver information monitor and the passenger payment screen into one device which is stationed in a device cradle in the front seat and passed back to the passenger at the time of payment. Even though such a device is not installed, and would thus not be subject to the requirement of Intro. 1123, TLC's proposed rules nevertheless require such one-device solutions to provide some of the same accessibility features required of installed systems. We believe it is worthwhile to give vehicle owners the choice between a traditional two-screen system and the more affordable one-device solution. And we believe it necessary to ensure that visually

impaired passengers can use both types of systems. We believe our proposed rules – which the Commission will be voting on at its November 21 meeting – and Intro. 1123 both accomplish that. I would also suggest that we change the enactment date to February 1st, 2014 to allow existing vehicles time to comply with the requirement.

This proposed legislation would also require information in Braille about how to contact the TLC to be affixed in the vehicle in a location easily accessible to a person with visual disabilities. You should know that this is already a requirement in our rules and is one of the items that our Uniformed Services Bureau personnel check for when they inspect a Street Hail Livery vehicle.

As a result, even though it may not be necessary in light of TLC's existing or proposed rules, we support the intent of this proposed law.

Next, I would like to address Intro. 635-A, which would require the TLC to notify community boards of proposed commuter van service areas and to list approved commuter van service areas on our website. As with the establishment of any new transportation service, it is important to inform the public and give residents living in the affected area, in particular, the opportunity to provide feedback. TLC considers the New York City Department of Transportation (DOT) input when reviewing and approving new commuter van service. During this process, and pursuant to Subdivision e of section 19-504.2(e)(3) of the Administrative Code, the DOT informs the affected community boards, City council members, local precincts and the public of applications; and each of those stakeholders is given the opportunity to provide feedback to DOT prior to its determination of whether there is a public need for the service. Once DOT, having considered any input from the aforementioned stakeholders, determines the parameters of the service area associated with a commuter van base application and submits a recommendation on the application to the TLC, the TLC then reviews the base application – including items such as sufficiency of insurance, bond requirements, proof of business status, and any outstanding judgments – and issues the base license.

Because DOT already notifies the relevant local community boards as part of its application review process, it would not add anything for the TLC to repeat this process with respect to those same applications. I would recommend that you remove this requirement of the proposed law, as it is redundant with DOT's current process. I do, however, see the value of TLC listing each of the commuter van service area on our website, since interested customers are likely to look to the TLC for information on commuter van services, since commuter vans are a form of on-demand for-hire service. We will, therefore, work together with DOT to make the requisite information about commuter van service more readily available to the public on our website.

With regards to requiring the Department of City Planning or any other agency to submit future commuter van studies to the Mayor, City council and all affected community boards, we believe this section should be deleted in its entirety. The provision refers to a City Planning report produced one time in 1998 regarding commuter van service policies. Since that time, City Planning has had no further role in commuter van policy, which is entirely within the purview of TLC and DOT. It is worth noting that City Planning shares a copy of all studies with the City Council and affected Community Boards as a

matter of practice, and in cases where the report is funded under grants (such as the 1998 report), as a condition of grant funding. Should the section not be deleted, we would encourage that the amendments be rewritten to ensure that City Planning does not have the requirement for distribution of other agencies reports for which it is not the author or recipient.

This concludes my testimony on the legislation related to HAIL vehicles and commuter vans. I would like to thank you for the opportunity to testify today. At this time, I would be happy to answer any questions you may have.

**NEW YORK CITY DEPARTMENT OF TRANSPORTATION
HEARING BEFORE THE CITY COUNCIL
COMMITTEE ON TRANSPORTATION
October 31, 2013**

Good morning Chairman Vacca and members of the Transportation Committee. My name is Kate Slevin and I am the Assistant Commissioner of Intergovernmental Affairs for the New York City Department of Transportation (DOT). Joining me today is Ryan Russo, DOT's Assistant Commissioner of Traffic Management. Thank you for the opportunity to testify on Introductions 904-A and 535 and for your interest in enhancing safety and mobility in New York City.

Starting in 2008, DOT's strategic plan, *Sustainable Streets*, set into motion a clear and detailed transportation policy agenda for the city that put safety first. In particular, we pledged to halve traffic fatalities by 2030 and committed to dozens of initiatives to accomplish this goal. These included a Safe Routes to Schools and Safe Streets for Seniors program, more traffic calming and complete streets projects, additional automated enforcement cameras, and new educational campaigns to encourage safe behavior. Our 2010 *NYC Pedestrian Safety Study and Action Plan* strengthened this commitment by analyzing 7,000 pedestrian crashes and outlining an even greater menu of safety programs and projects. In total, we have brought safety changes to 137 corridors and 113 intersections.

Thanks to this commitment, traffic fatalities are now at the lowest levels in recorded history. The last six years are the safest period since the City began collecting data in 1910, and DOT works daily to expand and improve upon this progress.

One of our programs to come out of the *Pedestrian Safety Study and Action Plan* is our Neighborhood Slow Zones program, which reduces the speed limit from 30 mph to 20 mph and adds traffic calming measures within a select area in order to change driver behavior. Following installation in 2011, the first Slow Zone in the Claremont section of the Bronx saw a 10 percent reduction in the worst speeding in the neighborhood. There are now thirteen additional Slow Zones active within the five boroughs, and fifteen more Zones will be constructed between now and 2016.

Reducing the speed limit can help enhance safety and reinforces the message that residential streets aren't high-speed shortcuts. Not only is the lowering of speed limits to 20 mph in

connection with the use of traffic calming measures a common sense approach to saving lives, it is also required by the State's Vehicle and Traffic Law (VTL). Specifically, the VTL allows New York City to set speed limits between 15 and 24 mph on a particular street if the lower speed limit is for implementing physical traffic calming measures, or if the street is within a quarter-mile of a school. Unfortunately, not every residential street is appropriate for speed bumps, roadway narrowing, or other traffic calming treatments. As such, DOT would be unable to comply with Intro 535 as currently drafted. As an alternative, the Council may want to consider lobbying the State to allow a citywide speed limit of 25 miles per hour. Currently, State law allows for citywide speed limits as low as 30 mph, though cities can set 25 mph limits on designated streets. If the VTL were changed, the Council could codify a lower citywide speed limit.

DOT works with other agencies to make streets safer: we've partnered with the NYC Department of Education in more than 300 schools a year to teach children how to stay safe as pedestrians, and we've partnered with the NYC Department of Health to conduct a New York City-specific motorcycle safety study. Thank you to Chairman Vacca for your letter of support to the New York Metropolitan Transportation Council for the grant for that study. Our largest partnering agency is the NYPD, who we meet with on multiple levels throughout the agency each month. For example, since April 2010 the DOT-NYPD Interagency Safety Committee has met monthly to review fatality data and identify the particular types of crashes and particular locations that are most problematic, and to develop strategies for reducing fatalities. In addition, NYPD progress on speeding, failure to yield, and bike enforcement is discussed. Committee meetings also serve as a forum for DOT enforcement requests for various projects, including 6 ½ Avenue, Webster Avenue Select Bus Service, and Flatbush Avenue traffic calming. Similarly, NYPD brings DOT requests for engineering enhancements at certain locations including intersections such as Woodhaven Boulevard and the Long Island Expressway, and Richmond Avenue and Forest Avenue.

The *Interagency Roadway Safety Plan*, required by Local Law 12 of 2011 and published that October, discusses much of this work and more. By requiring this report to be produced every 5 years, as Intro 904-A seeks to do, we will be able to continue to update the City Council on these important initiatives.

DOT looks forward to continuing our traffic safety initiatives working with our partners in other city agencies and with the Council. I would be happy to answer questions at this time.

FOR THE RECORD



Public Testimony
New York City Council
Transportation Committee

Intro. No. 1123

Boro Taxi Trades Council, Inc.
(BTTC)

October 31, 2013
Guy B. Palumbo
Executive Director

010-2013-0011

Good morning, Mr. Chairman and members of the Committee.

I am Guy B. Palumbo, Executive Director of the BTTC.

We are a new industry group and represent only the interests of the Boro Taxi segment of the industry.

