

CITY COUNCIL
CITY OF NEW YORK

----- X

TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON TRANSPORTATION

----- X

January 17, 2017
Start: 11:55 a.m.
Recess: 12:45 p.m.

HELD AT: 250 Broadway - Committee Rm,
16th Fl.

B E F O R E:
YDANIS A. RODRIGUEZ
Chairperson

COUNCIL MEMBERS:
Daniel R. Garodnick
James Vacca
Margaret S. Chin
Stephen T. Levin
Deborah L. Rose
James G. Van Bramer
David G. Greenfield
Costa G. Constantinides
Carlos Menchaca
I. Daneek Miller
Antonio Reynoso
Donovan J. Richards
Jumaane D. Williams

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

[sound check]

[pause]

[background comment]

[gavel]

CHAIRPERSON RODRIGUEZ: Good afternoon

everyone, thank you for being here. Today we're going to be voting... this is the Committee on Transportation; we're going to be voting on two bills; one is Int. 570-A, a local law to amend the Administrative Code of the City of New York in relation to eliminating the passenger manifest and public support statement requirements for commuter vans, eliminating the requirement that commuter vans renew their license every six years, and repealing subdivision k of section 19-504.2.

The second one that we're going to be voting is Int. 860-A, a local law to amend the Administrative Code of the City of New York in relation to requiring studies of safety [background comment] in the commuter van industry and limiting the number of... Council Member, please... [background comment] in the commuter van industry and limiting the number of new commuter van licenses.

1
2 Now we will hear from Council Member
3 Miller, who would like to say a few words.

4 [background comments]

5 CHAIRPERSON RODRIGUEZ: I do. Yeah. I'm
6 sorry. This is... I'm sorry. It was 860; then 861-A;
7 this is an additional one; it's a local law to amend
8 the Administrative Code of the City of New York in
9 relation to the unlicensed operation of any vehicle
10 as a commuter van and to increase certain penalties
11 applicable to operators of commuter vans. Now let's
12 hear from Council Member Miller.

13 COUNCIL MEMBER MILLER: Thank you, Chair
14 Rodriguez for holding the hearing at which time we'll
15 be voting on three very important pieces of
16 legislation that directly impact Vision Zero and mass
17 transportation here in the City of New York.

18 Int. 860 would mandate a long-needed
19 study of the role of commuter vans on our mass
20 transit and that the need for further regulation
21 would offer plans and actions to keep vans within
22 their legal bounds when operating on routes within
23 the communities of New York City.

24 There have been many concerns regarding
25 commuter vans and van service throughout the

1
2 boroughs, and in particular in Southeast Queens and
3 the behavior of drivers from MTA [gavel] operators,
4 civic groups, such as Queens Civic Congress and
5 community boards in Southeast Queens, 12, 13 and 10.
6 This legislation will help us solve the dilemma and
7 bring some much needed controls to an often
8 unregulated industry.

9 Int. 861 would increase civil penalties
10 of unlawful operation of commuter vans -- for first
11 offenses would be increased from \$1,000-\$3,000 and
12 increase from \$2,500-\$4,000 for illegal operations
13 and van violations for operators of commuter vans
14 without TLC authorization, raised from \$500.

15 These are necessary to control the
16 proliferation of illegal vans that are creating
17 mayhem in communities and those who choose to operate
18 outside of the law.

19 I want to commend you -- and this is a
20 long time coming -- and Council Member Williams and
21 his staff for working collectively on this
22 legislation. I look forward to myself and the
23 members of the Committee voting in the affirmative.
24 Thank you.

1
2 CHAIRPERSON RODRIGUEZ: **[inaudible]** hear
3 from Council Member Jumaane Williams.

4 COUNCIL MEMBER WILLIAMS: Thank you,
5 Mr. Chair and members of the Committee. With the
6 vote you're about to take today, we're one step
7 closer to completely reforming our city's commuter
8 van industry.

9 This package accomplishes dual goals;
10 first, it better protects our city's pedestrians
11 against rogue, illegal, unlicensed drivers who pose a
12 real threat to our safety. We've seen far too many
13 fatalities, injuries and fleeing incidents at the
14 hand of drivers who want to make a quick buck at the
15 expense of those they are transporting and those who
16 encounter these vans; therefore, we're capping the
17 industry at 735 vans on the road, pending a study for
18 a need for more, and increasing penalties for
19 unlicensed operation.

20 Second, we are making more efficient the
21 process of legal, legitimate van drivers and
22 companies operate by aligning them with other
23 commuter services in our city and eliminating the
24 existing dual registration requirements; DOT retains
25 revocation [sic] authority. We are also limiting an

1
2 owner's paperwork-intensive requirement of collecting
3 signatures from the public to support a finding of
4 need, along with the need to maintain records of trip
5 taken in the company authorized service area, also
6 called "passenger manifest."

