

April 26, 2023

**Comments of Zach Miller
Metro Region Operations Manager
Trucking Association of New York**

Before the

**New York City Department of Transportation
Notice of Public Hearing and Opportunity to Comment on Proposed Rules**

Regarding

Shared Streets and Open Streets

Good morning, my name is Zach Miller, I am the Metro Region Operations Manager for the Trucking Association of New York. Since 1932, TANY has advocated on behalf of the trucking industry at all levels of government, providing compliance assistance, safety programs, and educational opportunities to our members, and in the process, creating jobs, supporting the economy, driving safety, and delivering a sustainable future.

I comment today regarding an amendment to Section 4-01 and 4-21 of the Traffic Rules to establish a definition of a shared street and requirements for open streets.

It is important that as Shared and Open Streets become codified into New York City law, the rules making process learns from the mistakes made by the Covid-19 necessitated emergency actions, especially as it relates to curb side access for delivery vehicles. When commercial curbside space is reallocated for whatever reason, the city must provide a 1 for 1 replacement in that service zone. The companies who deliver in that zone must be notified as to the change and there must be clear and visible signage. This did not occur when Open Restaurants went into effect to the detriment of all the neighborhood establishments that are not restaurants. Both the lack of notification and an alternate operational plan led to many unintended consequences to the surrounding areas and establishments. It appears that the city is trying to rectify this with the open streets management requirements, but we believe the 1 for 1 commercial loading zone is the strongest, long-term fix.

Another tool in DOT's toolbox which would enhance Shared and Open Streets by inclusion in Section 4-01 and 4-21 is the Off Hour Delivery (OHD) program. Once again, the city missed a golden opportunity to increase OHD when they failed to tie it into Open Restaurants. Groups that manage Open Streets should be incentivizing the receivers in the area, particularly the food establishments to take OHD.

The trucking industry urged the City Council and DOT to include OHD as an incentive for the permanent Open Restaurants program and we understand that there is still time to do so, therefore we're taking this as another opportunity to encourage the City to incentivize OHD in the Open Street program, Open Restaurants program as well as any other programs in the works.



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As always, the Trucking Association of New York looks forward to ongoing collaboration and dialogue with the Department of Transportation

Thank you for your time.