

1 BEFORE THE NEW YORK STATE SENATE  
2 STANDING COMMITTEE ON TRANSPORTATION

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3 PUBLIC HEARING ON S.5294:  
4 TO EXAMINE THE LEGALIZATION OF  
5 E-BIKES AND E-SCOOTERS

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7  
8 Flushing Town Hall  
9 137-35 Northern Boulevard  
10 Flushing, New York

11  
12 Date: June 7, 2019  
13 Time: 10:00 a.m.

14  
15 PRESIDING:

16 Senator Timothy M. Kennedy  
17 Chair

18  
19 PRESENT:

20 Senator John Liu

21 Senator Jessica Ramos

22 Senator Toby Ann Stavisky  
23  
24  
25

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1 SENATOR KENNEDY: Welcome, everybody.

2 Good morning.

3 Good morning, Queens.

4 Good morning, Flushing.

5 Good morning, New York City.

6 Good morning, New York State.

7 My name is Tim Kennedy. I am the Chairman of  
8 the Transportation Committee.

9 Today is Friday -- TGIF, everybody -- June 7,  
10 2019.

11 Welcome to a public hearing on e-bikes and  
12 e-scooters here at Flushing Town Hall.

13 I reside way out west, some would refer to it  
14 as the "wild, wild west," of Buffalo, New York.

15 I am always thrilled to be here in the city  
16 to join you on such an important issue.

17 I'd like to welcome everyone to today's  
18 hearing.

19 I want to thank our Majority Leader,  
20 Senator Andrea Stewart-Cousins, who has put her  
21 trust in me to serve as the Chair of the New York  
22 State Senate Transportation Committee, and has put  
23 improving transportation needs across the state of  
24 New York as our Conference priority, a Democratic  
25 Conference priority.

1 I want to thank Senator Jessica Ramos for  
2 hosting this hearing with me, and for her advocacy  
3 on this important issue.

4 I want to thank Senator Toby Ann Stavisky for  
5 having us here in her district.

6 And, Senator John Liu, who had Flushing Town  
7 Hall as the epicenter of his council district, now  
8 it is on the outskirts of his Senate District.

9 SENATOR LIU: Now I'm on the outs.

10 SENATOR KENNEDY: He is now on the outs.

11 SENATOR LIU: Thank you, Mr. Chairman.

12 SENATOR KENNEDY: As we move forward in  
13 addressing transit deserts and more  
14 environmentally-friendly policies here in New York,  
15 we need to evaluate alternative transportation  
16 methods, including better public transportation  
17 networks, but also new technology like e-bikes and  
18 e-scooters.

19 While e-bikes and e-scooters are different,  
20 they're both possible solutions to solve many of the  
21 first-mile/last-mile issues that communities around  
22 New York are facing all across the state.

23 And as Chair of the New York State Senate  
24 Committee on Transportation, the safety of  
25 New Yorkers is critically important, whether they're

1 motorists, pedestrians, public-transit riders, or  
2 riders of e-bikes and e-scooters.

3 And so my goal here today is to hear what you  
4 have to say, and we need to make sure that this is  
5 done correctly.

6 We have to bring all stakeholders to the  
7 table, from service-industry workers, to  
8 environmental advocates, transportation experts,  
9 and, of course, to local government that will have  
10 to implement this system.

11 So we're going to use the information that we  
12 gather here today to change the laws, create  
13 sustainable policy, and ensure that all New Yorkers  
14 are safe regardless of their preferred mode of  
15 transportation.

16 So once again, thank you all for joining us  
17 here this morning.

18 I want to turn it over to, again, our host in  
19 her district, Senator Toby Ann Stavisky, for a few  
20 words.

21 SENATOR STAVISKY: Thank you,  
22 Chairman Kennedy.

23 And welcome my colleagues, the people who are  
24 coming to testify.

25 And let me just introduce, I have an intern

1 who has been in the United States for about a week.

2 She's from Hong Kong, and we welcome her  
3 to -- her name is Andi, and we welcome her to this  
4 town hall.

5 [Applause.]

6 SENATOR STAVISKY: Which is the essence of  
7 our country, the idea that people can come and the  
8 elected officials listen.

9 I -- unfortunately, I have to leave.

10 I have a meeting at 11:00 on another  
11 important issue of -- to this community, the  
12 Green Light bill, the driver's licenses for  
13 undocumented individuals.

14 But I'm delighted that you're here, and  
15 I will take the testimony and I will read every word  
16 of what is -- and watch the video, I guess, of what  
17 is said.

18 So, thank you.

19 [Applause.]

20 SENATOR KENNEDY: Thank you,  
21 Senator Stavisky.

22 And next we will turn it over to  
23 Senator Jessica Ramos.

24 And while she may be new to the Senate, I can  
25 tell you she has brought a tremendous amount of

1 energy to the state legislature, and with that, a  
2 new way of looking at things.

3 This is a bill, that we're here to discuss  
4 today, that Senator Ramos carries and she's been on  
5 the forefront of, very aggressively championing this  
6 legislation.

7 So we turn it over now to Senator Ramos.

8 SENATOR RAMOS: Thank you, Chairman Kennedy.

9 I have to say that, though this is a bill  
10 before the Transportation Committee, I largely see  
11 it as a labor bill that protects workers;

12 I see it as a criminal-justice reform bill  
13 that protects immigrant workers;

14 And I see it as an environmental bill that  
15 protects our planet as well.

16 And that's why I think it's so critical that  
17 our statutes, as a state, really catch up to how we  
18 are getting around, and how we are utilizing new  
19 technologies to really address our issues of  
20 micromobility, and ensuring that people are not  
21 being further criminalized simply for being poor.

22 We all know that, unfortunately, because  
23 delivery work is largely tipped work, many employers  
24 take advantage and steal workers' wages.

25 And so, while we're not dealing with that

1 issue head-on today, it is really troubling when you  
2 learn that, the City, which is a sanctuary city, a  
3 pro-immigrant city, is cracking down on delivery  
4 workers because they're driving e-bikes, and end up  
5 receiving, not one, not two, we learned this  
6 morning, up to four tickets, \$500 each.

7 And I can tell you, delivery workers are not  
8 doing that well to be able to pay, you know, \$2,000  
9 in tickets, have to buy a new e-bike if it was  
10 confiscated, and on top of that, be able to provide  
11 for their families.

12 So this is really about economic justice.

13 And I want to thank all of the advocates who  
14 have been fighting for this for so long.

15 I want to thank my Majority Leader,  
16 Andrea Stewart-Cousins, for allowing us to have this  
17 hearing today, to make sure that you all are heard,  
18 and, hopefully, the Transportation Committee will  
19 move swiftly and make this bill a reality as soon as  
20 possible.

21 Thank you.

22 [Applause.]

23 SENATOR KENNEDY: Thank you, Senator Ramos.

24 Next we will hear from Senator John Liu.

25 SENATOR LIU: Thank you, Mr. Chairman, for

1 trekking all the way across the state, from the  
2 furthest point to this place here.

3 I want to welcome everyone to Flushing Town  
4 Hall, the seat of village government.

5 The town of -- the village of Flushing,  
6 pre-1898, this is where government held its  
7 business, and this is where, today, we are  
8 conducting official New York State business on this  
9 very important bill that has been shepherded by our  
10 Chairman, Tim Kennedy, and sponsored by  
11 Jessica Ramos.

12 I agree with everything Senator Ramos has  
13 said already.

14 And in addition to what she has said, the  
15 e-bikes and e-scooters, they are all also now,  
16 today, a modern mode of transportation, hence being  
17 in this committee that Chairman Kennedy chairs and  
18 that I am a proud member of.

19 I look forward to hearing the important  
20 testimony that's going to be provided today, as we  
21 consider the potential passage of this bill.

22 Thank you, Mr. Chairman.

23 [Applause.]

24 SENATOR KENNEDY: Thank you very much,  
25 Senator Liu.

1 I also want to recognize the staff that has  
2 worked so hard to help put today together.

3 From Senator Ramos's office, we have Sam  
4 here, that is going to be working the clock next to  
5 the front table.

6 I'm going to call up our first testifier, who  
7 is going to be Guangfu Chen, a delivery worker.

8 So if Guangfu Chen could make her way to the  
9 front -- his way to the front.

10 And just as far as logistics go, Sam is going  
11 to be keeping a countdown timer, because we have  
12 many, many testifiers, we have over 50 here today.

13 So we are going to try to keep to it  
14 5 minutes, and she -- you do not want to upset Sam.

15 She is very difficult to deal with if you go  
16 over 5 minutes.

17 Just kidding, folks.

18 But she will -- she will let you know when  
19 the 5 minutes is approaching, and do your best to  
20 keep it within that number.

21 We appreciate your, again, being here, and  
22 your testimony here today.

23 Guangfu Chen, good morning.

24 GUANGFU CHEN: (Translated) Good morning.

25 Hello.

1 (Giving full testimony in foreign  
2 language.)

3 [Applause.]

4 THE TRANSLATOR: I will translate for him.

5 (Testimony of Chen Guangfu translated to  
6 English, as follows:)

7 GUANGFU CHEN: My name is Chen Guangfu. I'm  
8 62 years old.

9 I came to the United States under political  
10 asylum in 2015.

11 When I arrived, I was old, did not speak  
12 English, and had no special skills, so I had to  
13 deliver food for making a living.

14 A lot of things have happened to me during my  
15 years of work as a delivery worker.

16 Soon after I started delivering food, I find  
17 out that I have stomach cancer. So I had to undergo  
18 surgery to remove three-quarters of my stomach.

19 Afterward, I got back to work in a restaurant  
20 on 17th Street in Upper East Side.

21 Once, on the way back from a delivery, I was  
22 robbed at knife pointed on my neck. He took all of  
23 my cash.

24 After returning to the restaurant, my boss  
25 was afraid of making trouble and he wouldn't let me

1 call the police.

2 Two of my electricity bicycles were stolen on  
3 the street.

4 My colleague told me not to call the police.  
5 They said, "The police are not available for us.  
6 They are all too easy to give out tickets."

7 Another time, I was injured by a car.

8 Because I was so afraid of the police, I did  
9 not call the police to report the accident.

10 I can endure all those nature and manmade  
11 disasters, as I just have bad luck; however,  
12 I really can't understand why the government doesn't  
13 allow us to deliver on e-bikes, and why they want to  
14 take away my only tool for survival.

15 I'm old and I'm in poor health.

16 I will lost my current job if I can't ride on  
17 e-bike.

18 This year I have already been fined four  
19 times by the police, and I have issued seven  
20 tickets. I have been issued three tickets at once.  
21 It have cost me more than \$700.

22 The police confiscate my e-bike, which caused  
23 great stress to my mind and caused danger to our  
24 safety.

25 I have to always stay on guard against

1 robberies and the police in my daily job.

2           Needless to say, we made our hard-earned  
3 money bearing the hardship of delivering food in the  
4 wind and the rain.

5           Without an E-bike, how could I survive in the  
6 future?

7           We ask the New York State government to  
8 legalize electric bicycles.

9           [Applause.]

10           SENATOR KENNEDY: Thank you very much.

11           Next we will hear from Xiaodeng Chen, a  
12 delivery worker.

13           And after Xiaodeng Chen, we will hear from  
14 Randy Neufeld.

15           Good morning, Xiaodeng.

16           XIAODENG CHEN: Good morning, Senator.

17           SENATOR RAMOS: Good morning.

18           XIAODENG CHEN: Good morning.

19           My name is Xiaodeng Chen.

20           I'm here to testify as a former bike-delivery  
21 worker, and a volunteer of Bike and Public Project.

22           At the age of 18 I moved to United States and  
23 experienced an alienating phase of life.

24           I spoke limited English and had a few job  
25 choices.

1           Bike delivery was one practicable one --  
2 practical option.

3           My bike slipped and flipped often in snow  
4 days.

5           Do you remember the blizzard of 2015?

6           The wind was blowing us away because of the  
7 delivery backpack we wore, as a sail on a boat.

8           I was 29, the physical prime of my years.  
9 But my body always become numbed and noticeably  
10 reduced in its strength after a few hours of working  
11 on bikes.

12           When in store I would work -- I worked in the  
13 ice cream shops.

14           We are underpaid while working the back  
15 kitchens, and the daily tasks were alienating, as  
16 customers and gatekeepers of communities often  
17 perceived delivery workers not equal citizen, but,  
18 somehow, intruders, outsiders.

19           Those pedestrians who had bad days could  
20 sometimes lash out in hostility.

21           To a taxi, passenger once opened the door on  
22 bike lanes, and walked away after giving me a  
23 high-five.

24           He said, Are you okay?

25           I got up from the street after the crash into

1 the door, I said, "yes," and he gave me a high-five,  
2 and walked away.

3 The constant feeling of alienation was  
4 unbearable.

5 Fortunately, I eventually met with a  
6 (indiscernible) research group that helped  
7 immigrants, illegal workers, like me.

8 I turned my vulnerability into strength, and  
9 have since volunteered to assist other workers.

10 I learned that many people endure more  
11 difficulty in their work -- in their work condition  
12 more than I do, I experienced.

13 They constantly fear police officers and felt  
14 not belonging.

15 They receive multiple tickets at once with  
16 police abusively targeting on them.

17 There has been no communication on  
18 coordinating regulations and dialogues, but the bane  
19 existence of immigrant -- of migrant workers with  
20 the mockery, even.

21 And that is -- that it is simply illegal, and  
22 NYPD should just confiscate (indiscernible) E-bikes.

23 Workers receive large fines that are -- that  
24 are only somewhere below the second-hand e-bikes, so  
25 they will always try to get the bike back.

1           And this is a huge inefficiency of municipal  
2 management.

3           (Indiscernible), we turn our weakness into  
4 strength.

5           This is the moment we work -- where we  
6 (indiscernible) together for fair dialogue, by  
7 creating a strict (indiscernible), perhaps, even, or  
8 transforming (indiscernible) into something safer.

9           NYPD and municipal executives have to see  
10 that that abuse of vulnerable residents, who have  
11 children and family, only lead to social split and  
12 regretful history.

13           New York State should stop discriminating --  
14 discriminate tools that migrant workers use, instead  
15 of prohibiting energy-efficient transportation tools  
16 and chaotically punish and leave huge room of power  
17 abuse by undertrained, sometime, law enforcement.

18           There should be a regulation and a dialogue,  
19 as we are a democracy that we claim to be.

20           Thank you.

21           [Applause.]

22           SENATOR KENNEDY: Thank you very much.

23           SENATOR RAMOS: Thank you.

24           SENATOR KENNEDY: Next we're going to hear  
25 from Randy Neufeld, Bicycle Product Suppliers

1 Association.

2 And following Randy's testimony, we're going  
3 to hear from John Choe.

4 RANDY NEUFELD: Good morning.

5 I'm Randy Neufeld from Chicago, representing  
6 the Bicycle Product Suppliers Association.

7 Chairman Kennedy, Senator Ramos, members of  
8 the Senate, thank you very much for this opportunity  
9 to testify.

10 We very much support S.5294.

11 We're a -- Bicycle Product Suppliers  
12 Association is a 105-year-old trade association for  
13 bicycle parts and manufacturers.

14 E-bikes are an emerging technology, a big  
15 part of our market, and -- but they need clear rules  
16 in order to regulate their use and create stability  
17 in the marketplace.

18 E-bike consumers are everyone: baby boomers,  
19 people with disabilities, working families; anyone  
20 who chooses a bicycle with a small boost of energy.

21 Most importantly, electric bicycles represent  
22 the livelihoods of tens of thousands of delivery  
23 workers in this city and in this borough.

24 So S.5294 is important.

25 What is an "e-bike"?

1 I've brought one example right over here, so  
2 you can see it's nothing to be terrified of.

3 SENATOR RAMOS: It's a fancy one.

4 RANDY NEUFELD: This is a fancy one.

5 There are inexpensive ones, and fancy ones as  
6 well.

7 These are bikes that are a hybrid of muscle  
8 power and electric power. It's a mix of those two  
9 kinds of things, and there are different kinds.

10 You can go a little bit faster, but, mostly,  
11 you're operating within the normal range of bicycle  
12 speeds.

13 What's the problem that we're trying to solve  
14 here today?

15 In 2003 the federal government issued a  
16 regulation saying that e-bikes were not mopeds, but  
17 they were bicycles.

18 And when they did that in 2003, it caused  
19 some confusion at the state level, because states  
20 like New York were regulating them as mopeds, and  
21 mopeds require a vehicle identification number.

22 And if it's a bicycle, it doesn't have a  
23 vehicle identification number, and so, therefore,  
24 you couldn't register it.

25 Lots of confusion caused, they went into a

1 gray area.

2 And because of that, at the time, not very  
3 many people cared about the issue. 2003, 15 years  
4 ago, there weren't very many e-bikes.

5 Today there are lots and lots of e-bikes.

6 So the issue has come to a head.

7 And that's exactly the -- that confusion is  
8 the problem that this bill is trying to solve.

9 We have established a classification system,  
10 based upon that federal regulation, of three  
11 different types of e-bikes.

12 It's important to understand those three.

13 I'm going to really quickly go through  
14 Class 1, Class 2, and Class 3; vanilla, chocolate,  
15 and strawberry; three kinds of e-bikes.

16 Class 1 is pedal-assist up to 20 miles per  
17 hour.

18 That means that the motor never helps you  
19 when you go over 20 miles per hour.

20 It doesn't have a throttle. The only way to  
21 make the motor help you is by pedaling.

22 So pedal-assist up to 20 miles an hour,  
23 Class 1.

24 Class 2 is a throttle bike up to 20 miles an  
25 hour.

1           So there's a button on the handle bar, a  
2 throttle. You push the button, it enacts the motor.

3           You also have really good working pedals so  
4 you can assist.

5           If you reach the speed of 20 miles per hour,  
6 the motor cuts out and it's all your power to do  
7 anything over 20 miles per hour.

8           The third kind, Class 3, is pedal-assist up  
9 to 28 miles per hour.

10          And that is, same as the Class 1, it's  
11 pedal-assist, there's no throttle. You're pedaling  
12 to make it go, but the maximum speed is 28.

13          And it's not like you start pedaling and  
14 immediately go 28 miles per hour.

15          It would take you, like, a couple of blocks  
16 to really get that kind of speed to get together.

17          These -- yeah, these electric bikes fit into  
18 these three classes.

19          We have now passed this bill in 19 states,  
20 these -- this three-class system has been passed in  
21 19 states, and those states, I'll just name them  
22 real quick, because it's important to know we're not  
23 the first people in the world to deal with this.

24          It's Arizona, Arkansas, California, Colorado,  
25 Connecticut, Idaho, Georgia, Illinois, Indiana,

1 Maryland, Michigan, New Jersey, Ohio, Oklahoma,  
2 South Dakota, Tennessee, Washington, Wyoming, and  
3 Utah.

4 It's been almost non-controversial in all of  
5 those states. Almost unanimous bipartisan enactment  
6 of these bills.

7 This doesn't define exactly what happens in  
8 New York City.

9 It happens -- what happens in New York State.

10 It gives a platform for local control for  
11 New York City and all cities to then use the  
12 three-class system to regulate the way that they see  
13 fit.

14 Lots of things are happening with these  
15 bikes.

16 A million were sold --

17 SAM: Time.

18 RANDY NEUFELD: A million were sold in  
19 Germany last year.

20 It's a -- it's a -- it's a big change.

21 And we're -- we're seeing that this bill is  
22 the kind of thing that makes these -- the utility of  
23 e-bikes, the utility to delivery workers, happen in  
24 many different places.

25

1 SENATOR KENNEDY: Randy, thank you very much.

2 Senator Liu has a question.

3 RANDY NEUFELD: Yeah.

4 SENATOR LIU: Thank you, Randy, for your  
5 testimony.

6 How much does this weigh, this e-bike?

7 RANDY NEUFELD: It's kind of heavy. It's  
8 about 50 pounds.

9 And -- but you have a motor to help you as  
10 well.

11 SENATOR LIU: Well, yeah, I mean, you know,  
12 the weight comes into consideration if there's a  
13 mishap. Right?

14 RANDY NEUFELD: Yeah, they're --

15 SENATOR LIU: Is that --

16 RANDY NEUFELD: -- they're getting --

17 SENATOR LIU: -- the typical weight --

18 RANDY NEUFELD: -- they're getting lighter.

19 SENATOR LIU: -- of an e-bike?

20 RANDY NEUFELD: I'd say it's a pretty typical  
21 weight, yeah.

22 SENATOR LIU: This is a typical weight?

23 It seems heavier.

24 RANDY NEUFELD: It's a little bit bigger.

25 It's -- it's -- it's -- a lot of the weight

1 is in the back.

2 SENATOR LIU: This is like a Cadillac of  
3 e-bikes.

4 RANDY NEUFELD: Yeah, this is a Cadillac.

5 SENATOR LIU: Right.

6 RANDY NEUFELD: The battery -- the battery is  
7 a big deal, the batteries are why they're expensive.

8 A lithium ion battery like that costs three  
9 or four hundred dollars by itself.

10 SENATOR LIU: And is heavier?

11 RANDY NEUFELD: And it's heavy, and so that  
12 causes a lot of the weight.

13 SENATOR LIU: Right.

14 I mean, there are plenty of e-bikes that are  
15 much lighter here --

16 RANDY NEUFELD: Not --

17 SENATOR LIU: -- and could --

18 RANDY NEUFELD: Not a --

19 SENATOR LIU: -- potentially cause less  
20 damage.

21 RANDY NEUFELD: Not a lot lighter, not a lot  
22 lighter.

23 SENATOR LIU: Okay.

24 RANDY NEUFELD: If they have a battery,  
25 they're going to be -- they're going to be heavier

1 than a normal bike.

2 SENATOR LIU: Uh-huh.

3 What about, do you have any comments on  
4 e-scooters?

5 Do you think that they're totally related to  
6 e-bikes?

7 RANDY NEUFELD: I think one of the comments  
8 is that they are different. There's different --  
9 there's different safety standards.

10 The -- the -- the safety context for e-bikes  
11 is a lot older and a lot more solid.

12 For instance, there are federal standards  
13 for -- for what's a safe design and what's a safe --  
14 a safe e-bike.

15 The scooter industry is still -- still  
16 working on that.

17 SENATOR LIU: Is there a natural synergy  
18 between the two industries?

19 RANDY NEUFELD: There's some overlap --

20 SENATOR LIU: Like, would you retail both of  
21 them?

22 RANDY NEUFELD: There's some overlap.

23 A number of the sharing companies do -- do  
24 e-bikes as well as -- as well as e-scooters.

25 BPSA's position is that, as much as possible,

1 they should -- they should be dealt with separately.

2 It's perfectly acceptable to have them in the  
3 bike lanes and on the -- on the bike infrastructure.

4 And we recommend a 15-mile-per-hour limit  
5 on -- on their maximum speed, similar to  
6 California's e-bike registration.

7 SENATOR LIU: One last question.

8 What is the -- what is the magic behind  
9 28 miles per hour?

10 RANDY NEUFELD: The magic is that it's  
11 45 kilometers per hour.

12 And it was a bike that was -- that was, and  
13 is, available in Europe as a 45-kilometer pedillac.

14 And that's what --

15 SENATOR LIU: Is that just a --

16 RANDY NEUFELD: -- and that's where -- so --  
17 so the --

18 SENATOR LIU: -- is there a regulatory regime  
19 in Europe --

20 RANDY NEUFELD: There isn't --

21 SENATOR LIU: -- that sets it to 45 --

22 RANDY NEUFELD: There isn't a regulatory  
23 regime.

24 The quick answer is that, there were fears  
25 about the federal definition allowing much faster

1 bicycles than 28 miles per hour.

2 So, partially, we created the three-class  
3 system to cap the speed somewhere, and so,  
4 therefore, it's -- it's -- it's putting it out  
5 there.

6 SENATOR LIU: 28.

7 Yeah, I mean, it just seems arbitrary.

8 And 28 is still pretty fast.

9 28 is pretty fast.

10 Very few cyclists would be able to reach  
11 28 miles per hour, unless there was a downhill --

12 RANDY NEUFELD: That's correct.

13 It's -- it's -- it's -- it's road-racer  
14 level.

15 But, again, you would never -- in the city of  
16 New York, you would never likely ride at that kind  
17 of speed.

18 You should try one sometime. You know,  
19 it's -- it's -- it's hard to get it to 28.

20 SENATOR RAMOS: Yeah, we're going to go ride  
21 e-bikes after this.

22 RANDY NEUFELD: Okay. Happy to let you try  
23 this one out.

24 SENATOR KENNEDY: Any other questions?

25 SENATOR LIU: Thank you, Mr. Chairman.

1           RANDY NEUFELD: Thank you.

2           SENATOR KENNEDY: Okay.

3           Randy, thank you very much.

4           RANDY NEUFELD: You're welcome.

5           Next we're going to hear from John Choe, the  
6 executive director of the Greater Flushing Chamber  
7 of Commerce.

8           And next we have, Li Jihua -- Jinhua.

9           JOHN CHOE: Senator Kennedy, members of the  
10 Transportation Committee, thank you for having me  
11 here to testify on S.5294.

12           And, Chairman Kennedy, welcome to Flushing.  
13 I hope you stay for our great food and cultural  
14 venues here. I'd be happy to give you a tour.

15           SENATOR KENNEDY: I got a great cup of coffee  
16 over here.

17           JOHN CHOE: We have great coffee as well.

18           The Greater Flushing Chamber of Commerce is a  
19 membership association of small-business owners,  
20 entrepreneurs, and civic leaders representing the  
21 most diverse and dynamic community in the  
22 United States.

23           We support the full legalization of  
24 micromobility options on public streets, including  
25 the introduction of dock-free e-scooters and

1 pedal-assist electric bicycles.

2           These micromobility technologies can improve  
3 the daily transportation needs of New Yorkers, as  
4 well as support local economic development for  
5 small-business owners, especially retailers who  
6 would benefit from the increased foot traffic  
7 generated by these technologies.

8           New York lags behind more than 27 states and  
9 more than 100 cities around the world in introducing  
10 a full range of micromobility options.

11           Because of this delay, many of our residents  
12 and businesses cannot fully take advantage of these  
13 new transportation options.

14           Shared bikes are an environmentally friendly  
15 and efficient way for people to move around our  
16 communities as we try to reduce car traffic.

17           And you probably noticed, driving down from  
18 Buffalo, we have huge congestion in downtown  
19 Flushing.

20           And, you know, we're the fourth-largest  
21 commercial district in New York.

22           We're a regional center of finance,  
23 education, health care, and immigrant  
24 entrepreneurship, and we're struggling to get people  
25 in and out of our community.

1           If New York were to fully legalize these new  
2 transportation options, e-scooters and e-bikes could  
3 become an affordable, reliable, and viable option  
4 for New Yorkers who need them the most: low-income  
5 residents, low-wage workers, and business owners  
6 struggling to make ends meet.

