

NEW YORK CITY DEPARTMENT OF SOCIAL SERVICES
OFFICE OF LEGAL AFFAIRS

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IN THE MATTER OF:

Public Hearing and Opportunity to Comment on Proposed
Amendments to Chapter 12 of Title 68 of the Rules of the
City of New York Regarding Fair Fares NYC Program

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DATE: October 6, 2023
10:00 a.m.

HELD AT: ZOOM HEARING

BEFORE: PATRICIA MILIEN
CHERYL WURTZ,
Hosts

APPEARANCES:

ALSO PRESENT: JUAN CARLOS CASTAENDA, Spanish
Interpreter
ELLY ZHANG, Mandarin Interpreter

DIGITALLY RECORDED PROCEEDING, TRANSCRIBED BY:
BRANDI CHAMBERLAIN
UBIQUUS

1 MS. PATRICIA MILIEN: Okay. So good morning,
2 everyone. Welcome and thank you for attending today's
3 hearing. My name is Patricia Milien and I am going to be
4 the host for this public hearing.

5 This is a public hearing that's pursuant to a
6 City Administrative Procedure Act, or CAPA. The subject
7 of this hearing is the amendments to Fair Fares Program.

8 Now the interpreters may introduce themselves.

9 SPANISH INTERPRETER: Good morning. The
10 following announcement will be presented in Spanish.
11 Thank you.

12 MANDARIN INTERPRETER: Good morning.

13 MS. MILIEN: Just two interpreters, okay. So we
14 have the two and we have the Spanish, Mandarin, and we
15 have an ASL interpreter as well. Okay.

16 So the Fair Fares NYC Program helps New York
17 City residents with low incomes manage their
18 transportation costs by providing them with a 50% discount
19 on public transportation. Eligible New Yorkers, New York
20 City residents receive a 50% discount on subway and
21 eligible bus fares. Pay-per-Ride, weekly unlimited, and
22 monthly unlimited options are all available. Fair Fares
23 can also provide 50% off MTA Access-A-Ride paratransit
24 trips.

25 The current Fair Fares rule provides that an

1 applicant's gross income must not exceed 100 percent of
2 Federal Poverty Level. This proposed rule will raise the
3 income level to 120 percent of the Federal Poverty Level.
4 Expansion of the Fair Fares Program discount will assist
5 low-income New Yorkers by improving access to daily needs
6 such as jobs, education, healthcare, food, nature and
7 recreation, and foster equitable development and
8 restoration of New York City post pandemic. Additionally,
9 improve the access to address income disparities and allow
10 for favorable quality of life outcomes for the lowest New
11 Yorkers -- New York -- lowest income New Yorkers.

12 At this point, anyone who wishes to comment on
13 the rule will have three minutes to speak. We will not be
14 answering any questions or responding to any comments
15 today, but please let them know -- please, please let you
16 know that we will consider all comments that we receive as
17 we finalize the rule.

18 We have two people who were assigned to speak
19 today and we will start with them. They're on the call.
20 Pedro Valdez Rivera, you may begin now. This person is
21 not on the call, not here.

22 Elected officials, do we have any elected
23 officials on the call? No.

24 MS. MONICA EALEY: Go to the next person.

25 MS. MILIEN: So the next person is Danna, Danna

1 Dennis, from Riders Alliance. Is Ms. Dennis on the call?

2 MS. DANNA DENNIS: I am, sorry.

3 MS. MILIEN: Good morning. So you have three
4 minutes to talk.

5 MS. DENNIS: Awesome, I'm so happy I get to go
6 first. Good morning, everyone. My name is Danna Dennis.
7 I am the Senior Organizer with the Riders Alliance --we
8 have been fighting to get Fair Fares not only approved and
9 to be a program for many, many years, but as someone who
10 cares about this program deeply... And I just want to say
11 that this is a moment where we can really make sure that
12 the program is doing everything they need. So currently
13 we know that we have over 300,000 Riders enrolled but Fair
14 Fares is not working to its full potential. Right? So,
15 we have riders that are making a dollar over the
16 qualifying factor and they're struggling, and there is an
17 automatic cutoff.

