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**MANHATTAN COMMUNITY BOARD FOUR**

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New York City Council  
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New York, NY 10033

Rafael Espinal, Jr.  
Chair, Committee on Consumer Affairs  
New York City Council  
786 Knickerbocker Avenue  
Brooklyn, NY 11207

Luis Sanchez  
Acting Borough Commissioner  
Department of Transportation  
59 Maiden Lane, 37 Floor  
New York, NY

Lorelei Salas  
Commissioner  
Department of Consumer Affairs  
42 Broadway  
New York, NY 10004

**Re: Regulation of Sightseeing Buses**

Dear Acting Commissioner Sanchez,

Manhattan Community Board 4 (MCB4) is pleased that the City Council is considering further regulation of sightseeing buses<sup>1</sup> in the City. With 59 million tourists visiting New York City annually and a large chunk of our economy depending on it, having a robust operational model to manage the integration of this industry within our residential and business districts is crucial.

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<sup>1</sup> As noted by the industry, these laws should cover only sightseeing buses that operate as a Hop-on Hop-off service as they are incompatible with the operation of Tour and Charter buses.

Intro 529-A seeks to ensure better safety records for the drivers and reporting of crashes; Intro 713-A clarifies and strengthens the process to obtain a bus license by including Community Board and Department of Transportation reviews before the Department of Consumer Affairs grants a license; and Intro 950 establishes a maximum of 220 licenses for sightseeing buses

We applaud Intros 529 and 713, but wish they were more comprehensive in addressing the roots of our daily problems. We have serious concerns about the unintended consequences of arbitrarily limiting the number of licenses as proposed in intro 950.

Our district harbors more than 50 hotels, over 300 restaurants, bars and clubs, and many tourist destinations. It is the home of the Port Authority Bus Terminal, with its 8,500 daily bus trips and long distance companies, Megabus and Bolt Bus. The thousands of tourists invading our narrow sidewalks daily with or without luggage in tow, compete for space with commuters, workers and residents and generate many unwanted side effects.

#### **Intro 529 –A**

We support increasing safety requirements for the drivers. However, sightseeing tour bus drivers ought to be subject to at least the **same safety tests and screening as the MTA drivers**. We oppose giving a license to drive a sightseeing bus to any driver whose license has been revoked in the last five years. Such a proposal seems to fly in the face of the Vision Zero Mayoral initiative.

#### **Intro 713 - A**

**Approval of sightseeing bus stops** and renewals should be subject to Community Board approval with **60 days notice** to allow them to do due diligence and public outreach. The community is the expert on local conditions and their input will reduce the number of conflicts and complaints.

We also urge the council to clarify **the renewal procedures** for all buses and make it clear that community complaints will play a significant role in the renewal. There is an effort underway by the Department of Transportation (DOT) to evaluate renewals of Inter-city bus stops based only on NYPD summonses and not take into account documented community complaints. The number of stops and companies make is nearly impossible for NYPD to dedicate sufficient resources to catch the myriad of infractions routinely perpetrated by the bus operators, often at the detriment of the local business and residents. Idling is one of those issues, as well as having too many buses at one stop, vending on the sidewalk, using the wrong routes etc.

The Department of Transportation should publish and keep up to date **a map of all bus stops** granted to which companies (including long distance, jitneys etc.) overlaid with MTA bus maps and bus lanes as well as a link to the stipulations of the licenses and renewal date. This would help the community in reviewing the applications and assist the public and the NYPD in understanding what stipulations should be enforced.

**No stop should ever be approved in an MTA stop or bus lane.** Our biggest concern is the number of sightseeing buses that legally or not, stop at MTA bus stops or in bus lanes, for up to 15 minutes at a time to load large numbers of tourists, or just wait for the next departure and slow down the service or prevent wheel chair accessibility. In all cases the MTA bus stops should be given the preferred location closest to the intersection to facilitate transfers.

**The concepts of stops, routes and viability should be better defined and included in writing in the license.** Is a stop defined in duration (3 minutes or less) or in number of buses that can stop there at a given time? How many times a day can it be used? Recently Open Loop was given one stop supposedly to use with one bus for less than 3 minutes. We have not been able to obtain from DOT a copy of their license to verify if it is specific in that regard or whether the number of times a day the stop is to be used. As a result at any given time during the day, there were 6 buses at curbside. Routes should be strictly limited to truck routes as is current law.

**Why are sales of tickets on the sidewalk permitted?** Another large concern is crowding and proliferation of tickets sellers on the sidewalk. Just recently Open Loop was allowed to stop on 42nd street in a bus lane. Immediately up to 6 tickets agents were crowding the sidewalk in front of the exit of a large office building and many employees complained of being pushed around by the bus company personnel. In other instances, up to 4 ticket agents post themselves at very busy intersections (40th street and 8<sup>th</sup> Avenue at Port Authority in front of the subway), which is not adjacent to a stop. When each agent speaks to a family of three, the passage is completely blocked and the pedestrians walk in the street.

### **Intro 950**

The quota system as applied in the Taxi industry has resulted in limiting entrepreneurship and favored large fleet owners who do not care about their employees, the state of their cars and the quality of the service. It may be preferable to **strictly limit the number of permitted stops**, based on a master plan of all possible stops agreed to with the community; **limit to every 30 minutes the frequency** at which a stop can be used by bus companies and adopt **stringent quality standards to approve licenses**, that will ensure that both the tourist and neighborhood experiences are improved and will deter unqualified operators to apply. Examples of such standards are companies that:

- Are in good standing with the Federal Motor Carrier Safety Administration
- Use buses with only clean air technology for new licenses, and retrofit of existing buses with installation of an automatic engine shut-off for renewal.
- Use a bus design that favors windows and strictly limits advertising space (this would reduce the number of near empty buses circling in the streets)
- Agree to not use to sell tickets in the street either by their employees or by contractors
- Agree to use truck routes only
- Agree to not stop in MTA stops or MTA bus lanes
- Will use proper parking locations when the buses are not in circulation
- Pay their drivers a living wage even if there are headquartered in another state

We thank you for taking our suggestions in consideration.

Sincerely,



Delores Rubin  
Chair



Christine Berthet  
Co-Chair, Transportation  
Planning Committee



Yoni Bokser  
Co-Chair, Transportation  
Planning Committee

CC Hon. Margaret Chin, City Council Member  
Hon. Corey Johnson, City Council Member