We would like to thank the Committee for including and allowing us to testify on Intro No. 1123.

We fully support this Intro. But have only one (1) concern and that is the implementation date.

At present the TLC is still issuing the Street Hail Livery (SHL) Permits for the first round of 6,000 authorized by NYS Law which includes 1,200 Wheelchair Accessible Vehicles.

Vehicles have ninety (90) days to be properly hacked-up and Wheelchair Accessible vehicles one-hundred eighty (180) days.

We do not know if the vendors who provide or hack-up these vehicles, especially the electronic requirements for credit card reading can be accomplished by November 1, 2013. Currently, it is reported from several bases there is up to six (6) weeks delay for one LPEP vendor to set appointments. Further, the TLC Woodside Inspection facility has been slow for all appointments due to the issuance of almost 6,000 SHL permits.

We suggest that the required effective date for any Boro Taxi to meet these requirements be changed to six (6) months from the date the vehicle is hacked-up by TLC Rules to meet Intro. 1123 requirements. The TLC would then have an opportunity to inspect the vehicles on one of the routine required vehicle inspections that now exist in their Rules.

Thank you for allowing the BTTC to testify and will gladly answer any of your questions.

FOR THE RECORD

**Testimony of United Spinal Association regarding
Proposed Int. No. 635-A**

October 31, 2013

Prepared by James Weisman

United Spinal Association

United Spinal Association is a membership organization of approximately 40,000 individuals with spinal cord injuries and diseases, family members and professionals. Approximately 1200 live in New York City.

CONFIDENTIAL

United Spinal Association has been on the forefront of the disability rights movement for generations, first as Eastern Paralyzed Veterans Association, and then as United Spinal. Accessible transportation has always been United Spinal's primary advocacy activity because mobility is essential to social and financial independence. Our organization is, in large part, responsible for accessible transportation in NYC and the United States in that we crafted the transportation provisions of the Americans with Disabilities Act (ADA).

United Spinal appreciates the opportunity to address the Council regarding Proposed Int. No. 635-A, a legislative measure concerning commuter vans. The US Department of Transportation's Americans with Disabilities Act implementing regulation, 49 CFR Section 37.31 regarding vanpools states, "Vanpool systems which are operated by public entities, or in which public entities own or purchase or lease the vehicles, are subject to the requirements of this part for demand responsive service for the general public operated by public entities. A vanpool system in this category is deemed to be providing equivalent service to individuals with disabilities if a vehicle that an individual with disabilities can use is made available to and used by a vanpool in which such an individual chooses to participate."

Additionally, United Spinal Association successfully sued the Taxi and Limousine Commission (April 2012 Stipulation of Settlement attached) when it licensed inaccessible vans to be used in a group ride program. The TLC agreed that they would only license accessible vans for this program.

United Spinal wishes to remind the Council that transportation alternatives to dependence on Access-A-Ride saves taxpayer dollars. It is imperative that all transportation options are accessible to and usable by people who use wheelchairs and scooters. Mandating that accessible commuter van capacity be established by commuter van operators will increase mobility for people with disabilities, save taxpayer dollars and reduce Access-A-Ride demand.

Thank you for this opportunity to communicate with the Council.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

----- x
UNITED SPINAL ASSOCIATION, INC., MILAGROS
FRANCO, and DAVID HEARD;

Plaintiffs,

-against-

THE NEW YORK CITY TAXI AND LIMOUSINE
COMMISSION,

Defendant.
----- x

**STIPULATION AND
ORDER OF DISMISSAL**

10 Civ. 5164 (RRM)(MDG)
ECF Case

WHEREAS, plaintiffs have filed this action in the Eastern District of New York against defendant alleging that defendant New York City Taxi and Limousine Commission (“TLC”) is violating Title II of the Americans with Disabilities Act (“ADA”), 42 U.S.C. § 12131 et. seq., and the Rehabilitation Act of 1973, by providing and licensing transportation services through its Group Ride Vehicle Pilot Program that was initiated in July 2010 and extended one year at the TLC September 15, 2011 Commission Meeting (“2010 GRVP”); and

WHEREAS, TLC issued a Notice of Opportunity to Participate in a Pilot Program To Test Group Ride Program (“Notice of Opportunity”) in connection with the 2010 GRVP on July 19, 2010 and again on December 13, 2010; and

WHEREAS, in 2010, TLC executed Memoranda of Understanding (“MOUs”) with five different private transportation providers authorizing them to provide 2010 GRVP transportation service in the City of New York; and

WHEREAS, by May 2011, each of the five 2010 GRVP transportation providers terminated service and the MOUs were terminated; and

WHEREAS, on September 30, 2011, TLC published another Notice of Opportunity and proposals were due to TLC by October 12, 2011; and

WHEREAS, TLC received no further proposals to the Notice of Opportunity; and

WHEREAS, based upon a submission in response to the December 2010 Notice of Opportunity, on January 10, 2012, TLC executed a new MOU with Dorcal Edenwald, Inc., (“Dorcal”) a private transportation provider, to provide 2010 GRVP service in the Bronx; and

WHEREAS, Section 3(j) of the MOU between TLC and Dorcal requires Dorcal within six months of commencement of its participation in the Pilot Program, it may only dispatch vehicles that are accessible to passengers in wheelchairs that meet the requirements of the ADA; and

WHEREAS, defendant has denied all of the allegations made by plaintiffs in this action, denied any violations of law, and maintains that the GRVP is lawful; and

WHEREAS, the parties have determined that the discontinuance of this lawsuit without further litigation is desirable.

NOW WHEREFORE, the parties have mutually agreed to the following terms and conditions in full settlement of the litigation:

1. All plaintiffs withdraw with prejudice the instant action against defendant.
2. TLC hereby agrees that the 2010 GRVP, any extensions thereof, and any future TLC program authorizing vehicles with a seating capacity of between 6 and 20 passengers to provide group ride service, including, but not limited to, programs established as pilot programs or by TLC rules (except as provided in paragraphs 3 and 4 below) (“Future Group Ride Programs”), will require participants to only use

wheelchair accessible vehicles that comply with the requirements of the ADA. Any future Notice of Opportunity or other notice or solicitation that TLC issues in connection with the 2010 GRVP or any Future Group Ride Program, except as provided in paragraphs 3 and 4 below, will specify that only participants utilizing wheelchair accessible vehicles that comply with the requirements of the ADA will be considered and/or selected for licenses, permits, MOUs, or other authorization by TLC to provide 2010 GRVP or any Future Group Ride Vehicle Program.

3. The requirements of this stipulation do not apply to group ride service authorized by the TLC and provided by the following types of vehicles and services:

- a. medallion taxicab service licensed and regulated by TLC at title 35 of the Rules of the City of New York [“RCNY”], chapters 54, 58, and 67);
- b. paratransit service licensed and regulated by TLC at title 35 of the RCNY, chapters 56 and 60);
- c. commuter van service licensed and regulated by TLC at title 35 of the RCNY, chapters 57 and 61); and
- d. black car service licensed and regulated by TLC at title 35 of the RCNY, chapters 55 and 59; and
- e. luxury limousine service licensed and regulated by TLC at title 35 of the RCNY, chapters 55 and 59); and
- f. the vehicles licensed and regulated by TLC pursuant to the Hail Accessible Inter-borough License (“HAIL”) authorized by Chapter 9 of the Laws of 2012 (N.Y.).

4. The provisions of paragraph 3 are for the purposes of this settlement and stipulation only. Nothing in paragraph 3 shall be construed as a waiver by plaintiffs, individually or collectively, of any rights to challenge current or future group ride service authorized by TLC and provided by the types of vehicles listed in paragraph 3 or any other TLC-authorized service not covered by this stipulation, nor does TLC waive any rights or defenses it may have to such challenges.

5. The terms of this agreement apply to the requirements that TLC places upon its licenses, permits, MOUs, or other authorization to transportation providers to provide 2010 GRVP or Future Group Ride Programs services, excluding those services specifically exempted in paragraph 3, supra.