18 We're asking that the Mayor, the City Council,
19 HRA, and anyone who has any authority over the program go
20 ahead and extend the eligibility factors. So right now
21 we're working at 100%. Right? I mean you have to be
22 making just \$15,000 as a single individual. That's fine
23 if I lived in, let's say, Mississippi. No disrespect to
24 them. But that doesn't make sense for someone who lives
25 in Manhattan, the Bronx, Queens, Brooklyn, Staten Island.

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1 That's not a New York standard. We are struggling to
2 afford rent, struggling to afford childcare, food, and all
3 those other factors.

4 And so this is a moment where not only do we
5 need to examine the rules but we need to examine
6 eligibility and the overall programs. Expanding the
7 eligibility to 200% of the Federal Poverty Line would
8 allow a million more riders to qualify for the program.
9 And so as we continue to have conversations around fare
10 evasion, poverty, fare hikes, right, as we all know just
11 happened, the 15 cents that some people say, "Well, it's
12 just 15 cents," there are others that go, "That's 15 cents
13 that I could put back into daycare. That's 15 cents that
14 I could put into my grocery bill."

15 Which if you're like me, when you get to the
16 grocery store, you're watching every single thing they
17 ring up. That's where I'm at right now. "How much are
18 those grapes? Oh, no. Put that back." I'm saving
19 coupons. That's what someone who would go ahead and apply
20 for Fair Fares needs. And we're talking about individuals
21 who are the working poor. They're going out. They are
22 employed. They're going to school. They have somewhere
23 to go five days a week and they're making just above that
24 line. 120% is not going to cut it. It's not.

25 It's only going to give us a few more people and

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1 of course we're going to take everybody we can get. We
2 are thankful at Riders Alliance that \$20 million was added
3 to the budget this year but adding more money to the
4 budget isn't enough. Changing the eligibility is where
5 we're going to really impact change for riders. We're
6 talking about people who are struggling. They're standing
7 at bus stops, turnstiles. They're begging for a swipe.
8 Or they're just having to figure it out and risk \$100
9 fine. If I don't have \$2.90. I do not have \$100 to get a
10 fine. I barely have it for everything else in my budget.

11 So, please, for those of you now who have this
12 moment where you can impact the program, please do so.
13 This is your time. Push back on whoever is saying 120%.
14 I'm pushing with you. It's 200% is where we need to be,
15 so we can really see this program do everything that it
16 needs to do. Thank you.

17 MS. MILIEN: All right. Thank you, Ms. Dennis.
18 That is your time, three minutes.

19 So I'm looking to see if Mr. Pedro Valdez Rivera
20 is on the call. Someone has their hand up. Who has their
21 hand up? I don't see a name.

22 MS. CHERYL WERTZ: They used the title C.N. and
23 have asked to speak.

24 MS. MILIEN: Okay. C.N.?

25 MS. C.N.: Thank you. I'm a blind person. I

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1 use the --

2 MS. MILIEN: -- You have three minutes.

3 MS. C.N.: Okay.

4 MS. MILIEN: Start now.

5 MS. C.N.: Sorry. I'm a blind person. I, I use
6 the Fair Fares program. I think it's very important to
7 extend the program, especially for people who are low
8 income, are working but not making, you know, so much
9 that, you know, public transportation becomes an issue,
10 really hits into that budget.

11 For me, I'm really grateful for the program as I
12 use it for Access-A-Ride because I'm an Access-A-Ride
13 user. I use the Access-A-Ride buses to go to different
14 places. But I also think that Fair Fares should apply to
15 paratransit also as a whole. I don't know if you are
16 aware but there is an on-demand program where someone with
17 Access-A-Ride, they can get a taxi straight away and go
18 somewhere without having to book two days in advance like
19 they do with the buses.