7           Many residents in Queens County do not live  
8 within reasonable walking distance of public  
9 transportation.

10          Many of these communities tend to be lower  
11 income and more diverse than those with easy access  
12 to mass transit.

13          The Regional Plan Association found that,  
14 roughly, a third of New York City residents do not  
15 have a subway stop within walking distance of their  
16 homes.

17          The Pratt Center for Community Development  
18 concluded that, of the 750,000 New York City  
19 residents who travel more than one hour each way to  
20 work, quote, two-thirds of them earn less than  
21 \$35,000 a year.

22          Allowing more shared e-bikes would go a long  
23 way to fixing this critical problem. Expanding  
24 these options by also allowing electric scooters  
25 would go even further.

1           The businesses and residents of Flushing,  
2 Queens, should be given access to these new,  
3 reliable, affordable transportation options.

4           Micromobility can work in New York, and we  
5 urge you to pass legislation to authorize  
6 micromobility in the Empire State.

7           We would also support additional incentives  
8 to encourage worker cooperatives and New York State  
9 benefit corporations, and encouraging them to enter  
10 this new micromobility industry as a way to maximize  
11 the potential community benefits and economic  
12 opportunities of this new technology.

13           Thank you.

14           SENATOR RAMOS: Thank you.

15           SENATOR KENNEDY: Thank you very much.

16           [Applause.]

17           SENATOR KENNEDY: So you believe, John, this  
18 would be a tremendous boon to businesses in the  
19 community?

20           JOHN CHOE: Sorry, I couldn't hear you.

21           SENATOR KENNEDY: You believe this would be a  
22 tremendous advantage to businesses in the community?

23           JOHN CHOE: Absolutely.

24           And it's happening in other cities, in  
25 Europe, and elsewhere.

1           We want some of those advantages.

2           Our retailers are struggling, and we see this  
3 as part of the solution.

4           SENATOR KENNEDY: And is there a preference,  
5 or do you feel strongly that both should be enacted,  
6 both e-bikes and e-scooters?

7           JOHN CHOE: You know, I think e-scooters are  
8 a new technology that a lot of people don't know  
9 about.

10           And we would love to have a demonstration  
11 project in our community just to see how it would  
12 work before it's fully implemented.

13           SENATOR KENNEDY: So -- so you're here  
14 specifically on e-bikes?

15           JOHN CHOE: Well, I support both.

16           SENATOR KENNEDY: As a supporter  
17 (indiscernible cross-talking)?

18           JOHN CHOE: We support both.

19           But I'm just saying, in terms of familiarity  
20 and information out there in the community, people  
21 are more familiar with e-bikes.

22           A lot of the workers here who deliver things  
23 use e-bikes.

24           SENATOR KENNEDY: That's wonderful.

25           Thank you for your testimony.

1 JOHN CHOE: You're welcome.

2 SENATOR RAMOS: Thank you.

3 Oh, John?

4 SENATOR KENNEDY: John?

5 Senator Liu, I hear you may know Senator Liu.

6 SENATOR RAMOS: You guys may know each other.

7 SENATOR LIU: I've been waiting for this  
8 opportunity for 20 years.

9 [Laughter.]

10 SENATOR LIU: How much time do I have,  
11 Mr. Chairman?

12 SENATOR KENNEDY: All day.

13 SENATOR RAMOS: You have five minutes.

14 SENATOR KENNEDY: All day.

15 SENATOR RAMOS: 3 minutes and 44 seconds.

16 SENATOR KENNEDY: For those of you who are  
17 unaware, John Choe, I was just informed, for many  
18 years, was Senator John Liu's chief of staff in the  
19 city council.

20 So they have a --

21 SENATOR LIU: I call him J.C.

22 SENATOR KENNEDY: -- quite a history.

23 JOHN CHOE: Yes, and I survived.

24 SENATOR RAMOS: But you're J.C.

25 SENATOR LIU: No, I'm J.L.

1 SENATOR RAMOS: No, you're John C. Liu.

2 SENATOR KENNEDY: So, Senator Liu, any  
3 questions?

4 SENATOR LIU: I do.

5 When are you going to get off your tuchas and  
6 get on a bike?

7 JOHN CHOE: Senator, I ride my bike every  
8 day.

9 SENATOR LIU: Every day, there you go.  
10 How many miles now?

11 JOHN CHOE: Well, it's two miles a day.

12 I believe I'm probably the only chamber  
13 executive in New York that rides a bike every day.

14 [Applause.]

15 SENATOR LIU: Mr. Chairman, it looks like  
16 he shut me up.

17 SENATOR KENNEDY: You rest your case.

18 Mr. Choe, thank you very much.

19 JOHN CHOE: Thank you.

20 SENATOR KENNEDY: Continue the wonderful work  
21 that you're doing.

22 JOHN CHOE: Thank you very much.

23 SENATOR RAMOS: Thanks, John.

24 [Applause.]

25

1 SENATOR KENNEDY: Next we'll hear from

2 Li Jinhua;

3 Followed by Council Member Rafael Espinal.

4 Good morning.

5 LI JINHUA: (Translated) Good morning.

6 THE TRANSLATOR: Good morning.

7 Li Jinhua also brought his wife --

8 SENATOR KENNEDY: Wonderful.

9 THE TRANSLATOR: -- Xiaoming Feng (ph.), also  
10 testimony.

11 LI JINHUA: (Giving full testimony in foreign  
12 language.)

13 [Applause.]

14 THE TRANSLATOR: I will start translate.

15 (Full testimony of Li Jinhua translated to  
16 English, as follows:)

17 LI JINHUA: My name is Li Jinhua.

18 I'm 68 years old. I have been delivery  
19 worker for more than 20 years.

20 I was a delivery worker who had to retire due  
21 to injuries.

22 Many years ago I was knocked down by a  
23 suddenly-opened car door on the way to deliver food.

24 At that time, because I was a new immigrant  
25 and did not understand the law in English, I was

1       afraid to call the police and do not go to -- and  
2       did not go to the hospital.

3               Many years later this injuries of  
4       hyperosteoegeny and cervical vertebrae hypoplasia  
5       caused me to be disabled and I'm unable to work  
6       anymore.

7               I start collect money from SSI since 2019.

8               I only live on disable allowance of \$800 per  
9       month.

10              After retirement, riding e-bike is still an  
11       important means of transportation for me.

12              Without e-bike, I would have difficulty in  
13       seeing doctors.

14              Last year, when I was riding my e-bike on  
15       19th Street -- on 3rd Avenue and 19th Street,  
16       a police stopped me, gave me \$500 tickets.

17              And 20 days later, the same police stopped me  
18       on the 1st Avenue and gave me another \$500 tickets  
19       and confiscated my bike.

20              I went to court for that -- for that ticket,  
21       and judge said -- I told the judge I was -- I'm  
22       disabled. E-bike is the only way I can get around  
23       city.

24              The judge said, You cannot ride your kind of  
25       e-bike. You have to ride on other kind of e-bike.

1 I don't understand what he mean.

2 We delivery workers, no matter how hot it is  
3 in the summer, we work at the hottest temperature to  
4 deliver food to New York City customers.

5 No matter how cold it is in the winter, we  
6 also ride to deliver hot meals to New Yorkers.

7 Delivery workers at my age, in their late  
8 50s or 60s, have a lot, all kinds of injuries.

9 Without e-bike, our physical condition would  
10 not allow us to cycle for 10 hours a day.

11 We also can't afford to buy car and  
12 motorcycle, as our mayor said once.

13 New York has a population of millions, and  
14 everyone has experience of ordering takeout.

15 In order to better serve the city of  
16 New York, we request the New York State government  
17 to legalize electricity bikes.

18 For us to survive, e-bike must be legalized.

19 [Applause.]

20 SENATOR KENNEDY: Thank you very much.

21 Thank you, sir.

22 LI JINHUA: Thank you.

23 SENATOR KENNEDY: Okay.

24 Wonderful.

25 We will have -- your wife would like to say a

1 few words?

2 That's quite all right.

3 XIAOMING FENG (ph.): (Giving full testimony  
4 in foreign language.)

5 [Applause.]

6 (Full testimony of Xiaoming Feng  
7 translated to English, as follows:)

8 XIAOMING FENG (ph.): My name is  
9 Xiaoming Feng.

10 I'm with my husband, Li Jinhua, who used to  
11 be a delivery worker.

12 As a wife of a delivery worker, I want to  
13 tell you our personal experience today.

14 He used to deliver food regardless of wind,  
15 rain, snow.

16 He worked hard every day, and many times in  
17 dangerous conditions too.

18 He braved the wind and snow to deliver food  
19 for customers, but when he got home, he was all wet  
20 like a drowned rat. I have to wash his clothes over  
21 and over.

22 He was robbed twice, or three times, and when  
23 he came home, his body still had black-and-blue  
24 bruises.

25 I have to give him massage, I have to take

1 care of him. I left -- I felt very sad when I look  
2 at his injuries.

3 Last June my husband had to retire due to  
4 disability caused by work injuries. There are so  
5 many injuries, I feel pain for him.

6 We live on his monthly disable allowance.

7 He's dis -- even though he is disabled, but  
8 he still ride his e-bike, and the police continue to  
9 give him two \$500 tickets.

10 For us, we only have \$800 disable allowance  
11 every month.

12 With two tickets, which is \$1,000 for us, is  
13 more than our monthly income.

14 I wish I could express my feeling more.

15 I implore the official to give us a way to  
16 live.

17 [Applause.]

18 SENATOR KENNEDY: Thank you.

19 Thank you very much, both, for your  
20 testimony. It's very important.

21 SENATOR RAMOS: Thank you.

22 LI JINHUA: Thank you.

23 SENATOR KENNEDY: Thank you, sir.

24 Next we're going hear from Council Member  
25 Rafael Espinal.

1 Councilman.

2 RAFAEL L. ESPINAL, JR.: Thank you.

3 [Applause.]

4 SENATOR KENNEDY: Thank you for joining us  
5 today.

6 RAFAEL L. ESPINAL, JR.: Thank you, Senators.  
7 Thank you for having me.

8 Senator Kennedy, Senator Ramos, Senator Liu,  
9 it's great to be here advocating on behalf of the  
10 legalization of e-bikes and e-scooters.

11 I can't speak to the technical aspects of  
12 these bikes and scooters, I can't speak to the  
13 experiences of the riders, but I can speak to the  
14 desire from many of my colleagues across all five  
15 boroughs that want to see this legalized on a state  
16 level.

17 We actually wrote a letter, 16 members have  
18 signed on, two state legislators.

19 So I'm just going to read this, and then  
20 offer a few other words.

21 "As your colleagues in the city council  
22 representing all five boroughs, we ask for your  
23 support of A.7431 and S.5294, to legalize e-bikes  
24 and e-scooters.

25 "This legislation directly combats our city's

1 faltering public transportation system while  
2 defending the rights of immigrant workers.

3 "There are over 50,000 delivery workers  
4 throughout New York City, many of whom are  
5 immigrant, working long hours to provide for their  
6 families.

7 "While consumers and businesses benefit from  
8 the growth of this industry, delivery workers are  
9 unjustly targeted with burdensome fines and  
10 confiscation that could cost them their jobs.

11 "We support legalizing e-bikes because we  
12 believe, in New York City, that New York City must  
13 live up to its duty as a sanctuary city for  
14 immigrants and a fair city for its workers.

15 "Electric scooters are an essential tool to  
16 reducing congestion and improving our air quality.

17 "While we work hard to improve our public  
18 transportation system, we also need to support  
19 alternative modes of transportation to assist those  
20 that live in transit deserts.

21 "We should be following the examples of  
22 dozens of cities and states that have already  
23 successfully introduced these devices to their  
24 streets.

25 "Together, e-bikes and scooters will deliver

1 justice to targeted workers and transit options to  
2 underserved communities.

3 "We hope will you support this legislation,  
4 and look forward to seeing its positive impacts on  
5 our city."

6 So, thank you; appreciate it.

7 SENATOR KENNEDY: Wonderful.

8 Thank you, Councilman.

9 [Applause.]

10 SENATOR KENNEDY: Any questions?

11 I do, I do have a question.

12 And just before I ask my question, I just  
13 want to give our next speaker a heads-up.

14 Mitch LaRosa will be our next speaker, from  
15 Mobility Development Partners.

16 But, Councilman Espinal, thank you very much  
17 for your testimony.

18 It's very important to know that the City is  
19 buying into this, as well, and that there are  
20 16 council members that are supportive of this  
21 initiative.

22 I think one of the issues we have found in  
23 Albany is that there is a disparity in support among  
24 our colleagues, depending on what borough they  
25 reside in --

1           RAFAEL L. ESPINAL, JR.: Right.

2           SENATOR KENNEDY: -- and what borough they  
3 represent.

4           For example, there seems to be more pushback  
5 coming from my colleagues, our colleagues, that  
6 represent Manhattan, because of the congestion, both  
7 vehicular, pedestrian, cyclist, and so there is a  
8 little bit of concern in that regard.

9           If this bill passes, do you believe that the  
10 implementation of the council will be able to take  
11 that into consideration, different boroughs, and the  
12 ability for different boroughs to opt in, or do you  
13 believe that it would have to be a cart blanche?

14          RAFAEL L. ESPINAL, JR.: I think when it  
15 comes to the e-bikes, we should be careful where we  
16 limit where they're able to ride.

17          I think that, when it comes to e-bikes, it  
18 should be blanket across five boroughs.

19          And I think there are some folks -- some of  
20 our folks in government who are a little  
21 hypocritical on the issue.

22          There are photos of delivery drivers on their  
23 e-bikes delivering to Gracie Mansion.

24          There are photos of delivery drivers  
25 delivering to the local police precinct.

1           So we all depend on the e-bikes and the  
2 workers who are delivering the food. Right?

3           But when it comes to the scooters, I think we  
4 can have a broader conversation of what that looks  
5 like, how do we implement scooters where they're  
6 actually needed?

7           You know, I recently came from a trip in  
8 Paris. I saw Lime bikes and Birds spread across the  
9 city.

10          And I have to say that, you know, there's  
11 a -- I think there's a stigma, or this conversation  
12 around, that only the elites will be using the  
13 scooters.

14          But I saw people of all classes, actually,  
15 using e-scooters to get around.

16          So, I think that we should dig deeper into  
17 that conversation.

18          With scooters, yes, we can take a bigger  
19 approach.

20          One of our bills is actually to install, to  
21 create a pilot program, to have a slow  
22 implementation of these scooters to see if it  
23 actually works on a city.

24          When it comes to the e-bikes, we want to see  
25 it across all five boroughs.

1           SENATOR KENNEDY: Councilman, thank you very  
2 much.

3           RAFAEL L. ESPINAL, JR.: Thank you,  
4 appreciate it.

5           SENATOR KENNEDY: Your input is so important.  
6 Senator Ramos has a question.

7           SENATOR RAMOS: Where would the pilot program  
8 be implemented?

9           RAFAEL L. ESPINAL, JR.: So, currently, the  
10 way the bill is drafted, it targets neighborhoods  
11 that have a lack of transit options.

12           It also mentions the L-Train line, where we  
13 are all aware, the L-Train might be -- well, the  
14 L-Train is not closing anymore, but, at some point  
15 it was supposed to be closed. But, it does have  
16 limited service as of now. I think that that is  
17 still an option.

18           But we're targeting neighborhoods that  
19 actually need an increase in transportation options.

20           SENATOR RAMOS: Thank you.

21           And can you tell us a little bit about your  
22 pedal-assist conversion bill?

23           RAFAEL L. ESPINAL, JR.: Right.

24           So while one of the bills looks to help  
25 legalize these bikes, the second bill is actually a

1 bill that would require the Department of  
2 Transportation (DOT) to create a program that would  
3 help those using throttle bikes to be converted into  
4 pedal-assist bikes.

5 I think a lot of the concerns we're hearing  
6 is how throttle bikes reach top speed without any  
7 assist of the pedals.

8 This would allow for those bikes to be  
9 converted, and we all believe will create a safer  
10 option for workers, and pedestrians as well.

11 SENATOR RAMOS: Thank you, Councilman.

12 SENATOR KENNEDY: Great.

13 Senator Liu.

14 SENATOR LIU: Thank you, Mr. Chairman.

15 So how would we help people, particularly  
16 workers, convert their -- or, basically, it's  
17 probably not convert. Right?

18 It's more like exchange; exchange their  
19 throttle bikes for pedal-assist?

20 RAFAEL L. ESPINAL, JR.: Well, to my  
21 knowledge, and speaking with advocates and experts  
22 in the field, there is technology out there that  
23 exists, that would allow for throttles to be changed  
24 into pedal-assist.

25 So the funding would be used for their

1 existing bikes to be converted, so there will be no  
2 real exchange.

3 SENATOR LIU: And where would that -- would  
4 that -- are you ready to cough up some City funding  
5 for that?

6 RAFAEL L. ESPINAL, JR.: Absolutely,  
7 absolutely.

8 I mean, the State can always help, but we're  
9 looking to take this on on our own.

10 If the City -- and, actually, if the State  
11 does not push these bills, I look forward to  
12 continuing to having this conversation on a City  
13 level and see if there's something we can do.

14 But I think the cleanest and the best way to  
15 do this is to have the State finally draft language  
16 that's going to classify these bicycles.

17 SENATOR LIU: Thank you, Council Member.

18 RAFAEL L. ESPINAL, JR.: Thank you.

19 Thank you; a pleasure.

20 SENATOR KENNEDY: Thank you again,  
21 Councilman.

22 RAFAEL L. ESPINAL, JR.: Appreciate it.

23 [Applause.]

24 SENATOR KENNEDY: Next we're going to hear  
25 from Mitch LaRosa from Mobility Development

1 Partners;

2 Followed by Jackie Jiang, a delivery worker.

3 Good morning.

4 MITCH LaROSA: Good morning, Senators.

5 Chairman Kennedy, Senators Ramos and Liu,  
6 thank you so much for having us today on such an  
7 important issue in our transportation landscape.

8 My name is Mitch LaRosa. I'm the program  
9 director with Mobility Development Partners.

10 We are a consultant that works with  
11 shared-use transportation through a social equity  
12 focus.

13 We act as a liaison for communities, groups,  
14 municipalities, and other transportation-related  
15 agencies, to provide work and shared-use  
16 transportation as liaison to the industry at large.

17 Our partner network stretches from southern  
18 California to Upstate New York, and our work is  
19 concentrated mostly on small and mid-sized cities.

20 Our work over the past decade has spanned the  
21 shared-mobility spectrum. It includes bike-sharing,  
22 car-sharing, volunteer transportation, ride-sharing,  
23 etc.

24 We work to take transportation concepts, from  
25 research, through piloting, business planning, and

1 into full operations.

2 We have offices across the country, including  
3 Buffalo, where I am based, and our work has expanded  
4 everywhere, from all across Upstate New York through  
5 the midwest and the West Coast as well.

6 We have an understanding of the  
7 transportation landscape and how it relates to the  
8 broader state policy and local level.

9 Ultimately, our primary goal is to launch and  
10 grow community mobility systems.

11 I'm here today in general support of electric  
12 bikes and scooters.

13 These technologies are what we term  
14 "electro-micromobility," or "EMM" for short.

15 EMM technologies have the potential to  
16 revolutionize the way we get around our cities, by  
17 reducing our dependence on automobiles, curtailing  
18 greenhouse gas emissions, and working to accelerate  
19 transit as well.

20 However, I'm not here to reject or support  
21 any specific legislation on these issues; rather,  
22 I'm here to educate and share our experience as a  
23 company that has researched, planned, and operated  
24 these systems.

25 The three main topics I would like to discuss

1       today with all of you are, the policy differences  
2       between e-bikes and e-scooters, local oversight of  
3       these systems, and the impacts of shared  
4       micromobility systems.

5                Firstly, legislation proposed in Albany thus  
6       far has, essentially, designated e-bikes and  
7       e-scooters the same.

8                Just because "electric" is in the name does  
9       not mean these technologies are the same thing.

10              E-bikes generally are pedal-assist; meaning,  
11       if you ride an e-bike, the electric motor helps you  
12       with riding. Think of having a slight breeze at  
13       your back to accelerate this.

14              On the opposite end, electric scooters are  
15       throttle-assist, making them more like a moped than  
16       anything else.

17              With such clear differences between e-bikes  
18       and e-scooters, and the riding experience being this  
19       way, it makes sense that we think about these  
20       technologies differently.

21              The fact that riders are oftentimes unclear  
22       on where they should be riding e-scooters, either on  
23       sidewalks, the street, or in the roadway, does not  
24       help the situation.

25              Bikes have a demarcated place in our streets.

1 Drivers are familiar with their presence  
2 there, and there are established rules on how to  
3 ride this way.

4 There is also existing infrastructure, like  
5 bike lanes, bike paths, and multi-use paths, that  
6 establish rules on how to ride, and, as well as  
7 street signage, parking, and other supporting  
8 infrastructure for e-bicycles.

9 This is a major public-safety issue with  
10 scooters:

11 For example, since 2013, the City Bike  
12 Program, there has been only one death in  
13 seven years, and one year of e-scooter users alone  
14 in New York City, there's been two public deaths.

15 So, in support of this, the Centers for  
16 Disease Control has studied Austin, Texas's, usage,  
17 where there has been many accidents in this, over a  
18 third coming from new users, some of whom cannot  
19 handle the initial acceleration of scooters, and  
20 most of whom do not wear helmets during its usage.

21 Another important piece to consider regarding  
22 EMM systems is input on the local level.

23 New York State is made up of a diverse set of  
24 communities.

25 We know what works here in the city might not

1 work in places like Binghamton or Watertown or  
2 Utica.

3 It's important to allow municipalities to  
4 control the way these shared systems can operate in  
5 their communities, providing local oversight, and  
6 working with operators.

7 A good example of this is Portland, Oregon,  
8 where the City itself has worked with shared-scooter  
9 operators to fund education and outreach programs.

10 This is not mandated by the State of Oregon,  
11 but, rather, something that the City worked with on  
12 its own to create a more sustainable, inclusive  
13 system.

14 And, finally, I would like to discuss the  
15 positive impacts of shared-use electric  
16 micromobility systems.

17 Shared mobility systems are the future of  
18 transportation, and with proper planning and  
19 coordination, electric micromobility can be a part  
20 of this future as well.

21 As studies have shown, over the last  
22 two years of EMM launches, electric micromobility of  
23 scooters- and e-bike-shared systems can offer a new  
24 way for disadvantaged communities to get around.

25 A study in Washington, D.C., found that the

1 EMM systems there have given the  
2 transportation-disadvantaged communities, so, places  
3 not served by existing metro transportation options  
4 or the existing bike-sharing system, a new mobility  
5 option for them to add into a way that they can get  
6 around efficiently without using their own cars.

7 EMM systems and a shared-use also offer these  
8 low-income communities a way to experience these  
9 programs without having to personally own them.

10 As many people have talked about today, the  
11 cost of e-bikes and e-scooters can be prohibitive  
12 sometimes.

13 Using them in a shared-use program with a  
14 small use cost can be a way to have more public  
15 acceptance and public awareness of these programs,  
16 that can allow them to be used in a more  
17 cost-efficient way.

18 Additionally, these can be inclusive as well.

19 We've done studies with the National Aging  
20 and Disability Transportation Program, part of the  
21 federal Transit Administration, that has shown that  
22 e-bikes can be an effective way for people with  
23 disabilities and other older adults to get around,  
24 by biking longer, farther, and with more pace.

25 There's many things to consider here, but, by

1 and large, we know that e-scooters and e-bikes are  
2 different technologies, but there's a lot of  
3 potential for these technologies to be used in  
4 shared systems, especially in small and mid-sized  
5 cities across the New York State.

6 Thank you very much for your time.

7 SENATOR KENNEDY: Thank you, Mitch.

8 And it is great to see a fellow Buffalonian  
9 in the house here in Queens.

10 [Laughter.]

11 SENATOR RAMOS: We found one.

12 SENATOR KENNEDY: We found one.

13 Anybody else?

14 But you're all Buffalo Bills fans. Right?

15 No Buffalo Bills fans?

16 SENATOR LIU: The only (indiscernible  
17 cross-talking).

18 MITCH LaROSA: That's correct.

19 SENATOR KENNEDY: Buffalo Sabers?

20 All right, I got one friend back there.

21 All right.

22 Let's go Bills.

23 Thank you, Mitch.

24 MITCH LaROSA: No problem.

25

1           SENATOR KENNEDY: Thank you for your  
2 testimony, and thank you for your leadership.

3           And Senator Ramos has a question.

4           SENATOR RAMOS: Yeah, hi, Mitch.

5           Can you speak a little bit about how e-bikes  
6 and e-scooters serve different transportation needs  
7 across different regions in the state?

8           MITCH LaROSA: Sure.

9           So, at present, we don't have any  
10 fully-legalized e-bike or e-scooter shared systems.

11           We've done pilot testing in New York City  
12 with City Bikes Program. We've seen that.

13           And there's been a push, certainly, amongst  
14 operators to be involved in these markets.

15           In our experience, generally, when we look at  
16 new technologies, we see them as a great  
17 opportunity, but it's also important to do pilot  
18 projects, demonstration projects, research, so we  
19 know that -- how these things work.

20           E-bikes and e-scooters are a little  
21 different.

22           So we know how e-bikes can affect and work  
23 with the existing bicycle infrastructure, where  
24 e-scooters are a whole new technology, both of which  
25 act as an on-street-level way for people to get

1 around.

2 It can be a first-/last-mile connection to  
3 transit.

4 It can help increase people's personal  
5 mobility as well.

6 But the differences in operation of them are  
7 also complete, where e-bikes will lock to something.

8 Scooters, on the other hand, in their present  
9 iteration in shared forms, don't lock to anything,  
10 so they can be thrown around the sidewalk, creating  
11 barriers for folks with mobility impairments, and  
12 things like that.

13 So they serve a same general target  
14 population as an extension of existing shared  
15 systems and public transit, but their individual  
16 operations and systems can be different, just based  
17 on the fact that they're just not the same thing to  
18 use.

19 SENATOR KENNEDY: Senator Liu.

20 SENATOR LIU: Thank you, Mr. Chairman.

21 Thanks for your interesting testimony, Mitch.

22 What -- are there any other EMM technologies  
23 that are on their way?

24 MITCH LaROSA: You know, the industry is  
25 changing all the time, and sometimes it seems very

1 conventional.

2 So we know what e-bikes and e-scooters are,  
3 but there's a lot of exploration in this field that  
4 is even beyond our own scope.

