

**Statement of Mark Henry, Amalgamated Transit Union (ATU) President/Business Agent, ATU Local 1056
to NYC Council Committee on Transportation Hearing on the Establishment of a
Crash Investigation and Analysis Unit within the DOT, February 24, 2021**

Thank you, Chairman Rodriguez a for this opportunity to present on behalf of Amalgamated Transit Union (ATU) Local 1056. I am Mark Henry, President/Business Agent of the local and chair of the ATU NYS Legislative Conference Board. Including New York City, ATU represents more than 25,000 hard-working transit workers across New York State; other ATU cities include Albany, Binghamton, Buffalo, Rochester and Syracuse.

ATU appreciates this opportunity to provide commentary on Int. No. 2224 which calls for establishing a crash investigation and analysis unit within the City's DOT. This is a clear duplication of services. Often legislation in the transportation and transit spheres gets developed with little, if any, discussion with labor or the agencies impacted by this intro.

The members of Local 1056 based in Queens operate and maintain NYC Transit bus routes serving Queens with some routes extending into The Bronx, Brooklyn, and Manhattan. Other ATU Locals include Local 1179 in Queens, Local 726 in Staten Island, and Local 1181 in Brooklyn. We serve the riding public.

As we have shared previously with this committee and others, ATU across the five boroughs represent members who work under expired contract that the MTA **REFUSES** to update. This intro seeks to corral and or control the narrative on accidents and is not designed to present true unbiased opinion of facts.

The Council, by introducing this kind of legislation, reflects that same insensibility evidenced by the MTA in its lack of consultation on our contract, in moving an intro both flawed in its intent and in its consideration of public safety. Indeed, ATU also finds Int. No. 2224 extremely biased against motor vehicle operators.

This ill-formed legislation fails to take into account the many public agencies that rely on workers operating vehicles of all kinds that traverse city streets; this includes Police, Fire, EMS, Sanitation, Taxis and Bus Public Transit, School Buses, DOT, Corrections, DEP and Parks.

Currently, NYPD handles all accident investigations and should continue to do so. Stripping the NYPD of its highly trained and certified function of evaluating accidents lacks any merit and demonstrates a total lack of fiscal sense.

Giving the unquestioned authority to a new investigative unit that would be imbedded in the DOT simply wastes resources and is time-consuming. It is just another attempt to litigate instead of educating the masses.

Similarly speaking, the Vision Zero legislation that was enacted by this body was well intended but also globally flawed; the arrest of civil servants at accident locations under that legislation demonstrates the same misguided thinking that evidences itself in Int. No. 2224. Both fail to look at the overall impact of the legislation on transportation in the city.

The intro seeks to invest unlimited, unmentioned and vague powers into the DOT as part of a shift of investigations from NYPD to DOT envisioned by this legislation; simply put doing so will inflict irreparable harm to the many civil servants who must operate vehicles for their employment.

This bill does not focus at all on the need for education and remedial enforcement which this city greatly needs; the intro merely seeks to shift resources from a well-established agency that has performed this accident investigative function with expertise and attempts to corral information and provide a spin of alleged facts and statistics that cannot be challenged.

There is no check or balance embodied in this bill against ideologically driven initiatives unsupported by the data.

The legislation does not consider the unlicensed scooters and the bicyclists who disregard traffic regulations with impunity as they travel city streets and sidewalks, who also have struck and killed pedestrians. The sensibility this legislation unlocks in fact gives those who ride scooters and bikes free reign to continue to their reckless riding with their movements unchecked.

The neighborhoods of this city are not cookie cutter in the manner that this legislation projects.

This piece of legislation put together under the guise of public safety. The monitoring of City streets by the Department of Transportation lacks any track record to reward that agency unchecked enforcement abilities. They have been poor communicators in their traffic safety and planning functions to date.

ATU extends our condolences on the losses of the families that have been impacted at this level. But this legislation does not provide the result or true accountability.

We opposed this introduction in its entirety. No feasible reason exists for Int. No. 2224.

I appreciate you holding this hearing to hear from those directly impacted. I am happy to serve as a resource and offer advice and guidance on this and other issues as we move forward.



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