

ATU Local 1056 Opposes Council Int. No. 570 to ease Illegal Vans; Supports Study;

Urges DOT, MTA, TLC, NYPD to Address Illegal Vans

Testimony to City Council Committee on Transportation

Int. Nos. 570, 860 and 861

by

Amalgamated Transit Union (ATU) Local 1056 President and Business Agent Mark Henry

Amalgamated Transit Union (ATU) Locals 1056 and 1179 thanks the Council Committee on Transportation for holding this hearing where we highlight the impacts of easing or eliminating legislation on Commuter Vans Operations and how it greatly impacts public bus transit throughout the City of New York primarily in Queens. I am Mark Henry, ATU Local 1056 President and Business Agent and Chairman of the ATU NYS Legislative Conference.

ATU 1056 and ATU 1179 members – bus operators and mechanics – work for MTA New York City Transit's Queens Bus division and serve the riding public. Both ATU's jointly opposes Int. No. 570 which seeks to ease or eliminate current regulations on commuter vans. ATU calls on the Council to press City and State agencies to work together address the many commuter vans that operate illegally and unsafely in many City communities including southeast Queens. That informs our support for the two other bills before the committee.

ATU supports Int. No. 860 which requires a study of safety related issues in the commuter van industry and suspending new or existing commuter van licenses pending the completion of such study.

ATU supports Int. No. 861 to increase penalties for illegal van operations.

A majority of the commuter vans operate unregulated, unlicensed or illegally. These vehicles offer a commuting straphangers a dangerous alternative to MTA bus service. The van services already duplicate existing bus service provided by the MTA. Illegally operating commuter vans prey on bus routes, picking up and discharging passengers at MTA bus stops.

The City's woefully inadequate response to illegal, unregulated and unsafe vans allows these commuter vans to ply bus routes, pick up passengers at bus stops and the subways, deprives the MTA of revenue it can reinvest to enhance bus service and reduces passenger counts that the MTA uses to cut service. The vans' operation *de facto* recreates the two-fare zones we fought to eliminate over 20 years ago.

A study as required by Int. No. 860 will confirm that the NYPD, the Taxi and Limousine Commission and the MTA really need to coordinate their activities at such transit bus hubs as Parsons Archer, 179th Street Hillside and downtown Flushing in Queens. Thus ATU recommends amending Int. No. 860 to include within the focus of the study van operations along bus routes and at subway/bus terminals including those noted above.

The MTA and NYPD has focused on farebeating by some who ride our buses, these agencies need to work with the TLC to address the outright theft of fares by these vans and the blatant disregard for regular vehicle traffic laws. The ATU supports enforcement against UBER and LYFT; vehicles that operate outside the labor laws, it appears that there is no significant enforcement occurs where vans operate outside the law. Increased penalties envisioned under Int. No. 861 will help deter illegal operations. ATU recommends clarifying Paragraph 1 of subdivision i of section 19-506 to ensure civil penalties include sufficient minimums removed under the current draft.

According to its title, Int. No. 570 envisions “eliminating the prearrangement and passenger manifest requirements for commuter vans, repealing the requirement that commuter vans renew their license every six years and repealing subdivision k of section 19-504.2.” Our attached memorandum in opposition further details the flaws in this legislation.

Unlike the drivers such as ATU (and TWU Local 100) members who operate MTA buses in Queens, these van drivers face no requirement to maintain a Commercial Driver's License, receive no recurrent training, do not find themselves subject to drug testing and periodic medical evaluations while they race along city streets putting all at risk. If a vans has an operating license but operates along a bus route and picks up and discharges passengers at bus stops, it operates ILLEGALLY. Few vans follow ANY rules. The Council must work to make sure that NYPD and TLC, and not just intermittently, address this safety issue.

ATU also recommends the City Council enact legislation to restore its review, oversight and approval of any privatization of transit services, including these Commuter vans.

Thank you.

*Representing all hourly rated Employees of the Queens Division, Who safely Operate and Maintain Buses for MTA
New York City Transit.*

Serving the communities of Queens, Manhattan, and the Bronx since January 23rd, 1935.

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Memo In Opposition

Council Int. 570 “eliminating the prearrangement and passenger manifest requirements for commuter vans, repealing the requirement that commuter vans renew their license every six years and repealing subdivision k of section 19-504.2”

ATU Locals 1056 & 1179 Oppose NYC Council Intro 570 to ease licensing of Commuter Vans and necessity for passenger manifests. We Urge DOT, MTA, TLC, NYPD to Enforce against the increasing Illegal Vans in South East Queens.

Amalgamated Transit Union (ATU) Locals 1056 (Mark Henry, President) and 1179 (Bennie Caughman, President) OPPOSE Int. No. 570 by Council Members Jumaane Williams, Ben Kallos and Peter Koo that would ease unsafe and illegal van operations throughout the City.

The current legal vans services already duplicate existing bus service provided by the MTA. The number of Illegal Commuter Vans outpace Commuter Vans Operators that are legal. They also operate largely as a non-taxable base to NYC. All other transportation industries in the city provide a tax that could be used to improve transit serves especially in the outer boroughs of NYC.

Easing TLC laws governing Commuter Vans presents a bad idea especially in a “new” Vision Zero society. Easing the Laws only puts more vans on the streets. Most will operate illegally; currently the large number of illegally operating vans prey on bus routes, picking up and discharging passengers at MTA bus stops; further these illegally operating van block the movement of bus service and increasingly endanger the riders who frequent bus service.

ATU – a nationwide Transportation Union with expertise on Mass Transportation initiatives – urges the Council to introduce legislation that raises the standard of safety for the riding public as currently required for and met by our members. The relative ease with which current commuter van services operate illegally occurs at an astonishingly high rate. Eliminating licensing requirements will further erode the safety of the riding public and public at large. We point to frequent accounts of dangerous van operations in Brooklyn and Southeast Queens. ATU calls on the Council to press City and State agencies to work together address the influx of vans that operate illegally and unsafely in many City communities.

Easing the ability of Commuter Vans to be licensed will have a negative effect and not positive as the bill suggests. License renewal should be reduce from current six years, not eliminated.

Straphangers need safe regulated services, not an expansion of the current unregulated service where many commuter vans illegally operate the city especially in South East Queens. Easing the regulation also will create a double fare zone which works against many commuting New Yorkers. Mass Transit is still the best option to commute not commuter vans.

Unlike the operators in ATU Locals 1056 and 1179 members who operate MTA buses in Queens, these van drivers do not get recurrent training, do not find themselves subject to drug testing and periodic medical evaluations while they race along city streets putting all at risk.

The Council must work to make sure that NYPD and TLC, and not just intermittently, address and enforce this safety issue but do so as a Vision Zero safety initiative.

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