20 Unfortunately, the MTA has raised the price of
21 the E-Hail on demand program from a subway of \$2.90 to \$4.
22 And Fair Fares does not apply to that. And in my personal
23 case I now have to stop going to the food pantry because
24 the food pantry doesn't allow me to wait outside the
25 pantry for paratransit. You have to go in, get the food,

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1 and, and leave. And that's why the E-Hail on demand
2 program really helped me so much because I could take that
3 taxi to the food pantry program, get the groceries I
4 needed, and then just call for a cab.

5 So I'm hoping not only could we improve the Fair
6 Fares to apply to 200% of people who are under the poverty
7 line but I think also if there's a way to also apply it to
8 the E-Hail on demand program, which is under the
9 paratransit program, so that people like myself who use
10 vital services such as a food pantry or, or places that
11 don't have the facilities for letting people hang around
12 for a whole hour for the traditional Access-A-Ride bus
13 service to pick them up, you know, to, to allow us to have
14 mobility. Because it's very important. The main thing is
15 transportation in the city.

16 And, you know, like I said, people like myself
17 are necessarily -- we don't have much money. And, you
18 know, since -- that's why the Fair Fares Program, which
19 I'm so grateful for and I do want to let you guys know I'm
20 extremely grateful for it, and it has changed my life and
21 helped me to get around the city. This is a very
22 important program and should be extended as we're trying
23 to do today.

24 And just one more time, I just want to say my
25 really heartfelt appreciation and gratefulness for the

1 program. It has changed my life. I've been able to get
2 out more, go to the New York City recreation centers, and
3 exercise, and be -- try to get healthy, and go to, you
4 know, different things like Broadway shows, or visit
5 friends and try to not be so isolated at home, which a lot
6 of people with disabilities are. They, they can be
7 isolated at times. So thank you very much and thank you
8 for the opportunity.

9 MS. MILIEN: Thank you, C.N., for your
10 testimony.

11 MS. C.N.: Thank you, thank you.

12 MS. MILIEN: You're welcome. Thank you. Is Mr.
13 Pedro Valdez Rivera on the call? Okay. So we'll continue
14 with the hearing. If you wish to submit any testimony,
15 the deadline is midnight tonight and comments can be
16 emailed to NYCRules, with an S, at HRA.nyc.gov. If
17 there's anyone who wishes to testify, you can raise your
18 hand. Let us know if you need any help in the chat box.

19 So I see any other hand up, Debipriya --

20 MS. DEBIPRIYA CHATTERJEE: -- Yes.

21 MS. MILIEN: -- Chatterjee.

22 MS. CHATTERJEE: Hi.

23 MS. MILIEN: Hi.

24 MS. CHATTERJEE: Thank you so much for this
25 opportunity.

1 MS. MILIEN: So you have three minutes.

2 MS. CHATTERJEE: My name is Debipriya
3 Chatterjee, Debi. I'm a Senior Economist with Community
4 Service Society of New York.

5 I really appreciate you holding this hearing
6 and, and giving us a chance to share our thoughts on this.
7 I would like to begin by applauding the administration for
8 adding more funds to Fair Fares. You know, we work with a
9 very tight budget here and we're increasing the
10 eligibility for New Yorkers with incomes up to 120% of the
11 Federal Poverty Line. But I would also like to reiterate
12 our position that the expansion in eligibility falls short
13 of the need (inaudible), that we need Fair Fares program
14 to be accessible to New Yorkers earning up to 200% of the
15 Federal Poverty Line. You know, since the inception in
16 January 2019, behind which CSS was very actively involved
17 with some of our partners like Riders, from whom you
18 already heard, Fair Fares has been a game changer, as we
19 just heard for over 300,000 New Yorkers are enrolled.