7 I want to thank several people who have
8 helped us get here, including the Mayor's Office;
9 including TLC Commissioner Joshi; DOT Commissioner
10 Trottenberg and their team; Speaker Melissa Mark-
11 Viverito and her staff, including Matt Gewolb, Laura
12 Popa and Kelly Taylor; Chair Rodriguez and his staff,
13 Russell Murphy; a huge shout-out to Council Member
14 Miller, who was dedicated from the beginning to make
15 this happen, and his staff; Greg Rose, Nick Smith
16 from my staff, along with two outstanding industry
17 experts who were relentless in getting us to today --
18 I know that they're watching -- one is Hector
19 Ricketts, owner of the Community Transportation
20 Systems and part of the Commuter Van Association of
21 New York, Queens, and the biggest shout-out to my
22 friend, who has become my friend over this past
23 several years; Leroy Morrison, owner of Alexis Van
24 Lines and part of the Commuter Van Industry [sic] of
25 New York, Brooklyn.

1
2 I do want to say that the City goes to
3 this industry whenever there's a crisis in the city,
4 from blizzards to blackouts, to boycotts, or when
5 there is no other transportation they go to this
6 industry and then oftentimes ignore them, but we also
7 know that we have to regulate them. We are calling,
8 both Council Member Miller and I, for increased
9 enforcement and this is not a carte blanche for other
10 vans to come in and jump in; we don't want that; we
11 are asking for TLC and the NYPD to please work with
12 us to get those rogue vans off of the road; they are
13 clogging it up for everyone, and we're asking the
14 community, those who are watching, to look for this
15 locale [sic], NYC Commuter; it indicates that this is
16 a legal, licensed van that has insurance, in case,
17 god forbid something happens, and TLC plates before
18 you get on the van.

19 Thank you very much and I'm very
20 appreciative of the vote that's about to be taken.

21 CHAIRPERSON RODRIGUEZ: Thank you Council
22 Member. I would like to acknowledge the Council
23 Members who are here -- Council Members Garodnick,
24 Vacca, Chin, Van Bramer, Greenfield, Richards,
25

1
2 Menchaca, and Miller. And I also would like, before
3 taking the vote, to... yes.

4 COUNCIL MEMBER WILLIAMS: I just forgot
5 to thank Council Member Kallos, who was second [sic]
6 on my bill and also worked on it. Thank you.

7 CHAIRPERSON RODRIGUEZ: Great. I would
8 like to thank the Transportation Committee -- Kelly,
9 Gafar, Jonathan, Emily, Chima, and Randall [sic] for
10 their work in this Committee. And at the same time,
11 before taking the vote, I would like to apologize for
12 being late, but as you know, we had another big
13 **[inaudible]** hit and run yesterday in Manhattan, 35th
14 and Broadway, and we are trying to take this, you
15 know hit and run as an epidemic that is affecting our
16 city -- 40,000 hit and runs every year is
17 unacceptable; 4,000 of those send New Yorkers in
18 critical condition to hospital; last year we had 39
19 New Yorkers who died, even **[inaudible]** continue as it
20 is right now, we can see a major increase of New
21 Yorkers who lose their life because of hit and runs
22 and that's why on January 26, when we will have a
23 hearing on Vision Zero we want to emphasize the need
24 to increase more resources and pay more attention to
25

1
2 eradicate hit and runs in our city. With that, let's
3 take a vote.

4 COMMITTEE CLERK: William Martin,
5 Committee Clerk, roll call vote Committee on
6 Transportation; the items are coupled. Chair
7 Rodriguez.

8 CHAIRPERSON RODRIGUEZ: Aye.

9 COMMITTEE CLERK: Garodnick.

10 COUNCIL MEMBER GARODNICK: Aye.

11 COMMITTEE CLERK: Vacca.

12 COUNCIL MEMBER VACCA: I want to join in
13 commending both sponsors, but especially Council
14 Member Miller; I know this has been on your agenda
15 since you've entered the Council; you've spoken to me
16 on many occasions and I'm pleased to see that the
17 legislation is before us today, and these bills are
18 good bills which will go a long way. I'd like to be
19 added as a co-sponsor to both 860-A and 861-A, and I
20 vote aye on all.

21 COMMITTEE CLERK: Chin.

22 COUNCIL MEMBER CHIN: I also wanted to
23 thank Council Member Miller and Council Member
24 Williams for their leadership on this issue; I mean,
25 the commuter van issue affects all... many of the

1
2 immigrant community and I also wanted to be added on
3 the bills as co-sponsor, and I vote aye on all.

