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Ways & Means



NICOLE MALLIOTAKIS
Member of Assembly 64th District

August 21, 2013

Hon. Janette Sadik-Khan
Commissioner
NYC Department of Transportation
55 Water Street, 9th Floor
New York, NY 10041

Dear Commissioner Sadik-Khan:

As you may be aware, the decision to implement Select Bus Service and eliminate stops along Staten Island's main thoroughfares worried many riders and motorists who utilize the Hylan Boulevard corridor. Subsequent creation of bus lanes with accompanying cameras caused increasing consternation, as many viewed the program as yet another government program grounded in the generation of revenue rather than good public policy. It has become increasingly evident that their fears were not unwarranted, as the camera located at the intersection of Hylan Boulevard and Hunter Avenue has provided, what we assume to be, unintended consequences.

To date, at least 11 summonses have been issued to customers and employees of Signature Bank, located at 2066 Hylan Boulevard, for alleged bus lane violations recorded by the camera at Hunter Avenue. This camera was installed less than one month ago and, with an approximate two-week period between recording the violation and receipt of the summons via mail, we surmise that more motorists will receive unwelcome news with each passing day. In response to an inquiry by the bank's manager, your agency explained:

"...a vehicle is allowed to enter the bus lane to make the 'first available right hand turn where permitted into a street, private road, private drive, or an entrance to private property' (Section 4-12). This means that a vehicle looking to enter your parking lot can enter the bus lane as soon as it has passed Hunter Avenue going northbound, providing enough distance to safely maneuver into the parking lot. However, if a vehicle uses the bus lane prior to Hunter Avenue, and does not turn right at Hunter Avenue, then it has violated the bus lane rule, and is liable to receive a bus lane ticket."

We deeply disagree with your agency's assertion that the space between the intersection and the parking lot entrance "provides enough distance to safely maneuver into the parking lot". As shown in the enclosed image, the proximity between the intersection and the parking lot necessitates a move into the bus lane prior to the intersection for any vehicle attempting to safely enter the parking lot. Factoring in notorious Hylan Boulevard traffic during rush hours, the hours during which the bus lane cameras are operational, produces a scenario where adhering to this rule becomes nearly impossible. Vehicles attempting to enter the parking lot in compliance with the ordinance have led to hazardous maneuvers to cut in front of buses traveling in the bus lane. This requirement has also led to traffic congestion caused by vehicles in the middle lane waiting to merge into the bus lane within the permitted area, resulting in traffic weaving that the bus lanes were intended to prevent.

Problems with enacting a regulation to be applied across all of New York City and enforced by a camera system devoid of human judgment are unsurprising. But for the 11 people merely trying to get to work for their morning shift or complete an errand at the start of their day, this was completely unreasonable. They should not be forced to pay for the system's shortcomings. Signature Bank, which employs and serves many of our constituents and has been a conscientious and respected neighbor since this branch opened, should not suffer the risk of losing clients.

We respectfully urge the Department of Transportation to rescind all summonses issued for violations reported by the Hunter Avenue camera since its installation. We also request that the Hunter Avenue camera be removed due to the impracticality of adhering to the law when applied in this location.

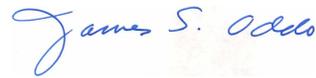
Very truly yours,



Nicole Malliotakis
Member of Assembly



Andrew J. Lanza
Senator



James S. Oddo
Council Minority Leader

Encl.

cc: Hon. David M. Frankel, Commissioner, NYC Department of Finance
Hon. Thomas F. Prendergast, Chairman, Metropolitan Transportation Authority

