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**Comments by Christopher Schuyler, Senior Staff Attorney
New York Lawyers for the Public Interest
To the New York City Council,
Committee on Transportation and Infrastructure
Jointly with the
Committee on Oversight and Investigations
On September 12, 2023
Regarding Updates and Initiatives to Improve the Streets Plan**

It's often said that the subway system is the lifeblood of New York City. Since the Covid-19 pandemic, that saying may be due for an update: the City's streets, sidewalks, and public spaces have a claim for that distinction. New Yorkers use these surface level spaces to get to many of the places they need to go, including work, school, medical appointments, to visit family and friends, and to engage in community activities. This is particularly true with respect to New Yorkers with disabilities, a group that, due to the inaccessibility of the subway system, has fewer transportation options available to them.

The City's streets, sidewalks, and public spaces must be accessible: not only is it the law, not only is it what people with disabilities ethically and morally are entitled to, but an accessible and safe City will enable more people with disabilities, who are disproportionately low-income, to attain employment, which in turn will broaden the City's tax base and lessen the government's burden of paying benefits to people with disabilities who have for too long been unable to fully participate in all the City has to offer.

My name is Christopher Schuyler, Senior Staff Attorney to the Disability Justice Program at New York Lawyers for the Public Interest (NYLPI). We commend the Committee on Transportation and Infrastructure and the Committee on Oversight and Investigations for holding this hearing on the

status of the Streets Plan, and for considering various initiatives that will make the City safer and more accessible for all New Yorkers.

The first Streets Plan is an ambitious five-year plan, signed into law in 2019, which seeks to improve the safety and accessibility of the City's streets, sidewalks, and public spaces. Contained within the Streets Plan is a list of mandates for the City – specifically, the Department of Transportation (DOT) – to achieve. The first five-year Streets Plan, which runs from 2022-2026, and renews with new benchmarks every five years, promises:

- 500 bus stop upgrades per year, including accessibility upgrades such as ensuring a clear path to the bus stops and accessible loading platforms;
- Redesign of 2000 intersections (at least 400 per year) to meet ADA standards (including curb cuts and pedestrian ramps);
- Installation of 2500 accessible pedestrian signals – at least 500 per year;
- Improved parking policies which will prioritize and promote “access to streets, sidewalks, public spaces, and mass transit” for people with disabilities;
- Continued investment in micromobility options, and
- Significant expansion of pedestrian spaces.

The stated goals of the Streets Plan are to promote (i) the safety of all street users; (ii) on-street priority for mass transit vehicles; (iii) the reduction of vehicle emissions; and (iv) access for individuals with disabilities. The Streets Plan also requires DOT to give annual reports on its progress and to engage in a public education campaign to communicate the benefits of the Streets Plan.

From DOT's report during today's hearing, we know that the agency is in danger of missing crucial and legally required benchmarks, particularly with respect to bus stop upgrades and protected bus lanes. **DOT must not be permitted to ignore its responsibilities.** Not only does it not bode well for the future of the Streets Plan if DOT is already coming up short, but all New Yorkers, including New Yorkers with disabilities, need a safer and more accessible city.

The City's intersections and sidewalks, particularly in low-income and environmental justice communities in the outer boroughs, are too often in disrepair and even entirely lacking curb cuts. Moreover, improved daylighting – clearing the corners of parked vehicles to improve visibility – is crucial for pedestrian safety, particularly people who use wheelchairs and other mobility devices. Crashes involving pedestrians are on the rise, yet police citations for traffic violations have decreased year after year. People who use wheelchairs particularly need daylighting because, from a seated position, it can be challenging or impossible to see oncoming traffic when automobiles are parked right up to the corners of intersections. Lastly, **the City needs to reduce crosswalk signal speeds to 2.5 feet per second to account for slower moving pedestrians, including people with mobility disabilities.**

Enhanced parking policies will likewise improve access to streets, sidewalks, and transit options for people with disabilities. One such way is with respect to Access-A-Ride (AAR) pick-up and drop-off areas. Many of these designated areas are inaccessible for various reasons, including obstructions from the curb to the pick-up/drop-off area and because non-AAR vehicles often park in these zones. **The MTA and DOT split responsibility for the AAR pick-up/drop-off areas; City Council must ensure that these spaces are open and accessible for AAR users and drivers.**

The above examples describe just a few of the real-world impacts for people with disabilities, as well as seniors, children, delivery workers – essentially all New Yorkers – of successful implementation of the Streets Plan. That, taken with the fact that DOT is falling behind on its promises, support the **need for the initiative considered by the City Council for an “investment roadmap,” as contemplated in T2023-4007,** sponsored by Chair Brooks-Powers. This plan would require DOT to submit an “investment roadmap” at the beginning of each five-year Streets Plan, beginning in 2026, to promote equity in infrastructure investment. The investment roadmap would measure investment in safety and accessibility, thereby enhancing street infrastructure. It will also track the incidence rate of vehicular crashes with pedestrians that result in significant injuries. Lastly, the investment roadmap would also require DOT to produce a Streets Plan that highlights investment in underserved communities and

environmental justice areas. NYLPI supports this initiative, though **we recommend that the investment roadmap specifically track the incidences of crashes involving pedestrians with disabilities.**

Separately, **NYLPI also commends the City Council for Int. 0261-2022, which will require DOT to identify intersections that pose the greatest dangers to pedestrians, and then implement curb extensions** (i.e. daylighting) at five such intersections, at a minimum, in each borough per year. **NYLPI also encourages City Council to significantly increase the number of required curb extensions per year.**

Thank you for hearing my testimony today. I urge you to consider my remarks as you fight to provide safer and more accessible sidewalks, streets, and public spaces for all New Yorkers.

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For over 40 years, NYLPI has been a leading civil rights and legal services advocate for New Yorkers marginalized by race, poverty, disability, and immigration status. Through our community lawyering model, we bridge the gap between traditional civil legal services and civil rights, building strength and capacity for both individual solutions and long-term impact. Our work integrates the power of individual representation, impact litigation, organizing, and policy campaigns. Guided by the priorities of our communities, we strive to achieve equality of opportunity and self-determination for people with disabilities, create equal access to health care, ensure immigrant opportunity, secure environmental justice for low-income communities of color, and strengthen local nonprofits.