4 Thank you.

5 COMMITTEE CLERK: Van Bramer.

6 COUNCIL MEMBER VAN BRAMER: Aye.

7 COMMITTEE CLERK: Greenfield.

8 COUNCIL MEMBER GREENFIELD: May I explain
9 my vote?

10 CHAIRPERSON RODRIGUEZ: Yes.

11 COUNCIL MEMBER GREENFIELD: I too want to
12 thank the Chair for your leadership on these pieces
13 of legislation; I especially want to thank Council
14 Members Williams and Miller, who have been working on
15 this issue diligently. As someone who frequently
16 competes with commuter vans for driving space in
17 Brooklyn and who has been cut off and cursed out by
18 said drivers of those vans on multiple occasions, I'm
19 very pleased that the wild west of the commuter van
20 industry is finally being brought under control and
21 positive steps are being taken to promote those vans
22 that are legal and to try to stop those vans that are
23 illegal. And I will just add to Council Member
24 Miller and Council Member Williams plea; there are
25 laws on the books, so we need TLC and the NYPD to

1
2 enforce these laws, really for the public safety of
3 hundreds of thousands of New Yorkers. I proudly vote
4 aye and once again, congratulate Council Member
5 Williams and Council Member Miller for their
6 outstanding work here. Thank you.

7 COMMITTEE CLERK: Richards.

8 COUNCIL MEMBER RICHARDS: Permission to
9 explain my vote.

10 CHAIRPERSON RODRIGUEZ: Yes.

11 COUNCIL MEMBER RICHARDS: I want to thank
12 you, Chairman and thank both Council Member Williams
13 and Miller for the work that they've done on this
14 issue, and for us in Southeast Queens, we represent
15 obviously a transportation desert which has really
16 provided this sort of opportunity, unique opportunity
17 for commuter vans to really be out there, so we
18 appreciate this particular transportation mode, but
19 at the same time we know that there still are a lot
20 of illegal vans that really cause not only a nuisance
21 in our communities, but also safety issues are
22 paramount to this industry and our community and
23 there's not a day I don't walk out my office, because
24 on Merrick Boulevard I'm the first stop, where we
25 don't see vans clogging the road, creating a safety

1
2 epidemic for children in our community, especially
3 right across the street from one of our local
4 schools. So this has been a long-term issue for
5 Southeast Queens and I'm very happy and I know the
6 community is very grateful for the leadership of
7 Council Member Miller on this issue and I will just
8 second what Council Member Greenfield said, and that
9 is the need for more enforcement; we could write all
10 the bills we want, but if there's a lack of TLC and
11 NYPD enforcement on this issue, we will still
12 continue to see people hit by vans, killed by vans
13 and our children having to duck in and out of cars,
14 in-between cars just to cross the street in our
15 neighborhood, so thankful for this first step and
16 grateful for the leadership of both Council Member
17 Williams and Miller on this issue. Thank you. I
18 vote aye.

19 CHAIRPERSON RODRIGUEZ: Before we
20 continue for other colleagues to vote, I will be
21 stepping out, but Council Member Miller will be
22 closing the vote.

23 COMMITTEE CLERK: Menchaca.

24

25

1
2 COUNCIL MEMBER MENCHACA: I vote aye and
3 thank all the sponsors for their hard work. Thank
4 you.

5 CHAIRPERSON RODRIGUEZ: Miller.

6 COUNCIL MEMBER MILLER: I vote aye, but I
7 also want to take the privilege to thank my
8 predecessor, now Senator Leroy Comrie, for working on
9 this for a really long time and bringing Council
10 Member Williams and I together; probably... long before
11 I got to the Council we were actually working on this
12 issue, so it's an important issue; there's still a
13 lot of work to get done; obviously enforcement is at
14 the top of the list, safety, accessibility,
15 affordability has to be taken into account and all of
16 the member and all of our constituency are able to
17 even take advantage of it because it is accessible to
18 those who are disabled, that there is some way of
19 subsidizing the seniors who cannot... who lose out on
20 their subsidy because they're getting into a commuter
21 van and recreating a two-fare zone. And so there is
22 work to do and we are committed to doing that work
23 and because of that I proudly vote aye.

24

25

1
2 COMMITTEE CLERK: By a vote of 9 in the
3 affirmative, 0 in the negative and no abstentions,
4 all items have been adopted by the Committee.

5 COUNCIL MEMBER MILLER: Okay and the vote
6 will remain open for another 15 minutes.

7 [pause]

8 COMMITTEE CLERK: Continuation roll call,
9 the Committee on Transportation. Council Member
10 Levin.

11 COUNCIL MEMBER LEVIN: Vote aye on all.

12 COMMITTEE CLERK: Final vote in today's
13 Committee on Transportation, all items have been
14 adopted by a vote of 10 in the affirmative, 0 in the
15 negative and no abstentions. Thank you.

16 COUNCIL MEMBER MILLER: I now call this
17 hearing adjourned.

18 [gavel]

19

20

21

22

23

24

25

C E R T I F I C A T E

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



Date January 24, 2017