6. The City of New York ("the City"), on behalf of the defendant, shall pay to plaintiffs' counsel Eighty-Four Thousand Dollars (\$84,000.00) in full settlement of plaintiffs' claims for attorneys' fees and One Thousand and Nineteen Dollars and Thirty Five Cents (\$1,019.35) to plaintiffs' counsel in full settlement of the plaintiffs' claims for costs or disbursements (collectively "the settlement amount"). Payment of the settlement shall be made as set forth below.

7. In exchange for and upon receipt of the payments required by paragraph 6, Plaintiffs and their attorneys hereby waive any right to apply for, and shall not apply for, any order authorizing the taxation of costs or disbursements in this action. Plaintiffs and their attorneys hereby waive any right to apply for, and shall not apply for, any order pursuant to 42 U.S. C. § 1988 authorizing the taxation of attorney's fees as costs in this action.

8. The settlement amount shall be remitted within 60 days of receipt of signed general releases and tax forms by delivery to Broach & Stulberg, LLP of the following, subject

to collection: (1) a check made payable to Broach & Stulberg, LLP in the amount of \$65,678.00; (2) a check made payable to United Spinal Association, Inc. in the amount of \$8,336.35 (one check representing attorneys fees plus expenses); and (3) a check made payable to Dennis Boyd in the amount of \$11,005.00;

9. Upon payment of the settlement amount, plaintiffs shall be deemed to have released the City of New York, the New York City Taxi and Limousine Commission, and all departments, officials employees, representatives and agents of the City of New York, past and present, from each and every claim and right to damages arising from the acts and omissions to which the requirements of this stipulation apply. Plaintiffs have executed, or will execute, releases to be held by the City of New York, which will take effect upon payment of the settlement amount.

10. This stipulation is not to be construed as an admission that defendants violated plaintiffs' rights or are in any way liable on plaintiffs' claims.

11. This stipulation, and the settlement it represents, is not related to and shall not be admissible in any other litigation or settlement negotiation, except one to enforce or apply this stipulation, or any of its terms, and the settlement it represents.

12. This stipulation contains all the terms and conditions agreed upon by the parties hereto, and no oral agreement entered into at any time nor any written agreement entered into prior to the execution of this stipulation regarding the subject matter of the instant action shall be deemed to exist, or to bind the parties hereto, or to vary the terms and conditions contained herein.

13. Counsel for the parties have reviewed and revised this stipulation, and any rule of construction, by which any ambiguities are to be resolved against the drafting party, shall not be

applied in the interpretation of this stipulation.

14. This stipulation may be submitted to the Court to be so ordered, docketed and filed without further notice to any party.

15. The Stipulation of Settlement, when so-ordered, shall cause this action to be dismissed with prejudice and upon so-ordering, this Court's jurisdiction over the action and this Stipulation of Settlement is terminated.

Dated: New York, New York
April __, 2012

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Testimony of Paul Steely White, Executive Director

October 31, 2013 New York City Council Transportation Committees Hearing:

- **Intro. 535: A Local Law to amend the administrative code of the city of New York, in relation to a speed limit in residential areas on residential streets.**
- **Intro. 904-a: A Local Law to amend the administrative code of the city of New York, in relation to periodic interagency roadway safety plans.**

Thank you Chair Vacca, and members of the City Council Transportation Committee, for convening this important meeting.

In 2012, every week, 1,262 people were injured, 58 people lost a limb or suffered other life-altering injuries, and five New Yorkers were killed in traffic crashes. These unacceptably high rates of death and injury are lower than a decade ago, thanks to the work of the City Council, the Department of Transportation and the Police Department. Of course, this begs the question: how many traffic deaths a week is acceptable?

The answer, according to the municipal governments of Chicago, Washington D.C., and a host of other cities domestically and internationally, is zero. This “Vision Zero” goal has been endorsed by one of the leading candidates for Mayor, Bill de Blasio. Introductions 535 and 904-a are essential to achieving this Vision Zero goal.

Traffic deaths are preventable. We know the decisions people make that contribute to fatalities, and we know what actions to take to help people make better decisions. We must decide whether we are willing to take the action necessary to eliminate traffic deaths.

20 MPH Speed Limit on Residential Streets

In September of this year, the City of London joined Paris and Tokyo in lowering the speed limit to 20 miles per hour. Each of these cities has a far lower fatality rate than our own. Indeed, across the world, the data has shown that lower speed limits are highly correlated with improved safety. The City of New York would greatly enhance the safety of all New Yorkers—motorists and pedestrians alike—by adopting a similar measure. We should also expect that our city’s most vulnerable people—our children and elderly—would have the most to gain, in terms of increased safety. We can’t eliminate traffic deaths if we permit drivers to travel at speeds that are inappropriate for a dense urban environment.

Studies show that a one mile-per-hour reduction in average speed on pedestrian dense urban streets will lead to a 6% decrease in traffic crashes.¹ And New York is home to the most dense urban streets in the country—46 of the 50 nation’s most dense zip codes are within the five boroughs. The introduction of the 20 mph zones in London, which is far less dense than NY, was associated with a reduction in casualties and collisions of around 40%. Between 1986 and 2006, the death and serious injury rate plummeted by 46% within these zones, while it only dropped by 8% on streets outside of these safety zones. The benefits were especially significant among younger children.

New Yorkers of all ages and abilities are walking, biking, driving and taking transit everywhere in New York City. Our streets policy should reflect this reality, yet instead we have the same default urban speed limit as Wyoming and South Carolina.

The difference between whether or not a crash occurs and how severe it is depends on how fast someone is driving:

| Speed | Stopping Distance | Survival Rate* | Severe Injury Rate* |
|--------|--------------------------|--------------------------|--------------------------|
| 20 mph | 40 feet (3 car lengths) | 98% survival (0/5 die) | 25% suffer severe injury |
| 30 mph | 75 feet (6 car lengths) | 80% survival (1/5 die) | 50% suffer severe injury |
| 40 mph | 118 feet (9 car lengths) | 30% survival (3.5/5 die) | 75% suffer severe injury |

Lower speed limits are closely associated with fewer crashes, injuries and deaths, and thereby would mean fewer dollars must be spent on emergency response, medical treatment and law enforcement. The city would also benefit by avoiding lost productivity and traffic congestion costs. Lower speed limits have also been shown boost business, improve community cohesiveness and lead to more vibrant neighborhoods, among other significant yet difficult to measure benefits.

We should make 20mph the default New York City speed limit. This is a reasonable approach to saving lives. There may be some streets on which a 20 mph speed limit seems inappropriate, but it is a better policy to start with a safe speed limit and then make the case for why it is important to make it more dangerous by raising it to 30mph. Today, we have it exactly backwards: the default is an unsafe speed limit, which is brought down to a reasonable speed limit after concentrated attention and effort.

¹ Taylor, M C, D A Lynam, and A. Baruya. "The Effects of Drivers' Speed on the Frequency of Road Accidents." *Transport Research Library* (2000)

Interagency Traffic Safety Report

Sixty percent of fatal crashes are caused by a driver's choice to violate a traffic law—most notably speeding and failure to yield. We know this because New York City has some of the best collision investigators in the world, and their forensic analysis uncovers this evidence, which we can use to implement interventions that stop dangerous behavior before it happens. Eliminating traffic deaths will require extremely close coordination between the City departments of transportation, and the police and the interagency report outlined in Intro 904-a will help ensure that this coordination is ongoing, so we can reach zero deaths and stay there.

In order to maintain a 20 mph speed limit on narrow residential streets, for instance, people will have to change the way they drive. Getting people to drive safely can be achieved through street improvements such as speed bumps and narrower travel lanes, and also through consistent, predictable enforcement of the speed limit. Today, there is some coordination through the NYPD-DOT Interagency Safety Committee, and at the NYPD's Traffic Stat meeting. But together, these agencies can do much more to analyze aggregate traffic crash and violations data and detect patterns and persistent traffic safety challenges.

Road deaths are a public health epidemic in New York City. They are the leading cause of preventable death for New York City kids under age 12 and, after falls, the leading cause of preventable death for New York City seniors. The Council should consider adding the health department's epidemiological lens to understand the patterns, causes and effects of traffic deaths. The health department's insight has proven to be a powerful, and should be incorporated into this lifesaving effort.