5 Someone sent me an article yesterday about  
6 electric pogo sticks.

7 Is that EMM? Probably not.

8 But, there's a lot of development of  
9 technologies that will accelerate this.

10 I can't speak to that. We're not really a  
11 transportation operator in that way. We act as more  
12 of a liaison.

13 SENATOR LIU: Electric-assist pogo sticks?

14 MITCH LaROSA: I'm serious, yes.

15 SENATOR LIU: What about electric unicycles?

16 SENATOR RAMOS: There are electric  
17 (inaudible).

18 MITCH LaROSA: There are, yes.

19 SENATOR RAMOS: That's a thing.

20 (Indiscernible.)

21 MITCH LaROSA: If you -- I've seen plenty of  
22 folks. It's one big tire you stand on, and it takes  
23 you down the street.

24 So we don't know where the industry is going  
25 to go, but this is an important crossroads for this.

1           If we are able to define EMM correctly now,  
2           and take the lessons that we can learn from two  
3           years of full EMM launches across the nation,  
4           New York has not, you know, taken that step forward,  
5           but there's a lot of best-practice miles to be  
6           learned from.

7           We know how these can work in cities.

8           It's important we take the time to learn all  
9           this, and then, also, let the municipalities  
10          themselves learn.

11          We know that, you know, the experiences of  
12          New York in this may be more similar to larger  
13          cities across the country.

14          But smaller upstate cities can certainly take  
15          their lessons from college towns and other places in  
16          the midwest that have seen this.

17          SENATOR LIU: Does your organization have any  
18          studies on, like, e-skateboards?

19          MITCH LaROSA: Not presently, no.

20          SENATOR LIU: No. Okay.

21          MITCH LaROSA: But they are out there.

22          SENATOR LIU: Thank you.

23          MITCH LaROSA: No problem.

24          SENATOR LIU: Thank you, Mr. Chairman.

25          SENATOR KENNEDY: Thank you very much, and we

1 appreciate your leadership.

2 You're located at the Innovation Center in  
3 Buffalo; correct?

4 MITCH LaROSA: I am, yes.

5 SENATOR KENNEDY: On the Buffalo-Niagara  
6 Medical Campus --

7 MITCH LaROSA: Absolutely.

8 SENATOR KENNEDY: -- a burgeoning campus  
9 right in the heart of my district?

10 MITCH LaROSA: Yes, that's right.

11 [Laughter.]

12 MITCH LaROSA: Buffalo is a great place,  
13 everyone.

14 SENATOR KENNEDY: I am -- I'm very pleased  
15 that you're here and giving this testimony.

16 I think it's very important to hear from all  
17 areas of the state.

18 Thank you so much, Mitch.

19 MITCH LaROSA: Thank you, Chairman.

20 SENATOR KENNEDY: Next we're going to hear  
21 from Jackie Jiang, delivery worker;

22 Followed by Connie Fishman, the executive  
23 director of Hudson River Park Friends, and  
24 Nick Rotundi, senior VP of Operations and Facilities  
25 at Hudson River Park Trust.

1 Jackie Jiang, good morning.

2 JACKIE JIANG: (Translated) Good morning.

3 (Giving full testimony in foreign language.)

4 [Applause.]

5 (Full testimony of Jackie Jiang translated  
6 to English, as follows:)

7 JACKIE JIANG: My name is Jackie Jiang, and  
8 I'm 60 -- 46 years old.

9 I have been work as a delivery worker for  
10 15 years. I have been delivering food in  
11 Midtown Manhattan with my electricity bike for last  
12 6 years.

13 I did decided to use an e-bike, mainly  
14 because the quality of e-bikes is way better than  
15 the regular bikes, and, also, e-bikes save us time  
16 and energy.

17 No matter if the weather is windy or snowy,  
18 as long as there is electricity bike, we can let the  
19 customers eat fresh food on time.

20 Food delivery is a relatively difficult  
21 industry.

22 I work 10 hours a day and deliver about  
23 50 orders daily.

24 I'm not only paying attention to the traffic  
25 safety on the road, but also have to pay attention

1 to prevent the police from cracking down on me when  
2 deliver food.

3 I have to change my route often and to any  
4 direction to avoid the police.

5 This increase the potential safety hazard for  
6 us and the pedestrians.

7 Always, the police gave us a \$500 tickets for  
8 riding on the e-bike, and sometimes they confiscate  
9 the electricity bicycle as well.

10 You'd never think that I feed my family by  
11 delivering food.

12 A fine of \$500 means I have to lost -- means  
13 I have lost a week's income.

14 An E-bike is my only survival tool.

15 Every time my e-bike is confiscate, I lost  
16 about three days of work, and sometimes it even  
17 costs me to spend another 1800 to buy a new bike --  
18 new e-bike.

19 Faced with these situation, many of my  
20 delivery-worker friends have switched to other jobs.  
21 Some of them have to be unemployed and home, and  
22 they are forced to apply government welfare  
23 assistance.

24 Some elderly delivery workers have to retire  
25 and live on a government aid.

1           Electricity bike is most -- is the most  
2 convenient, time-saving, and labor-saving  
3 transportation for delivery workers in  
4 New York City.

5           An electricity bike is only a mean of  
6 transportation, and there is nothing unsafe or  
7 illegal.

8           Most of the people who deliver food are Asian  
9 and South American new immigrants. Our own work  
10 already lack many kinds of safety and health  
11 protections.

12           We just want to support our family through  
13 our hard work.

14           We hope that our work can be protected by  
15 law.

16           New York City is portrayed as the world's  
17 most free and equal city, but in reality, I feel  
18 that we are being treated unequally, and have been  
19 severely oppressed by the government and the police.

20           We appeal to you, that we want equal  
21 equality, and we want to legalize electricity  
22 bicycles in New York State.

23           Thank you.

24           [Applause.]

25

1           SENATOR RAMOS: I have a question.

2           SENATOR KENNEDY: We have a question from  
3           Senator Ramos.

4           SENATOR RAMOS: Can you ask Jackie if he's  
5           ever performed delivery work using a regular  
6           bicycle.

7           THE TRANSLATOR: Okay.

8                     (Translation from and to English.)

9           THE TRANSLATOR: So before six years -- he  
10          have been delivery for 15 years.

11          I believe the first eight years he was using  
12          regular bike.

13          SENATOR RAMOS: So can he speak to, I guess,  
14          the moment where he decided to upgrade to an e-bike,  
15          why he decided to do so?

16          I imagine, perhaps, there were pressures of  
17          the job, comfort issues.

18          Can he speak to why he decided to start using  
19          an e-bike instead?

20          Why it was worth saving up for one?

21          And how the work has changed because he is  
22          using one now?

23                     (Translation from and to English by  
24          translator.)

25          THE TRANSLATOR: Mr. Jiang just said, he

1 decided to use an e-bike, is because it's much safer  
2 and save a lot of time.

3 He mentioned, e-bike have much great quality  
4 brake system rather than regular bike.

5 So the e-bike brake system is air-pressed --  
6 air-pressed brake system is similar as motorcycle,  
7 so it definitely give them much safer protection  
8 during their work.

9 And also he mentioned to switch e-bike  
10 because his body face a lot of stress from daily  
11 work. Like, pedal on the street for 10 hours is a  
12 lot of work for his body.

13 So, again, he mentioned getting older, and  
14 with e-bike -- with help from e-bike is necessary.

15 SENATOR RAMOS: Thank you.

16 JACKIE JIANG: Thank you.

17 SENATOR KENNEDY: Thank you so much, Jackie.

18 [Applause.]

19 SENATOR KENNEDY: Next we will hear from  
20 Connie Fishman and Nick Rotundi, the executive  
21 director and the senior VP of operations and  
22 facilities at Hudson River Park Friends and Hudson  
23 River Park Trust.

24 Following their testimony we will hear from  
25 Dequan Lu, a delivery worker.

1 Thank you.

2 Good morning.

3 CONNIE FISHMAN: Good morning.

4 NICK ROTUNDI: Good morning.

5 SENATOR RAMOS: Good morning.

6 CONNIE FISHMAN: My name is Connie Fishman.

7 I'm executive director of Hudson River Park  
8 Friends, and, also, the past president of the  
9 Hudson River Park Trust, where I worked from 1999  
10 when the park was created, to 2011.

11 Friends is the designated advocacy and  
12 fundraising partner for Hudson River Park, and I'm  
13 here to ask that the Hudson River Greenway be carved  
14 out of State Bill S.5294, allowing municipalities in  
15 New York State to legislate electric bikes and  
16 scooters.

17 The Greenway is owned by New York State  
18 Department of Transportation, and it's maintained by  
19 Hudson River Park.

20 It was the first dedicated recreational  
21 bikeway and walkway in New York City, built in the  
22 mid- to late '90s as part of the reconstruction of  
23 Route 9-A.

24 It was built with federal funds as a  
25 multi-user pedestrian and bicycle facility for

1 bikers, walkers, and skaters, and has never allowed  
2 either motorized vehicles or commercial vehicles on  
3 it. It is not a street.

4 Hudson River Greenway runs adjacent to the  
5 4 1/2-mile Hudson River Park.

6 The park is adjacent to the neighborhoods of  
7 Lower Manhattan, Tribeca, Hudson Square,  
8 Greenwich Village, Chelsea, Hudson Yards,  
9 West Midtown, Hells Kitchen, and Clinton, which are  
10 all directly across the highway.

11 As a multi-user recreational facility, the  
12 Hudson River Greenway is shared by cyclists,  
13 skaters, pedestrians, commuters, day-trippers,  
14 joggers, roller-bladers, sightseers, and tourists,  
15 children coming to and from after-school and camp  
16 programs, parents teaching their kids to ride bikes  
17 or learn to skateboard, and organized youth-sports  
18 league participants, as well as users of the many  
19 playgrounds and leisure spaces in the park.

20 Although the Greenway has lights and signage  
21 for pedestrians, indicating right-of-ways that were  
22 installed by New York and city and state DOTs,  
23 many bike riders do not stop at the red lights and  
24 are known to run into both people and other  
25 cyclists, and also cars and buses that cross the

1 bikeway to reach facilities within the park.

2 Adding electric bikes and e-scooters to this  
3 already complicated and crowded mix of pedestrians  
4 and human-powered vehicles will make it even more  
5 dangerous for the 17 million annual park visitors.

6 Enforcement against motorized vehicles is  
7 very difficult.

8 Our park-enforcement police officers are on  
9 foot and can't safely chase down motorized vehicles  
10 without endangering themselves or other Greenway  
11 users.

12 The bikeway is quite narrow. There is not  
13 room for two bikes to ride abreast. They have to  
14 ride single-file. And it is particularly crowded at  
15 intersections, necessitating that bikers not only  
16 ride single-file, but, in some cases, they attempt  
17 to pass each other by riding into the oncoming lane  
18 as a way of getting around slower walkers who are in  
19 the area.

20 Traveling on the greenway was also made more  
21 difficult on October 31, 2017, with the terrorist  
22 attack on the New York State bikeway.

23 At that time, New York State's  
24 Counterterrorism Unit, Department of Homeland  
25 Security, and the New York State Department of

1 Transportation mandated the installation of metal  
2 bollards at every intersection, which are spaced  
3 only 48 inches apart from one other.

4 This has made even walking and biking  
5 side-by-side almost impossible.

6 And just keeping up with the conflicts that  
7 occur, because of the bollards, is already a major  
8 safety concern.

9 In addition, the park has seen an increase of  
10 accidents because of the expansion of programs like  
11 City Bike.

12 And as a result, Manhattan Community  
13 Boards 1, 2, and 4, and the Hudson River Park  
14 Advisory Council, have all requested, and passed  
15 resolutions, asking New York City Council to forbid  
16 e-bikes and e-scooters on the Hudson River Greenway,  
17 which is exclusively a recreational bikeway and  
18 walkway.

19 To preserve the safety of the park community,  
20 we request that you carve out the Hudson River  
21 Greenway from State Bill S.5294.

22 Thank you for consideration of our request.

23 SENATOR KENNEDY: Thank you, Connie.

24 Nick.

25 NICK ROTUNDI: Senator Kennedy,

1 Senator Ramos, Senator Liu.

2 My name is Nick Rotundi. I'm the senior  
3 vice president of operations and facilities of the  
4 Hudson River Park Trust.

5 I'm here to request that the Hudson River  
6 Greenway be carved out of State Bill S.5294, which  
7 would allow local municipalities to legislate  
8 electric bikes and scooters.

9 The Hudson River Greenway, which is owned by  
10 New York State Department of Transportation, yet  
11 maintained by the Hudson River Park Trust, is the  
12 busiest bike lane in the country.

13 It is also the gateway to the 4 1/2-mile  
14 Hudson River Park, which is the second-busiest park  
15 in Manhattan, with over 14 million visits annually.

16 The Greenway is used by commuters and  
17 recreational users alike, including many tourists  
18 who are sightseeing, children getting to and from  
19 after-school activities, parents who are teaching  
20 their kids to bike, and joggers and pedestrians who  
21 are currently allowed to use the bikeway under  
22 existing New York State DOT funding agreements.

23 In addition, since there are many commercial,  
24 maritime, and municipal uses located west of the  
25 Greenway, such as the New York City Ferry Terminal,

1 a sanitation department marine transfer facility,  
2 the fire department's Marine 1, the Intrepid Museum,  
3 Circle Line, Hornblower, and the passenger ship  
4 terminal, many vehicles and pedestrians regularly  
5 cross the bikeway at dozens of locations along its  
6 length.

7           Although the Greenway has lights and signage  
8 installed by New York City and New York State DOT,  
9 many bike riders do not stop at red lights and often  
10 run into other cars -- run into cars and buses.

11           There are also several accidents between  
12 bikers and pedestrians, two which occurred just last  
13 week.

14           The City just announced increased ferry  
15 service in the park in 2020, which will result in  
16 far more people using both the bikeway and more  
17 vehicles crossing the bike path.

18           Adding electric vehicles to this already  
19 complicated and crowded condition will make it more  
20 dangerous.

21           The trust already has significant negative  
22 experience with electric scooters and bikes because,  
23 for the past several years, we and the public have  
24 seen an increasing number riding on the Greenway  
25 even though they are currently illegal.

1           Even with the current prohibitions,  
2           enforcement against these e-vehicles has been  
3           exceedingly challenging for a variety of reasons.

4           First, park-enforcement police officers are  
5           mostly on foot and cannot safely chase these  
6           bicycles or scooters without endangering themselves  
7           or other Greenway users.

8           Second, the bikeway is already narrow,  
9           without adequate room for bicycles to pass each  
10          other safely when it is crowded, which is almost  
11          always the case in good weather.

12          Introducing more bicycles and scooters  
13          traveling at higher speeds to this already narrow  
14          and crowded area seems destined to create more  
15          accidents.

16          Traveling on the Greenway has been made more  
17          difficult and restrictive recently with the State's  
18          continued installation of metal bollards at every  
19          intersection. They're spaced only 48 inches apart  
20          from each other.

21          The bollard installation is the result of the  
22          unfortunate terrorist attack on October 31, 2017,  
23          and has been mandated by NYPD's Counterterrorism,  
24          New York State Department of Homeland Security, and  
25          the New York State Department of Transportation.

1           Motorized vehicles hitting these bollards are  
2 another major safety concern.

3           The trust has seen an increase in accidents  
4 on the bikeway and park because of general expansion  
5 of cyclists throughout the city, due to programs  
6 like City Bike, but also because bikers, traveling  
7 at higher speeds, are increasingly trying to  
8 maneuver around these fixed bollards, and to get  
9 around them -- to get around those bollards are  
10 more -- and to get around other cyclists who are  
11 traveling at a more leisurely pace.

12           The result, is that many are traveling in the  
13 opposite traffic lanes leading to additional  
14 accidents.

15           The trust has a limited number of  
16 park-enforcement police whose primary mission is to  
17 patrol the park.

18           At times, they monitor activity on the  
19 state's greenway.

20           From January through May of this year, our  
21 park-enforcement police have written 87 summonses  
22 for violations of rendering the park unsafe.

23           This means the e-vehicle was either  
24 traveling too fast or running a red light.

25           Electric vehicles traveling on the bikeway is

1 also a big issue for the adjacent west side  
2 community and park tenants.

3 Community Boards 2, 4, and the Hudson River  
4 Park Advisory Board have all passed resolutions,  
5 asking the city council to forbid e-vehicles on the  
6 Hudson River Greenway.

7 For all of the reasons mentioned, and to help  
8 users of the park and bikeway remain safe, the trust  
9 respectfully asks the state legislature to maintain  
10 prohibitions of all electric vehicles and bikes on  
11 the Hudson River Park Greenway, and to exempt the  
12 greenway from any legislation.

13 Thank you.

14 SENATOR KENNEDY: Thank you, Nick.

15 Thank you, Connie.

16 We have questions.

17 Senator Ramos.

18 SENATOR RAMOS: Yes.

19 Hi.

20 Thank you for your testimony.

21 What data do you have to support that e-bikes  
22 are dangerous?

23 NICK ROTUNDI: Well, I -- I -- we have -- the  
24 data we have for the accidents, we have so far, year  
25 to date, we have eight bicycle accidents on the

1 bikeway, two of them are e-bike-related.

2 But in many cases, some accidents do not get  
3 reported, so we don't have that particular data.

4 SENATOR RAMOS: Okay, so there's been  
5 incidents with two e-bikes.

6 And were those performed by delivery people  
7 or recreational riders?

8 NICK ROTUNDI: That, I don't know if they  
9 were personal or commercial.

10 SENATOR RAMOS: So what data do you have with  
11 regard to those two incidents?

12 NICK ROTUNDI: Okay, other than that they  
13 were collisions on the bikeway between an e-bike and  
14 another -- other pedestrian or another bicyclist.

15 SENATOR RAMOS: Okay.

16 What steps have you taken -- you say that you  
17 have a lack of enforcement ability because your PEP  
18 folks are on foot.

19 What steps have you taken in order to  
20 request, or be able to build capacity, on the  
21 enforcement that you feel you need?

22 NICK ROTUNDI: Right, well, together with the  
23 commander of the PEP command at Hudson River Park,  
24 we are -- I -- we just met this week, to sit down  
25 and put together a traffic and bicycle and

1 pedestrian safety plan that could be utilized at our  
2 busiest locations, such as right out in front of  
3 Pier 40, up near North Moore Street, and then, also,  
4 other locations throughout the park.

5 So, right now, we're taking the approach of,  
6 the busiest locations, and seeing where the other  
7 accidents are taking place, and we're formalizing a  
8 plan.

9 SENATOR RAMOS: Okay. Thank you.

10 SENATOR KENNEDY: Thank you, Senator Ramos.

11 Senator Liu.

12 SENATOR LIU: Thank you, Mr. Chairman.

13 I appreciate the testimony from these fine  
14 people at the Hudson River Park -- or, Friends, and  
15 Trust, of Hudson River Park.

16 I certainly can see where Senator Ramos's  
17 questions are coming from, the distinction between  
18 e-bikes versus what some people call "HPVs"  
19 (human-powered vehicles).

20 And so there doesn't seem to be that big a  
21 difference between e-bikes versus human-powered  
22 bikes.

23 But on the other hand, I will say, though,  
24 that, you know, I've been in the -- on the greenway,  
25 your greenway, many times, biking, running, and

1 blade -- I mean, in-line skating, and so I can see  
2 how crowded it gets.

3 And the problems that you cite are not  
4 related just to e-bikes.

5 They relate to bicycles also.

6 I mean, I've seen my share of cyclists trying  
7 to get by very quickly.

8 In the winter months it's easy.

9 In the summer months, very, very difficult,  
10 very dangerous, for pedestrians and joggers also.

11 So the questions that she has I think extend  
12 not -- I mean, are not only limited to e-bikes.

13 I would ask you if you've been in touch with  
14 people who are involved in other greenways, and  
15 perhaps you can talk with them about maybe some of  
16 the problems that they have as well, because it is  
17 my belief that, while we want to protect workers,  
18 and I certainly do want to protect workers, and  
19 allow them to have their livelihoods, you know,  
20 having e-bikes on our city streets and in the bike  
21 lanes is somewhat different from allowing them on  
22 our greenways.

23 Greenways are, in my opinion, not so much  
24 about transportation as it is about being in a park  
25 setting, a recreational setting, as opposed to a

1 transportation setting.

2 So it's -- this is something that, even  
3 though -- even if we pass this bill, I feel that  
4 this is a local issue that can be addressed by the  
5 city government.

6 The City itself, in this case New York City,  
7 would be able to, in their regulations, after we  
8 pass this legislation statewide, those regulations  
9 can address those kinds of restrictions that you're  
10 talking about.

11 I don't know that we need to legislate those  
12 restrictions within the scope of state law.

13 Have you spoken with anybody at the DOT or  
14 city government as to how -- whether or not you  
15 could be excluded from e-bike -- from e-bike --  
16 whether you can exclude e-bikes from being on your  
17 greenway?

18 CONNIE FISHMAN: One of the reasons we were  
19 looking for this as part of the state legislation is  
20 because the Hudson River Greenway is, uniquely, a  
21 New York State-owned facility.

22 It's not part of the city transportation  
23 network.

24 It was built specifically as a pedestrian and  
25 cycling, alternate recreational, right-of-way next

1 to State Route 9-A, which is also owned by New York  
2 State, as is two-thirds of the property within  
3 Hudson River Park.

4 SENATOR LIU: Are you sure that's the only  
5 New York State greenway?

6 CONNIE FISHMAN: I don't know that it is the  
7 only New York State greenway.

8 SENATOR LIU: Oh, but you know that you are.  
9 Right.

10 CONNIE FISHMAN: But within New York City,  
11 I know a lot of the focus of this is the city  
12 streets and the adjacent bike lanes that are part of  
13 them. Sometimes they are separated, and sometimes  
14 they are connected, as opposed to this, which was  
15 not ever built for either motorized or commercial  
16 vehicles of any capacity.

17 SENATOR LIU: Okay.

18 I really appreciate your testimony.

19 It's some food for thought.

20 The Hudson River Greenway is, as you  
21 mentioned, the most popular greenway. But there are  
22 other really nice and popular greenways as well.

23 I often bike from Manhattan, down to  
24 Coney Island via The Brooklyn. I forget the exact  
25 name.

1 SENATOR RAMOS: He's an overachiever.

2 SENATOR LIU: No, I mean, it's a really nice  
3 greenway along the shore of Brooklyn.

4 We're trying to establish and lengthen a  
5 greenway here in Queens that will connect all the  
6 way to Long Island.

7 So these -- you know, we might need to  
8 consider whether -- whether non-human-powered  
9 vehicles should be allowed on these greenways, but  
10 that's -- that's a -- that's probably a different  
11 topic.

12 And I will certainly talk with Senator Ramos  
13 about this.

14 SENATOR KENNEDY: Thank you, Senator Liu.

15 Senator Ramos.

16 SENATOR RAMOS: Yes.

17 I was wondering if you've actually spoken to  
18 any other State-created greenways, or similar, you  
19 know, your counterparts, and why you feel you're the  
20 only one here testifying against this?

21 We haven't received any testimony requesting  
22 carve-outs or opposing this legislation from any of  
23 your counterparts across the state.

24 CONNIE FISHMAN: I had understood that there  
25 was a request also in the Adirondacks for a

1 carve-out for their greenway.

2 That's obviously not in the city.

3 As far as other greenways within the city of  
4 New York, I don't know that they are sort of  
5 thinking at this point about this legislation at  
6 all, and whether this will be a problem, or whether  
7 the fact that they have prohibitions, in general,  
8 against certain vehicles entering their parks and  
9 traveling on their greenways, has made them think  
10 that it doesn't affect them.

11 SENATOR RAMOS: And as technology advances,  
12 do you feel like greenways should be keeping up?

13 CONNIE FISHMAN: You know, I think part of  
14 the problem is, whether you are in a location that  
15 is sort of more like Hudson River Park in the  
16 winter, as you mentioned, you know, on a freezing  
17 cold day in February, where people actually still  
18 use the Hudson River Greenway to commute to work,  
19 it's very leisurely.

20 As soon as the weather turns good, we get  
21 nervous even having pedestrians and human-powered  
22 bicycles on the same physical space because of the  
23 difference in speeds.

24 It's very difficult to enforce with park  
25 police because their real job is to be walking in

1 the park and addressing issues of park-user  
2 violations, as opposed to be monitoring the bikeway.

3 So it's, just, some of it is a capacity  
4 issue.

5 When this greenway was built, because it was  
6 the first in New York City, the lanes were thought  
7 to be standard width at the time, but have proven,  
8 with the usage, to be way too narrow for the amount  
9 of people in New York who want to use the cycling  
10 lane especially.

11 And the bollards, after October 31, '17,  
12 made that even more difficult.

13 SENATOR RAMOS: You remember well.

14 I was at city hall at the time.

15 All right. Well, thank you very much.

16 CONNIE FISHMAN: Thank you.

17 SENATOR KENNEDY: Thank you very much,  
18 Senator Ramos.

19 Connie and Nick, thank you so much.

20 We certainly appreciate your testimony, and  
21 we'll certainly take it into consideration as we  
22 move forward.

23 CONNIE FISHMAN: Thank you.

24 NICK ROTUNDI: Great. Thank you.

25

1           SENATOR KENNEDY: Next up, we are going to  
2 hear from Dequan Lu, a delivery worker.

3           And following Dequan, we will hear from  
4 Hermelindo Carrillo, another delivery worker.

5           Good morning.

6           DEQUAN LU: Good morning.

7           SENATOR KENNEDY: And welcome.

8           DEQUAN LU: (Speaking in foreign language.)

9           (Translated to English by translator.)

10          We've had many conversations in the past.

11          Today I'm here again to have another  
12 conversation with the senators and other people.

13          (Speaking in foreign language.)

14          (Translated to English by translator.)

15          I'm not very well learned, but I hope that  
16 the things we say everyone can understand.

17          (Speaking in foreign language.)

18          (Translated to English by translator.)

19          We've spoken with mayors. We still haven't  
20 figured out how can we communicate on these matters,  
21 how could those workers make a living.

22          (Speaking in foreign language.)

23          (Translated to English by translator.)

24          We've all complained and protested in front  
25 of DOT and the Mayor's office, but how can we

1 change?

2 (Speaking in foreign language.)

3 (Translated to English by translator.)

4 There are many representatives working on  
5 these matters with us, but there hasn't been  
6 resolved, and I feel disappointed.

7 (Speaking in foreign language.)

8 (Translated to English by translator.)

9 We have two-way chat groups, and there are  
10 1,000 people, they tell me every day.

11 (Speaking in foreign language.)

12 (Translated to English by translator.)

13 That means people doing the labor works, they  
14 are afraid of making a report.

15 (Speaking in foreign language.)

16 (Translated to English by translator.)

17 There are many fines.

18 And they work, then they risk many tickets.

19 Each person, each time, is issued seven --  
20 seven tickets, six tickets, about more than  
21 1,000 U.S. dollars.

22 (Speaking in foreign language.)

23 (Translated to English by translator.)

