



CITY OF NEW YORK
MANHATTAN COMMUNITY BOARD FOUR

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LOWELL D. KERN
Chair

JESSE R. BODINE
District Manager

December 21, 2020

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

Jessica Tisch
Commissioner and City Chief Information Officer
Department of Information Technology & Telecommunications
2 Metro Tech Center, 5th Floor
Brooklyn, NY 11201

Re: Regulating and Monitoring Newsracks

Dear Borough Commissioner Pincar and Commissioner Tisch,

Manhattan Community Board 4 (MCB4) requests that the Department of Transportation (DOT) strengthen its regulations governing newsracks, and work with the Department of Information Technology & Telecommunications (DoITT) to provide the public with information to help in the enforcement of these regulations. These comments were approved at the December 2, 2020 Full Board meeting with 38 in favor, 0 against, 0 abstaining and 0 present but not eligible to vote.

Background

Well-maintained and actively utilized newsracks can be a convenient way for community members to obtain newspapers and other periodicals. DOT is responsible for newsrack registrations and enforcing newsrack regulations that are intended to promote safety, sanitation and the appropriate use of public space.¹

¹ DOT Newsrack Regulations:

<https://www1.nyc.gov/html/dot/html/infrastructure/newsracksintro.shtml>

However, many newsracks in CD4 are poorly maintained, unutilized and/or not in compliance with DOT regulations. These out-of-compliance newsracks constitute a misuse of public sidewalk space. The judicious use of sidewalk space is always important and has become even more critical right now as outdoor dining and social distancing measures have imposed an additional need for space.

Unmaintained newsracks can also become a safety hazard, as they are sometimes tipped over or moved and become an obstruction within sidewalks, bike lanes, and curb cuts. Longer term, the growth of digital media relative to print has the potential to further exacerbate these issues associated with unutilized and unmaintained newsracks.

MCB4 has engaged with DOT and other neighborhood groups on this issue. MCB4 ACES and Transportation (TRANS) committees held a joint informational briefing with 34th Street Partnership on their custom newsrack designs in January 2020.² In April 2020, ACES hosted John Mudd and Sharon Jasprizza to hear about the study they've done on the issue on behalf of the Midtown South Community Council.³ In addition, Colleen Chattergoon and her team from the DOT Manhattan Borough Commissioner's Office participated in both a June 2020 TRANS and ACES informational briefing, and a discussion on the issue at an ACES committee meeting on November 9, 2020.

DOT suggested that a way for members of the public to support the monitoring and remediation of newsrack issues is to file 311 reports about out-of-compliance racks.⁴ An exercise in reporting out-of-compliance racks in Hell's Kitchen, and subsequently rechecking them in each of the two following months, provided minimal evidence of newsrack owners remediating the issues that were reported (these 311 reports are listed in the Appendix).

Recommendations

Based on MCB4 discussions and observations of newsracks in the district, we recommend strengthening and specifying the DOT newsrack regulations in the following ways:

- Add a specific requirement for the maximum number of consecutive days a newsrack can go without being refilled.

² 34th Street Partnership newsrack design pictured here: <https://34thstreet.org/blog/Street-Furniture>

³ Midtown South Community Council study: <https://www.midtownsouthcc.org/newspaper-magazine-dispenser-problem-and-solutions-study/>

⁴ 311 Form for Newsrack Complaints: <https://portal.311.nyc.gov/article/?kanumber=KA-02266>

- Disallow newsracks below sidewalk sheds and other scaffolding, as space in these areas is already limited and racks under scaffolding can tend to attract more litter.
- Disallow newsracks within 15 feet of LinkNYC terminals, as there is a tendency for racks to be tipped over and be used as seating near these terminals.
- Include a specific weight requirement for newsracks to prevent them from being moved or tipped over.

Provide information to the public to aid in the monitoring and reporting of newsrack violations:

- Require newsrack owners to label their racks with instructions on how members of the public can report issues (e.g. “If this rack is in need of maintenance, please call 311 or submit a complaint online at portal.311.nyc.gov.”).
- Require newsrack owners to submit a schedule to DOT with the dates or days of the week their newsracks will be refilled, and make these schedules available to the public online.
- Post newsrack registration forms online to allow members of the public to easily determine if newsracks are properly registered.
- Use LinkNYC terminals to communicate information on how members of the public can report out-of-compliance newsracks.
- While it is currently possible to report newsrack issues on the 311 website, it should be added as a reporting category on the 311 app.

We thank DOT for their willingness to engage on this issue thus far, and request feedback on how MCB4 can continue to advocate for the recommendations listed above.

Sincerely,



Lowell D. Kern
Chair
Manhattan Community Board 4



Allen Oster
Co-Chair
ACES Committee



Kit Tollerson
Co-Chair
ACES Committee

CC: Hon. Corey Johnson, Speaker, City Council,
Hon. Gale A. Brewer, Manhattan Borough President