A periodic report assessing fatal and serious injury crashes, their causes and the effect of responsive engineering and enforcement efforts will lead to increased coordination between the NYC DOT and NYPD, and also serve to remind these agencies' partners in government and all New Yorkers of our shared obligation to preventing traffic crashes

Eliminating traffic deaths is an ambitious goal. This bill is an important step towards ensuring the necessary collaboration between agencies and sustaining the attention needed achieve this goal. Traffic deaths are preventable, and, in New York City, the only acceptable number of deaths a week, month or year is zero.

Communities of Maspeth Elmhurst Together, Inc.

PO Box 780151, Maspeth, NY 11378

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FOR THE RECORD

RE: Intro. 635A
NYC Council Transportation Committee
October 31, 2013

My name is Rosemarie Daraio and I am the President of the Communities of Maspeth Elmhurst Together, Inc. (COMET). I am testifying in favor of Intro. 635A which we believe is a step in the right direction to address the multifarious concerns we have with the commuter van industry.

We strongly believe our local elected officials, community boards and residents should be notified when the commission has made a determination to approve an application for authorization to operate a commuter van service. We also agree that the council may adopt a resolution by majority vote of all council members to review the determination.

The New York State and New York City Regulations clearly state that in order for a commuter van service to operate in a particular community they prove that there is a need for it. In a conversation with a representative from NYC Department of Transportation (DOT) I was told they are being given approval because people want it. The basis for the agency's approval violates the Regulations.

Commuter vans are being given authorization to operate in communities, such as Elmhurst, that have ample public transit options. They add to the congestion and pollution in the area as well as block narrow side streets, make illegal pickups on bus routes and consistently make pickups outside of their authorized zone.

Residents in Maspeth and the Winfield section of Woodside, which are not within an authorized commuter van zone, have been subjected to unauthorized pickups by the Elmhurst commuter vans for more than 10 years. The Taxi & Limousine Commission (TLC), the agency that enforces the regulations, does little to nothing about curtailing this activity.

When the commuter van service comes up for renewal, it is not brought before the local community board nor is the elected official notified. Presently, you cannot go on the website to clearly see where a commuter van service is operating and the zones in which it is authorized to operate.

I have witnessed the TLC and NYPD issuing summonses during joint enforcement operations on the Maspeth/Elmhurst/Woodside border. Some of the summonses written were for improper insurance and for drivers not even having the proper driver's license. It is not unusual for at least one or more of the vans being confiscated by the agency. What would happen to the passengers if there were a serious accident and there is no valid insurance coverage to cover their injuries? Unfortunately, these

operations are rare because of the limited resources of enforcement personnel in TLC and the fact the agency's attention is usually devoted to taxi cabs.

We have many questions and concerns about this industry. Here are just a few.

- If one or more drivers were found not to have the proper driver's license, why doesn't the agency check to see if the other drivers for this business are qualified to drive these commuter vans? Innocent commuters who are using these vans are under the impression that they are safe and legal.
- If a commuter van from a particular business is found to have "personal" insurance on the vehicle rather than "commercial" insurance, why doesn't the agency check the insurance on all the vehicles used by this business?
- We were told by DMV that license plates are issued to commuter vans based on the number of seats, but the agency said they don't actually check how many seats the vehicle has. If all the vehicles are exactly the same, i.e., make and model, then why do these vehicles have different plates – TC, BA or LV?
- DOT shouldn't be authorizing zones where there is ample mass transit as per NYC/NYS Regulations.
- Why doesn't the agency make the zones and the companies operating in the city easily accessible to potential riders?

Some of these businesses are violating the regulations every day and the few summonses they receive are just the cost of doing business. In the meantime, enforcement is being done every single day for residential motorists.

We urge you to support Intro 635A and ask that more scrutiny be given to the commuter van industry.

Thank you.

From: SKI [mailto:tp2572@yahoo.com]
Sent: Thursday, October 24, 2013 3:03 PM
To: Frank, Lyle
Cc: Mailman, Jeffrey
Subject:

I am a great grandmother and I was born in the house I live in. **Never** in my lifetime have I been afraid to cross my street, walk to the local shops or drive to church services. (yes I still drive).

The past few years commuter vans have take over the road with reckless behavior. Speeding, failure to signal, illegal u-turns, blocked intersections and total disregard for the community in general seems to be their way of doing business. They totally disregard others blowing horns, trying to pass and in general have no respect for the rules of the road.

I have tried calling the phone numbers on the side of these vehicles, greeted in perfect english, only to be told "No english" after hearing my voice. Calling the police is pointless because they are long gone before the cops can get there. Is it going to take people losing their lives before something is done ???

I urge everyone to support Into 635-A.

These drivers and companies might stay in their assigned areas if they know the public has a means of recourse.

Rita Poremski

5277 70 ST

Maspeth NY

I strongly urge the passage of Intro 635-A

This is long overdue. Maspeth and Woodside are deluged with vans operating as buses, TLC vehicles, and taxis. They are unidentifiable, using foreign languages on the vehicles.

In addition, many of these companies use their own and their employees private vehicles to transport passengers !

A couple of recent joint NYPD and TLC have produced numerous summonses and vehicle confiscations, underscoring the communities concern. These vehicles were out of the area they are authorized to work in, had no or incorrect insurance, as well as numerous safety violations.

It is time these operators are easily indentifiable and held accountable.

Tom Poremski

52 77 70 st

Maspeth, ny 11378

From: dconlan@nyc.rr.com [mailto:dconlan@nyc.rr.com]

Sent: Thursday, October 17, 2013 2:06 PM

To: Frank, Lyle

Cc: Mailman, Jeffrey

Subject: Commuter Van Hearing

Hi Lyle. How are you? This is in regards to the Commuter Van Hearing, 10/31, 10 a.m.. I am a lifelong resident of Maspeth, Queens. Instead of moving out to Long Island, Upstate or N.J., I chose to stay and raise my family in Maspeth. We are within walking distance to parks and shopping, but the best part of Maspeth is the public transportation. Every home in Maspeth is within 5 blocks of a bus that goes to a subway. My commute to midtown Manhattan, door to door, is 45 minutes. Two years ago I noticed a commuter van picking up passengers on the same street as a bus stop. Although it's a two way street, it's not wide enough for a commuter van and a car to drive on at the same time. I watched a passenger wait 45 minutes for a commuter van and in that time 3 city buses passed by. We do not need more vehicles on our streets and we certainly do not need commuter vans when we clearly have adequate mass transportation. Commuter vans clog our streets and create more air pollution than is necessary in our neighborhood. Commuter vans were added to neighborhoods that had decreased bus routes. Maspeth does not have that issue! Please help pass this bill. The people of Maspeth would be extremely grateful and green. Thank you.

From: Laraine Donohue [<mailto:cometcivop@gmail.com>]
Sent: Friday, October 18, 2013 3:45 PM
To: Frank, Lyle
Cc: Mailman, Jeffrey
Subject: Proposed Intro 635-A

Mr. Frank,

I implore you, as a resident of the Elmhurst community, a Community Board #4 member and a Civic activist, to look very closely at Councilwoman Elizabeth Crowley's proposal Intro 635-A regarding commuter vans. As a taxpayer, I should have the right to know where these vans emanate from and where they drive through. As it stands now, they DO NOT have to appear before community boards, council members or even take communities into consideration. These vans drive haphazardly through residential streets making up their own rules and regulations. They truly are a detriment and need to be put under a more watchful eye. Everyone, under the law, must follow rules and regulations, why then are these vans exempt!

Laraine Donohue
85-34 53rd Avenue
Elmhurst, NY 11373
Sent from my iPad

Richard Gundlach

Vice President, COMET & Community Board 2

Email: gundlach@rcn.com

RE: Intro. 635A

NYC Council Transportation Committee

October 31, 2013

My name is Richard Gundlach and I am the Vice President of the Communities of Maspeth Elmhurst Together, Inc. (COMET) and a member of Community Board 2. I am testifying in favor of Intro. 635A, which I believe is essential in preventing continued misuse by the commuter van industry.