24 Because that -- (indiscernible) because  
25 people will start not trust this problems, to not

1 trust that we can solve this.

2 (Speaking in foreign language.)

3 (Translated to English by translator.)

4 These tickets, we cannot sue.

5 Where can we resolve these issues?

6 (Speaking in foreign language.)

7 (Translated to English by translator.)

8 With our support, we hope to communicate  
9 further on these matters, and with other superiors  
10 and officials.

11 (Speaking in foreign language.)

12 (Translated to English by translator.)

13 Is that, the officials, elected officials,  
14 have not worked with effort great enough.

15 Many people, many clients, they -- many  
16 people throw those papers on the table, and feeling  
17 resentful.

18 SAM: Time.

19 SENATOR KENNEDY: Thank you, Mr. --

20 (Speaking in foreign language.)

21 SENATOR KENNEDY: Thank you.

22 And you'll translate?

23 (Translation from and to English.)

24 SENATOR KENNEDY: Mr. Lu, thank you.

25 DEQUAN LU: Thank you.

1           SENATOR KENNEDY: No, we have questions.

2           And one thing I would like to recognize is  
3 your leadership.

4           Senator Ramos and Senator Liu speak very  
5 highly of you, and the work that you have done on  
6 behalf of the delivery workers.

7           And every good -- every issue needs a good  
8 leader, and it looks like you are that leader.

9           So, thank you.

10          And what you brought with you to show us is  
11 very compelling.

12          To see that amount of tickets at \$500 apiece  
13 is devastating.

14          Each one of those could devastate an entire  
15 family.

16          And that package of tickets that you brought  
17 in, the copies of those tickets, hits home.

18          Senator Ramos has talked about this as an  
19 economic issue, of a criminal-justice issue.

20          We now know exactly what she's talking about.

21          Thank you.

22          Senator Ramos.

23          SENATOR RAMOS: Yes.

24          Thank you so much for your organizing  
25 efforts.

1 I hope to continue being an ally until we  
2 really reach justice for all delivery workers.

3 I had the sense that before you were  
4 time-limited, you wanted to talk a little bit more  
5 about those tickets, and I wanted to ask you  
6 precisely that.

7 Can you talk a little bit more about police  
8 interactions between delivery workers and the NYPD?

9 How you're stopped?

10 I -- do you want to translate there?

11 I realize I'm now talking too much.

12 Go ahead.

13 It happens.

14 No?

15 Okay.

16 So I would like to know, sort of:

17 How police officers stop delivery workers.

18 What those interactions are like, whether  
19 they're respectful.

20 Is there a conversation, typically, before  
21 the ticket is issued?

22 What happens usually before the e-bike is  
23 confiscated?

24 How -- you know, what is that experience like  
25 for those of us who haven't been through it?

1 (Translation from and to English.)

2 There has been many protests, and police has  
3 interacted, and he has stated this before.

4 Police officers from 13th Precinct and the  
5 17th Precinct, a few officers might have been  
6 racially biased, and they stopped us when they don't  
7 like us.

8 There were instances when police officers  
9 from 17th Precinct confiscated the bike, even  
10 though two bikes had been modified and disabled  
11 throttle.

12 Eventually arrest, and they had visited  
13 Precinct 5.

14 (Indiscernible) issues, the difficulties in  
15 communication, with Precinct 17.

16 The response from the precinct is that the  
17 supervisor was not there, and the inquiry was  
18 ignored.

19 Look, every day there are police officers  
20 cracking down on e-bikes in all 17 precinct.

21 First, police officers were to protect us,  
22 but now they charge the workers, and accidents  
23 occur.

24 Going forth like this, this group of  
25 (indiscernible) workers would have to go out of

1 work, and many organizations and institutions and  
2 companies would not be able to receive deliveries.

3 Many times worker would get fined without  
4 receiving support from elected officials because  
5 they were afraid of getting into troubles.

6 And, that's the core message.

7 SENATOR KENNEDY: Perfect. Thank you.

8 SENATOR RAMOS: Thank you.

9 SENATOR KENNEDY: We are going to hear a  
10 comment from Senator Liu.

11 SENATOR LIU: Thank you very much.

12 Well, once again, I want to thank  
13 Senator Ramos for pushing this legislation,  
14 primarily in defense and support of our workers  
15 here.

16 I just want to say that our delivery workers  
17 in the city, and beyond in the state of New York,  
18 they work very hard.

19 People want their food, like, half an hour  
20 ago, and there's a great deal of pressure on these  
21 workers to deliver the food very quickly.

22 And as they do so, they become the target of  
23 complaints from other residents.

24 In the past we have had complaints about the  
25 bicycles themselves.

1           Now it's about e-bikes.

2           I feel like it's not really about e-bikes.

3           It's just more about painting these workers  
4 as nuisances, somehow, even though everybody wants  
5 their food so quickly.

6           And even worse, as was mentioned earlier,  
7 many of these delivery workers have been the target  
8 of far, far more heinous crimes, including multiple  
9 incidents where delivery workers get lured to  
10 apartments, only to be robbed, and, unfortunately,  
11 Mr. Chairman, killed, killed in the most violent of  
12 the ways.

13           So we have to understand the kinds of work  
14 that these delivery workers do on behalf of all  
15 New Yorkers.

16           I don't -- I can't imagine there being  
17 anybody who hasn't gotten service from one of these  
18 delivery workers at some point in the near past.

19           So -- and as you mentioned, Mr. Chairman, the  
20 testimony is compelling.

21           I mean, a \$500 fine for a worker that doesn't  
22 even make anywhere close to that per day, in some  
23 cases per week, it is absolutely unbearable, and  
24 I would say unconscionable.

25           So, this legislation is important, and the

1 prime motivation for this, I believe, is to allow  
2 our workers to do what they do, which is serve our  
3 fellow New Yorkers.

4 Thank you.

5 SENATOR KENNEDY: Thank you, Senator Liu.

6 Thank you, Senator Ramos.

7 And, Mr. Lu, thank you again.

8 Thank you for your leadership, and thank you  
9 for your presentation and your testimony.

10 Thank you.

11 DEQUAN LU: Thank you.

12 SENATOR KENNEDY: Have a wonderful day.

13 Next we are going to hear from  
14 Hermelindo Carrillo, a delivery worker;

15 Followed by the Helen Ho, from the Biking --  
16 Biking Public Project, and, Do Jay Lee --  
17 Dr. Do J. Lee from Queens College CUNY and Biking  
18 Public Project.

19 Good morning, gentlemen.

20 SENATOR RAMOS: Buenas Dias.

21 HERMELINDO CARRILLO: Buenas Dias.

22 SENATOR KENNEDY: Buenas Dias.

23 HERMELINDO CARRILLO: (Speaking in foreign  
24 language.)

25 (Translated to English by translator.)

1           Hi.

2           My name is Hermelindo Carrillo, and I am a  
3 member of the Workplace Justice Committee and  
4 Make the Road New York.

5           (Speaking in foreign language.)

6           (Translated to English by translator.)

7           I am married, I have a 14-year-old daughter,  
8 and have lived in New York since 2014.

9           I have worked in the same restaurant for  
10 four years as a prep cook, a cook, and, in the last  
11 three years, making deliveries.

12          (Speaking in foreign language.)

13          (Translated to English by translator.)

14          I work around 47 1/2 hours per week, making  
15 less than what I should under our labor laws.

16          With that money, I have to take care of my  
17 wife, my daughter, and my parents, but this income  
18 is not sufficient for my family.

19          Sometimes I have to do other work part-time  
20 in order to make ends meet; and, thus, as a delivery  
21 worker, I have to depend on tips to pay the bills.

22          (Speaking in foreign language.)

23          (Translated to English by translator.)

24          In order to do my job I use an electric  
25 bicycle.

1           To make enough tips, I depend on my e-bike to  
2           make more deliveries every day.

3           Because of this, I think they should be  
4           legalized to help us stop having problems with the  
5           police and tickets, especially since I already use  
6           all of the required safety gear, like my safety  
7           vest, lights, and a helmet.

8                     (Speaking in foreign language.)

9                     (Translated to English by translator.)

10           A while ago the police stopped me and gave me  
11           a ticket for using an e-bike, and this happens  
12           frequently, so much so, that my co-workers are  
13           afraid of the police when they work.

14           If this proposal becomes law, we will finally  
15           be able to avoid the risk of having to pay these  
16           tickets and having our bikes confiscated.

17                     (Speaking in foreign language.)

18                     (Translated to English by translator.)

19           I ask that you support us by regulating our  
20           way of working and getting around, so that you can  
21           continue helping our families and let us give a  
22           better service to our clients.

23           I know that many of you state representatives  
24           use our services frequently, and for this reason,  
25           I feel that you should support us by legalizing

1 e-bikes.

2 HERMELINDO CARRILLO: Muchas gracias.

3 THE TRANSLATOR: Thank you.

4 SENATOR RAMOS: Gracia.

5 SENATOR KENNEDY: Muchas gracias.

6 Questions?

7 Thank you very much.

8 [Applause.]

9 SENATOR KENNEDY: Thank you very much,  
10 Mr. Carrillo.

11 Next we will hear from Helen Ho, Biking  
12 Public Project, and Dr. Do J. Lee from Queens  
13 College CUNY and Biking Public Project;

14 Followed by Alberto Gonzalez Gonzalez (sic),  
15 a delivery worker.

16 Good morning.

17 HELEN HO: Good morning.

18 SENATOR KENNEDY: Good afternoon, I'm sorry.  
19 Good afternoon.

20 DR. DO J. LEE, Ph.D.: Good afternoon.

21 HELEN HO: Good afternoon.

22 Hi, guys.

23 My name is Helen Ho, and I'm the co-founder  
24 of the Biking Public Project.

25 My group has been focused on a research

1 project centered around food-delivery workers for  
2 the past several years.

3 Based on our work with food-delivery workers,  
4 we strongly support this bill that we're talking  
5 about today, as it will help immigrant workers, who  
6 we've heard from today, who suffer from policing of  
7 their e-bikes.

8 Our group approached our project with  
9 delivery workers as transportation planners, but we  
10 quickly learned, at the beginning, that the only  
11 topic workers wanted to talk about was safety, their  
12 safety, from police harassment.

13 We have spoken to, interviewed, and surveyed  
14 an overwhelming number of food-delivery workers who  
15 fear for their own safety of being stopped and  
16 harassed by NYPD as they try to do their daily work  
17 of bringing New Yorkers food in a timely manner.

18 Before we began our work, we tried really  
19 diligently to find information about delivery  
20 workers in New York City.

21 There was none.

22 So we conducted a media study on public  
23 perception and how the media portrayed workers.

24 We found that, prior to beginning our work,  
25 about three-quarters of media stories about

1 food-delivery workers did not include a single quote  
2 from food-delivery workers.

3 As a result, privileged and powerful voices  
4 defined the public narrative that consistently  
5 demonize delivery workers as a public-safety threat  
6 even as these same workers delivered their food.

7 In some of these media depictions, the  
8 authors do nothing to conceal their racism, as they  
9 describe delivery workers as (air quotes) Szechwan  
10 psychos, or as a Mongol warrior.

11 We continue to see Mayor Bill de Blasio and  
12 the NYPD continue the same pattern of demonizing the  
13 same immigrant workers who feed New York City.

14 The current crackdown on workers' e-bikes  
15 started when Matthew Scheffler, a rich Upper West  
16 Side banker, who knows nothing about the lives of  
17 delivery workers, got on the Brian Lehrer Show to  
18 complain about delivery workers' on e-bikes.

19 Based on the comments of one wealthy  
20 Upper West Side banker, Mayor de Blasio initiated  
21 the crackdown on delivery workers' e-bikes.

22 This demonstrates the unequal and uneven  
23 power that some voices have in our society to  
24 inflict harm on marginalized communities, like  
25 immigrant workers.

1           The state legislature can help deliver  
2 justice by listening to immigrant-worker voices that  
3 Mayor de Blasio has failed to hear.

4           In fact, even as the Mayor has dangerously  
5 and recklessly depicted immigrant delivery workers  
6 on e-bikes as a safety threat, without any evidence,  
7 a "New York Times" reporter tweeted a picture of a  
8 worker delivering food by e-bike to Gracie Mansion,  
9 in the Mayor's home, this past December.

10           Furthermore, just a few months ago  
11 Streetsblog witnessed 13 food deliveries by e-bike  
12 within one hour at the NYPD headquarters.

13           This hypocrisy reveals the truth of the  
14 matter, that all of New York City depends on the  
15 labor of immigrant food-delivery workers on e-bikes  
16 to feed the city.

17           To feed New York City, we estimate that more  
18 than 30,000 of 50,000 food-delivery workers in  
19 New York City already use an e-bike.

20           Workers are already here on e-bikes, doing  
21 the work that people want them to do, and we should  
22 make sure that they are not criminalized for just  
23 doing their jobs.

24           The history of New York City's discrimination  
25 against e-bikes stems from a 2004 city council

1 ordinance that made pocket bikes, operated with a  
2 throttle, and popular amongst teens of color at the  
3 time, illegal, while keeping Segways, a vehicle used  
4 by wealthier tourists, legal.

5 This began a discriminatory pattern of e-bike  
6 legality and enforcement in New York City that  
7 penalized communities of colors and immigrants for  
8 their e-bikes.

9 People of color in public spaces are  
10 historically discriminated against, even in our very  
11 liberal sanctuary city.

12 New York City has been able to get away with  
13 discriminatory policing because there is an absence  
14 of New York State legislation on e-bikes.

15 We need your help in beginning to correct  
16 this problem by legalizing e-bikes.

17 On behalf of the Biking Public Project, I ask  
18 the state legislature to deliver justice for  
19 immigrant workers delivery workers by legalizing  
20 e-bikes.

21 Thank you.

22 SENATOR KENNEDY: Wonderful.

23 Thank you very much.

24 [Applause.]

25 DR. DO J. LEE, Ph.D.: Thank you,

1 Senator Kennedy, Ramos, and Liu, and all the  
2 New York Senators, for our testimonies today.

3 We give our testimonies in support of State  
4 Bill S.5294.

5 I am a professor at Queens College, and a  
6 researcher with the Biking Public Project.

7 This testimony is based upon our research on  
8 the conditions, and experiences of hundreds of  
9 New York City's food-delivery workers.

10 This research formed the basis for my  
11 doctoral research at the CUNY Graduate Center.

12 New York City is -- a city built upon the  
13 sweat and sacrifice of immigrants, currently has a  
14 tale of two e-bikes that ruins the lives of  
15 hard-working, low-wage immigrant workers.

16 On one hand, New York City supports its  
17 privileged white-collar commuters who can ride on  
18 city bike e-bikes or other electrified options  
19 without harassment.

20 In contrast, workers have received thousands  
21 of e-bike fines, over 2100 e-bikes confiscated, in  
22 the last couple of years.

23 We'd like to reiterate that, the distinction  
24 between throttle and pedal-assist e-bikes is very  
25 highly arbitrary; it's just a matter of how you get

1 the electric-assist.

2 And it's a very odd idea to suggest that  
3 people deserve an electric-assist if they're  
4 physically able to pedal, as opposed to turning a  
5 throttle.

6 That suggests a certain able-bodied bias, to  
7 suggest that only people who can pedal should get an  
8 electric-assist.

9 And as you heard from the workers, this is a  
10 dangerous job.

11 A lot of them have accumulated a lot injuries  
12 on the job, and are sometimes unable to pedal for --  
13 consistently for many hours.

14 And so, as Senator Ramos mentioned earlier,  
15 this is a labor-justice issue.

16 Immigrant workers report rampant labor  
17 exploitation that reflects in our data.

18 Immigrant workers often get a base-pay rate  
19 of \$20 to \$60 a day before tips, for 12 to 16 hours  
20 a day, which effectively means that their wages are  
21 \$2 to \$4 before tips.

22 Even with tips, their wages are, roughly,  
23 about \$10 an hour.

24 Workers with e-bikes are 17 times more likely  
25 to do more deliveries a day, which means they get

1 paid more.

2 Also, with these labor conditions, over  
3 90 percent of the workers have to provide and own  
4 their own delivery vehicle, whether it's a bike,  
5 e-bike, or other vehicle, rather than the restaurant  
6 or employer that -- who often require workers to  
7 ride e-bikes anyways.

8 In speaking with delivery workers, we found  
9 that e-bikes allow workers to keep their jobs as  
10 they get older, as many workers have mentioned.

11 We found, for example, Chinese delivery  
12 workers have a median age of 46 years old, which  
13 means many of them are doing this job into their  
14 50s and 60s, which you have already heard.

15 So as you -- as workers accumulate injuries,  
16 the physical toll, e-bikes allow them to hold on to  
17 jobs that are usually one of the best options in a  
18 tough market for them.

19 Workers don't get health care, they don't get  
20 workers' compensation.

21 E-bikes allow them to survive in a difficult  
22 job.

23 This is a labor-justice issue.

24 And there are a lot of issues that need to be  
25 addressed in the labor conditions, and e-bikes

1 should not be one of the things that we should be  
2 focusing on.

3 But we need to pass this so we can focus on  
4 other, more-pressing labor-justice issues.

5 This is also, as Senator Ramos mentioned, a  
6 policing-justice issue.

7 Our research finds that delivery workers who  
8 are not fluent in English are 11 times more likely  
9 to have paid more than \$250 in fines.

10 Given their low wages, a single \$500 e-bike  
11 ticket takes a delivery worker about a week's worth  
12 of work to pay off.

13 Because workers have to provide their own  
14 e-bikes, when an e-bike is confiscated, they cannot  
15 work.

16 Furthermore, in our research, we find that  
17 one out of every seven, about 14 percent of  
18 immigrant delivery workers, reported that the NYPD  
19 has arrested them at least once for not having ID  
20 while out on a delivery.

21 This means that the e-bike crackdown  
22 increases the policing of immigrant delivery workers  
23 and worsens the risk of arrest for them.

24 And any arrest of an immigrant in this  
25 political environment may have severe and serious

1 consequences.

2 Half of delivery workers in our survey  
3 reported experiencing robberies and assaults on the  
4 job.

5 But because of the fear of the police, in  
6 part, caused by the e-bikes crackdown, over  
7 two-thirds of workers reported never calling the  
8 police after a robbery or assault.

9 This is what worsens public safety, not  
10 workers on e-bikes.

11 And as workers mentioned, this also makes  
12 them vulnerable to various forms of police abuse  
13 that you are hearing.

14 This -- in this research, we find that the  
15 e-bike crackdown has never been about actual public  
16 safety.

17 It is about more powerful and privileged  
18 groups of people making unsubstantiated claims about  
19 marginalized groups of workers, as people will also  
20 testify from our groups.

21 We took a look at the safety data itself.

22 And in the whole history of New York City,  
23 there's never been a death caused by an e-bike rider  
24 to another person.

25 And when we looked at NYPD data from last

1 year, from 2018, of the 11,000 pedestrian injuries  
2 caused in any sort of collision, whether by car or  
3 any other user, only nine were caused by e-bike  
4 riders.

5 This is not a systematic public-safety issue,  
6 despite what the Mayor may say.

7 This issue is deeply personal to me.

8 I'm an immigrant. My parents were  
9 immigrants.

10 When my father first came this country many  
11 years ago, his first job was to do delivery work for  
12 a pharmacy.

13 Like my father, immigrant delivery workers  
14 endure hardships in the hope that their lives and  
15 sacrifices matter.

16 And I ask that you pass this legislation so  
17 it does matter.

18 Thank you very much.

19 [Applause.]

20 SENATOR KENNEDY: Thank you, Ms. Ho.

21 Thank you, Dr. Lee.

22 Any questions?

23 SENATOR RAMOS: Are you...?

24 JU WONG: Yeah.

25 SENATOR KENNEDY: Okay. Sorry.

1           JU WONG: Hi, Senators.

2           Thank you for giving me this opportunity to  
3 testimony in support of State Bill S.5294.

4           My name is Ju Wong, a documentary filmmaker,  
5 and adjunct professor at Queens College.

6           The reason I'm giving this testimony is  
7 because I'm also a volunteer, a community organizer,  
8 and translator, for the Bike Public Project.

9           SENATOR KENNEDY: (Inaudible.)

10          JU WONG: Yeah, and also working on a  
11 documentary about food-delivery workers in the past  
12 almost three years.

13          SENATOR KENNEDY: Wonderful.

14          JU WONG: I want to share some of my research  
15 and our filming experience about the Chinese  
16 food-delivery workers.

17          SENATOR KENNEDY: Please.

18          JU WONG: As an immigrant woman, I start  
19 building my family in one of New York's Asian  
20 immigrant neighborhood, Flushing community.

21                 It was disturbing for me to see many media  
22 stories about food-delivery workers that constantly  
23 demonized these workers as a public-safety threat,  
24 the delivery workers which were called "Szechwan  
25 psychos" and "Mongol warrior."

1           They are my neighbors.

2           They are the -- their kids go to same school  
3 with my kids.

4           And from the experience, I worked with them,  
5 become friends, with many delivery workers.

6           I cannot make a single link from those public  
7 images to those who I have been encountered with.

8           They always offer me tea and sponge cake  
9 every time we meet.

10           They always humbly say "thank you" after a  
11 the little help they received.

12           They are people just want to work, to make a  
13 living and support their family, like most of  
14 New Yorkers.

15           In my (indiscernible), the workers I know,  
16 they have sons who are sending money to take care of  
17 their elderly parents for decades.

18           They are fathers, they are responsible  
19 husbands, who work as hard as they can to build a  
20 family.

21           They are fathers willing to sacrifice their  
22 life to support their children with better future.

23           None of them deserve those titles.

24           When the Mayor and the NYPD called immigrant  
25 delivery workers "a public-safety threat," in fact,

1 (indiscernible) workers as one has the most of fear  
2 of injury pedestrians and involving any kind of  
3 accident.

4 When they are on the road, they are afraid of  
5 the police, they are afraid of hurting pedestrians,  
6 afraid of encountering any accident.

7 For example, as we all know, many of them  
8 have immigration issues; a fear to call police, a  
9 fear to seeking medical help.

10 For example, one young delivery worker,  
11 Annette (ph.), after injured by a gun in a robber  
12 accident, he started a conversation with me as,  
13 "I see smoke come out of my body."

14 Even that interview, like, after he was  
15 injured (indiscernible) years, he started shaking in  
16 his voice to tell me.

17 He'd start, a first line, he will say is,  
18 "I see smoke come out of my body."

19 So, the life of delivery workers, the lack of  
20 protection, they are the most vulnerable people on  
21 the street.

22 They are the people who rush right through  
23 the traffic, just for deliver food to the customers.

24 I keep hearing similar stories about  
25 struggles and the challenge they're facing as a

1 non-English-speaker labor, new to the culture and  
2 the society.

3 On top of everything, they have to face  
4 challenge from New York -- NYPD in their daily work.

5 A delivery worker once said, "I feel unlike a  
6 rat on the street. They just keep catching me."

7 The State must legalize e-bike as a matter of  
8 immigrant justice.

9 The current law is anti-immigrant,  
10 anti-worker, and anti-safety.

11 A lot of workers have stressed:

12 "NYPD doesn't stop people speak English."

13 "They just don't like Chinese."

14 "Always, the same police catch me over and  
15 over again."

16 "They know we can do nothing to stop them."

17 Those are quotes from the workers.

18 So when the Mayor and the NYPD do the  
19 crackdown on their e-bikes, and took 3 to 4 million  
20 dollar from most low-wage immigrant workers that  
21 year, the New York City also supported its  
22 privileged white-collar commuters with who can ride  
23 on city e-bikes.

24 Why only city e-bikes are legal to ride?

25 What's the difference between Class 1, 2,

1 3 e-bikes?

2 If you care to go to any e-bike shop in  
3 New York State who selling e-bikes, they will tell  
4 you, there's no significant difference between  
5 e-bikes made in China with made in the U.S.

6 E-bikes are just the transportation tool. It  
7 can be easily converted to meet any law requirement.

8 What really behind the crackdown on  
9 immigration workers' e-bikes, under the current law,  
10 it's a sad statement.

11 There are no -- there are difference between  
12 people who ride on the e-bikes.

13 Most immigrant workers (indiscernible) don't  
14 know how to participate in public events, don't know  
15 how to get their voice to be heard.

16 It doesn't means their existence doesn't  
17 matter.

18 They are New Yorkers too, they are part of  
19 us. We interact with them like every day.

20 Without them, New York wouldn't be the same.

21 We urge the state legislature to deliver  
22 justice now, and passing the legislation that  
23 support our immigration delivery workers.

24 Thank you.

25 [Applause.]

1           SENATOR KENNEDY: Thank you very much.

2           We have a question from Senator Ramos.

3           SENATOR RAMOS: Yes.

4           I just want to begin by thanking all of you  
5 for the work that you've done in collecting data,  
6 sitting down with folks who are impacted by the  
7 current policy, and for, yeah, actually having data  
8 to support the fact that this grave injustice needs  
9 to be corrected as soon as possible.

10           You know, when the Mayor first decided to  
11 begin his crackdown, he would say that this was  
12 really aimed at the restaurants that were, you know,  
13 forcing the delivery workers to use illegal e-bikes.

14           And that, really, that's who they would  
15 penalize, was the restaurants, and not the workers.

16           Obviously, today, we're seeing firsthand that  
17 that's not exactly how that has translated to  
18 precincts, not exactly how enforcement has taken  
19 place.

20           Can you speak to that?

21           I mean, before, I was trying to get some  
22 stories from the delivery workers as it relates to  
23 interactions by the NYPD.

24           In fact, as we sit here right now, there's  
25 been a crackdown in Brooklyn, by the way, for those

1 who are keeping up at home.

2 And we've seen crackdowns on the Upper East  
3 Side over the past few days, where as many as five  
4 police officers are stopping one immigrant delivery  
5 worker who was, I think, driving a Class 1 e-bike in  
6 a bike lane, without anybody else around him,  
7 because that's what the video shows.

8 Can you speak to those experiences a bit  
9 more?

10 DR. DO J. LEE, Ph.D.: Sure.

11 Thank you, Senator Ramos, for that question.

12 So for -- for, I think, the crackdown was  
13 predicated upon not listening to workers, or not  
14 even spending time to listen to workers.

15 It was initiated by, as Helen mentioned,  
16 Matthew Scheffler, who didn't talk to any workers,  
17 and he made just a false assertion that the  
18 restaurants own the electric bikes.

19 And when you talk to workers, they'll  
20 routinely say: No, we own the electric bikes. The  
21 restaurants don't want to pay for them. We have to  
22 pay for them.

23 And so the Mayor listened to Matthew, and the  
24 Mayor is, like, oh, the restaurants own the electric  
25 bikes. So we need to crack down on restaurants and

1 we're not going to hurt the workers.

