



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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Chair

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District Manager

November 8, 2019

Ed Pincar
Manhattan Borough Commissioner
NYC Department of Transportation
59 Maiden Lane, 37th Floor
New York, NY 10037

Re: On-Street Bus Stop Permits for Sightseeing Bus Operators

Dear Borough Commissioner Pincar,

Manhattan Community Board 4 (MCB4) welcomes New York City Department of Transportation (DOT)'s proposal to update provisions of the Traffic Rules to conform with Local Law 175 of 2018, which requires sightseeing bus operators to apply for on-street Bus Stop Permits from DOT.

This proposal will bring some order to the chaos created by an excess of tourist buses that pick up and stop customers at unauthorized locations, and often in MTA bus stops. We appreciate the opportunity to comment--as we have learned the hard way from the realities on the ground of the current Intercity Bus Permit process--that this permit will replicate. Our support is contingent on DOT incorporating the following suggestions, which were voted on at our November 6th Full Board meeting with 36 in favor, 0 against, 0 abstaining, and 0 present but not eligible to vote:

- Permits should be based on stops, drop-offs and routes, and not allow the use of MTA stops.
- Permits should limit advertisement on buses.
- Safety, violations and air quality standard should be key criteria for granting or renewing a permit and establishing its cost.
- It will be more efficient to have Community Boards involved upfront in the approval/renewal processes, including any and all grandfathering.
- Proper information, training, and enforcement by DOT and NYPD will be critical, with an opportunity to let the public report violations.

Permits:

- A clear definition of sightseeing bus is needed: does it include “hop-on hop-off” buses chartered by groups from out of state? What about airport buses and jitneys serving buildings in New York City? MCB4 recommends that all buses be included in the new rule.
- Permits should be given to the DBA name of the company (i.e. the brand affixed on the company’s buses, rather than their corporate owners). This would allow the public to recognize if the stop is permitted for a given bus and would discourage the subcontracting of other companies’ buses and drivers, who may not meet the requisite safety threshold.
- Certain airport buses or shuttles take considerable time and space dropping off passengers and luggage. Drop-offs must be subject to permits as well, and never allowed in the street bed or in an MTA bus stop.
- At this time, when MTA bus performance is being improved by expediting the boarding process, sightseeing buses should never be permitted in an MTA stop.
- The permit should specify permitted routes along commercial truck routes. For years residents have complained of buses being intrusive and noisy in their residential streets. We note that the rules refer to assigned routes in 2(i)A but it is not clear whether or how they are assigned in the permit.
- The carrier should be required to be in good safety standing with the Federal Motor Carrier Safety Administration (FMCSA). Approved carriers may not exceed the FMCSA intervention threshold relative to its safety in order to obtain a permit.
- Idling restrictions should be explicit in the permit, as many drivers are confused by the current rules.
- Pedestrian right of way on the sidewalk should be explicitly stated with dimensions in the permit.

Fees and Renewals:

- We request that the permit duration be no longer than 12 months to give the community an opportunity to address outstanding issues.
- Some operators use very old fleets which affect the air quality and health of residents and travelers. We recommend that the permit costs be increased proportionally to the air quality impact of the bus operation which varies based on the fleet’s age and technology.
- Fees should be adequate to fund and recover the full cost of enforcement and be based on the number of buses that use each stop.
- In order to renew its permit, the company should be free of violations related to the operation of the route, including any violations on any stops within one mile – not just one stop, any idling and route violations. In addition, the carrier would have to demonstrate that it does not exceed the FMCSA intervention threshold.

Approval Process

- The minimum time necessary for a Community Board to vote on a recommendation is 60 days. To save significant administrative time, the operators should be directed to consult with the Community Board before applying to the DOT. This system has worked well in the past.
- If there is disagreement on placement with operator and DOT, refer to Council Member for resolution, as is currently the case with DCA.
- Existing operators: Community Boards should be provided a list of existing stops and be given 90 days to object to grandfathering any of them. Alternatively, we recommend that existing stops be grandfathered for 12 months instead of three years. They could then go through a New Stop approval process – not a simple renewal.

Enforcement

- We request that the DOT provide information about permits carriers, and that their approved routes and stop, routes, and layover locations be mapped on the DOT website.
- Will there be sufficient NYPD staff and training of Traffic Enforcement Agents so that they can incorporate this enforcement in their rounds? We recommend the adoption of a process similar to TLC, where 311 complaints with pictures automatically generate summonses. There is simply not enough NYPD staff to attend to the numerous fleets of buses.

Thank you for considering these comments.

Sincerely,



Burt Lazarin
Chair
Manhattan Community Board 4



Christine Berthet
Co-Chair
Transportation Planning Committee



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Transportation Planning Committee