

**NYC Department of Transportation Testimony Before the  
City Council Committee on Transportation and Infrastructure  
June 25, 2024**

Good afternoon, Chair Brooks-Powers and members of the Committee on Transportation and Infrastructure. I am First Deputy Commissioner Margaret Forgione. I am joined by Deputy Commissioner of Sidewalks and Inspection Management Leon Heyward, Assistant Commissioner of Intergovernmental and Community Affairs Rick Rodriguez, and Director of Operations Monty Dean. We are also joined by Deputy Chief Thomas Alps from the New York City Police Department (NYPD)'s Transportation Bureau. Thank you for the opportunity to testify on behalf of Mayor Adams and Commissioner Rodriguez about the Administration's work to enhance intersections, sidewalks, and pedestrian safety on New York City streets.

DOT is responsible for operating and maintaining 6,300 miles of streets and highways. This includes maintaining roadways, curbs, and pedestrian ramps, and jurisdiction over 12,000 miles of sidewalk as well as maintaining nearly 400,000 streetlights. All New Yorkers use roadways and sidewalks to get around—whether by foot, bike, wheelchair, bus, car, or other mode – and all of our goods travel to their final destinations on our streets. Our goal as always is to make sure that can happen in a safe, efficient, and environmentally responsible way.

To that end, DOT continues to work hard and creatively with available resources to deliver high-quality, high-impact safety projects for New York City's streets and sidewalks. And our interventions are working. Last year, while pedestrian fatalities across the country reached the highest number since 1987, New York City had the lowest number of pedestrian fatalities since we started collecting data 113 years ago, other than 2020's year of pandemic lockdowns. These local trends are encouraging and show that the steps we are taking as a city to make our streets safer are working.

Legislation

Turning to the legislation before the Council today.

Introduction 79

First, Intro. 79 sponsored by Council Member Restler. This bill would require DOT to study lighting levels and install pedestrian lighting fixtures at 500 commercial corridors each year until every commercial corridor has sufficient lighting, as defined in the bill.

DOT recognizes the importance of street lighting in enhancing both street safety and accessibility, as well as the feeling of security, and we are committed to ensuring streets are well lit for vehicle traffic as well as pedestrians in both the roadway and on the sidewalk. In many cases, DOT's streetlights provide sufficient lighting for both roadways and sidewalks, and separate lighting for each is not necessary. But DOT evaluates street lighting levels throughout the city on a regular basis. In locations that need more light on the sidewalks, we often install additional lights on the back of existing poles over the sidewalk at a lower height, or even new standalone poles. We are also continuously enhancing lighting levels in intersections. Since the

start of Vision Zero, we have installed 3,000 additional lights to illuminate sidewalk corners and crosswalks at over 2,200 intersections across the city.

Enhancing lighting to improve the pedestrian experience is a core part of the agency's work. We conduct lighting studies based on DOT standards, including recommended practices and guidelines published by the Illuminating Engineering Society (IES), the internationally recognized entity that sets recommended practices for lighting levels in various applications. If a study finds that lighting is needed in the location, DOT will install it, which requires extensive coordination with contractors and utilities. To install it, we often reduce the distance in between streetlights or add secondary lighting to streetlight poles. We routinely make these types of upgrades in any street reconstruction project in addition to locations where we receive lighting requests from the public. In 2023 alone, we enhanced lighting at over 150 locations in Brooklyn, over 130 locations in both Staten Island and Queens, and over 100 locations in both Manhattan and the Bronx.

DOT has concerns about this bill as written. The bill proposes an extremely high and uncomfortable sidewalk lighting standard that would be too bright even for an expressway. The bill also mandates a significant number of lighting installations without considering the challenges to installing new lighting. Installing new light poles requires working around obstructions caused by trees or hydrants and existing below-ground infrastructure such as gas mains and electric ducts, which requires extensive survey and design work. Installations also often require time-consuming and disruptive street excavations to lay new electrical conduits and cables.

We would be happy to discuss with the Council how we can enhance lighting in your districts and welcome feedback if there are particular locations of concern.

