



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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Chair

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District Manager

April 6, 2011

Hon. Daniel L. Squadron
New York State Senator
250 Broadway
New York, New York 1007

RE: New York City Intercity Bus Permitting

Dear Senator Squadron:

Manhattan Community Board 4 (CB4) supports – with major modifications-State Legislation to be introduced by Senator Squadron and Speaker Silver which would authorize New York City to pass a local law to regulate intercity passenger bus service through a permit system. This proposal will create a system that will provide clear guidance to intercity bus companies and improve the health, safety and welfare of their riders and the public and neighborhood residents where they operate.

The rapid recent expansion of the intercity bus and van industry, with buses and vans (buses) stopping on city streets instead of established bus terminals, has caused new challenges in neighborhoods across the city. For CB4, with the combined proximity of the Port Authority Bus Terminal and its collection of commuter vans, Penn Station and its competition in the form of discount long distance buses in the surrounding residential streets, the theater district and Time square that attract sightseeing buses through residential streets and - in a new twist - the numerous individual building vans that provide services to residents and workers of the far west side not yet served by the MTA, this situation has reached crisis proportions.

Community Board 4, like other communities, has raised concerns about increased congestion, noise, pollution, litter, and decreased safety and security for pedestrians, passengers and residents of the neighborhoods. Additionally, bus companies attempting to operate successful businesses within the bounds of the law are forced to contend with insufficient loading, parking and layover space. With buses idling, blocking thoroughfares, and searching for layover spaces, the current lack of regulation of curb spaces puts an unnecessary strain on both the bus operators and the host communities.

The proposal would authorize New York City to pass a local law to regulate intercity passenger bus service through a permit system. The system would:

- ❖ Prohibit intercity buses from picking up and dropping off passengers on city streets without a permit that defines approved pick-up and drop off locations.

CB4 recommends that – In addition- these buses should only be permitted to travel on approved routes, to reach their

destinations. It is our experience that residential, school, senior center or historic streets are not appropriate for the size of these vehicles that threatens resident and pedestrian safety. The permit should also spell out the bus operator's responsibilities in managing the pick up /drop off locations. For example idling should be banned during loading and unloading; a rope should separate the queues from the pedestrian flow that should retain a minimum of 9 ft. wide sidewalk. An employee should be supervising each stop.

- ❖ Exempt a number of vehicles, including school buses, transportation authority buses and municipal buses.

However, CB4 recommends that commuter vans, charter and tour buses and sightseeing buses should all be subject to permitting to provide a consistent approach to all curbside and street allocation between various industries and users. This will also allow evaluating whether each community carries no more than its fair share of the stops, as mandated by the revised City Charter Require applicants to obtain surety bonds.

Depending the purpose of these bonds, CB4 recommends that the amount be commensurate to their – or their parent company - annual revenue.

- ❖ Require the display of permits in buses.

CB4 suggest that the permits should be displayed on the stops as well to facilitate enforcement.

- ❖ Authorize an annual fee to fairly compensate the city for the use of its streets and sidewalks, to be credited to the city as well as civil penalties for violations.

CB4 opposes capping the fee per bus per year at \$ 250. As sidewalk space and curbside space are at a premium in the city, the fee should compensate the city for revenue other curbside uses would have generated. For example a bus stop, which occupies three parking spaces brings the city approximately \$39,420 annually¹ in meter revenue. In addition, the city would forfeit sidewalk cafes revenues, which on 34th Street for example would amount to approximately \$ 19,547 annually². New York State or the city should not subsidize selectively some private enterprises the form of free public real estate. The cap if any, should foster fair competition and market rates.

- ❖ Assign a city agency to implement and enforce the permitting system.

CB4 understands that DOT and NYPD would enforce, although we question whether NYPD will have sufficient focus and manpower to enforce a new category of issues.

- ❖ Provide public notice of all permit applications within five days of submission
- ❖ Establish a community board review process for issuing permits and designating locations/relocations for bus pick-up and drop-off.

We applaud the fact that Community Boards will play a role in this process. CB4 requests that community boards have a veto on the locations based on local situation and on concentration of stops in the district. In addition the proposed 30 days turnaround is not realistic, as Community boards require at least 45 days or 60 days to notify and generate a resolution voted by the full board.

- ❖ Require consultation with the MTA in designating locations/relocations for bus pick-up and drop-off and issuance of

¹ \$ 3 per hour over 12 hours and 365 days

² 600 sq. (50ft by 12ft)

permits

- ❖ Mandate agency review, and approval or denial, within the minimum time required to effect agency reviews and obtain community boards and agency approvals.
- ❖ Prohibit the adoption of any system until there has been a public hearing

CB 4 supports this legislation, provided the discount long distance operators are paying for the value they receive from the taxpayers. However it remains a stopgap. A low cost bus terminal should be built in an appropriately low cost location, accessible by subway, to accommodate this industry, modeled after the low cost airlines/low cost airports system.

Sincerely yours,



John Weis
Chair
Manhattan Community Board No. 4



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