20 We have also seen an increase in awareness and a
21 greater engagement with the program though CSS's unheard
22 third survey of low income New Yorkers. In 2021, only 25%
23 of eligible New Yorkers said that they had known about it
24 -- they would enroll in the program. That number is up to
25 35% of eligible New Yorkers now. The share of Respondents

1 who said that they had not heard of the program or they
2 did not know how to apply, that has also decreased
3 significantly over the past year. So all of this outreach
4 and education efforts by the administration are paying
5 off, and that's a good thing.

6 But we do believe that these efforts need to
7 reinforced and continued because they're unlikely to boost
8 enrollment and have that much impact because in an
9 expensive city like New York, 120% of Federal Poverty Line
10 is also an arbitrarily low threshold. So anyone who need
11 to commute on a regular basis, low income New Yorkers who
12 rely only on public transit and have a job, they are
13 likely to make slightly more than the eligibility
14 threshold. Hence our constant harping about expanding it
15 to 200% of Federal Poverty Level.

16 Another thing that we see in the survey which
17 might be helpful for your consideration is that these
18 folks who are about 100% but below 200% have the same
19 rates of transit hardship as those in poverty. By transit
20 hardship, I mean they often struggle to find money to pay
21 for subway or bus fares. That causes them to miss out on
22 medical appointments, you know, family visits, job
23 training, educational programs, and so on. So the rate of
24 transit hardship is the same for both of these groups of
25 New Yorkers. And it just makes sense to extend it.

1 It is easing transit hardship, one thing,
2 through expanding Fair Fares, but it would also be
3 environmentally friendly. It would generate more revenue
4 for MTA, which we know it could do more with. And it
5 would be a major step in equitable growth by helping
6 black, Hispanic, Latinx, and Asian communities who have
7 been pushed out of the Central Business District into far-
8 flung outer boroughs, and have to use public transit --

9 MS. MILIEN: -- Ms. Chatterjee, thank you.

10 MS. CHATTERJEE: Thank you.

11 MS. MILIEN: Thank you. You've reached the
12 three minute limit. I appreciate it and thank you for
13 your testimony here today during this hearing.

14 So additionally, if there is anyone who has
15 joined this hearing by calling in, you can raise your
16 hand, or by pressing star nine. Is there anybody else on
17 the call who would like to provide testimony?

18 So the hearing here will remain open for 30
19 minutes until we close. We're waiting to see if there is
20 anyone else. Is Pedro Valdez Rivera? I'm not on mute,
21 am I? Yes. Is Pedro Valez -- Valdez, sorry, Rivera on
22 the call? Okay.

23 MS. DENNIS: Pedro still hasn't joined. Sorry.
24 But I am -- he's a member of Riders Alliance and he joined
25 us yesterday at a rally we had for your office. But I

1 have his written testimony which I can email to you. So I
2 can just send that.

3 MS. MILIEN: Yes. You can email it to the
4 NYCrules --

5 MS. DENNIS: -- Okay. That's okay.

6 MS. MILIEN: -- @HRA.nyc.gov.

7 MS. DENNIS: Okay. Unless you wanted me to read
8 it, but I can just send it to you guys. Thank you.

9 MS. MILIEN: Thank you. Hi. Is there anyone
10 that recently joined the call? Okay. So if you're joined
11 the hearing by calling in, you can raise your hand or
12 press star nine. We're here if you would like to testify.
13 Sorry, my apologies.

14 MS. WERTZ: Patricia, since we've had several
15 people join the room, I recommend we bring our, our
16 interpreter announcers back out of the interpretation room
17 and see if there is anyone in the room who would like to
18 make comments in Spanish and Chinese. Any objections?

19 MS. MILIEN: No objections.

20 MS. WERTZ: Great. So Juan Carlos, I have
21 removed you from the interpretation room. Elly, I have
22 removed you from the Chinese language room. If you can
23 make our announcement in Chinese?