2 It was a totally false assertion based on a  
3 lack of understanding the reality of what workers  
4 endure.

5 And so we have tried many times to get the  
6 workers in front of the Mayor to kind of dispel  
7 these myths.

8 And so when workers get these tickets, the  
9 NYPD stopped them on the street, they issued a  
10 summons. The summons does not go to the  
11 restaurants, by and large.

12 The e-bike is confiscated.

13 And when the e-bike is confiscated, the  
14 workers have to retrieve it or they lose their jobs.

15 The restaurant doesn't care.

16 And so, for the restaurant, they can find  
17 other workers.

18 And so I think this is where, if we're going  
19 to address this issue, it is a labor-justice issue,  
20 but we shouldn't put the burden on the workers  
21 themselves.

22 And so, you know, I think this is where  
23 justice has to occur, is that we have to listen to  
24 worker voices; to listen to their voices, to listen  
25 to their experiences.

1           Otherwise, we're just going to punish people  
2 who have absolutely the least amount of power to  
3 address what's going on.

4           SENATOR RAMOS: Thank you.

5           And, Helen, you've been a huge proponent of  
6 Vision Zero, and alternatives to transportation for  
7 a very long time.

8           Can you speak a little bit about how these  
9 modes of transportation, e-bikes and e-scooters,  
10 really actually can help with Vision Zero?

11           I don't know about you, I'd rather get hit by  
12 a scooter than a car, personally, if I had to  
13 choose.

14           I'd rather not get hit at all, but as a  
15 pedestrian these are things I think about.

16           But what do you think?

17           HELEN HO: Yes, so, I think the more non-car  
18 options there are on the street, the safer the  
19 street is for everyone.

20           But, you know, I think that Vision Zero also  
21 needs to evolve.

22           Vision Zero is primarily about safety and  
23 enforcement, and -- you know, and I think it's time  
24 for us to ask the question, safety for who?

25           Right?

1           Is it safety for Matthew Scheffler and, you  
2 know, folks on the Upper West Side, who can afford  
3 to call in and talk to Brian Lehrer on a leisurely  
4 basis?

5           Or is it safety for everyone, right,  
6 including Black Lives Matter, including  
7 food-delivery workers?

8           I think this is what we really need to ask  
9 ourselves.

10          SENATOR RAMOS: Thank you.

11          SENATOR KENNEDY: Thank you very much.

12          We appreciate all of your testimony.

13          SENATOR RAMOS: And your work.

14          SENATOR KENNEDY: And your work, for sure.

15          [Applause.]

16          SENATOR KENNEDY: Next we will hear from --

17          [Applause.]

18          SENATOR KENNEDY: Next we will hear from  
19 Alberto Gonzalez Gonzalez (sic);

20          Followed by Clemente Martinez.

21          ALBERTO GONZALEZ: Buenas dias.

22          SENATOR RAMOS: Buenas dias.

23          ALBERTO GONZALEZ: (Speaking in foreign  
24 language.)

25          (Translated to English by translator.)

1 My name is Alberto Gonzalez.

2 I live in Bushwood, Brooklyn, and have worked  
3 as a restaurant delivery worker for one year and  
4 eight months.

5 Since I began, I have using an electric  
6 bicycle.

7 It is not fair for the State to prohibit or  
8 take away our e-bikes while they allow other kinds  
9 of e-bikes to become legal.

10 I depend on my e-bike to work and support my  
11 family.

12 The State should realize that e-bikes  
13 themselves are not dangerous.

14 I am a responsible person, and it's not  
15 dangerous when I use an e-bike.

16 (Speaking in foreign language.)

17 (Translated to English by translator.)

18 Delivery workers need e-bikes to do our jobs.

19 It is much faster doing deliveries while  
20 using an e-bike.

21 Food arrives more quickly and hotter, and,  
22 for workers, e-bikes are better because we can go  
23 calmly and without exerting ourselves too much.

24 I don't see any reason for why state  
25 politicians want to take away my money in the form

1 of tickets while I deliver food to them every day.

2 I work 52 hours a week, and in one day  
3 I worked between 11 and 12 hours, and can make up to  
4 70 deliveries.

5 There are 12 other delivery workers that work  
6 with me, and if we were continue to be criminalized,  
7 it will be terrible for our families.

8 (Speaking in foreign language.)

9 (Translated to English by translator.)

10 These e-bikes are an absolute requirement for  
11 my job.

12 If we make 100 deliveries in one day with an  
13 e-bike, we could probably only make 50 deliveries on  
14 a regular bike.

15 So if I cannot using e-bike, this impacts my  
16 ability to make a living because I live off of tips  
17 that I make from these deliveries as part of my  
18 income.

19 If we make less deliveries, there are less  
20 tips.

21 Due to the inconsistency of the tips that  
22 come in, it is difficult to budget for my family.

23 Every week I struggle and worry about how  
24 I will pay taxes, bills, and other family costs.

25 I have three children, and I have to pay

1 rent, electricity, gas, phone bills, and groceries.

2 If the e-bikes we have invested in continue  
3 to be illegal, it will significantly affect me and  
4 my family.

5 (Speaking in foreign language.)

6 (Translated to English by translator.)

7 I think it would be a good idea to allow for  
8 a way to legalize our e-bikes.

9 I have never seen an accident occur between  
10 an e-bike rider making deliveries and pedestrians.

11 Of course, we delivery workers should use our  
12 e-bikes responsibly, but the State does not have a  
13 good reason for prohibiting our bikes while allowing  
14 other kinds of e-bikes.

15 What has occurred with the state's e-bike  
16 policy is akin to if someone had an accident with  
17 the car.

18 The person responsible should obviously  
19 confront the consequences, but not all cars should  
20 be prohibited and not everyone that uses cars should  
21 have to suffer.

22 It is not fair that we all have to suffer for  
23 what a few irresponsible e-bikes riders may have  
24 done.

25 Continuing to prohibit our e-bikes would be a

1 terrible thing for our industry.

2 Thank you.

3 [Applause.]

4 SENATOR KENNEDY: Muchas gracias.

5 Senator Ramos has a question.

6 SENATOR RAMOS: (Speaking in foreign  
7 language.)

8 And I'll translate to English later,  
9 I promise.

10 (Continues speaking in foreign language.)

11 My question to is him is, basically, what his  
12 suggestions are for us to reach delivery workers,  
13 and make sure that they understand the rules of the  
14 road and ensure that they're as good of drivers in  
15 keeping themselves and everybody else safe as well.

16 ALBERTO GONZALEZ: (Speaking in foreign  
17 language.)

18 (Translated to English by translator.)

19 THE TRANSLATOR: Do you want me to translate?

20 SENATOR RAMOS: Yeah, sure.

21 THE TRANSLATOR: He suggests that  
22 legalization could actually make it safer because  
23 then drivers would be able to interact with police  
24 in a better way, and wouldn't have to hide, and it  
25 would be better for everyone, in Alberto's point of

1 view.

2 ALBERTO GONZALEZ: (Speaking in foreign  
3 language.)

4 (Translated to English by translator.)

5 And that making a way for legalization would  
6 make everything better.

7 SENATOR RAMOS: Okay.

8 Muchas gracias.

9 SENATOR KENNEDY: Thank you, Alberto.

10 Next we will hear from Clemente Martinez, a  
11 delivery worker;

12 Followed by H.P. Liao, from the Families for  
13 Safe Streets.

14 Welcome, good afternoon.

15 CLEMENTE MARTINEZ: (Substitute speaker for  
16 Clemente Martinez speaking on behalf of  
17 Eduardo Perez, absent.)

18 Good afternoon.

19 I'm here speaking on behalf of Clemente, a  
20 delivery worker, who couldn't be here because he was  
21 called into work last minute.

22 My name is Eduardo Perez, and I've worked as  
23 a delivery worker in Brooklyn for one year.

24 For me and my co-workers, the fines that the  
25 police give us for using our electric bikes are

1 unjust.

2 I want to share something that happened to me  
3 recently to help explain why.

4 To do my job, I am required to use an  
5 electric bicycle.

6 My work requires substantial physical  
7 exertion every day.

8 My work shifts are 11 hours per day, and each  
9 delivery requires traveling a distance of  
10 approximately 1.5 miles each way.

11 Because of this, without an electric bike,  
12 I would feel exhausted and stressed.

13 This leads me to need an e-bike as a tool for  
14 my job.

15 Since I depend on tips, each delivery is very  
16 important to me in order to make a decent wage.

17 Having an e-bike allows me to make more  
18 deliveries each shift.

19 Thanks to this tool, my family and I are,  
20 thus, benefited by more income.

21 Furthermore, my employer requires me to use  
22 an e-bike because it benefits him as well.

23 But this past November of 2018, I was parked  
24 momentarily during one of my work shifts, and a  
25 police officer got out of his car, came towards me,

1 and asked me why I was using the bike lane, and told  
2 me that I should have been using the car lanes.

3 I told him that it was because I was riding a  
4 bicycle.

5 But, ultimately, the officer gave me four  
6 tickets and confiscated my bike.

7 Since the bike was a tool for my job, I saw  
8 the need to pay those tickets immediately and get my  
9 bike back.

10 In total, the tickets amounted to \$940.

11 When I left the bank with the cash, a man,  
12 pretending to be an officer, asked to search my  
13 body.

14 During that search, the man took my cash and  
15 went running.

16 Although I called the police, until this day,  
17 I haven't gotten much help.

18 In the end, I was not able to recover my bike  
19 because, in addition to not having the money, the  
20 officers told me I needed to wait for a hearing with  
21 the court a few months later in order to resolve the  
22 tickets.

23 Since I couldn't wait, I had to buy another  
24 bike in order to keep working, costing me a total of  
25 \$1,700 without any help from my employer, even

1           though he required me to have one.

2           As you can see, in the course of simply  
3 performing my job, I was labeled a criminal.

4           Us workers are not criminals, and we don't  
5 prejudice anybody.

6           In fact, we feed this city with our labor.

7           After more than 10 years of being  
8 criminalized, the time has come to stop this.

9           Legislators, I ask you to finally listen to  
10 us and vote to legalize our work tools.

11           Thank you.

12           SENATOR KENNEDY: Thank you.

13           And please pass along our gratitude.

14           SENATOR RAMOS: Thank you.

15           [Applause.]

16           SENATOR KENNEDY: Next we will hear from

17 H.P. Liao;

18           Followed by Felix Rojas, a delivery worker.

19           AMY TAM-LIAO: Good afternoon.

20           SENATOR KENNEDY: Good afternoon.

21           SENATOR RAMOS: Good afternoon.

22           AMY TAM-LIAO: Hsi-Pei Liao is my husband,  
23 so, if it's okay, I'm here.

24           SENATOR KENNEDY: Okay, that's wonderful.

25           AMY TAM-LIAO: Okay.

1           So my name is Amy Tam-Liao.

2           Our daughter Allison Hope Liao was killed by  
3 a reckless driver making a left turn in Flushing,  
4 Queens, in 2013. She was 3 years old.

5           This is her (indicating to shirt).

6           Since then, my husband and I have been active  
7 members of Families for Safe Streets.

8           We are made up of families who have lost  
9 loved ones in traffic violence and survivors who  
10 were severely injured by reckless drivers on  
11 New York City streets.

12           We came together to turn our grief into  
13 action, and we advocate for safer streets for  
14 everyone.

15           I'm here because we want people to understand  
16 the magnitude of handling a multi-ton vehicle that  
17 is, essentially, a weapon on the streets that can  
18 and has killed people.

19           It is imperative to encourage people to get  
20 out of their cars and consider other safer modes of  
21 transportation.

22           Every day, the drop-off and pick-up period at  
23 our son's school in Fresh Meadows is horrific and  
24 I fear tragedy will happen.

25           Vehicles in front of the school triple park,

1 drive the wrong way, and nobody can hear the  
2 crossing guard above the honking.

3 To alleviate the situation and prevent  
4 another family from experiencing an unimaginable  
5 nightmare, we need parents to consider alternative  
6 ways of transportation, which is why our school  
7 participates in National Bike and Walk to School  
8 Day.

9 Twice a year we encourage families to walk,  
10 bike, scoot, to school.

11 It's healthier, better for the environment,  
12 alleviates the congestion, and it's for the kids.

13 We also hear from the school administration  
14 that families continue to go to school without using  
15 motor vehicles for weeks after each event.

16 We are also the typical family that drove our  
17 kids one mile to school.

18 However, since we started biking with our  
19 legal pedal-assist bike, it has now empowered our  
20 family to bike to school on a regular basis, and  
21 it's easier to carry two children on a single bike.

22 We also ride through the playground, and can  
23 take our time when dropping off the kids at the side  
24 of the school where there's no cars.

25 It's difficult to understand why we are

1 debating the safety of e-bikes and e-scooters when  
2 cars kill over 200 people a year in New York City  
3 alone.

4 While there doesn't seem to be sufficient  
5 data, we know the death rate by e-bikes and  
6 e-scooters is dwarfed in comparison to death rates  
7 caused by motor vehicles.

8 We said, and you answered this: Do I need to  
9 ask, if you are involved in a crash as a pedestrian,  
10 would you rather be hit by a car or an e-bike?

11 Thank you for listening to my perspective on  
12 why electric bikes and scooters can be a safer and  
13 empowering mode of transportation.

14 And we hope one day you will see our family  
15 riding to school with e-scooters.

16 Thank you.

17 SENATOR KENNEDY: Thank you.

18 [Applause.]

19 SENATOR KENNEDY: Thank you, Mrs. Liao.

20 First of all, our condolences on the loss of  
21 your daughter.

22 AMY TAM-LIAO: Thank you.

23 SENATOR KENNEDY: And thank you for taking up  
24 this charge.

25 Just yesterday, in the Senate, we passed

1 nine bills dealing with limousine safety in the  
2 state of New York, and that legislation only  
3 happened because the families who had lost loved  
4 ones in limousine crashes galvanized behind the  
5 initiative to make the industry safer.

6 And it was a credit to them, and this is a  
7 credit to you, for picking up the torch and carrying  
8 it on.

9 So, thank you very, very much for your  
10 advocacy.

11 Senator Ramos.

12 SENATOR RAMOS: Yeah, Amy, thank you so much  
13 for your advocacy.

14 You may not know this, but, when Allison was  
15 killed, and we organized a rally, with what would  
16 become Make Queens Safer, in Jackson Heights, I was  
17 there that night.

18 And it's actually, starting that night, where  
19 I became involved and much more opinionated about  
20 alternatives to transportation, and really have --  
21 I've tried to make it a point to ensure I'm telling  
22 constituents at every turn, how important it is to  
23 yield to pedestrians when they're going to turn.

24 As many of you know, on Northern Boulevard,  
25 not only on this side, but, on my side of

1 Northern Boulevard in District 13, we lost so many  
2 children.

3 If memory serves me right, it's eight or nine  
4 children who have been killed by drivers who have  
5 failed to yield when they were crossing the street,  
6 holding their parent's hand, with a green light  
7 telling them that they can go.

8 So I really think that, as we work to reverse  
9 car culture, especially in very dense neighborhoods,  
10 I think it's really important that your advocacy is  
11 steadfast and everlasting, because it's the only way  
12 that we will be able to change the way we use our  
13 streets and make sure that we're keeping everyone  
14 safe.

15 So thank you, Amy.

16 AMY TAM-LIAO: Thank you.

17 SENATOR KENNEDY: Thank you, Mrs.~Liao.

18 [Applause.]

19 SENATOR KENNEDY: Next we will hear from  
20 Felix Rojas.

21 Is Felix with us?

22 Felix Rojas?

23 MEL GONZALEZ: Hi, you all.

24 SENATOR KENNEDY: Are you filling in for  
25 Felix?

1 MEL GONZALEZ: Yes.

2 SENATOR KENNEDY: Okay.

3 MEL GONZALEZ: He couldn't make it.

4 SENATOR KENNEDY: Before you get started, let  
5 me just announce that the next speaker will be  
6 Marco Connor from Transportation Alternatives.

7 SENATOR KENNEDY: Okay?

8 MEL GONZALEZ: Great.

9 SENATOR KENNEDY: The floor is yours.

10 MEL GONZALEZ: Thank you.

11 SENATOR KENNEDY: Thank you.

12 MEL GONZALEZ: My name is Mel Gonzalez, and  
13 I'm a legal fellow at Make the Road New York.

14 At Make the Road we see hundreds of workers  
15 every day, so these comments are based on our  
16 experience working closely with delivery workers  
17 year after year.

18 Delivery workers are part of a food industry  
19 in New York that now thoroughly depends on the use  
20 of e-bikes, an evolution in the industry that this  
21 city has benefited from over a decade.

22 The proliferation of e-bikes arose as a  
23 response to intensely growing demand for delivery.

24 As a consequence, over 50,000 delivery  
25 workers, predominantly immigrants, now provide

1 hundreds of thousands of deliveries of food daily in  
2 New York City.

3 Restaurants can now make more profits by  
4 making more deliveries, or customers can get orders  
5 hot, more quickly, and from a broader range of  
6 restaurants.

7 The industry has become so dependent on  
8 e-bikes that delivery workers report that most  
9 restaurant require them to have an e-bike in order  
10 to get a job, despite the fact that they have been  
11 criminalized for using e-bikes all the while.

12 Year after year, delivery workers routinely  
13 have their e-bikes confiscated by the police while  
14 they are working, and are ticketed millions of  
15 dollars in fines, collectively, for using e-bikes to  
16 do their job.

17 It is worth noting that, under current state  
18 and city laws, a delivery worker using an e-bike can  
19 get up to four tickets in a single stop and have  
20 their e-bikes confiscated, totaling up to 1,000,  
21 just for using an e-bike.

22 Although restaurants benefit from, and often  
23 require, the use of e-bikes, they have remained  
24 relatively free from shouldering any of these  
25 burdens; thus, workers responding to demands placed

1 on them by employers and by an industry rampant with  
2 insecurity and wage theft have reasonably shouldered  
3 the burden of purchasing e-bikes in order to obtain  
4 their jobs and to make a decent living.

5 Take a moment to consider how many things you  
6 can purchase at a store, and yet can get hundreds in  
7 fines for using.

8 I cannot think of a single thing like that.

9 Why do we criminalize workers for buying  
10 something they're obligated to buy and that they can  
11 go buy at a local store?

12 Why aren't manufacturers on the hook?

13 Why aren't stores on the hook?

14 Why aren't employers on the hook?

15 And, ultimately, why is New York State  
16 capitalizing on this, all the while assessing  
17 millions of dollars per year against workers?

18 It's also worth noting that delivery workers  
19 themselves believe that throttle bikes are safer  
20 than pedal-assist bikes, because throttles allow  
21 workers to graduate the bike's acceleration instead  
22 of having the motor turn on or off abruptly.

23 And this is the kind of nitty-gritty detail  
24 that hasn't really been given any light because  
25 workers themselves have not been asked about their

1 use of e-bikes, and they, who have been using them  
2 for over 10 years, are the real experts on e-bikes.

3 New York State has not been innocent in this  
4 regard either.

5 The state legislature's routes of silence and  
6 inability to legalize e-bikes has perpetuated and  
7 exacerbated these issues.

8 On the one hand, electeds in New York City  
9 have been able to punt on this issue for years now,  
10 stating that they simply cannot do anything until  
11 the State has acted.

12 Even this year, when, finally, city electeds  
13 rose to the task, officials have posed indef --  
14 paused indefinitely in order to wait for State  
15 action.

16 Meanwhile, for years, NYPD has capitalized on  
17 the gray area of state law to dole out millions of  
18 dollars in fines against workers on the unjust  
19 state-level charges of unlicensed operator,  
20 unregistered vehicle, and lack of insurance.

21 Yet NYPD knows that you cannot register  
22 e-bikes at the DMV, and they know that, not only do  
23 e-bikes not require licenses to utilize them,  
24 undocumented individuals, who comprise the vast  
25 majority of delivery workers, cannot get driver's

1 licenses.

2 And, finally, you simply cannot get insurance  
3 to cover your e-bike use even if you wanted to.

4 Overall, then any cop that sees a delivery  
5 worker on an e-bike can count on giving at least  
6 three state tickets and one city ticket, and  
7 confiscate the workers' bikes.

8 As we showed earlier in the press conference,  
9 a worker today showed up, with having gotten four  
10 tickets just this morning.

11 You know, a huge role of tickets (indicating)  
12 printed out today by an officer in his car, as he  
13 came here to testify in support of legalizing  
14 e-bikes.

15 Worse, these tickets could lead to  
16 devastating consequences for immigrant workers,  
17 another issue that hasn't been given a lot of light.

18 Those tickets I just referenced can lead a  
19 worker to have their driving privileges suspended  
20 even if they don't have a license.

21 In addition to additional fines, a worker who  
22 subsequently gets another such ticket can then be  
23 charged with a misdemeanor, or even a felony, again,  
24 simply for not having a license they cannot get, but  
25 that they need for their job.

1           These charges can then lead to immigration  
2 issues, particularly for those workers seeking  
3 immigration relief.

4           Again, these are working individuals  
5 obligated to use e-bikes by employers, and expected  
6 to use e-bikes by customers, including you and me,  
7 who simply, by virtue of doing that job, may not  
8 only amass significant debts, but may be placed in  
9 immigration jeopardy.

10           Finally, I want to address an issue that  
11 workers themselves have stated over and over again.  
12 This is an issue that speaks directly to the  
13 fundamental unfairness of the situation, a form of  
14 hypocrisy that workers feel every day they are out  
15 delivering food.

16           Simply put, if you order delivery, you are  
17 benefiting from the use of e-bikes; therefore, most  
18 of us are complicit in the criminalization of  
19 delivery workers and should feel the obligation to  
20 help these workers.

21           Many of the most vocal opponents of electric  
22 bicycles and who express the most animosity towards  
23 delivery workers, themselves go home and order  
24 delivery.

25           We simply cannot abide by this hypocrisy any

1 longer. We cannot both benefit from e-bikes and  
2 criminalize their use.

3 The issues individuals around this city may  
4 have regarding e-bikes and delivery workers cannot  
5 be addressed by criminalizing workers, which has  
6 simply extracted millions of dollars from some of  
7 the most vulnerable workers in this city.

8 It's now time for New York State to address  
9 this issue.

10 Thank you.

11 SENATOR KENNEDY: Thank you.

12 Senator Ramos.

13 SENATOR RAMOS: I've now heard, in countless  
14 testimonies, about how many restaurants require that  
15 their delivery workers own an e-bike.

16 When that worker receives a ticket or more  
17 for said e-bike, in your experience, have any of  
18 those restaurants offered to foot the bill in any  
19 way, shape, or form?

20 MEL GONZALEZ: In my experience, zero  
21 restaurants have done that, ever.

22 That's a responsibility that workers  
23 shoulder, just like they have the responsibility to  
24 buy the e-bikes.

25 If a bike gets stolen, the workers have to

1 buy a new bike.

2 It's always going to be the workers'  
3 responsibility.

4 SENATOR RAMOS: But the restaurant,  
5 obviously, won't hire someone who is going to do  
6 deliveries on a regular bicycle because they can't  
7 perform as many deliveries.

8 MEL GONZALEZ: Yeah, definitely.

9 In fact, when folks have gotten their bikes  
10 confiscated, and even if there's a one-day lag  
11 between when they get their bike confiscated and  
12 they go and buy a new bike, you know, if they can  
13 afford it, they might be fired. Even if it's just  
14 for one day, they might have to go get another job.

15 SENATOR RAMOS: Okay.

16 Thank you so much for your testimony.

17 SENATOR KENNEDY: Thank you very much.

18 MEL GONZALEZ: Thank you.

19 SENATOR KENNEDY: Next we will hear from  
20 Marco Connor, Transportation Alternatives;

21 Followed by Christine Berthet, Manhattan  
22 Community Board 4.

23 MARCO CONNOR: Thank you, Chairman.

24 SENATOR KENNEDY: Thank you, Marco.

25 MARCO CONNOR: Thank you, Chairman.

1 Thank you, Senator Ramos.

2 My name is Marco Connor.

3 I am interim co-executive director of the  
4 Transportation Alternatives, and I am here today to  
5 express and register our strong support for Senate  
6 Bill 5924, to legalize e-bikes and e-scooters in  
7 New York.

8 For 45 years, Transportation Alternatives  
9 have advocated on behalf of New Yorkers for safer,  
10 more inclusive and more livable streets.

11 With more than 150,000 people in our network  
12 and over 1,000 activists throughout all five  
13 boroughs, we fight to promote biking, walking, and  
14 public transportation as alternatives to the car.

15 Shared-use mobility services, including  
16 e-bikes and e-scooters, are part of our vision for  
17 human-centered equitable streets and transportation  
18 in New York City.

19 Sadly, the racial disparities and police  
20 officer discretion against food workers --  
21 food-delivery workers is reminiscent of the NYPD's  
22 Broken Window/Stop and Frisk policing against Black  
23 and Brown New Yorkers, which was declared  
24 unconstitutional in 2013.

25 New York City's targeting of Spanish- and

1 Chinese-speaking food-delivery workers is recreating  
2 the darkest days of the NYPD's racially disparate  
3 policing, and none of us should be content until  
4 this is rectified.

5 On a technical note for this legislation, we  
6 urge that the legislation stipulate that fines  
7 levied for illegal use of an e-bike during the  
8 course of work, including commuting on such e-bike,  
9 must go to the employer or place of business paying  
10 the user.

11 Similarly, the legislation should stipulate  
12 that confiscation of e-bikes by any local authority  
13 is prohibited.

14 Such provisions are critical.

15 We also call upon the state Senate to  
16 legalize e-scooters.

17 Both e-scooters and e-bikes are  
18 environmentally superior to cars. They are proven  
19 to replace car trips at significant rates, which  
20 reduces traffic congestion and allows us to breathe  
21 cleaner air, and make our streets safer overall.

22 More than half of our trips in New York City  
23 in cars are under 3 miles long.

24 These trips are perfect to make by bike and  
25 scooter instead, leaving our streets cleaner and

1 safer.

2 Now, I also want to speak briefly to the  
3 safety concerns.

4 Since 2001, more than 6,000 people have been  
5 killed on New York City streets in traffic. Nearly  
6 every single one of those fatalities were caused by  
7 multi-ton cars and trucks capable of reaching speeds  
8 exceeding 100 miles per hour, several times more the  
9 fastest e-bikes.

10 Cars and trucks are the cause of the carnage  
11 on our streets and is where our restrictive policies  
12 should be focused, not on small, safe,  
13 energy-efficient electric devices which should be  
14 promoted through public policy.

15 Based on the so-called "safety in numbers"  
16 effect, which shows that, as cycling rights grow,  
17 the risk to cyclists decreases, a growing presence  
18 of e-bike and scooter users on New York City streets  
19 will likely benefit the safety of all bicyclists and  
20 vulnerable road users, including pedestrians.