#### Introduction 95

Next, Intro. 95 sponsored by Council Member Schulman. This bill would require DOT to study the feasibility of installing raised crosswalks, raised intersections, and speed reducers at intersections and roadways adjacent to schools. DOT works to enhance safety at many intersections throughout the city including those adjacent to schools and also implements a wide range of safety treatments near schools. This work includes installing speed reducers and raised crosswalks, as well as other treatments such as school slow zones, school loading zones, turn calming treatments, new signals, all-way stops, and leading pedestrian intervals. We also implement a number of projects in the vicinity of schools; in 2023 alone, DOT completed 242 projects within a quarter mile of a school, including 124 turn calming projects, 106 street improvement projects, 7 bike lane hardenings, and 5 capital projects.

For speed reducers, DOT has prioritized installing speed reducers near schools, and has exceeded the legal mandate of installing speed humps on 50 blocks adjacent to schools, with annual installations adjacent to schools ranging from 60-100 a year.

For raised crosswalks, in the first two years of this Administration, DOT installed over 80 raised crosswalks in-house and through capital contracts, with 45 percent installed near schools. To identify raised crosswalk locations, DOT primarily works from a citywide list of intersections that meet certain criteria for the treatment based on engineering judgment. For example, raised crosswalks cannot be installed on a bus or truck route, or on streets with more than one lane in each direction. This list of intersections is then ranked by pedestrian injuries and killed or seriously injured (KSI), as well as the treatment's other siting criteria, which includes proximity to schools, parks, playgrounds, senior centers, and transit. This ensures we are targeting the treatment where it is most needed. We then review locations to ensure that existing drainage patterns will not be impacted, and there are no conflicts with existing underground utilities.

For raised intersections, DOT is exploring including raised intersections in some upcoming capital projects. The same drainage and utility conflict challenges that apply to raised crosswalks also apply to raised intersections, but it is even more difficult to find entire intersections that meet the criteria previously discussed. These types of projects may involve relocating or adding new catch basins for drainage and relocating utilities to make the treatment feasible.

Each of these safety treatments is an important tool in our toolbox that we continue to plan and install. Given our ongoing work to implement these treatments near schools and other locations that would benefit most, we do not think a larger study is necessary nor valuable at this time. We would be happy to discuss this work further with the Council and as always, we welcome your partnership in identifying locations of concern and implementing critical safety projects in your districts.

### Introduction 103

Next, Intro. 103 sponsored by Council Member Ariola. This bill would require DOT to notify Community Boards and Council Members 15 days before removing a parking space. DOT has serious concerns with this bill as it would slow the pace of operations and be extremely burdensome. Streets are fluid spaces and parking spaces are added and removed every day. Providing such notice would be overly burdensome for DOT, and the volume of such notices would undermine their usefulness for recipients. On average, DOT issues 2,800 construction permits each business day, 900 of which affect parking. With this bill, DOT would be required to send out 900 notices a day or 4,500 notices a week to Community Boards and Council Members.

For permanent removals, DOT is already required to give notice before implementing major transportation projects that involve the full-time removal of a parking lane. This bill creates a much wider universe of notice by including both permanent and temporary parking space removals that could include temporary removals for maintenance, construction, or resurfacing. Overall, this would slow down a significant portion of DOT's work, including implementing daylighting in 1,000 locations, which the Council has advocated for us to do.

## Introduction 104

Next, Intro. 104 also sponsored by Council Member Ariola. This bill would require DOT to consult with the Fire Department (FDNY) before approving an Open Street application and certain bicycle lane projects. Further, this bill would require DOT to notify affected firehouses before approving an Open Street application, a bicycle lane project, and a major transportation project.

DOT works closely with our sister agencies and believes that such coordination is important. We already consult with FDNY on these projects, including meeting regularly with FDNY's Bureau of Operations Planning Division and quarterly meetings between DOT's Borough Commissioners and each FDNY Borough Commander to discuss our projects and solicit their feedback on potential issues that may arise—including concerns raised by local firehouses. Typical changes we make after FDNY review involve adding daylighting or changing geometry of neckdowns and islands to ensure fire trucks are able to make necessary turns, modifying locations of new pedestrian space and clear paths to ensure hydrant and building access is maintained, and modifying signal timing to reduce congestion along a desired response route. These are important conversations that we will continue to have, but such communication must continue to happen in a centralized manner. We defer to our sister agency on how best to disseminate information between the Borough Commanders, FDNY Operations, and the firehouses.