Unfortunately, such a step is needed to address the numerous ongoing concerns we have with van service, especially in communities that have more than adequate public transportation. And it's essential that our local elected officials, community boards and residents be notified when the commission has made a determination to approve or renew an application for authorization to operate a commuter van service.

Residents in Maspeth and the Winfield section of Woodside, which are not within an authorized commuter van zone, have been subjected to unauthorized pickups by the Elmhurst commuter vans for more than 10 years. The Taxi & Limousine Commission, the agency that enforces the regulations, does little about curtailing this activity.

The New York State and New York City Regulations clearly state that in order for a commuter van service to operate in a particular community they must prove that there is a need for it. Approval of van service simply because people want it should not be the basis for the agency's approval – and it violates the regulations.

Some of these businesses violate the regulations daily and the few summonses they receive are just the cost of doing business.

We urge you to support Intro 635A and ask that more scrutiny be given to the commuter van industry.

Thank you.

Testimony to New York City Council Committee on Transportation
October 31, 2013
Eric McClure
Park Slope Neighbors
eric@parkslopeneighbors.org
(718) 369-9771

My name is Eric McClure, and I'm a co-founder of Park Slope Neighbors, a grassroots community-advocacy organization active in the Park Slope neighborhood of Brooklyn.

I'm here to offer our organization's strong support for Intro 0535-2011. In 2011, we partnered with the Park Slope Civic Council to submit a joint application to the Department of Transportation requesting that the entirety of Park Slope be designated a Neighborhood Slow Zone. We didn't make the cut.

Nor did we make the cut in 2012. And we were deeply disappointed to learn three weeks ago, when Mayor Bloomberg announced the roll out of 15 new Slow Zones over the coming three years, that Park Slope would not get a Slow Zone in 2014, 2015 or 2016.

We're fortunate, in a sense, that Park Slope hasn't been considered a prime candidate for a Slow Zone. Statistically, we've had lower rates of crashes with injuries than many other communities. But as in so many other New York City neighborhoods, there's too much speeding on our streets. And as Amy Cohen made heartbreakingly clear in her deeply moving testimony earlier, a neighborhood's seemingly favorable crash statistics can change in one terrible instant.

While the investigation into Sammy Eckstein's death isn't complete, there's no evidence at this time that the driver who ran him over was speeding. But I can't help but wonder, what if the speed limit had been 20 miles per hour rather than 30? Would the driver have had just a little more time to react? Would he have had a split-second to brake, or to swerve just enough to avert tragedy?

We'll never know. But we, as a city, can take an enormous step to make such crashes significantly less likely, and when they can't be avoided, much less deadly. We're all familiar with the stats, but they bear repeating. A person struck at 20 miles per hour is seven or eight or nine times more likely to survive than someone struck at 30. Nine times.

The implementation of 20 mile-per-hour speed limits in Austria and the UK has resulted in reductions in crashes with injuries of approximately 20%¹. When 20 mile-per-hour speed limits are coupled with traffic-calming infrastructure to create slow zones, the reduction in injuries is even greater.

We need to take a comprehensive approach to creating safer streets, combining design, regulation and enforcement. We've made big strides in New York City designing traffic-calmed streets that are less prone to speeding. We clearly have much work to do on the enforcement front, though the recent launch of a speed-camera pilot program is a major step forward. We need more automated enforcement.

By moving forward legislation that would reduce the citywide speed limit in residential neighborhoods to 20 miles per hour, this body could provide the critical third leg to the stool. Residents of Park Slope, or any other city neighborhood, shouldn't have to pursue a lengthy and complicated application process that pits us against other communities to improve the safety our streets. 20 miles per hour should be the default setting.

The deaths of pedestrians and cyclists and drivers and their passengers are preventable. They can be reduced, and they can ultimately be eliminated, if we're willing to do the hard work and commit to a vision of zero deaths. But that can't be achieved without a lower speed limit. I urge you to vote Intro 0535-2011 out of committee, send it to the full Council, and enact it into law. In doing so, you will literally save lives.

¹ Royal Society for the Prevention of Accidents, *Road Safety Information*, November 2012 (<http://www.rospa.com/roadsafety/advice/highway/info/20-mph-zone-factsheet.pdf>)



FOR THE RECORD

EXECUTIVE OFFICES
1415 Kellum Place
Garden City, NY 11530-1690
(516) 746-7730
www.aaa.com

Mr. Gary Altman
250 Broadway
New York, NY 10007

Re: Intro. 535

Dear Mr. Altman,

AAA New York, which serves almost 1.6 million members, opposes Intro. 535, establishing a speed limit not exceeding twenty miles per hour on certain streets.

We all share a commitment to enhancing pedestrian safety, and while we appreciate the goals of Intro 535, we believe that implementing law requiring speed limits lowered to twenty miles per hour effectively eliminates the role of traffic engineers. In addition, with the DOT recently announcing the implementation of new "slow zones" in our opinion, such zones can be a viable alternative to a blanket solution of twenty miles per hour.

Our Association has long been an advocate for traffic safety and has worked diligently throughout the state to make roadways safer for drivers, pedestrians, and children alike. Moreover, we are not unmindful of the dangers faced by all roadway users when drivers violate speed limits. However, in our view, the solution is best left to traffic engineers to determine whether a speed limit of twenty miles per hour is appropriate for a particular area.

Accordingly, AAA New York opposes its enactment.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Frediani'.

Jeffrey Frediani
Legislative Analyst

JF:jf
10/29/13

Cc: Lyle Frank, Counsel to Committee on Transportation
Jonathan Masserano, Legislative Policy Analyst

FOR THE RECORD



"Solutions - The Industry - The Industry"

**Testimony of Jesse H. Davis, President of Creative Mobile Technologies
Before the New York City Council Transportation Committee
Regarding Intro 1123**

October 31, 2013

Good morning Chairman Vacca and members of the Transportation Committee. My name is Jesse Davis, President of New York City-based Creative Mobile Technologies, which specializes in taxi and for hire vehicle payment, data and media solutions and operates in more than 60 cities throughout the country and the world.

Thank you for the opportunity to testify today on Intro 1123, a highly commendable piece of legislation that has the potential to offer a very important service to the community.

CMT believes that requiring all street-hail vehicles to be accessible for those with visual impairments is a worthy goal and one that can be fully implemented with available technology - we speak from experience.

CMT, in partnership with Chairman Vacca's office and Lighthouse International, pioneered the development of VIP Mobile, a groundbreaking software enhancement that CMT designed to enable blind and visually impaired taxi riders to independently access the credit card payment system and other technology features in New York's yellow medallion taxicabs as well as taxi fleets around the nation.

CMT believed that New York City yellow taxicabs could better serve the 400,000 blind and visually-impaired individuals that live in New York. We were extremely proud to roll out VIP Mobile on April 17, 2012, with extensive support from advocates and alongside Former Governor Paterson, Chairman Vacca, Lighthouse International and representatives from the TLC at a City Hall press conference.

CMT's VIP Mobile was so successful that it led to pioneering taxicab enhancements and landmark legislation signed into law by Mayor Bloomberg. That legislation went into effect in May of this year requiring taxicabs to include audible announcements concerning the fare, among other features, for the visually impaired.

As of yesterday, CMT has installed its equipment with VIP Mobile in 300 of the new green taxis seen around New York City.

Since our launch in 2012 we've made several improvements to the system based on user experience. There are now three easy ways to access the VIP Mobile system - CMT's audible touch screen feature: a special card can be activate the feature, asking

the driver or the easiest way is to multi-tap on the top right of the screen. The feature transforms the screen into large, easy-to-navigate sections that are operated by touch and prompted by step-by-step spoken instructions.

Communities across the US and visually-impaired advocates are taking notice of CMT's technology and New York City's groundbreaking legislation. Prior to implementation of this new software, blind and visually impaired passengers who chose to use credit cards were forced to rely on cab drivers to swipe their card and enter the correct amount, including tip. Earlier this year, I had the privilege of showcasing these pioneering taxicab improvements at a meeting of the United States Access Board, an independent Federal agency devoted to accessibility for people with disabilities.