21 Therefore, the explicit growth in using these  
22 devices should be supported by state and local  
23 policy.

24 Because the use of these devices should be  
25 encouraged, we strongly oppose adding any helmet use

1 and insurance requirements to this legislation,  
2 which would be detrimental to encouraging the use of  
3 e-bikes and e-scooters, and would be  
4 disproportionate to the potential level of harm, and  
5 which would further -- which would be used even  
6 further to target police -- policing of workers.

7 Today's e-bike policy in New York City  
8 remains detached from public-health and safety data,  
9 and its disproportionate impact on low-wage  
10 immigrant workers, makes it unacceptable for the  
11 fairest big city in the country.

12 E-bikes alone are already legal in more than  
13 30 U.S. states, including nearby New Jersey.

14 Sensible legalization of these devices will  
15 benefit workers, businesses, and everyday  
16 New Yorkers alike, and we urge the state legislature  
17 to pass these bills without delay.

18 Thank you.

19 SENATOR KENNEDY: Thank you, Mr. Connor.

20 [Applause.]

21 SENATOR KENNEDY: I have a quick question,  
22 and then I'm going to turn it over to Senator Ramos.

23 You had mentioned that you feel that any  
24 worker that is ticketed or penalized in the  
25 community, that that ticket should go to the

1 employer.

2 Are you at all concerned that if that  
3 happens, that the employer will actually -- it will  
4 actually disincentivize the employer from allowing  
5 these e-bikes to be used by the employees?

6 MARCO CONNOR: I doubt that will happen.

7 We know that restaurants have an interest in  
8 delivering as many food-delivery orders as possible  
9 and as fast as possible.

10 And we've heard from workers that e-bikes  
11 allow them to do that.

12 So we feel that such a provision and a  
13 requirement would only incentivize employers to make  
14 sure that their workers use e-bikes that are legal,  
15 which will promote safety.

16 SENATOR KENNEDY: Well, the goal of the  
17 legislation is to legalize the e-bikes, but I just  
18 want to be clear, because if -- if -- you had asked  
19 that part of the legislation be putting the onus on  
20 the employers.

21 That is a concern that I hear, and  
22 I understand the meaning behind it, and the --  
23 conceptually, to take the burden off of the workers  
24 that can't afford these tickets.

25 If the legislation is enacted, these bikes

1 being then legal, will ultimately eradicate these  
2 tickets, these \$500 tickets.

3 MARCO CONNOR: Yeah, so that's -- that's the  
4 goal. Right?

5 But, you know, there's going to be an interim  
6 period of certain months, maybe even years, where  
7 there may be some types of e-bikes out there that do  
8 not meet the requirements or the definitions of what  
9 a "legal e-bike" is and what is being passed.

10 So that's the concern; it's to ensure that,  
11 when this legislation becomes law, when it becomes  
12 active, that food-delivery workers will not suffer  
13 these penalties or complications.

14 SENATOR KENNEDY: So you have no concern that  
15 an employer will say, you can come work for me, but  
16 no e-bikes, because --

17 MARCO CONNOR: I doubt --

18 SENATOR KENNEDY: -- if you get a ticket, I'm  
19 paying it?

20 MARCO CONNOR: I doubt that will happen.

21 SENATOR KENNEDY: I disagree.

22 MARCO CONNOR: Yeah.

23 SENATOR KENNEDY: But that's quite all right,  
24 it's a democracy.

25 MARCO CONNOR: So I'll --

1           SENATOR KENNEDY: But thank you for your  
2 testimony, though.

3           I'm going to turn it over to Senator Ramos.

4           SENATOR RAMOS: Did you want to say  
5 something?

6           MARCO CONNOR: No, I just want to add that,  
7 you know, the concern is -- is that, we want to make  
8 sure that when it becomes law, that during the  
9 interim period of a few months or years, that  
10 workers will actually benefit from the law that is  
11 passed.

12          SENATOR KENNEDY: Yeah, definitely, that will  
13 be taken into consideration.

14          Thank you.

15          MARCO CONNOR: Thank you.

16          SENATOR KENNEDY: Senator Ramos.

17          SENATOR RAMOS: Marco, Transportation  
18 Alternatives has been fighting for bicyclists for  
19 such a long time.

20          And some of the concerns that I've heard is  
21 largely around the sharing of bike lanes and  
22 infrastructure, because, obviously, e-bikes are  
23 heavier, larger, faster.

24          So can you speak a little bit to whether  
25 those concerns are valid or not, based on

1 Transportation Alternatives' research and expertise  
2 on the matter?

3 How -- how -- how would that culture of  
4 bike-sharing work?

5 MARCO CONNOR: Yeah, as we see it, right now  
6 there is an inequitable allocation of street space  
7 in our city, where cars are given 80 percent of  
8 space on the streets, either for moving them or for  
9 storing them, with cars sitting idle for 95 percent  
10 of the time. Right?

11 When you look at places throughout  
12 New York City, you see pedestrians, bicyclists,  
13 essentially, squeezed to the side.

14 So the issues that you're raising, the  
15 concerns that we do hear, and people's concerns  
16 should always be heeded, we don't believe it's a  
17 matter of pitting pedestrians against bicyclists, or  
18 pedestrians and bicyclists against e-bike users.

19 This is a matter of reclaiming some of the  
20 space that actually used to belong to pedestrians,  
21 where we could actually walk from -- throughout most  
22 of the city, and not having to fear being struck and  
23 injured by multi-ton vehicles.

24 So, right now, there's an inequitable  
25 distribution and allocation of that street space,

1 and it is simply a matter of poor design if our  
2 streets cannot accommodate these sustainable,  
3 healthier, far-less dangerous means of  
4 transportation.

5 And so that is what the City should be  
6 focusing on. It should actually, through redesign,  
7 accommodate and promote the use of these devices.

8 SENATOR RAMOS: Thank you.

9 And, logistically, and part in the  
10 non sequitur here, if we are legalizing e-bikes and  
11 e-scooters, what about charge stations for these  
12 vehicles?

13 Do you feel that there is enough  
14 availability?

15 Can we be doing more to support people in  
16 their decision to adapt to carbon-free modes of  
17 transportation?

18 MARCO CONNOR: Yeah, we can do so much more.

19 Again, you know, these are devices that the  
20 City and the State should actually promote. They  
21 should actively help getting people to use them, and  
22 to use them instead of using multi-ton cars. Right?

23 This is good public-health policy.

24 The City has 80 x 50 environmental goals that  
25 we need to reach to reduce carbon emissions.

1           We have a crisis of people being killed in  
2           our streets. We're trying to reach Vision Zero, and  
3           reducing, to zero, the number of people killed and  
4           seriously injured.

5           These device can help us get there.

6           And we are, as a city and as a state, we are  
7           putting up electric charging stations for multi-ton  
8           electric cars, right, but we are not yet doing the  
9           same for these devices.

10          And much more can certainly be done.

11          You can reappropriate certain car parking  
12          spaces near intersections for parking of e-scooters  
13          and e-bikes, and you can also have charging stations  
14          there.

15          There already are efforts under way to use  
16          parking garages, and kind of repurposing some of the  
17          space in parking garages for the charging and  
18          parking of e-bikes and e-scooters.

19          And that is something that the City should,  
20          and State should, actively promote.

21          SENATOR RAMOS: Okay. Thank you.

22          MARCO CONNOR: Thank you.

23          SENATOR KENNEDY: Thank you very much for  
24          your testimony.

25          Next we are going to hear --

1 [Applause.]

2 -- from Christine Berthet from Manhattan  
3 Community Board 4.

4 Good afternoon, Christine.

5 And following Christine's testimony, we're  
6 going to hear from the industry panel: From Lime,  
7 Phil Jones; from Bird, Ed Fu; from Spin, Will Burns;  
8 and from Bolt, Will Nicholas.

9 The floor is yours.

10 Thank you.

11 CHRISTINE BERTHET: Thank you so much,  
12 Senator Ramos.

13 My name is Christine Berthet.

14 I'm the co-chair of transportation committee  
15 from CB 4 -- Manhattan CB 4.

16 The Hells Kitchen District of Manhattan CB 4  
17 has a large concentration of restaurants and  
18 delivery workers.

19 And CB 4, also, we are lucky to have many  
20 bike lanes, and which are heavily used by commuters  
21 and delivery workers.

22 So I'd like to separate some issues.

23 The first one is, the bike delivery workers  
24 are an important segment of our diverse population  
25 and provide valued service.

1           And we want them to have a decent life. We  
2 want them to be part of our community.

3           And we think the State should pass laws that  
4 require their employers to pay fair wages, as the  
5 council did successfully about Uber drivers,  
6 restaurant workers, and no cash -- you know,  
7 car-wash workers.

8           I mean, it just breaks my heart to hear  
9 people say, I have to go and run everywhere in --  
10 you know, sometime, maybe a little carelessly, in  
11 order to make a living.

12           And I think that's not right, and we should  
13 really take care of that as a base issue.

14           The second one is, getting a driver's license  
15 should be absolutely based on one's ability to drive  
16 safely in the city, and the bike delivery workers  
17 should be able to get a driver's license as long as  
18 they pass the test.

19           And I understand that Governor Pataki was the  
20 one who changed that sometime ago.

21           And it should be reversed asap so they are  
22 treated the same way as if --

23           SENATOR RAMOS: We're trying.

24           CHRISTINE BERTHET: -- I know.

25           Thank you so much.

1           Okay, and then, finally, based on everything  
2 we have heard today, I think, no matter what  
3 happened to this legislation, the level of fines and  
4 the ability of the NYPD to capture their bikes  
5 should be removed.

6           Even if the bike were illegal, I think we  
7 should not have this total abuse of power.

8           And I feel that NYPD behavior is disgraceful  
9 and shameful vis-a-vis those immigrant workers.

10          And -- and, by the way, if there was a  
11 passage of the law, I think they should have an  
12 amnesty of what they had to pay in the last  
13 X months, or whatever, because I think this is very  
14 unfair.

15          So, now, let's focus on transportation  
16 policy.

17          And I think -- you know, I've always had a  
18 hard time understanding this legislation, because  
19 I feel, and maybe I'm wrong, that, you know, the  
20 Class 2 e-bikes are already legal. They're,  
21 essentially, electric moped.

22                 You have a moped, it's electric.

23                 Today it's not -- it's an engine, you know.

24                 But if it was electric, you have a moped,  
25 it's legal.

1           You have to have a -- you know, you have to  
2           have a license and registration. The driver has to  
3           wear a helmet and not ride in a bike lane.

4           That's what an "electric moped" is.

5           So my question is: In this new legislation,  
6           if we want to be careful about how we implement it,  
7           what of those protections should be removed?

8           And -- and I think what is being proposed  
9           here, is that we have a legislation that doesn't  
10          require helmet; doesn't allow us to go in the bike  
11          lane; allows us to go to 28 miles per hour, even  
12          though the law is 25 miles per hour.

13          So I don't know why "28" is the right number.

14          SENATOR RAMOS: Statewide.

15          CHRISTINE BERTHET: Huh?

16          SENATOR RAMOS: State.

17          That's why they're --

18          CHRISTINE BERTHET: Oh, oh (indiscernible  
19          cross-talking).

20          SENATOR RAMOS: -- we're allowing the city to  
21          decide what they want to do.

22          CHRISTINE BERTHET: Got it, got it.

23          Okay.

24          So, that's that.

25          The electric moped riders currently require a

1 license.

2 I would advocate that the electric bicycle  
3 should get a license, and -- because when you are  
4 driving at a certain speed, you should know the  
5 rules of the road.

6 And, essentially, because, today, a number of  
7 drivers of these vehicles may not come from the same  
8 culture and have different rules in their country.

9 You know, I've been in Mexico and other  
10 countries, and people go against the flow and it's  
11 fine, you know.

12 And I don't expect people coming to this  
13 country, as I did a long time ago, and understand  
14 all the bills and all the rules of the road.

15 And I think training and education that I say  
16 is a license is what I'm looking for; a lot of  
17 training, a lot of education, before you go on, you  
18 know, driving those electric bikes, not necessarily  
19 for the existing users, which have proven to be very  
20 sensible. But for more users which may not be as  
21 sensible.

22 And the question about using the bike lane is  
23 an important one also, because, I mean, the space,  
24 the space in the bike lane.

25 I've used -- I've heard normal bikers, and

1 you just mentioned that, that thing that would be an  
2 issue.

3 I can tell you, on 9th Avenue and 8th Avenue,  
4 we have a lot of bikes.

5 And how big is the equipment and how fast can  
6 it go, and is it compatible?

7 I would advocate for doing wider bike lanes,  
8 and having, you know, a fast lane and a slow lane.

9 So, as far as scooters, we -- our key concern  
10 is scooters on the sidewalks.

11 And we request that a ride-sharing company  
12 must install scooter parkings in the parking lane  
13 and, you know, charging stations, to prevent  
14 scooters to be left on the sidewalks.

15 Thank you.

16 SENATOR KENNEDY: Thank you very much,  
17 Ms. Berthet.

18 Any questions?

19 SENATOR RAMOS: I guess, let me begin by  
20 thanking you for your service.

21 I'm a former community board member, so  
22 I know how important it is to have the level of  
23 dedication to liaise between city agencies and your  
24 neighbors.

25 I take that you've traveled all the way to

1 Queens because there, perhaps, have been complaints,  
2 or concerns, from mem -- from residents of your  
3 community board, from the catchment of the community  
4 board? Is that correct?

5 CHRISTINE BERTHET: Yes.

6 SENATOR RAMOS: Would that be --

7 CHRISTINE BERTHET: And also because --

8 SENATOR RAMOS: -- the impetus for your  
9 (indiscernible cross-talking) --

10 CHRISTINE BERTHET: Also because I'm very  
11 dedicated to transportation safety.

12 SENATOR RAMOS: Personally?

13 CHRISTINE BERTHET: Right, personally.

14 SENATOR RAMOS: And what position do you have  
15 on the community board?

16 CHRISTINE BERTHET: I'm the co-chair of the  
17 transportation committee.

18 I'm a former chair of the community board.

19 And I have a non-profit on pedestrian safety.

20 SENATOR RAMOS: Very good.

21 So thank you for your advocacy on  
22 transportation safety.

23 Has your community board passed any  
24 resolutions, or made any formal or informal  
25 suggestions, as to what a safety plan would look

1 like for these -- for e-bike riders or e-scooters  
2 riders?

3 CHRISTINE BERTHET: Well, I think we gave you  
4 our resolution, so it's in our testimony. You have  
5 that somewhere.

6 But I think, you know, limiting the speed is  
7 one of the things that we would be way more  
8 comfortable. Like, having a speed governor at  
9 15 miles per hour.

10 So it would be -- the operation would be less  
11 painful, you know, less, you know, heavy on the  
12 user, but the speed wouldn't be such a differential  
13 with a normal bike.

14 And that's something.

15 Plus, I think education is something that our  
16 community board is very anxious to do.

17 We have, with bicyclists, as well as -- any  
18 bicyclists, electric or not, we have a lot of issues  
19 of conformance to the rules of the road.

20 And, although I'm not in favor of tremendous  
21 enforcement, I don't think this is the right way to  
22 do it, I would rather have the proper education at  
23 the beginning.

24 SENATOR RAMOS: No, I understand, and I agree  
25 with, you know, putting safety at the forefront

1 of -- of everything we do as it relates to  
2 transportation.

3 And I guess the last thing that I want to do  
4 is ask you for the favor of, since now you've sat  
5 here and heard all of these stories from delivery  
6 workers, that when your neighbors bring up their  
7 concerns for quality of life that sometimes come out  
8 of a lot of privilege, right, because they're able  
9 to be much more concerned about things that -- or,  
10 sorry, be less concerned about things that delivery  
11 workers have to do to put food on the table, and  
12 that sort of thing, that you're able to relay to  
13 your neighbors in Manhattan and Community Board 4,  
14 the perils and the struggle that these workers  
15 experience on a day-to-day basis.

16 That while there are quality-of-life  
17 concerns, there's actually no data to support that  
18 e-bikes are dangerous.

19 And so calling the police on them, and things  
20 like that, aren't necessarily the best way to deal  
21 with the issue.

22 All you're doing is, really, putting  
23 undocumented immigrants in harm's way.

24 CHRISTINE BERTHET: We have had formal  
25 discussion, sit-down with the police, on those

1 issues. And we have specifically asked them to  
2 enforce certain things, but not others, like, you  
3 know, going the wrong way in the bike lane, which is  
4 somewhat dangerous, and people feel.

5 But that has nothing to do with e-bikes.

6 It's about any bicyclist who does those  
7 specific things.

8 And riding on the sidewalk.

9 I have to tell you that I've been hit  
10 recently by an electric bike on the sidewalk.

11 It's a little scary. I mean, you know --

12 SENATOR RAMOS: When did you get hit?

13 CHRISTINE BERTHET: Like, probably, you know,  
14 one month ago.

15 SENATOR RAMOS: And what happened to you?

16 CHRISTINE BERTHET: Nothing; nothing happened  
17 to me. It was not that kind of encounter, but I was  
18 physically hit.

19 And there are a lot of people -- so, you  
20 know, if you are hit, and I've been hit on the  
21 sidewalk by a bike, a normal bike, so it's the same  
22 thing.

23 I have a lot of affinities with bike. I'm  
24 not against bikes in any way.

25 I'm just saying, this is, certainly, if

1 somebody is fragile and not comfortable and older,  
2 it's a very scary -- but that's not the average --  
3 that is not our average.

4 And, by the way, our neighborhood is not very  
5 rich, so people don't have a lot of privilege.

6 We have a lot of affordable housing.

7 SENATOR RAMOS: What neighborhoods are  
8 Community Board 4?

9 CHRISTINE BERTHET: Hells Kitchen for --  
10 Hells Kitchen has always been a very, you know,  
11 middle class or lower class, which is the reason we  
12 don't have a lot of cars, and people are not very  
13 excited about cars.

14 SENATOR RAMOS: What's the cost to rent a  
15 two-bedroom apartment in Hells Kitchen right now?

16 CHRISTINE BERTHET: It's very expensive.

17 That's why we develop a lot of affordable  
18 housing.

19 SENATOR RAMOS: Okay.

20 CHRISTINE BERTHET: We are a big, big  
21 proponent.

22 So, anyway, the point is that, we would want  
23 to find a way so that these things are rolled out in  
24 a way that makes everybody comfortable.

25 And, right now, we are not completely there.

1 SENATOR RAMOS: Okay.

2 SENATOR KENNEDY: Thank you, Ms. Berthet.

3 Senator John Liu would like to ask you a  
4 question.

5 CHRISTINE BERTHET: Oh, I'm so sorry.

6 SENATOR LIU: That's okay, that's okay,  
7 Christine.

8 Thank you.

9 Thank you.

10 SENATOR KENNEDY: I wouldn't want to answer  
11 his questions either.

12 CHRISTINE BERTHET: I have answered a lot of  
13 his questions in the past.

14 SENATOR KENNEDY: Yeah, yeah, me too.

15 I tend to try to get away from him as well.

16 SENATOR LIU: She -- Christine has been  
17 testifying at these kinds of hearings for, to my  
18 knowledge, 20 years, I think even more than that.

19 So she really is an expert on all  
20 multimodal -- questions of multimodal transport.

21 CHRISTINE BERTHET: Thank you.

22 SENATOR LIU: So it's good to see you,  
23 I think first time out of Manhattan?

24 CHRISTINE BERTHET: No, well, I frequently  
25 come out of Manhattan.

1 SENATOR LIU: To the airport?

2 CHRISTINE BERTHET: Yes.

3 No, no.

4 [Laughter.]

5 SENATOR LIU: Ha-ha-ha, just kidding.

6 Good to see you, Christine.

7 Thanks for testifying.

8 SENATOR KENNEDY: Thank you so much.

9 SENATOR KENNEDY: Next we're going to call up  
10 the industry panel, again, from Lime, Bird, Spin,  
11 and Bolt; Phil Jones, Ed Fu, Will Burns, and  
12 Will Nicholas.

13 SENATOR RAMOS: Oh, we need more women in  
14 this industry, guys.

15 OFF-CAMERA SPEAKER: (Inaudible.)

16 SENATOR RAMOS: All right, that's what I like  
17 to hear.

18 SENATOR KENNEDY: Welcome, gentlemen.

19 PHIL JONES: So, thank you, Mr. Chair,  
20 Senator Ramos, and Senator Liu.

21 Thank you for the privilege to speak today in  
22 support of several pieces of important legislation  
23 that are critical to New York, the mobility of its  
24 residents, and the future of transportation systems  
25 that serve all New Yorkers.

1 I represent Lime.

2 We serve more than 100 markets on  
3 5 continents, and have recorded more than 70 million  
4 rides.

5 We provide dock-free scooters and e-bikes.

6 We also already serve New York through the  
7 City Stock-Free Bike and E-Pilot Program right here  
8 in Queens, in the Rockaways, and as well in  
9 Staten Island.

10 Since that program began nearly a year ago,  
11 we have completed over 142,000 dock-free bike rides  
12 with more than 25,000 unique riders.

13 We also successfully partner with local  
14 organizations to hire New York residents and conduct  
15 safety workshops.

16 In addition, we operate popular programs in  
17 Yonkers, White Plains, and Ithaca, with the support  
18 of local officials, where we've actually done  
19 60,000-plus unique rides -- with 60,000 unique  
20 riders and 288,000 trips in less than a year.

21 Our record in New York illustrates the  
22 ability of micromobility to improve transportation  
23 equity.

24 About 70 percent of Lime riders in the city  
25 identify as non-White;

1           61 percent earn \$50,000 a year, or less;

2           And 40 percent identify as female, compared  
3 to about 25 percent of city bike riders.

4           This legislation would yield similar results  
5 state- and citywide.

6           As you know, millions of New Yorkers do not  
7 live near mass transit, and those communities tend  
8 to be of lower income and more diverse.

9           Pratt Center found that 750,000 New York City  
10 residents who travel more than one hour each way to  
11 work, two-thirds of which of them earn less than  
12 \$35,000 a year.

13           Dock-free e-bikes and scooters can help close  
14 that distance, increase mobility, and improve the  
15 quality of life for New Yorkers living in transit  
16 deserts.

17           Consider the neighborhood we're sitting in  
18 right now, Flushing. The population here is less  
19 than 10 percent White, the average household income  
20 is about \$50,000, almost exactly the city average.

21           Flushing residents, essentially, have one  
22 transportation option, the Flushing 7 Train Station,  
23 which is consistently ranked the busiest stop  
24 outside of Manhattan.

25           Every day, tens and thousands of low- and

1 medium-income workers crowd onto the platform.

2 Taking the bus, as you all know, would add  
3 another 20 minutes, on average, to Manhattan.

4 Along with the stress and aggravation of that  
5 commute, those Queens residents also lose money they  
6 cannot afford to do when the train is late or  
7 overcrowded.

8 Meanwhile, to the east and north are miles  
9 and miles of Queens neighborhoods without even one  
10 subway stop.

11 Millions more New Yorkers in The Bronx,  
12 Brooklyn, Staten Island, and northern Manhattan also  
13 are stranded.

14 Senate Bill 5294 and Assembly Bill 7431 would  
15 give those New Yorkers a lifeline, allowing us and  
16 other providers to offer e-bikes and e-scooters,  
17 connecting them to underused bus routes, other  
18 subway stops, and a direct route to work that is  
19 reliable and affordable.

20 Only then can we deliver the best service  
21 possible to close the transit equity gap while  
22 guaranteeing safety, the most efficient  
23 transportation system possible, for all New Yorkers.

24 Thank you, and I'm happy to be here today,  
25 and answer your questions.

1           SENATOR KENNEDY: Wonderful.

2           Thank you very much.

3           ED FU: Thank you very much for giving me the  
4 opportunity to testify in support of 5294.

5           My name is Edward Fu.

6           I'm senior counsel for Bird, and head of our  
7 nationwide legislative efforts.

8           And it's a real honor to testify here in  
9 Flushing where my family has lived for decades.

10          And I want to briefly touch on three topics  
11 today.

12          First, what the bill does;

13          Second, what the bill would do for  
14 New York City;

15          And, third, street safety.

16          Senate Bill 5294 gives New Yorkers the choice  
17 of riding an e-bike or an e-scooter. It defines  
18 what they are, and treats them similar to bicycles,  
19 letting them ride in bike lanes, and that they don't  
20 have to be registered and titled.

21          It's same approach that's taken by dozens and  
22 dozens of states across the country.

23          In particular, it emphasizes that cities have  
24 regulatory authority over their streets, to control  
25 them, to regulate them, to manage them, in the same

1 way that they regulate bikes already.

2 For example, as my colleague mentioned, one  
3 way that cities use e-bikes and e-scooters is to  
4 tackle the issue of transportation equity; allowing  
5 people who can't afford to live near mass transit to  
6 shorten their commutes and spend more time with  
7 their families.

8 In addition, cities are also starting to see  
9 the impacts that e-bikes and e-scooters have on  
10 sustainability.

11 In Bird's first year, more Americans rode on  
12 shared scooters than on every bike-share in the  
13 country, combined.

14 And what cities have found is that, of all  
15 those Bird trips, over a third of them replace what  
16 would have been a car trip.

17 And what that means is that, in every single  
18 one of our cities, we're taking thousands of car  
19 trips off of the street every single day.

20 If you can just imagine the impact that  
21 thousands of cars has on congestion, on pollution,  
22 on parking, and on safety, and then imagine being  
23 able to get rid of that every day.

24 Finally, I want to add a few words on safety,  
25 because, as some of the people today have already

1 mentioned, I think studies of e-bike and e-scooter  
2 safety are starting to find that, when we talk about  
3 safety, we're really talking about two distinct  
4 concepts, and the first is individual safety.

5 E-bikes and e-scooters are new devices, and  
6 sometimes riders, especially novice riders, when  
7 they get on one, can fall off and hurt themselves.

8 The rate is low, but I think this is the area  
9 in which the industry can always do better.

10 We can build better devices, we can have  
11 better education, and we can work with cities to  
12 build better infrastructure.

13 But then the second issue that's also called  
14 "safety" is what really is referred to as "system  
15 safety," or "safety to others."

16 And, here, there's no question where the real  
17 danger -- or, where the real threat is.

18 Tens of thousands of Americans are killed by  
19 cars every year.

20 And last year, about ten of them happened to  
21 be on scooters, and these are called the "scooter  
22 fatalities."

23 But I think what they really should be called  
24 is "car fatalities," because it didn't matter that  
25 the victim was on a scooter, or riding a bike, or

1 walking.

2 What mattered was that a car hit them.

3 And blaming the victim's mode of  
4 transportation feels completely backwards, because  
5 it wasn't their choice of transportation mode that  
6 killed them. It was someone else's.

7 At the end of the day, our streets are safer  
8 when we have more people on bicycles and on scooters  
9 than in cars.

10 We sit less than a mile away from  
11 Allie Liao Way, a painful reminder of what an  
12 irresponsible driver can do to a community.

