

**Testimony of the New York City Department of Consumer Affairs
Before the
New York City Council Committee on Consumer Affairs**

**Hearing on
Introduction 1006: In Relation to Repealing Licensure of Operators of Motion-Picture
Projecting Machines**

February 22, 2016

Introduction

Good morning, Chairman Espinal and members of the Committee on Consumer Affairs. I am Amit S. Bagga, Deputy Commissioner of External Affairs at the Department of Consumer Affairs (“DCA”), and I am joined by my colleagues, Alba Pico, Acting Commissioner of DCA, Nancy Schindler, Associate Commissioner, Legal Affairs, and Elina Kotlyar, Assistant Commissioner, Licensing. We are pleased to represent our agency and Mayor de Blasio before you today.

Thank you for inviting us to testify on Introduction 1006 (“Intro 1006”), a bill that would repeal DCA’s Motion Picture Projectionist (“projectionist”) license category. DCA supports the repeal of this license category, which was originally created to ensure that those individuals operating manual movie projection equipment, which often featured complex electrical wiring, hot light sources, and flammable film, were appropriately trained to do so and that both the projectionists and the public were protected from harm.

Following a seismic evolution in movie projection equipment technology since the City began regulating this industry more than a century ago, it is DCA’s understanding that movies are now projected almost exclusively through the use of digital technology, calling into question the continued need for maintaining the projectionist license category. I will now provide a brief overview of the evolution of the technology used to project movies; one that will help clarify and affirm the Council’s position that there no longer exists a need to license movie projectionists and that the elimination of licensure is not likely to have a significant impact on employment in New York City, which is always a consideration of Mayor de Blasio’s administration.

History of Movie Projectionist Licensing

The City of New York has regulated motion picture projectionists since at least 1908, when projectionists began being licensed by the now-defunct Department of Water Supply, Gas, and Electricity. The Department of Consumer Affairs took over the licensing of this category pursuant to Local Law 65 of 1985. Since 1908, what was once a highly dangerous, cumbersome process has been replaced by a digitized, automated one, with most movies being able to be shown with a few clicks of a computer mouse or by pressing a few buttons.

It was, however, not always this easy to project movies. From approximately 1910 until the early 1960s, the use of nitrate film and carbon arc lamps was common in projection equipment, which itself involved the use of dozens of reels and required deft handling. Nitrate film, which was considered to produce relatively high-quality images, was flammable, and because of its unique chemical composition, was difficult to extinguish once it was ignited.¹ This film had very specific storage and use requirements, and it was “lit” by carbon arc lamps, which generated significant heat, thereby increasing the danger of this film catching on fire.² In addition to the materials being used in projection being dangerous, the process itself was quite cumbersome. Prior to the 1960s, projectionists utilized a “changeover” system, which involved the first of two reels being fed through a projector while the second reel would be set up in a second projector, awaiting the arrival of an on-screen cue that would indicate to the projectionist that the second projector needed activation. As each film contained several reels, the projectionist would have to continually repeat this process, two reels at a time, until the film was complete. The danger and complexity involved in managing the projection process created a necessity for projectionists to become skilled through training.

To assess their aptitude with the equipment, projectionists have almost always been subject to stringent testing, and in the early days of licensure, trade associations such as the New York Fire Underwriters and the American Institute of Electrical Engineers produced handbooks that enabled projectionists to familiarize themselves with the complex management of projection equipment.

Over time, this equipment continued to evolve, and in the 1960s, carbon arc lamps began to be replaced by Xenon bulbs, which were safer and lasted much longer than carbon arc lamps. The reel-to-reel system was eventually replaced by the “platter” system, which allowed individual reels to be spliced together to create a single reel, eliminating the need for the cumbersome reel-changing process. Such changes ultimately gave way to digital projection, which, according to the National Theater Owners Association, became nearly-universal in New York City after 2006.

In conversations with DCA, NATO, which maintains that it represents approximately 75 percent of the movie theaters in New York City, has shared that only 3% of their screens utilize reel-to-reel or similar projectors and that the remaining 97% of their screens utilize digital projection equipment.

The evolution of projection technology is further borne out by the numbers: today, DCA licenses 214 movie projectionists, down from reported highs of more than 3,000 in the 1950s.³

¹ National Park Service: Disposal of Cellulose Nitrate Film:
<http://www.nps.gov/museum/publications/conservation/02-22.pdf>

² The American Society of Mechanical Engineers: <https://www.asme.org/engineering-topics/articles/history-of-mechanical-engineering/inside-a-projectionists-booth>

³ The End: Why Projectionists Will Soon be No More, SLATE Magazine, December 2010:
http://www.slate.com/articles/arts/movies/2010/12/the_end.html

Repeal

While the use of complex projectionist equipment has significantly declined over time, it should be noted that according to NATO, which, in representing more than 300 theaters represents approximately 75 percent of theaters in New York City, there are still some theaters in New York City that use such equipment. While the exact number of these theaters is unknown, DCA and NATO agree that the number is likely to be quite low.

As there are 214 currently-licensed projectionists, DCA respectfully suggests that the labor marketplace for trained projectionists is sufficiently robust to meet the demand that might exist for these projectionists. Naturally, DCA is always open to hearing any and all concerns regarding the nature of this labor marketplace and is committed to full engagement with all relevant stakeholders on this matter.

The repeal of this license category will have a small fiscal impact on our agency, but this will be offset by the elimination of the need to process this license and administer its attendant exam.

In our licensing of approximately 80,000 businesses and individuals across our current 55 categories, DCA is deeply committed to its mission of empowering consumers and businesses alike to ensure a fair and vibrant marketplace for all, and we believe that the repeal of the projectionist category does not undermine this commitment.

Thank you for the opportunity to testify today; my colleagues and I will be happy to answer any questions you might have.