In addition to its New York City rollout, CMT has introduced the software in thousands of credit card and payment systems in taxis around the country including in Chicago, Boston, San Francisco, Kansas City, Columbus, Washington, D.C., Philadelphia and Anaheim.

I commend the Committee for taking the lead in ensuring that blind and visually-impaired individuals are equipped to travel safely and independently in ALL street-hail vehicles.

Thank you.



**BROOKLYN
HEIGHTS
ASSOCIATION**

55 Pierrepont Street, box 17D, Brooklyn, NY 11201 718858-9193 info@thebha.org www.thebha.org

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October 30, 2013

Testimony of the
Brooklyn Heights Association
in support of Intro 535

to implement a 20mph speed limit on residential streets Citywide

The Brooklyn Heights Association strongly endorses Intro 535 to reduce the speed limit on residential streets to 20mph. The recurring tragedy of a New Yorker killed in a crash—at a rate of one person killed every 33 hours—is a painful and constant reminder of the importance of efforts to make our streets safer. The physics and the facts are clear: someone hit by a car at 30mph is ten times more likely to die than someone hit at 20mph. Someone hit at 40mph is 35 times more likely to die. Speeding is the number-one cause of deadly crashes in New York City. In London, the extensive rollout of 20mph zones has led to a 46 percent reduction in serious traffic injuries and fatalities in those zones.

In our community, we documented strong support for safer streets. As part of our recently approved application to make Brooklyn Heights a Slow Zone, with the 20mph speed limit as its centerpiece, the BHA conducted a neighborhood survey in which over 90 percent of 560 respondents supported the change. We believe the support we found in Brooklyn Heights is common to all neighborhoods, with New Yorkers everywhere valuing the opportunity to walk their local streets more safely.

While our selection as a Slow Zone promises to bring safer streets to our community, the good news is significantly muted by DOT's projected implementation date of 2016 due to resource limitations. We do not want to wait three years for safer streets. We don't think there should be a wait for implementation of this common sense improvement for any neighborhood. We ask you to please commit to funding and moving forward on this change for safety for our community and neighborhoods City-wide.

**Testimony to the NYC Council Transportation Committee
Amy Cohen, Gary Eckstein and Tamar Cohen Eckstein
Thursday, October 31st**

On October 8th at 5:11 pm, my 12-year-old son, Sammy Cohen Eckstein, was struck by a van just across the street from our home. He died a few hours later. As best we understand it, he crossed into the intersection from Prospect Park with the light to get a soccer ball. While he had the light when he entered the intersection, it quickly changed and he slipped and was hit by a van approaching the intersection at full speed.

Sammy was a bright, kind and generous soul. He was confident and well liked with strong opinions and a drive to make the world a better place. He had a zest for life and recently rode 100 miles on his bike in a Century Ride. I am still shocked that I will not get to see Sammy Bar Mitzvahed next month, or hear where he will attend high school – whether it be at Bard where we feared we’d lose our last remaining years at home to his homework load, or Brooklyn Tech where he sought to follow several of Tamar’s friends, or perhaps Beacon where his sister goes -- let alone see him graduate, attend college, bicycle across the country with Gary (which they’d planned to do after graduation), get married, grow his first grey hairs, have children, and grow into middle age himself one day. At the end of this testimony, Sammy’s sister Tamar will be sharing her tribute to him from his funeral, so that you can get to know him a little better. If she is unable to read it, the words are included in our written testimony.

Our family has suffered an unspeakable loss. Every day is filled with pain so deep we are not sure we can bear it. But the world too has suffered a great loss, for Sammy could have really made a difference. He would even have been an excellent City Council member had he had the chance.

The proposed legislation before this committee - to impose a 20-mile-per-hour speed limit in all residential neighborhoods in the city - cannot bring our beloved Sammy back, but it would surely ensure that other families do not suffer as we have and that more lives are not needlessly cut short.

Although tremendous strides have been made in recent years to reduce traffic injuries and

deaths, New Yorkers continue to die in great numbers from motor vehicle crashes - approximately one every 33 hours. Speed is a factor in many of these deaths.¹ Just yesterday morning, Amy used a borrowed radar gun to clock the speed of vehicles travelling in front of our home on Prospect Park West where Sammy was killed. Although the bike lane and reduction to two lanes has slowed traffic somewhat (and you would think the large memorial to Sammy in the intersection would make drivers aware of the need to drive slowly), in a span of approximately 15 minutes, 25 vehicles, many of them large commercial vehicles, exceeded the 30 MPH limit. A few were clocked at 38, 39 and 42 miles per hour. In addition, in that short time, she witnessed a pedestrian almost hit when, like Sammy, he was in the intersection as the light changed. An additional three vehicles ran the red light at the end of its cycle when it had already changed to green for pedestrians.

Numerous studies have borne out what common sense dictates - slower motor vehicle speeds reduce injuries and death from crashes. New York City's DOT found that 70% of pedestrians hit by vehicles traveling 40 mile per hour or faster are likely to be killed, while those hit at 30 miles per hour have an 80% chance that they will live. Chicago reports that a pedestrian hit at 40 miles per hour has a 15% chance of surviving, at 30 miles per hour a 55% chance of surviving, while at 20 miles per hour, the pedestrian has a 95% chance of surviving.²

Twenty mile per hour slow zones in residential neighborhoods is not a new idea. It has been used successfully throughout England. Chicago and Washington D.C. are also moving in this direction. The loss of few seconds at the beginning or end of a trip is a small price to pay to save the lives of individuals such as Sammy. And since most people are happy to have a 20 mile per hour limit in their own neighborhood, they understand the need for it in others. To be effective, the reduced speed limit would require enforcement. That would involve a commitment by the Mayor and NYPD to prioritize

¹ http://transalt.org/files/news/reports/2013/The_Enforcement_Gap.pdf

² <http://www.tbd.com/blogs/tbd-on-foot/2012/05/how-a-car-s-speed-affects-the-chance-a-struck-pedestrian-survives-15470.html>

enforcement of traffic safety. Shockingly, there were no citations for speeding in September in the precinct where we live.

This legislation to reduce the speed limit - a single sentence - will save countless lives. It is a no-brainer. Please do what is necessary to bring this legislation to the full Council and pass it. Soon. Every 33 hours, someone is dying. The next one could be someone you love. Tamar will leave you with a sense of what is lost if you do not make this change.