13 Someone in New York City is injured or killed  
14 by a car every 8 minutes, meaning that, during this  
15 hearing, dozens more New Yorkers are going to be  
16 injured and killed by cars, on average.

17 So if we're really serious about safety and  
18 Vision Zero, we need to get people out of cars, and  
19 Senate Bill 5294 is a great way of doing so, because  
20 it legalizes two proven ways of reducing car trips  
21 that dozens of already -- of other states have  
22 already found have brought safety, equity, and  
23 environmental benefits to their states.

24 And we hope that New York will do the same.

25 Thank you.

1 SENATOR KENNEDY: Thank you.

2 SENATOR RAMOS: Thank you.

3 WILL BURNS: Good afternoon,  
4 Chairman Kennedy, Senator Ramos, and Senator Liu.

5 My name is Will Burns.

6 I'm here on behalf of Spin, a shared  
7 micromobility company that is part of the Ford Motor  
8 Company.

9 We thank you for your efforts to bring  
10 e-scooters to New York State, and we appreciate the  
11 opportunity to speak today in support of Senate  
12 Bill 5294.

13 We are particularly supportive of this  
14 legislation because we believe it embodies the most  
15 important tenet of this industry, which is the  
16 promotion of robust local authority for counties and  
17 municipalities to regulate shared mobility according  
18 to their particular needs.

19 We know that municipalities vary  
20 significantly in size, political culture, road and  
21 bike infrastructure, and attitudes toward  
22 micromobility.

23 Even within cities, different neighborhoods  
24 can have wildly different transportation needs and  
25 wildly different approaches to meeting those needs.

1           Consequently, it is imperative that municipal  
2           and other local governments establish important  
3           regulations for the safe and efficient usage of  
4           shared e-scooters.

5           Senate Bill 5294 accomplishes this important  
6           goal.

7           Municipalities can determine the number of  
8           vendors that can operate, the number of shared  
9           vehicles that can be deployed, where they are to be  
10          used, and how they are to be parked.

11          We think it's important to talk a little bit  
12          about parking for e-scooters because it's been one  
13          of the more debated aspects of this new form of  
14          mobility.

15          On behalf of the industry here before you  
16          today, we are all working tirelessly with our city  
17          partners to educate riders about appropriate  
18          parking, hold riders accountable for poor parking,  
19          coordinate customer-service requests to mitigate  
20          improper parking, and work in a collaborative manner  
21          to ensure our scooters are being used to benefit the  
22          public.

23          While our individual processes may differ, we  
24          all provide various in-application and on-scooter  
25          features to mitigate irresponsible parking,

1 including notifications and alerts, requiring riders  
2 to photograph their parked scooter after their ride.

3 Spin also asks our users to rate how the  
4 previous rider parked the scooter.

5 And riders who repeatedly violate rules are  
6 subject to fines, suspensions, and bans.

7 Spin's all-W-2 workforce also helps ensure  
8 that our local teams know the cities' deployment  
9 rules, and allows us to hold our employees  
10 accountable, and to better respond to reports of  
11 improper parking.

12 In some jurisdictions where we operate,  
13 parking corrals for scooters have been created to  
14 promote compliant parking behavior.

15 And that is why we are proud to announce that  
16 we've recently partnered with a solar-powered  
17 charging-station company to provide what we think  
18 may be a game-changer for parking.

19 This summer, in Ann Arbor, and Washington,  
20 D.C., we will be piloting these charging stations  
21 where Spin riders can find and park our scooters to  
22 be charged, and we're eager to find out how it  
23 influences our users' parking behavior.

24 We look forward to continue in collaboration,  
25 and will be happy to any questions you may have.

1 Thank you.

2 SENATOR KENNEDY: Thank you.

3 WILL NICHOLS: Hello.

4 My name is Will Nicholas, and I'm here with  
5 Bolt Mobility.

6 We really appreciate you having us here  
7 today.

8 Thank you, Senator Ramos, for sponsoring the  
9 bill, and for -- Chairman Kennedy, for hosting this  
10 hearing.

11 Bolt Mobility's mission is to work with  
12 cities to create simple, safe, and sustainable  
13 transportation solutions for all.

14 I echo the sentiments of my fellow  
15 competitors, and in an effort to avoid duplicity,  
16 I'll just touch on two of Bolt's considerations when  
17 we run our business.

18 The first is safety, from a design  
19 perspective, as well as an operational one, and then  
20 I'll also touch on sustainability as well.

21 Bolt engineers our scooters from the ground  
22 up with rider safety top of mind.

23 We use reflective yellow paint, large 10-inch  
24 wheels, dual brakes, robust suspension systems,  
25 aluminum frames, bright LED lights in the front and

1 rear.

2 Also, our scooter riders can be just as  
3 healthy at the end of the ride as when they started  
4 it.

5 From an operational perspective, we hire,  
6 like Spin, a full-time W-2 workforce that is  
7 responsible for the health of our fleet;  
8 rebalancing, recharging, and most importantly,  
9 repairing our scooters, so that we can not only have  
10 continuity of service, but reliability for every  
11 ride.

12 From a sustainability perspective, I think  
13 it's obvious that, you know, cars are not the  
14 solution.

15 And in this country alone, 33 percent of  
16 particulate matter that is, arguably, heating up  
17 this earth, and, obviously, creating lung disease,  
18 leukemia, and asthma, is all caused by the internal  
19 combustion engine of the vehicles that crowd our  
20 streets.

21 So I think it's prudent that the City of  
22 New York, the State of New York, adopt legislation  
23 that will encourage and embrace new forms of  
24 technology, particularly ones that are electric and  
25 sustainable.

1           From another perspective, I'd like to touch  
2           on the economic and financial sustainability of this  
3           city and of this state.

4           It's imperative that the people who live and  
5           work here are able to move around freely, and  
6           transportation infrastructure is a really tough  
7           challenge, and the systems that we have in place  
8           today are largely inadequate.

9           So, I encourage you to pass this legislation  
10          that I think is aligned and consistent with bills  
11          and laws that are in other states and cities that  
12          have embraced both e-scooters and e-bikes to the  
13          benefit of their residents.

14          Thank you very much.

15          SENATOR KENNEDY: Thank you.

16          I have a number of questions, and I know my  
17          colleagues will as well.

18          We have been waiting for the four of you to  
19          come testify here today.

20          Many questions.

21          WILL NICHOLS: We're excited to be here.

22          SENATOR KENNEDY: I know, I know, I know, and  
23          you waited quite a while. Thank you for your  
24          patience.

25          So, first of all, we're talking about a

1 number of things here today, but, in particular, the  
2 legislation that legalizes e-bikes and e-scooters.

3 All of your respective corporations are  
4 specific to e-scooters; is that accurate?

5 PHIL JONES: No, we have both.

6 SENATOR KENNEDY: You have both.

7 Do you all have both?

8 WILL BURNS: Currently we don't have both,  
9 but we have submitted a proposal to a city to offer  
10 e-bikes and e-scooters.

11 SENATOR KENNEDY: Okay, so Spin only has  
12 scooters?

13 WILL BURNS: Currently, yes.

14 SENATOR KENNEDY: And Bird --

15 WILL NICHOLS: Bird (indicating).

16 SENATOR KENNEDY: -- oh, Bird has scooters?

17 ED FU: Bird, we currently have scooters.

18 And we have just announced the launch of  
19 a new electric bicycle as well, called the  
20 "Bird Cruiser."

21 SENATOR KENNEDY: Spin has...?

22 WILL BURNS: We currently only deploy  
23 e-scooters, but we are looking to deploy e-bikes in  
24 another jurisdiction.

25 SENATOR KENNEDY: And, Bolt?

1 WILL NICHOLS: Currently, only e-scooters.

2 SENATOR KENNEDY: Okay.

3 E-scooters (indicating).

4 E-scooters (indicating).

5 And you do both.

6 PHIL JONES: Right, we currently have them  
7 deployed around the world.

8 SENATOR KENNEDY: I'm sorry?

9 PHIL JONES: We currently have e-bikes and  
10 pedal bikes deployed around the world.

11 SENATOR KENNEDY: Right.

12 PHIL JONES: Uh-huh.

13 SENATOR KENNEDY: And are you manufacturing  
14 e-scooters as well?

15 PHIL JONES: We do, yes. We have both.

16 SENATOR KENNEDY: Okay, that's what I said.

17 So you do both?

18 PHIL JONES: Yes.

19 But we're current -- I just want to make sure  
20 that you know we're currently operating e-bikes now.

21 SENATOR KENNEDY: I understand, I understand.

22 So where are your products manufactured?

23 Let's start there.

24 So why don't we start, in order of testimony,  
25 why don't we start with Lime.

1 Phil Jones, where --

2 PHIL JONES: Yes, most of the components of  
3 our bikes and scooters are made in China.

4 SENATOR KENNEDY: China.

5 ED FU: That's accurate.

6 And we do assembly, design, and servicing in  
7 the United States.

8 WILL BURNS: Currently, our products are made  
9 in China.

10 But, being part of the Ford Motor Company,  
11 we're looking to innovate new products here in the  
12 U.S.

13 WILL NICHOLS: Designed here, and  
14 manufactured in China. We do our final --

15 SENATOR KENNEDY: When you say "here," you  
16 mean the U.S.?

17 WILL NICHOLS: Design our scooters here.

18 SENATOR KENNEDY: "Here," as in the U.S.?

19 WILL NICHOLS: Yes.

20 SENATOR KENNEDY: Where in the U.S.?

21 WILL NICHOLS: Miami Beach, Florida.

22 SENATOR KENNEDY: All right.

23 We want Lime, Bird, Spin, and Bolt to make an  
24 investment in New York.

25 It's extremely important.

1           We're talking about economy, we're talking  
2           about jobs, we're talking about workers, we're  
3           talking about manufacturing, and your companies that  
4           at the forefront of this legislation.

5           You know, the fact that we're having this  
6           meeting, and the fact that you're all here, I think  
7           is indicative of your leadership and the leadership  
8           of your respective corporations.

9           It is absolutely imperative that the  
10          companies that you're here to represent look at  
11          New York to make an investment.

12          It's essential, and I'll tell you why.

13          Because, as we are just beginning to  
14          implement these e-bikes and e-scooters, and as we  
15          are on the cusp of passing legislation to legalize  
16          them in the state of New York, I think it is  
17          extremely important we look at this with vision  
18          toward the future: Where are we going to be, 5, 10,  
19          20, 50, 100 years from now?

20          And as you're setting up routes in this  
21          state, from a sales perspective, I think it's just  
22          as important that you set up routes here from a  
23          manufacturing perspective.

24          And I know all of the corporations that both  
25          you represent are subsidiaries of larger

1 corporations that, in many cases, already have a  
2 footprint here in the state of New York.

3 So I think if you can bring a message back to  
4 the corporate leadership, that the expectation is,  
5 that you're manufacturing here as well, that would  
6 be very much appreciated.

7 Where are your biggest obstacles, other  
8 than --

9 Let's take New York and this legislation out  
10 of the way. We all recognize that you're supportive  
11 of the legislation.

12 -- in the implementation in the other cities,  
13 and I know some of them, for instance, and you've  
14 alluded to them in your testimony, parking, for  
15 example.

16 I was just down in Washington, D.C.

17 I got to see it from my own eyes what I've  
18 heard actually, unfortunately, some my colleagues  
19 say is happening out in California, particularly  
20 with the e-scooters.

21 And, again, you're trying to find solutions  
22 to these issues, and where are they parked?

23 You know, Mr. Fu, you mentioned -- no, I'm  
24 sorry.

25 Mr. Burns, you mentioned that you are

1 looking into stacking stations, and that sort of  
2 thing, the solar-powered docking stations.

3 You know, today, when -- where they don't  
4 exist.

5 And, also, how the users park, and then  
6 getting the next user to score the previous user's  
7 parking.

8 Well, if these e-scooters are sitting on a  
9 particular sidewalk or street corner or in a park,  
10 or wherever they may be, and that's part of the  
11 enticement behind the whole program, I suppose,  
12 industry, what's to say somebody couldn't just take  
13 one of those e-scooters and, themselves, throw it  
14 into the middle of the street, so that the next user  
15 comes along and says, The last user was a  
16 terrible -- parked it terribly?

17 And I suppose -- it's a larger question, and  
18 I don't expect you to have all the answers. But I'm  
19 throwing out questions that are coming our way.

20 The other issue, e-scooters in particular,  
21 happens to be with, again, as they're coming online  
22 and they are becoming more commonplace in other  
23 communities across the country, and there are more  
24 and more of them, they, in some ways, saturate  
25 certain areas of the community and become a bit of a

1 blight, for lack of a better word.

2 WILL BURNS: Yeah, so, Senator, I think those  
3 are all excellent questions.

4 And let me begin by answering the question by  
5 saying, I was a member of the Chicago City Council  
6 for about five years, and so I understand how  
7 congested our streets are and sidewalks are, and how  
8 contested they are for different users.

9 So I think there are a couple of answers to  
10 the question.

11 First of all, we think it's -- Spin --

12 I can't speak for others at the table.

13 -- we think there should -- cities should  
14 consider caps on the number of scooters that can be  
15 deployed, and limits of the number of vendors who  
16 can operate, within a jurisdiction, and, that way,  
17 you control the total number of scooters that can be  
18 deployed at any time.

19 I also think -- we also support requirements  
20 for companies to deploy scooters in communities that  
21 are transit deserts and require access to scooters.

22 And that -- and, also, limits on the number  
23 of scooters that can be deployed in, say, for  
24 example, the central business district.

25 Those are all things that can -- those are

1 all tools in the tool box that a city can use to  
2 manage a scooter fleet.

3 We also believe that cities should be getting  
4 real data from each company, to know how many rides  
5 per day are occurring with scooters, before they  
6 give additional scooters to any company.

7 Right?

8 So those are some of the things that can be  
9 done.

10 I've seen, in Washington D.C., you mentioned  
11 that, we are audited by the district for compliance  
12 with all of the different aspects of the program.

13 And cities have made it very clear, that if  
14 you don't do what you say you're going to do in this  
15 permit application or this RFP, you won't get a  
16 license to operate here in the next year.

17 And, Spin, we don't operate anywhere we don't  
18 have a license to operate.

19 So, those are very important things for us.

20 SENATOR KENNEDY: Thank you.

21 Anybody else want to answer that question?

22 And going back to my initial question, as far  
23 as biggest obstacles, anybody want to talk about the  
24 biggest obstacles, other than this legislative  
25 initiative?

1 PHIL JONES: In most cases, it's really about  
2 modeling behavior; for people to become familiar  
3 with the platforms, to understand how to utilize  
4 them properly.

5 And as we've mentioned earlier, it really is  
6 about making sure that they're using them safely,  
7 and that they're informed on the rules of the road,  
8 and that they are following all traffic signals.

9 And there are a couple ways that we can do  
10 that.

11 We can do that through our brand ambassadors,  
12 who are actually going out there in the street,  
13 talking to people, training them on how to use the  
14 platforms properly.

15 But we can also use technology.

16 We can do an in-app pushing.

17 We can do it where we're telling them where  
18 they can go and where they can't go.

19 Notifying them, and letting them know what  
20 the rules of any given jurisdiction are.

21 And pushing that they actually are really  
22 being cognizant of this new mode of transportation,  
23 and how it then shares the street with regular  
24 bicycles, which are pedal, with e-assist bicycles,  
25 with scooters, and also pedestrians.

1           The more that we are talking about that, the  
2 more that we are informing people, the better off  
3 they are, and the better off they do in using these  
4 forms of new transportation to get from Point A to  
5 Point B, and solve their real transportation issues.

6           ED FU: I'd like to echo what my colleagues  
7 have stated before.

8           And I think that a lot of the -- a lot of  
9 what comes about -- comes out of this is the  
10 realization that Americans are desperate for new  
11 ways of getting around.

12           And the reason why they have become -- these  
13 new modes have become so popular is because it's  
14 filling a latent demand that wasn't there before.

15           And when you do that, all of a sudden,  
16 there's a lot of -- there's a lot of hiccups along  
17 the way.

18           And I think one of the most exciting parts  
19 about the public-private partnerships that we do, is  
20 that we allow, and we tell cities to do that, you  
21 should judge us on our records. That you shouldn't  
22 just judge us on based on the promises that we're  
23 able to make; but how we do in a city.

24           And the operators that perform the best  
25 should be entitled to keep operating.

1           And so I think that's one of the best ways of  
2 solving the problem, by encouraging private  
3 innovation and new technologies to develop, such as  
4 the technologies that my partner -- that my  
5 colleagues have mentioned; other technologies  
6 involving, encouraging riders to park in certain  
7 locations for discounts; and employing technology  
8 that involves -- that allows these devices to be,  
9 virtually, locked in a certain way in certain parts  
10 of the street, to allow the local community members  
11 to report, in real time, bad behavior that they see,  
12 that allows us to -- that allows us to then respond  
13 in real time to the riders as well.

14           So I think there's a lot of untapped  
15 potential in this industry that's barely a year old.

16           And I think that this is the exactly right --  
17 the right way to do it, is for cities to set the  
18 goals they want to achieve, and have the operators  
19 compete to see who can match them the best.

20           SENATOR KENNEDY: Anybody else want to add to  
21 that?

22           WILL NICHOLS: I'd echo that.

23           And I think that, you know, some of the  
24 concerns that I think arise around e-scooters are  
25 largely founded in -- near the inception of

1 e-scooters and their deployment.

2 And I think that there's been a handful, if  
3 not dozens, of cities that have implemented really  
4 excellent programs to educate the public, not only  
5 on scooter use, but also who the scooters are  
6 sharing the road with, whether it be pedestrians,  
7 cyclists, motorists, et cetera.

8 And I think that, certainly, my colleagues  
9 more so than myself, could point to some really  
10 great structures that have, you know, provided not  
11 only access to a lot of people that need  
12 transportation, but have provided it in a way that  
13 it's improved the larger ecosystem.

14 SENATOR KENNEDY: Thank you.

15 Let me just reiterate what I had said about  
16 the manufacturing, as if I need to, and I know  
17 I don't, but, I just want to be clear.

18 You know, the -- we are -- what we're  
19 considering, is opening up the market here in the  
20 state of New York for your respective corporations  
21 to one of the most populated states in the union,  
22 right, upwards of 20 million-plus people.

23 And so I think it's important that the  
24 corporations look at New York as a place to make an  
25 investment.

1           And when you look at places like Buffalo and  
2           Western New York and upstate, where we are desperate  
3           for investment, and people are ready to go to work,  
4           Will, you and have I worked with Tesla in  
5           Western New York.

6           Tesla is a perfect example of a company that  
7           has made an investment in upstate, and we're working  
8           with them as a partner, to try to make sure that  
9           people are working, the economy is strengthened in  
10          our community.

11          I think the same could hold true, and  
12          especially if you're doing the manufacturing, or  
13          buying the products from China.

14          And I think each and every one of you  
15          mentioned that your respective corporations are  
16          doing so.

17          I think there's great opportunity here, now  
18          more than ever, in the state of New York, especially  
19          as the new technologies are going online.

20          We're talking about these new  
21          battery-operated systems, whether it be scooters or  
22          bikes, or large construction equipment, or other  
23          vehicles, there is a place in New York, and  
24          especially in Upstate New York, that is ready to do  
25          business.

1           And I don't think anybody needs a reminder of  
2 the importance of New York City on our economy.

3           So, again, thank you for your testimony.

4           Senator Ramos has a question.

5           SENATOR RAMOS: Well, several.

6           SENATOR KENNEDY: Several.

7           SENATOR RAMOS: So, as a cocky New Yorker,  
8 I cannot tell you how embarrassing it is to hear  
9 that you guys are in hundreds of cities across the  
10 country, across the world, and we're not on that  
11 list.

12           So, thank you for coming and testifying, and  
13 helping me make the case that this bill makes sense,  
14 and that it's something that is sorely needed here  
15 in New York.

16           I would like to piggy-back on the  
17 manufacturing point, and say that, you know, when we  
18 make the case for these vehicles being legalized,  
19 it's largely about also reducing our carbon  
20 footprint.

21           And so, when we localize manufacturing, we  
22 are reducing shipping, we're reducing trucking,  
23 we're reducing...

24           So if that is indeed a goal for your company,  
25 then, you know, to practice what you preach,

1 I think, is very valuable.

2 And if you can throw in card-check neutrality  
3 for your employees in there -- I wouldn't be the  
4 Labor Chair if I didn't say that -- that would be --  
5 that would be, I think, the right thing to do,  
6 especially as you're, even without manufacturing,  
7 bringing in thousands of jobs into our state.

8 The way we drafted the legislation was  
9 largely legalizing the vehicles, but leaving it up  
10 to municipalities and counties to decide how to  
11 implement these programs.

12 In your experience and wide expertise, do you  
13 feel that it's better to work with municipalities  
14 when it comes to setting the parameters for your  
15 programs?

16 WILL BURNS: I'll just reiterate what I said  
17 earlier.

18 I definitely think that's the case, because  
19 there's so much variation between cities and within  
20 cities.

21 And so you might have one set of rules for a  
22 central business district. You might have a  
23 different set of rules for a residential  
24 neighborhood.

25 And so there's lots of those kinds of nuances

1 that folks on the ground know better than other  
2 folks.

3 ED FU: In this regard, I think it's -- it's  
4 instructive to just look at how bike-share operates  
5 with respect to state laws.

6 State laws define and legalize bicycles, but  
7 they don't micromanage cities and tell them, this is  
8 where you have to put your city bike docks, or this  
9 is who can ride on your city bikes.

10 That's left up to the city who's in the best  
11 position to make that decision.

12 PHIL JONES: And as we've also mentioned,  
13 infrastructure varies.

14 So you want to make sure that, when you're  
15 going into any market; city, town, county, that they  
16 have real true say about how those platforms are  
17 used.

18 They should be used as a device for the  
19 communities and the people who are there.

20 So they should be defining that usage.

21 SENATOR RAMOS: Keep that microphone, Phil.

22 PHIL JONES: No problem.

23 SENATOR RAMOS: But Lime's program in the  
24 Rockaways has been wildly successful.

25 I mean, you, in your testimony --

1 PHIL JONES: Yes.

2 SENATOR RAMOS: -- even described how popular  
3 and how high the demand is for these e-scooters.

4 Have any issues around safety, and things  
5 like that, come up at all?

6 WILL NICHOLS: I think it's actually shown  
7 the city, through our data and the usage from the  
8 community, about where they should be putting new  
9 forms of transit, where they should be putting in  
10 infrastructure for people, because we can tell them  
11 in real time where they want to go.

12 That lets them know immediately, that they  
13 can put in bike lanes here, that it makes sense for  
14 them to move an express stop for a bus, that it  
15 makes sense when they're putting in a new ferry  
16 stop, because we can actually see in real time where  
17 the constituents of those communities want to go.

18 And that is something that cities have always  
19 struggled with, because they say, okay, if we're  
20 dealing with a dock system, we kind of have to guess  
21 where we think people are going to go.

22 With dock-free, you're able to move it, and  
23 know exactly where it's going to be utilized, during  
24 what type of day -- the time of day, pardon me, and  
25 what day of the week.

1           So if you're looking at that in real time, a  
2           city then can say, you know, what? We need to put  
3           more infrastructure here. We need to put more  
4           protective bike lanes. It makes sense for us to  
5           have a ferry stop.

6           That builds instant connectivity for people.

7           That ends a lot of issues that we're seeing  
8           currently for millions of New Yorkers who are faced  
9           with no transportation options, and they're  
10          traveling out of their way, hours, to do that, when  
11          it could be just a 45-minute trip.

12          And we think that providing that data in real  
13          time provides a service.

14          We've seen that in Far Rockaway.

15          And also, to get to your point, especially  
16          yours about hiring, we pay a living wage for our  
17          workers. They were making 17.50 prior to the State  
18          instituting \$15. And they have benefits.

19          So, for us, our workers' quality of life  
20          matters because, guess what? They're from the  
21          community. They're repping our organization.

22          And if they feel proud in themselves, they  
23          will then have the community feel proud about the  
24          use of a product.

25          And that answers a lot of the questions that

1 you have in terms of safety and knowledge about  
2 these new forms of transportation.

3 SENATOR RAMOS: Thank you, Phil. That was  
4 very thorough.

5 One of the -- one of the other concerns that  
6 I often hear about scooters, is about scooters  
7 littering the sidewalks.

8 And now, in the bill, we very much, in plain  
9 English, lay out the need for ADA-compliance, which  
10 is a huge concern, especially on some city streets  
11 that are now much narrower than your average city  
12 street.

13 And I know many of your companies do  
14 end-of-day pickups.

15 Is it possible to increase the number of  
16 pickups?

17 Can we add shifts, if and when and where  
18 necessary?

19 Maybe, you know, morning pickup after the  
20 morning rush hour, during lunch, and then at the end  
21 of the day?

22 WILL BURNS: We certainly use rebalancing,  
23 which is when, you know, people take a trip from one  
24 place to another place.

25 We then go out and collect those scooters,

1 and try to figure out where people are going to need  
2 them for the next part of the day.

3 As part of that rebalancing, we also correct  
4 parking issues if we see them.

5 We pick the bike -- we pick the scooters up,  
6 we rearrange them on the street face, on the  
7 sidewalk face, so that those issues are addressed.

8 And, also, you can integrate the city's  
9 client -- the 311 system with our customer-service  
10 system.

11 So if people make complaints to a city  
12 through 311 about a Spin scooter being parked  
13 inappropriately, that can get to us in real time,  
14 and then a ticket can be issued, and we go out and  
15 fix it.

16 SENATOR RAMOS: Technology is an amazing  
17 thing.

18 All right, and last, but not least, based on  
19 your experience in other geographies, can you speak  
20 to how the use of e-scooters has really seemed to  
21 alleviate congestion -- car congestion, and people  
22 seem to be making better choices in terms of getting  
23 around?

24 ED FU: Absolutely.

25 One of the things that we -- one of the

1 things that, sometimes, people have been a little  
2 skeptical about is, does this really replace car  
3 trips?

4 And we're proud to say that it does, and, in  
5 part, not just through our own data, but also  
6 through city data, in looking at how -- how many  
7 people have -- have stopped driving cars, but, and  
8 have started using bike-share and started using mass  
9 transit.

10 What a lot of surveys find, is that there  
11 were people that could -- didn't have access to mass  
12 transit, that lived, you know, half an hour away,  
13 that couldn't -- that weren't going to walk that  
14 distance, but were now able to, thanks to scooters.

15 And I think in one survey, in Portland, a  
16 surprising number of people said that they got rid  
17 of their cars entirely because we had come to the  
18 city.

19 I think that's a -- that's a large step to  
20 take, but I think that it goes to show exactly the  
21 kind of impact that this revolutionary new  
22 technology has.