## Introduction 144

Next, Intro. 144 sponsored by Chair Brooks-Powers. This bill would require DOT to install bollards at sidewalks, curb extensions, and pedestrian ramps being reconstructed to make them accessible and to study the efficacy of bollards in high pedestrian traffic areas throughout the city.

Bollards are an important tool in the City's toolbox. In partnership with NYPD, DOT previously installed over 800 security-rated bollards at locations chosen by security experts including in Times Square, Rockefeller Center, the Empire State Building, and St. Patrick's Cathedral. These locations were chosen after careful analysis by security experts, which is critical because installing security bollards is often complicated and expensive, potentially costing millions of dollars at each location. It may involve moving or accommodating underground infrastructure—water, sewer, power and telecommunications, subway tunnels, and building vaults. It can also interfere with pedestrian ramps and block curb access for loading and unloading of both goods and passengers.

DOT understands and supports the intent of wanting to use additional tools to keep pedestrians safe. However, crashes that take place on sidewalks are horrific and shocking but are responsible for a very small percentage of pedestrian fatalities and serious injuries. They are also hard to predict. Given this and that DOT already considers this tool where appropriate, we do not think a larger study is necessary nor valuable at this time. Moreover, we have concerns with this bill as drafted because it would tie critical safety and accessibility work to one specific treatment that is costly and complicated to install.

### Introduction 301

Next, Intro. 301 sponsored by Council Member Menin. This bill would require DOT to install at least 100 illuminated, solar-powered traffic control devices at crosswalks annually over the next five years and to study the efficacy of these devices compared to regular crosswalks.

DOT frequently tests new materials to enhance safety on our streets and would be happy to do additional tests for promising technology. However, we have done some preliminary studies of the types of technologies envisioned in the bill and have some concerns about their efficacy. The agency previously tested a small number of illuminated stop signs and found no notable difference in compliance compared to regular stop signs, and also tested rectangular flashing beacons to supplement warning signs and did not find significant improvement in yielding rates. Moreover, according to the Manual on Uniform Traffic Control Devices, in-roadway warning lights cannot be used at intersections controlled by traffic signals, stop signs, or yield signs, meaning only a limited universe of intersections would be eligible for that type of treatment. In addition, analysis from other jurisdictions across the country identifies greater benefits in higher speed, lower traffic streets, which are typically in non-urban settings. Research also indicates a flashing light fatigue effect in which the more widespread the treatment, the less effective it is. Finally, this bill would require DOT to install a large number of devices—significantly more than is needed to determine efficacy. That said, we would be happy to discuss possible new technologies and small-scale pilots with the Council.

### Introduction 346

Next, Intro. 346 sponsored by Council Member Narcisse. This bill would permit pedestrians to legally cross a roadway at any point, including outside of a marked or unmarked crosswalk, and allow for crossing against traffic signals. It would legalize the activity commonly referred to as “jaywalking” and specify that no penalties can be imposed for jaywalking.

DOT continuously works to enhance the pedestrian experience throughout New York City. In the first two years of this Administration, DOT delivered one million square feet of new plazas, sidewalk extensions, pedestrian islands, and more. We have implemented a record number of safety initiatives in intersections, including adding leading pedestrian intervals at 6,000 intersections to give pedestrians a head start, and this year we will be adding daylighting to 1,000 intersections to improve visibility among all road users. We also look to add mid-block crossings where needed to shorten walking distances.

Although jaywalking is a common practice in New York City, it can have deadly consequences. Over the last five years, 200 people lost their lives while crossing the street midblock or against the signal, making up about 34 percent of all pedestrian fatalities. Our laws require that all road users, including pedestrians, share the responsibility of abiding by the traffic rules designed to keep us safe. Therefore, we have concerns with fully legalizing this practice. However, we do support reducing the penalty for such behavior and removing the criminal summons and replacing it with a civil summons. We look forward to discussing this further with the Council.

