

**Amalgamated Transit Union (ATU) Urges City Reject Councilman Williams Bill  
that Could Expand Illegal Commuter Vans at Expense of Public Transit**

**Testimony to Committee on For-Hire Vehicles**

by

**Mark Henry, President and Business Agent, ATU Local 1056 and  
Chair, ATU Legislative Conference Board**

Tuesday, October 30, 2018, 11:00 a.m., 250 Broadway, 14<sup>th</sup> Floor, NYC

Thank you for the opportunity to testify.

I am Mark Henry, President and Business Agent for Amalgamated Transit Union (ATU) Local No. 1056; and Chair, ATU Legislative Conference Board. Local 1056 represents drivers and mechanics who work for MTA New York City Transit's Queens Bus Division; we serve the riding public. As mass transit professionals, ATU offers unique and valuable insights.

ATU continues to strongly opposes Int. No. 925-A as drafted and urge that it be subject to appropriate redrafting. We were hopeful that improvements proposed by the Local to make the bill achieve what we understand as its intended purpose would get done. Unfortunately, this draft excludes the needed language submitted.

As drafted this legislation still leaves opens a door to permit full size Buses operating as “Commuter Vans and For Hire Vehicles.” While the bill gives enforcement authority to the New York City Taxi and Limousine Commission (TLC), this approach involved leaves the legislation and authority open to legal challenge. Moreover, police and other enforcement agencies remain able to curb illegal activities if no legislation moves forward.

The bill explicitly covers any vehicle not operating a bus route – such language opens that aforementioned door. We already observe a number of inter-borough operators that appear to function as de facto Express or Limited Buses in everything but name.

A reading of this bill also shields shuttle services such as Hotel or Casino services currently in place. It also opens the current legislation to the private Commuter Van services that are legal and illegal to stealthily develop alternatives to public transit.

ATU cannot support any legislation that would allow private transport – especially commuter vans and other For Higher Vehicles – operators to seek legally to increase the seating capacity (20+) with larger mini vans and/ or a regular bus in place of the current Passenger Van used under commuter van licensing language.

The legislation also neglects to address startups in the city such as the “app-based” FORD Chariot service, which received licensing through the TLC as a Black Car service.

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The bill allows seizure of large size mini buses and buses that would operate as the commuter vans but lacks any strict bar against possible later legal use of 20+ capacity vehicles; this would appear to allow 20+ passenger vehicles to operate in place of currently regulated (and illegal unregulated) vans. There must be a cap in place to limit seating capacity and strictly bar any possibility of standing capacity.

The intent of the language is not clear and is left open to interpretation. It attacks current taxpayer-funded public transit and the safety of our passengers and operators. The legislation needs a clear definition only exempting bus public transit (MTA-operated buses and paratransit, Westchester Beeline NICE (Nassau Inter-County Express) in place before ATU can consider extending any support. As we stated at the outset, ATU submitted such language. It remains easy to add. Let's move forward with appropriate legislation that actually achieves the intent of all involved, safe and sufficient movement of New Yorkers.

Public transit serves as the lifeline for many New Yorkers to shop, see their doctor, attend worship services, visit family members, and do many of the things that enrich their lives. Working families need safe, equitable and efficient transportation. More often than not, including in Queens, that means reliance on our existing bus public transit system operated by the MTA. This anti-public transit bill ought to get pulled pending an intelligent redrafting.

In conclusion ATU stands ready to work with the sponsors, the committee, its chair, and the Council to draft appropriate legislation.

Thank you.



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