24 MANDARIN INTERPRETER: Yes.

25 MS. WERTZ: Thank you.

1 MS. MILIEN: Thank you. Now, we will close in
2 ten minutes. Oh, 20 minutes. You're right. Hi,
3 everyone.

4 MS. WERTZ: Sorry. Patricia, I, I re-muted you
5 because I didn't know that you wanted to -- sorry.

6 MS. MILIEN: It's okay. Can everyone hear me
7 now? Yes. Okay. So I'm just checking in. If you joined
8 this hearing by calling in you can raise your hand by
9 pressing star nine. If there's anyone else who would like
10 to testify, we have 20 minutes on the call before we
11 close.

12 MS. WERTZ: Patricia, Isabelle and iPhone have
13 both raised their hand.

14 MS. MILIEN: Yes. Thank you, Cheryl. Okay. So
15 Isabelle and iPhone user, I don't have your name. Would
16 you like to testify here today?

17 MS. ISABELLE BOHN: Yes. I would just like to
18 testify and ask that you please expand Fair Fares to at
19 least 200% of the Federal Poverty Line. As New Yorkers, I
20 mean it's really obvious that it's becoming even hard just
21 to buy groceries even if you're on a salary. It's much
22 harder to make it through if you're unemployed, if you're
23 making minimum wage. And so I am just arguing that with
24 all this inflation, with the inequality that exists in our
25 city, that Fair Fares be expanded to 200% of the Federal

1 Poverty Line. Thank you.

2 MS. MILIEN: Thank you. We have an iPhone user
3 with no name.

4 MS. JOLIZ REYES: Hi. This is Joliz Reyes
5 [phonetic]. I am one of the organizers with Riders
6 Alliance. I'm really sorry. My internet is acting up, so
7 I wasn't able to change my name. But I basically just
8 wanted to echo what Isabelle said. I'm here to testify
9 that we raise the Fair Fares -- we expand the Fair Fares
10 program to 200%. Riders Alliance found really hard to get
11 this extra funding in the budget and it's there. And
12 there is no reason why more New Yorkers shouldn't be
13 eligible to, to use this program.

14 People can't afford transit. People can't
15 afford anything right now. And the more relief that we
16 can give families and working-class people in any way that
17 the city can, you know, would make the city a better
18 place. Transit riders are working class people that are
19 keeping the city's economy moving. And folks really
20 deserve, deserve this break. Thank you.

21 MS. MILIEN: Thank you so much. I'm checking to
22 see if there is anybody else, any additional hands that
23 are up. Lars' iPhone. So, Lars, good morning. You have
24 three minutes if you would like to speak.

25 MR. LARS: Hi. Good morning, yes. Thank you.

1 My name is Lars. I'm with Riders Alliance as well. I'm
2 making the same ask, that you guys to expand the Fair
3 Fares Program to 200% of the Federal Poverty Line.

4 For just a tiny bit of personal experience, I
5 recently got a job, which is great, but I've been needing
6 to make the decision to walk to work because it's just too
7 expensive to, to do the train. So it's about an hour and
8 15 minute round trip. And while it works great right now,
9 when it starts to get cold I'm really going to want to be
10 able to take the train. So it would be amazing if I could
11 be -- if I could access that Fair Fares Program,
12 especially given the cost of everything these days. So I
13 really appreciate you hearing our comments today.

14 MS. MILIEN: Thank you so much. Checking again.
15 Lars, the hand is still up. All right. So we're on hold
16 now. If there is anyone else that would like to testify
17 or anyone who has joined us by phone, please press star
18 nine. So now we have ten minutes left for the call. 15,
19 sorry. My apologies. We have 15 minutes left for the
20 call. 10:48 is our sign-off time.

21 MR. NICOLAS LOMBARDO: Good morning. I
22 apologize. I would love to testify this morning but I'm
23 not sure what the procedure is.

24 MS. MILIEN: You can start your testimony. You
25 have three minutes to speak. We will not be responding to

1 any questions or answering anything. So, if you would
2 like to speak, your start time can start now.