Tamar's tribute from Sammy's funeral

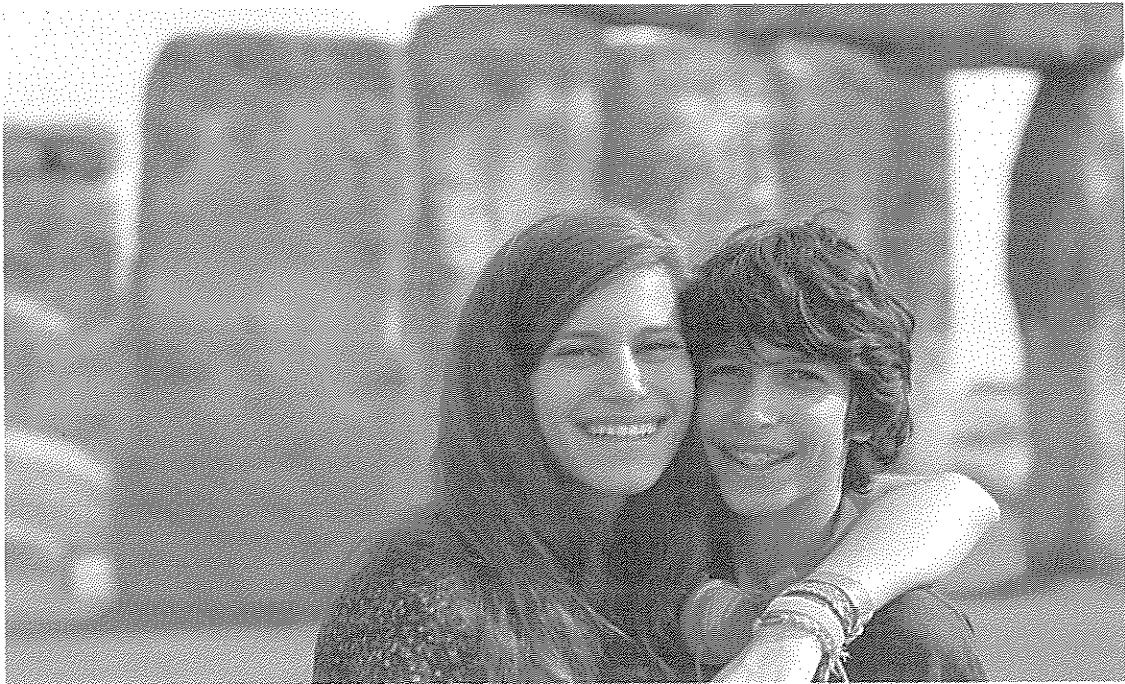
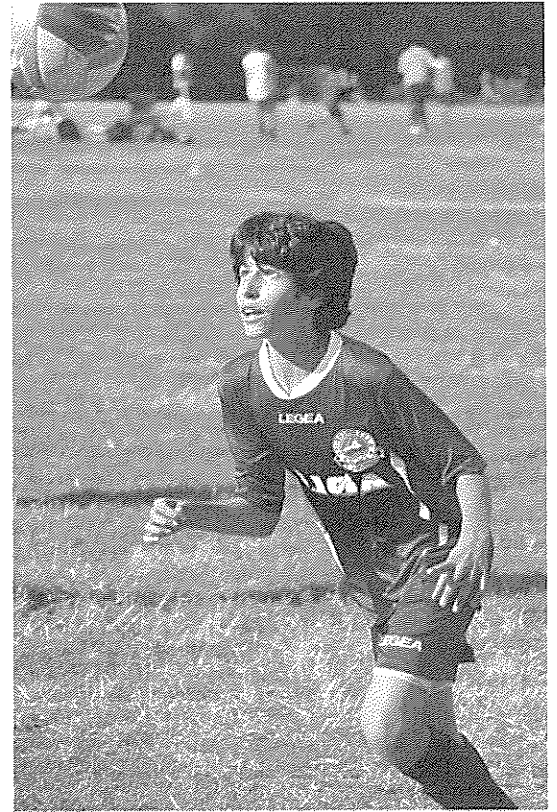
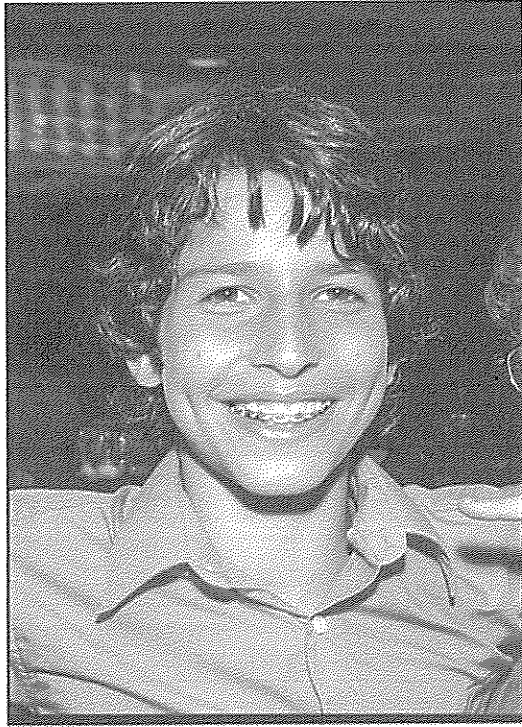
You touched everyone you ever met and all these people are here today because of the impact you had on all of our lives.

I love you so so much. You were my best friend and have helped me become the person I am. You were always there to fill up the silence, whether it was with silly trumpet sounds or intellectual comments about the world. You had so much to give and so much you wanted to change to make the world a better place.

All of the things that were hard for me were easy for you and you made them just a little easier for me with you being there helping me through life.

We had such a good relationship. We bickered like most siblings but it never lasted very long. You always made me laugh with our weird inside jokes. Sometimes we would just sit on the floor of your room talking about anything and everything.

At camp this summer, for the first time in our lives we were separated for four weeks. It was very hard. I kept expecting that you would be there and you weren't. I made me so happy when you wrote me a letter, even though it was short and you didn't really say very much. Now I am going to have to live my whole life like that. I am going to miss you every day for the rest of my life. I love you so much.





COMMITTEE FOR TAXI SAFETY
21-03 44TH AVENUE
LONG ISLAND CITY, NY 11101

PHONE (718) 706-8294 (TAXI)
FAX (718) 784-828
Taxihail@aol.com

New York City Council – Committee of Transportation
Thursday, October 31, 2013

Testimony by David Pollack on behalf of the Committee for Taxi Safety regarding:

Proposed Intro No. 535 - In relation to a speed limit in residential areas on residential streets and Int. No. 1123 - In relation to requiring all HAIL vehicles be accessible to those with visual impairments.

Good morning Chairman Vacca and members of the Transportation Committee, my name is David Pollack and I am the Executive Director of the Committee for Taxi Safety. The Committee is made up of hard working men and women who manage, maintain and drive 2300 taxis.

I would like to thank you for letting us share our concerns with you today about Int. No. 535, which seeks to limit the speed limit in residential areas to 20 miles per hour. I will also be addressing our concerns on proposed Intro 1123 requiring all hail vehicles to be accessible to those with visual impairments.

Although we applaud the intent of both of these bills, the Committee for Taxi Safety and its members feel that both proposed bills need further review and discussion and we are eager to provide our input into that conversation.

Intro No. 535 has some unintended consequences that may thwart its laudable intentions.

TLC statistics have shown that the number of accidents in the taxi industry is the lowest they have been in years. We wish to continue to build on our improved safety records, but this bill will not allow us to build on our gains in traffic safety. It will instead create confusion for drivers on the road. The bill does not define with sufficient clarity: what is a residential neighborhood? From block to block you could have drivers changing speeds creating accidents with other drivers who are interpreting the rules differently. There are already thousands of signs that drivers adhere to. Adding more signs from block to block may distract drivers as they continue to take their eyes off the road. In addition, we are concerned that the proposed bill will become another excuse for NYPD traffic enforcement officials and TLC enforcement agents to use fines to justify financial goals that both agencies have in their quota systems to balance the city's budget deficits. Tickets with points result in suspensions and revocations of taxi drivers hack licenses, and thereby their ability to earn a living.

Finally, twenty miles per hour is extremely slow. Driving at 20 miles per hour will slow down traffic and increase pollution on residential streets by either slowing down or stopping moving vehicles leaving their engines to idle. Accordingly we ask for this bill not to be passed in its current form.

As for Int. No. 1123 requiring HAIL vehicles to have payment technology installed, with payment options to allow visually impaired passengers to pay unassisted, the bill sets forth the deadline for this technology to be installed by May 1, 2013 for all taxicabs and as of November 1, 2013 for all hail vehicles.

To start, the May 1 date has already passed and the November 1 deadline is just one day away. Accordingly, the dates need to be changed to allow time for the technology to be created, tested and installed in a cost effective manner.

This bill has no consideration of cost. No one has been identified as responsible for the development of this technology, no revenue stream has been outlined to pay for the installation of this technology, and no one has stepped forward to pay for the costs of the testing of this technology. The bill cannot become yet another unfunded mandate by government on the hard working men and women of the taxi industry.

Taxi owners, drivers and passengers have been asked to pay more and more on conflicting, redundant and impractical innovations proposed by public policy makers at the TLC and the State, without any regard to the costs coming out of the pockets of those who can least afford it. [My organization represents the driver owned segment of this industry. There are hundreds of small business owners who are affected by all of the mandated costs, administrative burdens and unrealistic goals that have been set by the city and state. --- maybe put at the end?]

