



NEW YORK STATE SENATOR

Brad Hoylman-Sigal

HOYLMAN RELEASES INVESTIGATIVE REPORT UNCOVERING RAMPANT SAFETY HAZARDS AND REGULATORY SHORTFALLS IN NEW YORK CITY'S DOUBLE-DECKER SIGHTSEEING BUS INDUSTRY

BRAD HOYLMAN-SIGAL December 3, 2017



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everyone who uses our roads.”

NEW YORK, NY – State Senator Brad Hoylman (D/WF-Manhattan) released the findings of a new report today investigating the regulatory scheme of New York City’s double-decker sightseeing bus industry. Released ahead of the tourist-heavy holiday season, *Thrown Under the Bus!:* How Lax State Laws for Double-Decker Tour Buses are Endangering the Lives of New Yorkers, uncovers a morass of legal loopholes and jurisdictional overlap that has left the industry dangerously unregulated.

Combining first-person testimony with a comprehensive review of New York State’s laws and regulations, the report found an industry that has more than tripled in size over the last decade without a commensurate update of regulations, including:

An exemption in the New York State Transportation Law giving the state little to no enforcement power over the operation of New York City double-decker sightseeing buses.

A loophole in the New York State Vehicle and Traffic Law exempting drivers of double-decker sightseeing buses from the periodic vetting, medical exams, and recurring driver’s tests that other bus drivers are required to undergo.

A loophole in the same law freeing operators from notifying New York State of the identities of their drivers, or reporting data about crashes to the New York State Department of Motor Vehicles.

An exemption for drivers of double-decker sightseeing buses from provisions of state law that ban or restrict convicted sex offenders and drunk drivers from piloting other types of buses.

An exemption allowing operators to skirt compliance with insurance requirements that the DOT mandates of other motor carriers.

Despite a 1997 law giving the NYS Department of Transportation (DOT) limited authority over the industry, an exemption freeing double-decker sightseeing operators from requiring a “certificate of public convenience and necessity” to legally operate in New York State, robbed DOT of meaningful enforcement power. In the absence of strong state regulations, a number of high profile incidents have occurred, including one in July of 2015 in which one of the Senator’s constituents was struck while crossing at West 4th, was forced to spend 78 days in the ICU, and almost lost his leg.

State Senator Brad Hoylman said: “Double-decker tour buses aren’t only a nuisance to my constituents in Manhattan, but it turns out they also are evading regulatory scrutiny in New York, making them a potential disaster waiting to happen. As the holiday season kick offs with the annual increase in tourists to our city, it’s more important than ever we act to properly regulate this industry to ensure the safety of everyone who uses our roads, including pedestrians, cyclists and motorists alike.”

Devan Sipher, Journalist and constituent who was struck by a double-decker sightseeing bus, said: "What kind of place do we live in when a person can't cross a street on a green light without fearing for their life? One moment I'm crossing the street on a green light and the next I'm lying crushed beneath a bus alongside a river of my own blood. Senator Hoylman’s report lays out an essential list of reform we should make to prevent what happened to me from happening to others. I can only hope the New York State Legislature will take action to help prevent such unconscionable calamities."

The report provides a number of solutions to clarify the regulatory jurisdiction and improve enforcement, such as:

Empower DOT to order New York City double-decker sightseeing bus operators to cease operation for repeated violations of the New York State Transportation Law or DOT regulations.

Close the loophole that allows New York City double-decker sightseeing bus operators to avoid the requirements of Article 19-A of the New York State Vehicle and Traffic Law.

Mandate additional safety features specific to New York City double-decker sightseeing buses, such as collision avoidance technology, side under-ride guards, left-and-right front view convex mirrors to provide drivers with a clear and full view of the front and sides of the bus, and additional employees to monitor safety compliance on the upper level of the buses.

Increase the minimum amount of insurance that New York City double-decker sightseeing bus operators must carry, to be commensurate at least with the insurance requirements of other motor carriers subject to DOT jurisdiction.

Create an interagency state-local task force to ensure coordination of enforcement and communication between all relevant government agencies.