3 MR. LOMBARDO: Okay. Well, thank you very much
4 for this chance to speak. I probably won't need all three
5 minutes. My testimony is very simple. This morning I'm
6 joining because I want to urge for the expansion of the
7 Fair Fairs Program to 200% of the Federal Poverty Line. I
8 am speaking about this as a teacher of many students whose
9 families are considered lower income by other agencies as
10 New York City government but are not eligible for Fair
11 Fares and pay a lot of money every year just to come to
12 school, to work, and to specifically my afterschool
13 program where we're offering -- we're trying to offer
14 chances to subsidize through our own program the fares if
15 they have to pay to do activities like going and visiting
16 colleges, or learning about financial aid.

17 So I have been hearing a lot about the Fair
18 Fares Program and this opportunity to expand it. And I'm
19 very excited at the prospect of getting to help more
20 families like this. So that's it. With that, I'll yield
21 my time. Thank you.

22 MS. MILIEN: Thank you, Mr. Lombardo. Have a
23 good afternoon. So we have about ten more minutes now, 11
24 minutes. So is anybody else on the call that would like
25 to testify at this time? We have some time before we close

1 out. And if you're joining by phone, please press star
2 nine.

3 Hi, everyone. Checking in to see if anybody has
4 joined us. We have about eight minutes left for this
5 call. I'm making sure that everyone has an opportunity to
6 testify before we close on the proposal of this new rule.

7 Five minutes left. Any newcomers to the call?
8 We have five minutes for any last minute testimony.

9 Hi, everyone We have about a minute, half a
10 minute. Any new persons wanting to testify? No new
11 people. Okay.

12 MR. THOMAS HIRJI: Hi. Can I testify?

13 MS. MILIEN: Hello?

14 MR. HIRJI: Hi. Can you hear me?

15 MS. MILIEN: Yes.

16 MR. HIRJI: Hi. Can I testify?

17 MS. MILIEN: Thomas, is that you?

18 MR. HIRJI: Yeah. Yes, that's me.

19 MS. MILIEN: Yes. Yes, you may. You have three
20 minutes. Yes.

21 MR. HIRJI: Hi. My name is Thomas Hirji
22 [phonetic], I'm from Queens, New York. I'm here to ask
23 that the HRA raise the limit from 120 to 200% of the
24 Federal Poverty Level. My family in particular is
25 impacted by the arbitrarily low eligibility limit for the

1 Fair Fares Program. My parents are both retired. They're
2 on limited income. So my mom is not yet 65, so she
3 doesn't qualify for reduced fare through the senior
4 program, and basically can't afford to take the subway
5 anymore. So she's been impacted by limited mobility. And
6 my father is very old, essentially has to drive her
7 everywhere. In Queens it just kind of works out cheaper
8 for them to do that.

9 So I really ask for the HRA to consider people
10 who fall into what I'm going to call the Fair Fares gap.
11 You're, you're arbitrarily limiting tens, if not hundreds
12 of thousands of New Yorkers from accessing subways and
13 busses. And I would really appreciate it if you
14 considered their needs. Thank you.

15 MS. MILIEN: Thank you so much for your
16 testimony. So at this time my name is -- I would like to
17 thank everybody for joining us on this proposal. My name
18 is Patricia Milien and I'm from the New York City
19 Department of Social Services. And thank you for joining
20 us on the hearing on New York City Human Resources
21 Administration proposed rule change to Fair Fares NYC
22 Program.

23 So this will conclude our hearing for today.
24 Thank you, everyone. Have a great afternoon. Thank you
25 all.

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AUTOMATED VOICE: Goodbye.
(Proceeding Concluded.)

C E R T I F I C A T E

I, Brandi Chamberlain, certify that the foregoing transcript of proceedings in the New York City Department of Social Services, Office of Legal Affairs, Public Hearing - Proposed Amendments to Chapter 12 of Title 68 (Fair Fares), was prepared using the required transcription equipment and is a true and accurate record of the proceedings.



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