The TLC, through its own politically motivated decision-making, has artificially limited the amount of revenue one can earn through their small business operations without taking realistic account of the actual operating costs and government mandated costs to the industry. As a result, the TLC's own statistics show that the market value of medallions has decreased by approximately 25%. With a City medallion auction around the corner, the City needs to consider that its constant imposition of new costs upon the industry, and the erosion of the exclusive street hail rights of yellow taxis will in all likelihood result in the City receiving significantly less than the anticipated revenue from the sale of these medallions. The City will have to reevaluate the assumptions under which it passed in its last budget, services will be reduced and employment opportunities both in government and the taxi industry are likely to be negatively affected..

Their needs to be a realistic time table for a cost effective solution with an actual revenue stream designated to pay for the costs associated with implementing this new system. The current proposed legislation falls short of that bar.

We are happy to work with you on coming up with solutions that take into account the policy objectives of these bills, while at the same time considering the negative impacts of the City's

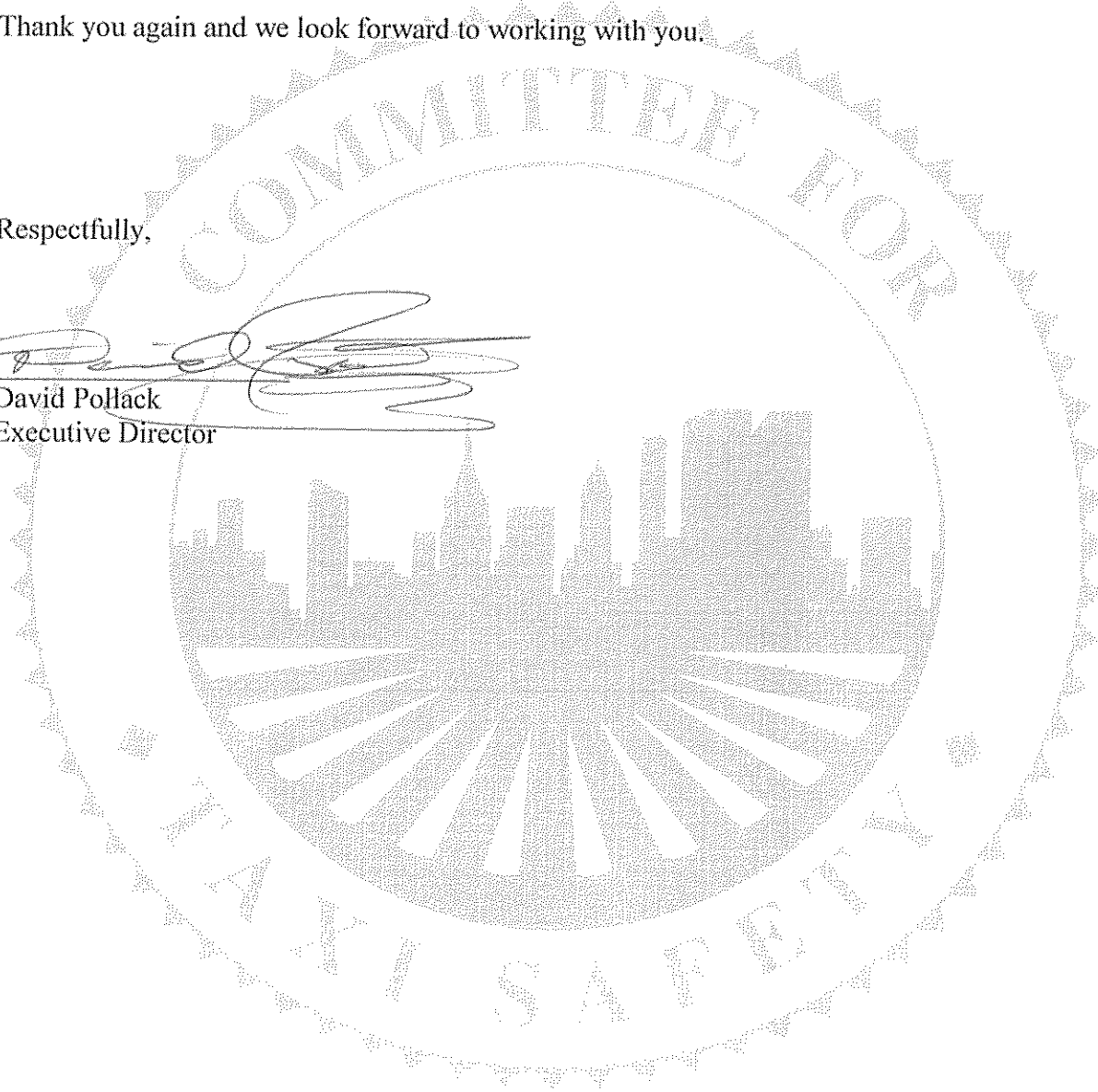
and State's recently enacted policy decisions on this industry. We look forward to this conversation not only because we believe that we can save the jobs of the hard working people of the taxi industry whether they be drivers, mechanics or administrative staff but because we are also committed to providing a quality service to all of our passengers

Thank you again and we look forward to working with you.

Respectfully,



David Pollack
Executive Director



**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 535 Res. No. _____

in favor in opposition

Date: 10/31/13

(PLEASE PRINT)

Name: Kerith Aronow

Address: 79 Remsen St

I represent: Brooklyn Heights Assoc.

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: TOM MAGUIRE

Address: _____

I represent: NYC DOT

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 10/31/13

(PLEASE PRINT)

Name: JOANNA OLTMAN SMITH

Address: 829 President St.

I represent: _____

Address: _____

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

Name: Ben Shepard (PLEASE PRINT)

Address: 249 Hoyt Street

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1123 Res. No. _____

in favor in opposition

Date: 10-31-13

Name: ELLEN RUBIN (PLEASE PRINT)

Address: _____

I represent: SELF

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 0535-2011 Res. No. _____

in favor in opposition

Date: 10/31/13

Name: ERIC McCLURE (PLEASE PRINT)

Address: 423 4th ST. BROOKLYN, NY 11215

I represent: PARK SLOPE NEIGHBORS

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. 535 Res. No. _____

in favor in opposition

Date: 10/31/12

(PLEASE PRINT)

Name: PATRICK KILLACEY

Address: 11 MONROE BL

I represent: BROOKLYN HEIGHTS ASSOCIATION (BHA)

Address: BROOKLYN 11201

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Edyth Prentiss

Address: 739 W 186 ST

I represent: Taxis For All Corp

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: David Yassky

Address: _____

I represent: TLC

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. 111 Res. No. _____

in favor in opposition

Date: Oct 31, 2013

(PLEASE PRINT)

Name: CHRISTINA BERRIET

Address: 342 W 38, 10018

I represent: CHEK AIDS

Address: U

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: 10/31/13

(PLEASE PRINT)

Name: PAUL WHITE

Address: 177 WEST 26th ST NY, NY 10001

I represent: TRANSPORTATION ALTERNATIVES

Address: SAME

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: 10/31/13

(PLEASE PRINT)

Name: Ryan Russo

Address: NYC DOT

I represent: _____

Address: _____

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 10/31/13

(PLEASE PRINT)

Name: Kate Slewin

Address: NYC DOT

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1123 Res. No. _____

in favor in opposition

Date: 10-31-13

(PLEASE PRINT)

Name: Dorrie Rush

Address: 111 E 59th St

I represent: Lighthouse International

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1123 Res. No. _____

in favor in opposition

Date: 10-31-13

(PLEASE PRINT)

Name: Lester Marks

Address: 111 E 59th St

I represent: Lighthouse International

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. 535 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Junar Eckstein

Address: 75 Prospect Park West, 5D

I represent: self

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 535 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Gary Eckstein

Address: 75 Prospect Park W. 5D

I represent: self

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 535 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Amy Cohen +

Address: 75 Prospect Park W. 5D

I represent: self

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. 539, 1123 Res. No. _____

in favor in opposition

Date: October 31, 2013

(PLEASE PRINT)

Name: DAVID POLLACK

Address: _____

I represent: Committee For Taxi Safety

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. 535-2011 Res. No. _____

in favor in opposition

Date: 10/31/13

(PLEASE PRINT)

Name: David Dartley

Address: 240 1st Ave NYC 10009

I represent: private citizen

Address: _____

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