### Introduction 468

Next, Intro. 468 sponsored by Council Member Williams. This bill would require DOT to make available and searchable on its website information on speed reducer and traffic control device requests. I am happy to say that DOT already has such a page on our website. If you go to the [Contact the Commissioner](#) page on our website, you can find the link to the [Check Case Status Map](#). You can enter the case number or search an address to check on the status of a request. If a 311 service request was submitted, there is also a link on the page that takes you to the [311 page](#) to look up your previously submitted request. We would be happy to discuss this page further with the Council and how we could make this information more accessible.

### Introduction 504

Next, Intro. 504 sponsored by Council Member Abreu. This bill would require DOT to prioritize sidewalk repairs at senior-only New York City Housing Authority (NYCHA) housing developments, then non-senior NYCHA housing developments, and report to the Council which sidewalks have been repaired and a timeline of sidewalk repairs for NYCHA developments.

The goal of DOT's Sidewalk Program is to ensure the safety of all pedestrians who travel on the city's over 12,700 miles of sidewalk. DOT budgets \$4M for NYCHA repairs. While NYCHA is responsible for sidewalks within their developments, DOT is generally responsible for sidewalks on the outside perimeter of NYCHA developments. We coordinate with NYCHA to prioritize locations for our sidewalk repairs and consider factors including the presence of older adults and people with disabilities as well as complaints.

But DOT also repairs sidewalks in front of schools and parks, in addition to certain privately owned property, which are also important locations that attract high numbers of pedestrians. DOT has concerns with this bill as drafted because it could slow down emergency sidewalk repairs, interfere with our ability to prioritize locations for repairs based on numerous factors, and be difficult programmatically. We would be happy to continue conversations with the Council about our Sidewalk program, our prioritization process, and how this can improve.

### Introduction 542

Next, Intro. 542 sponsored by Council Member Brannan. This bill would require DOT to issue traffic study determinations no later than 60 days from the date that a traffic control device is requested by a City Council member or Community Board.

DOT understands the importance of and shares the Council's intent to increase efficiency in traffic studies and communicating such studies' determinations. However, we have serious concerns about this bill as it is too restrictive and does not consider the many requests for traffic studies we receive. Last year, DOT received over 3,000 intersection study requests and completed about 2,000. Studies take time and resources, and in order to get the most representative data, they are often scheduled so locations can be studied at the most appropriate times. For example, intersections adjacent to schools should be studied when schools are in session. While being selective in this way increases the average completion time,

it allows us to get a more appropriate and accurate representation of the activity at a given intersection, which this bill could limit.

Of the over 3,000 traffic study requests DOT received last year, 350 were from Council Members and Community Boards. By requiring that DOT complete requests from the Council and Community Boards within 60 days, this bill would necessitate prioritizing such requests over those received from the general public, which could also lead more people to submit their request through their local Council Member or Community Board. We would be happy to discuss our intersection studies further with the Council and welcome suggestions to improve our processes.

### Introduction 663

Next, Intro. 663 sponsored by Council Member Bottcher. This bill would repeal the current newsrack requirements and replace them with new requirements for newsracks' maintenance and placement. DOT has previously supported newsrack reforms and would be happy to discuss this bill further with the Council.

### Introduction 745

Next, Intro. 745 sponsored by Council Member Farias. This bill would require DOT to conduct and make public an annual study on cycling activity in the city for the previous year. The study would include which streets and bridges are most frequently biked on and recommendations for enhancing bike safety in these areas.

Cycling is one of the best ways for New Yorkers to get around and more New Yorkers are taking advantage than ever before. Bike ridership in New York City has reached a new all-time high. On a typical day, there are 610,000 cycling trips made in New York City, with cyclists biking 220 million trips annually. DOT already posts cycling ridership and activity data on our Cycling in the City webpage and this information is also available through Open Data. DOT updates the website throughout the year as data becomes available, rather than annually.

DOT uses data from local and national sources to determine cyclist trends, how frequently New Yorkers ride bicycles, and how that frequency changes over time. While we do not have counts for each city street, we have other metrics to determine where we install new bike lanes and where we implement safety improvements to the existing network. This includes NYPD crash data, DOT's Green Wave plan which outlines a full network of local and connector bike facilities, community input, land use, bridge access, Streets Plan Priority Investment Areas, and count data. We would be happy to discuss this data further with the Council.

### Introduction 746

Next, Intro. 746 sponsored by Council Member Feliz. This bill would require DOT, in collaboration with Parks and the Department of Environmental Protection (DEP), to modify vacant paved medians by planting vegetation or adding stormwater management infrastructure at a minimum of three miles of paved medians per borough per year until all paved medians have been improved.

This Administration shares the Council's goal of enhancing resiliency throughout New York City and we support the bill's intent. With an increase in the intensity and frequency of storms, the Administration has increased its focus on stormwater management infrastructure. DOT works closely with our sister agencies including DEP and Parks to make infrastructure more resilient and to coordinate our response to extreme weather events, including adding stormwater management infrastructure.

DEP regularly studies and identifies areas that need interventions and DOT and the Department of Design and Construction (DDC) then incorporate stormwater infrastructure into our capital projects. Furthermore, since the Unified Stormwater Rule (USWR) came into effect in 2022, DOT has also embraced installing Precast Porous Concrete Panels (PPCP) in Capital projects. Roadway reconstruction projects that disturb over an acre of the subbase of the roadway or any project that adds 5,000 square feet of impervious surface are required to include stormwater management practices to reduce impervious space. DOT and DEP have either completed or plan to complete in the relative near-term approximately 92 linear miles of Porous Pavement that will result in approximately 450 million gallons of stormwater managed per year, the vast majority of which has been installed as part of DEP projects.

Beyond DEP's focus on stormwater management, DOT and DDC also implement planted medians through our capital program along Vision Zero Great Streets corridors, priority bus corridors, and greenways, among others for community beautification and greening. In total, we have installed approximately seven acres of planted space along these corridors which will grow to more than 14 acres in the coming years.

While we support the bill's intent for furthering resiliency and green space, we have concerns about its blanket mandate. It is important that we are able to target our efforts to the locations most in need of stormwater infrastructure. We also have concerns about the resources such a mandate would require and the ongoing maintenance needs. We welcome feedback regarding particular locations of concerns in your districts and would be happy to work with our sister agencies to respond. We look forward to discussing this bill further with the Council.

### Introduction 773

Finally, Intro. 773 sponsored by Council Member Lee. This bill would require DOT, prior to issuing a notice of violation for a sidewalk defect, to determine if DOT or Parks already have plans to repair the same section of sidewalk. If so, DOT's notice of violation would need to notify the property owner of the planned work, and not issue a notice of violation if such work would begin within 90 days.

DOT coordinates closely with Parks and other agencies on sidewalk repairs. Prior to construction, DOT performs a conflict check comparing the sidewalk repair plan with DOT and Parks scheduled projects and coordinates with the appropriate staff if there are any overlapping projects. DOT and Parks also have quarterly coordination meetings.

It is important to note that a notice of violation for a sidewalk defect is a non-monetary lien and there is no fine associated with the notice. In addition, DOT does not issue notices of violations for sidewalk defects caused solely by tree roots. Finally, in the last five construction seasons,



less than one percent of sidewalk repairs by the City have been made within 90 days of issuing a notice of violation.

While DOT supports the bill's intent to avoid redundant work, we believe this bill may have the opposite effect from what is intended. This bill would create confusion about who is responsible for making sidewalk repairs, delay such repairs, and thus potentially undermine sidewalk safety. We would be happy to discuss our current coordination efforts and how they can be improved with the Council.

### Conclusion

In conclusion, I would like to thank the Council for the opportunity to testify before you today on the work DOT is doing to enhance intersections, sidewalks, and pedestrian safety on New York City streets. We would now be happy to answer any questions.