23 SENATOR RAMOS: Thank you.

24 SENATOR KENNEDY: Senator Liu?

25 SENATOR LIU: No, I'm good. Thank you.

1           SENATOR KENNEDY: Gentlemen, you got off easy  
2 without any questions from Senator Liu.

3           [Laughter.]

4           SENATOR KENNEDY: But we really appreciate  
5 you all being here, and your involvement, and your  
6 communication with us.

7           And, of course, we're going to everything  
8 that you brought to the table here today into  
9 consideration.

10           We certainly look forward to working with you  
11 on some of the feedback that we've given you as  
12 well.

13           (Indiscernible cross-talking.)

14           OFF-CAMERA SPEAKER: Mr. Chairman, thank you  
15 for your leadership.

16           (Indiscernible cross-talking.)

17           SENATOR KENNEDY: Thank you.

18           Thank you.

19           No, we're good.

20           Next, we are going to hear from  
21 Bao Quing Lin.

22           Is Bao Quing Lin with us?

23           Wonderful.

24           You know what?

25           While Bao Quing Lin is getting ready, we are

1 going to take a two-minute break, so everybody can  
2 get up, stretch, and relax a little bit.

3 We'll be right back.

4 (The hearing stands in recess.)

5 (The hearing resumes.)

6 SENATOR KENNEDY: Okay, thank you so much,  
7 everybody.

8 We are going to get back into action.

9 We have, again, a very aggressive timetable  
10 and schedule here, and much work to do.

11 So, Bao Quing Lin, delivery worker, thank you  
12 so much for being here, thank you for your patience.

13 And, the floor is yours, sir.

14 BAO QUING LIN: (Speaking in foreign  
15 language.)

16 (Translated to English by translator.)

17 Good afternoon.

18 Thank you for having me.

19 It's my pleasure to give this testimony.

20 Our delivery workers, we are underprivileged  
21 group.

22 We appreciate the equality and to let us do  
23 our job.

24 (Speaking in foreign language.)

25 (Translated to English by translator.)

1           We delivery workers, we work no matter what's  
2 the weather -- how bad the weather condition is,  
3 despite the snow, the rain, and the poor -- whatever  
4 the poor weather condition, and we make delivery  
5 every day.

6           But we don't understand why the NYPD still  
7 give us a lot of trouble, a lot of tickets.

8           (Speaking in foreign language.)

9           (Translated to English by translator.)

10          So every time the police see me, they will  
11 give us tickets.

12          The most time I got, is I got five tickets at  
13 once, and the most one is \$500.

14          (Speaking in foreign language.)

15          (Translated to English by translator.)

16          They also confiscates our e-bike.

17          I have to go to court. It's take two or  
18 three days for me to get back my e-bike.

19          (Speaking in foreign language.)

20          (Translated to English by translator.)

21          We not only have to drive carefully and  
22 follow the traffic law, we also need to constantly  
23 watch out for police.

24          Every time we saw police, we are like the rat  
25 who saw a cat, we have to run away.

1 (Speaking in foreign language.)

2 (Translated to English by translator.)

3 We face a lot of pressures. We are very  
4 nervous on the road.

5 So for this condition, we call the state  
6 government to legalize e-bike for us.

7 (Speaking in foreign language.)

8 (Translated to English by translator.)

9 Stop -- police stop -- stop, to giving out  
10 tickets and confiscate our e-bikes.

11 We are really underprivileged community.

12 (Speaking in foreign language.)

13 (Translated to English by translator.)

14 We want -- we want a fair treatment for us.  
15 We don't want more pressure.

16 We hope we can be treated equally.

17 (Speaking in foreign language.)

18 (Translated to English by translator.)

19 Please support legalize the e-bike.

20 Thank you.

21 SENATOR RAMOS: Thank you.

22 SENATOR KENNEDY: Good luck, sir.

23 [Applause.]

24 SENATOR KENNEDY: Next we are going to hear  
25 from Andrew Fox of Charge;

1 Followed by Changhe Zou, delivery worker.

2 Good afternoon, Andrew.

3 ANDREW FOX: Good afternoon.

4 SENATOR KENNEDY: Thanks for joining us  
5 today, thanks for your patience.

6 ANDREW FOX: Thank you.

7 I'm the co-founder and CEO of Charge, a  
8 micromobility company dedicated to building the  
9 largest network of electric charging, storage, and  
10 service stations for e-scooters and e-bikes in the  
11 world.

12 I'm honored to be here today to testify on  
13 behalf of Charge in support of legalization of  
14 e-bikes and scooters.

15 And I would like to thank  
16 Senator Timothy Kennedy, Chairman of the Committee  
17 on Transportation; and Senator Jessica Ramos, member  
18 of Transportation Committee and sponsor of the  
19 legislation, for the opportunity to speak.

20 To start, I'd like to say, I'm a New Yorker  
21 through and through. I was born here, I grew up  
22 here, and I live here.

23 I love New York, and I want nothing but the  
24 best for the city and to protect the integrity of  
25 our city.

1           As we've all been witness to the  
2 micromobility movement, it is quickly taking the  
3 world by storm, and I think we can all agree it's an  
4 important topic that needs to be at the forefront of  
5 discussion here in New York.

6           About 60 percent of car trips worldwide are  
7 less than 5 miles.

8           So small electric stand-on/sit-on vehicles  
9 are often used for the first and last mile.

10          Cities around the world are welcoming  
11 dockless e-scooters and e-bikes to help address the  
12 issues putting pressure on public transportation,  
13 such as the rise and congestion and pollution, by  
14 reducing carbon footprints and improving mobility  
15 flows in urban areas.

16          However, in tandem with this increased  
17 presence of micromobility, we are also witness to  
18 the shortcomings of dockless (indiscernible)  
19 mobility and the ride-share platforms, such as  
20 cluttered streets and potentially dangerous  
21 sidewalks for pedestrians.

22          Simply put, dumping a bunch of scooters on  
23 the street is the wrong approach.

24          On top of sidewalk issues, it's important to  
25 note the potential hazards of current dockless

1 charging model.

2 Company contractors collect e-vehicles and,  
3 typically, bring them to home to charge, connecting  
4 up to 25 vehicles to one residential circuit,  
5 creating a significant fire hazard.

6 Additionally, the lithium ion batteries that  
7 are used are not fail-safe and have been known to  
8 explode.

9 I've been an early supporter of micromobility  
10 movement. I believe it holds promising potential,  
11 but I believe it needs to be introduced responsibly.

12 It's clear that the shortcomings of the  
13 dockless model are justifiable concerns for city  
14 planners and pedestrians alike.

15 The greatest thing that this innovative and  
16 advantageous approach to alternative transportation  
17 seems to lack is the necessary infrastructure to  
18 bring order to the chaos.

19 Since the introduction of e-scooters and  
20 e-bikes, we have seen a rapid progression throughout  
21 major cities around the globe.

22 As one of the leading trend-setting cities in  
23 the United States, New York City should be the  
24 leader in not only advancing this innovative  
25 transportation solution, but also establishing the

1 necessary infrastructure to ride users and  
2 ride-share operators, with a convenient place to  
3 charge, store, unused e-vehicles, while protecting  
4 the integrity of the city and sidewalks, while,  
5 obviously, keeping pedestrians safe.

6 I believe Charge has a responsible solution  
7 that city planners and ride-share operators alike  
8 have been looking for to alleviate the concerns  
9 while bringing micromobility to New York and beyond.

10 We've engaged leading global engineering firm  
11 Arup to help us design and develop the charging  
12 stations that are both functional and safe.

13 We also manufacture everything here in  
14 New York.

15 So, we set out early in the early planning  
16 stages of Charge to establish New York as a key  
17 focus.

18 We announced our official launch during the  
19 RPA Assembly held in April of this year.

20 We believing that New York has a potential to  
21 really benefit from this industry, and we remain  
22 dedicated to helping bring micromobility to the  
23 New York, but in a responsible way.

24 We respectfully implore New York to recognize  
25 the potential that micromobility has to offer, but

1 also adopt the necessary legislation to establish  
2 the infrastructure to keep pedestrians safe.

3 Do not allow micromobility to come to  
4 New York without the use of docks.

5 In summary, I believe New York can set the  
6 standard for making micromobility work by  
7 establishing the necessary infrastructure to bring  
8 order to the chaos.

9 Thank you for the time.

10 SENATOR KENNEDY: Thank you very much.

11 And, congratulations; congratulations on your  
12 product, and the investment that you've made.

13 It sounds like it is paying off in a big way.

14 ANDREW FOX: Thank you.

15 SENATOR KENNEDY: Tell me a little bit about  
16 your product, and tell me about your manufacturing.

17 You know, when -- you must have been paying  
18 close attention when I was asking those other  
19 questions.

20 ANDREW FOX: Well -- so, as a New Yorker, one  
21 of our first things was wanting to protect the  
22 integrity of our city sidewalks while thinking about  
23 how micromobility was going to be brought here.

24 So we manufacture at a facility on  
25 Long Island City, about 25 minutes away from here.

1 SENATOR KENNEDY: Great.

2 ANDREW FOX: We decided to build everything,  
3 engineer it and build it, here in New York, not only  
4 to create the jobs, but, if you look at the  
5 potential for micromobility in New York City, it  
6 represents about 50 percent of the U.S. market.

7 So if we can do it responsibly here, I think  
8 we become the model for the rest of the country, and  
9 the rest of the world.

10 SENATOR KENNEDY: Sure, sure.

11 And just my own curiosity, how many people do  
12 you employ at the manufacturing facility?

13 ANDREW FOX: We'll have approximately  
14 120 people --

15 SENATOR KENNEDY: Impressive.

16 ANDREW FOX: -- (indiscernible  
17 cross-talking). Yeah.

18 SENATOR KENNEDY: Very impressive.

19 And how many of these machines, for lack of a  
20 better word, do you produce?

21 ANDREW FOX: So our goal in New York, we use  
22 garages as a jumping-off point for New York.

23 So, depending on what the fleet size will be  
24 in New York, we'll manufacture based on that.

25 But, we're manufacturing for the rest of the

1 United States here in New York.

2 With -- you know, we're launching in other  
3 markets besides New York.

4 SENATOR KENNEDY: Great.

5 I will follow up with you post this hearing,  
6 but I would like to talk to you about future  
7 potential investments in areas upstate.

8 ANDREW FOX: Great. Thank you.

9 SENATOR KENNEDY: Thank you very much.

10 Senator Ramos?

11 SENATOR RAMOS: I'm good.

12 I think you're fantastic.

13 ANDREW FOX: Thank you.

14 Have a great day.

15 SENATOR KENNEDY: Senator Liu.

16 SENATOR LIU: If Senator Ramos says you're  
17 fantastic, you must be.

18 [Laughter.]

19 SENATOR LIU: I have no questions.

20 ANDREW FOX: It's all about protecting the  
21 integrity of our city while bringing this form of  
22 transportation.

23 SENATOR KENNEDY: Well, as I mentioned,  
24 you're impressive.

25 Senator Ramos let us know that, not only do

1 you do your manufacturing, as you've already  
2 mentioned, here in New York, but you also take care  
3 of your workers.

4 I think that's a sign of great integrity.

5 So thank you again.

6 ANDREW FOX: Thank you again.

7 Thank you for the time.

8 SENATOR RAMOS: Thank you.

9 SENATOR KENNEDY: Have a great day.

10 ANDREW FOX: Have a great day.

11 SENATOR KENNEDY: Next we will hear from  
12 Changhe Zou, delivery worker;

13 Followed by Nicholas Wong from Upcycles  
14 Transit, Inc.

15 Good afternoon.

16 CHANGHE ZOU: (Speaking in foreign language.)

17 (Translated to English by translator.)

18 Good afternoon, Senators.

19 Currently, the government and police  
20 increased their law-enforcement targeting on  
21 e-bikes, increases the difficulties of our  
22 surviving.

23 (Speaking in foreign language.)

24 (Translated to English by translator.)

25 Every day we have to face the pressure of the

1 life and the police crackdown.

2 We work hard legally to feed our families,  
3 basically, without difficulties in life.

4 (Speaking in foreign language.)

5 (Translated to English by translator.)

6 But if government and law enforcement keep  
7 oppressing us with tickets of \$500, all the life  
8 expense of a week would be gone.

9 (Speaking in foreign language.)

10 (Translated to English by translator.)

11 Without this, our family have to starve.

12 If the vehicle is being confiscated, we would  
13 lose the tool of work, without being able to work,  
14 since, without vehicle, we have to purchase a new  
15 one which would cost at least 1,800 U.S. dollar.

16 (Speaking in foreign language.)

17 (Translated to English by translator.)

18 Facing this situation, many delivery workers  
19 cannot support families. They have to face the  
20 situation of a court lawsuit.

21 With pressure from the work, for this reason,  
22 many colleagues, they have to choose the reality of  
23 unemployment and stay at home.

24 (Speaking in foreign language.)

25 (Translated to English by translator.)

1           Meanwhile, to support the families, they have  
2 to apply for government welfare to maintain daily  
3 lives.

4           Many colleagues do not wish so, but facing  
5 such pressure from the government and police force,  
6 these colleagues have no better choice but to claim  
7 the unemployment social security.

8           (Speaking in foreign language.)

9           (Translated to English by translator.)

10          Government and mayors would not wish that our  
11 colleagues to all claim social benefit; therefore,  
12 I hope government and police stop strict law  
13 enforcement on our colleagues, and, as soon as  
14 possible, find relevant policies, legalize e-bikes.

15          (Speaking in foreign language.)

16          (Translated to English by translator.)

17          We do not want discriminations.

18          Stop the oppression.

19          We demand equality and fairness and legal  
20 rights.

21          We plea for government to provide a  
22 reasonable space of survival to this vulnerable  
23 communities.

24          Thank you.

25          SENATOR KENNEDY: Thank you, sir.

1 [Applause.]

2 SENATOR KENNEDY: Next we will hear from  
3 Nicholas Wong from Upcycles Transit, Inc.;

4 Followed by Alex Rhodd from the Legal Aid  
5 Society.

6 Good afternoon, Nicholas.

7 NICHOLAS WONG: Good afternoon.

8 Thanks for having me --

9 SENATOR KENNEDY: Thank you.

10 NICHOLAS WONG: -- and having me speak.

11 I'm a volunteer member of the Bike and Public  
12 Project, where I'm an advocate and technical  
13 subject-matter expert on e-bikes.

14 In my day job, I'm co-founder of a company  
15 called Upcycles, and I'm a Brooklyn-based  
16 manufacturer of pedal-assist cargo tricycles.

17 I've been working with e-bikes and e-bike  
18 technologies for about the last seven years here in  
19 New York City.

20 I'm here today to speak and to advocate for  
21 the just treatment of the e-bike delivery workers,  
22 and also to talk about the benefits of e-bikes at  
23 large.

24 I'll be brief.

25 In my eyes, the delivery workers are the

1 voicesless champions of the e-bike. You know, they  
2 are the pioneers; they were the early adopters of  
3 this emerging mode of transportation.

4 And they've proven to the rest of us that the  
5 e-bike is an effective mode of urban transportation.  
6 It's efficient, it's accessible, and low-impact  
7 means of moving through your crowded cities.

8 The tens of thousands of delivery workers  
9 provide a thankless service to the city's businesses  
10 and residents, with an economic value I estimate  
11 over a billion dollars annually.

12 They have chosen e-bike out of necessity as a  
13 means to ease their daily burden, a burden which has  
14 been exacerbated by the regulations and -- by the  
15 unclear regulations and the heavy-handed enforcement  
16 policies.

17 And they should be the first to benefit from  
18 legalization.

19 We at the Biking Public Project are  
20 advocating for compassionate e-bike rules that  
21 protect the livelihood of the delivery workers.

22 And the second point I want to make is about  
23 just the e-bikes in general.

24 And, you know, I've been working on -- with  
25 this technology for about seven years now, and

1 I believe strong in the transformative potential of  
2 e-bikes.

3 My company, Upcycles, manufactures cargo --  
4 pedal-assist cargo tricycles for commercial delivery  
5 applications in New York City.

6 So think like a -- kind of a larger format  
7 e-bike, with three wheels, that carry, you know, a  
8 few hundred pounds, for moving large packages and  
9 goods.

10 This bill would further encourage the  
11 adoption of e-bikes as an effective and healthy  
12 means of urban deliveries.

13 Current users of our vehicles include local  
14 restaurants, urban agriculture, technology  
15 companies, community-based food-hauling and  
16 waste-hauling organizations.

17 And we're also starting to see the adoption  
18 of these technologies by larger freight and  
19 logistics companies.

20 So the e-bike is a nascent and growing mode  
21 of urban transportation that holds much potential.

22 There will be many benefits to our city's  
23 transportation, infrastructure, economy, and public  
24 safety and health.

25 These benefits are recognized by many of us

1 in this room, and I'm excited by your attempts to  
2 bring clarity to the issue.

3 Thank you.

4 SENATOR KENNEDY: Wonderful.

5 Thank you very much.

6 [Applause.]

7 SENATOR KENNEDY: Any questions?

8 SENATOR RAMOS: I'm good.

9 SENATOR KENNEDY: All set.

10 Thank you so much.

11 SENATOR RAMOS: Thank you, Nicholas.

12 NICHOLAS WONG: Thank you.

13 SENATOR KENNEDY: Next we will hear from  
14 Axel (sic) Rhodd from the Legal Aid Society.

15 I said "Axel."

16 I'm sorry.

17 [Laughter.]

18 SENATOR KENNEDY: It's been a long five  
19 hours, folks.

20 Pardon me.

21 Alex.

22 SENATOR RAMOS: He was listening to  
23 Guns N' Roses (indiscernible cross-talking).

24 SENATOR KENNEDY: Alex.

25 Alex Rhodd.

1           ALEX RHODD: Ah, yes, Rhodd (corrects  
2           pronunciation).

3           SENATOR KENNEDY: Alex Rhodd?

4           ALEX RHODD: Yes.

5           SENATOR KENNEDY: All right, well, I just  
6           absolutely butchered probably the easiest name I've  
7           had all day.

8           [Laughter.]

9           SENATOR KENNEDY: My sympathies -- my  
10          apologies.

11          Alex, thank you for being here.

12          ALEX RHODD: Thank you.

13          Good afternoon, Senators.

14          The Legal Aid Society is the oldest and  
15          largest provider of legal assistance to low-income  
16          individuals in the United States.

17          The society's civil, criminal, and juvenile  
18          rights' practices handle more than 300,000 legal  
19          matters each year on subjects ranging from,  
20          homicide, to child welfare, to eviction, and  
21          deportation.

22          Our criminal practices represented numerous  
23          food-delivery workers whose electric bicycles were  
24          confiscated by the police, subject to payment of a  
25          \$500 fine.

1           These seizures, based on a 2004  
2           administrative-code provision, categorically banned  
3           all electric-powered bikes.

4           We thank the Transportation Committee, as  
5           well as Assembly Person Rozic, for the opportunity  
6           to speak in favor of Senate Bill S.5294, an  
7           amendment to New York State laws that will provide  
8           an affordable pathway for low-income workers to  
9           comply with the law and pursue their livelihood in  
10          peace.

11          The ban itself was amended to permit the use  
12          of costly pedal-activated e-bikes available to  
13          commuters under the City Bike Program; yet, in 2008,  
14          the amendment did not benefit the vast majority of  
15          New York City food-delivery workers whose bikes are  
16          of a cheaper throttle-operated variety.

17          These throttle-operated e-bikes are still  
18          subject to confiscation at any time regardless of  
19          how safely they are being operated.

20          For delivery workers, electric bicycles are  
21          often the primary means of livelihood for them and  
22          their dependents, and their removal has  
23          life-altering implications.

24          While the enforcement of the e-bike ban has  
25          always been sporadic, many delivery workers

1 throughout the city work in constant fear of an  
2 encounter of the police.

3 We have since filed an Article 78 petition to  
4 challenge the courts' arbitrary application of these  
5 fines and confiscations that target the people with  
6 little recourse.

7 Thank you very much.

8 SENATOR KENNEDY: Thank you, Alex.

9 [Applause.]

10 SENATOR KENNEDY: We appreciate your  
11 testimony very much.

12 ALEX RHODD: Thank you.

13 SENATOR KENNEDY: Have a great day.

14 Next we're going to hear from Ben Turner,  
15 librarian at St. John's University.

16 Is Ben with us?

17 Next we will hear from Matt Tolin,  
18 vice president, sales and partnership, in OJO  
19 Electric.

20 Following Matt's testimony, we'll hear from  
21 Mel Gonzalez from Make the Road.

22 Good afternoon, Matt.

23 MATT TOLIN:

24 Good afternoon, Chair Kennedy,  
25 State Senator Ramos, and State Senator Liu.

1           Thank you for holding this hearing, and  
2           allowing me to testify on this very important piece  
3           of legislation.

4           My name is Matt Tolin, and I am the  
5           vice president for partnership and fleet sales for  
6           OJO Electric.

7           OJO is a light electric-vehicle mobility  
8           solutions company, creating products and services  
9           for first- and last-mile transportation solutions.

10          Built for the bike lane and streets, off  
11          sidewalks, and away from pedestrians, the OJO  
12          scooter is a safe, sustainable, and  
13          structurally-sound scooter for today's rapidly  
14          expanding urban ride-share market.

15          OJO collaborates with local governments to  
16          offer an electric scooter ride-share program to  
17          reduce traffic congestion and carbon emissions.

18          Simply put, we're an electric scooter with a  
19          seat.

20          My colleagues on the industry panel did a  
21          great job of highlighting the benefits of electric  
22          bikes and scooters for New York, and the importance  
23          of this bill.

24          Scooters, like OJO, get cars off the street,  
25          reduce congestion, and reduce carbon emissions.

1 They also drastically shorten commutes and connect  
2 transit systems.

3 It is extremely unfair that delivery drivers  
4 and other e-scooter and bike riders have been  
5 targeted and had their access to new forms of  
6 transportation restricted.

7 I do want to briefly highlight the difference  
8 between OJO and kick scooters.

9 The OJO scooter is a different product than  
10 kick scooters in the market, from a safety, quality,  
11 and comfort standpoint.

12 Seats are perfect for delivery drivers.

13 And all OJOs come equipped with baskets.

14 So when we think of scooters, we need to  
15 expand our brain and think of different modes of  
16 transportation.

17 In fact, OJO currently has a pilot program in  
18 Austin, Texas, with a leading delivery company, as  
19 they look to maximize the efficiency of their  
20 delivery staff.

21 With a 50-mile range, you can complete a  
22 whole shift with one charge.

23 Further, while kick scooters are used for  
24 shorter trips, OJO is providing a true alternative  
25 to cars in the micromobility space by servicing

1 longer trips.

2 I also want to highlight that, with a seat,  
3 we are more accessible for a larger rider base, both  
4 commercially and leisurely.

5 We are currently in just three U.S. cities,  
6 but growing every day.

7 We're in Austin and Dallas, Texas, and,  
8 recently, earlier in May, launched in Hoboken, right  
9 across the Hudson River, along with our friends at  
10 Lime.

11 In each of these locations we have crafted a  
12 unique program to meet local needs, and the  
13 reception has been outstanding.

14 We strongly believe in transparency regarding  
15 data of e-scooters.

16 OJO's on-board telemetry system, with  
17 live-feed data transmission, allows us to share  
18 data, allowing our public partners to understand  
19 scooter usage and ride trends.

20 Thank you again for your advocacy and  
21 efforts.

22 We strongly support S.5294, and believe local  
23 stakeholders are best suited to develop and  
24 implement appropriate parameters of a ride-share  
25 program.

1           And we welcome the opportunity to implement  
2           our vision in and around New York City and  
3           New York State, with your help.

4           Thank you very much.

5           SENATOR KENNEDY: Thank you, Mr. Tolin.

6           Any questions?

7           SENATOR LIU: Thank you.

8           SENATOR KENNEDY: I do.

9           Can you talk about your manufacturing?

10          MATT TOLIN: Sure.

11          Like our colleagues, we are manufacturing  
12          currently in China, and heard your message loud and  
13          clear about the need for us, as a start-up company,  
14          to invest in New York and in this partnership.

15          SENATOR KENNEDY: So I don't need to repeat?

16          MATT TOLIN: I'm a good listener.

17          SENATOR KENNEDY: I can tell.

18          Thank you.

19          Now, it's just the actual physical pieces  
20          that are manufactured in China, or do you get your  
21          battery there as with well?

22          MATT TOLIN: Our battery as well.

23          So we design in the U.S. The company is  
24          based in California.

25          I live here in New York, I'm a New York State

1 resident.

2 But our -- we source in Canada -- in China,  
3 excuse me, yes, sir.

4 SENATOR KENNEDY: So, again, following up on  
5 this hearing, I would like to get in touch with you  
6 and talk about the potential for making further  
7 investment, from a manufacturing perspective, in  
8 New York State.

9 MATT TOLIN: Absolutely, as well as from a  
10 staffing perspective.

11 SENATOR KENNEDY: And then, similar to the  
12 other -- to the questions that I asked the others,  
13 biggest obstacles for you?

14 MATT TOLIN: I think if you look, for  
15 example, there's a pilot program going on in  
16 Hoboken, which is the first ride-share program of  
17 its kind in the northeast.

18 And I think the initial -- I think it's all  
19 about education and planning.

20 And I think the obstacles we've had have been  
21 that folks aren't familiar with it in this area.

22 They see it when they travel.

23 So I think education, with the city support,  
24 is very important, and, you know, we do that through  
25 a variety of ways.

1           We have staff on-site all throughout Hoboken,  
2           to help people understand the rules of the road.

3           I think the biggest challenge you find with  
4           the kick scooters, as opposed to a seated scooter,  
5           is they are on sidewalks.

6           People on seated scooters tend feel a little  
7           safer, so they're in more control on the road and in  
8           the bike lanes.

9           So I think education on not using the  
10          sidewalk is paramount to any program, and any  
11          success.

12          SENATOR KENNEDY: Is there any part of the  
13          machine, again, for lack of a better word, that  
14          governs when the speed -- when on a street versus a  
15          sidewalk, is there anything that delineates the two?

16          MATT TOLIN: Well, we do have geofencing.

17          We have yet to find geofencing that can  
18          delineate between the bike lane and the sidewalk.

19          SENATOR KENNEDY: Uh-huh?

20          MATT TOLIN: Our geofencing is within 3 feet,  
21          so it's hard to do that.

22          But what we do have, is we are able to  
23          geofence and have speed control.

24          So, for example, our maximum speed is  
25          20 miles per hour. It can be throttled down

1 automatically, based upon geographic locations.

2 So, for example, if you're on a college  
3 campus or near a certain area, and you only want the  
4 speed to be 8, 10, 12, or 15 miles per hour, we can  
5 geofence that and control the speed that way.

6 But not from a bike lane to a sidewalk.

7 From a detectable standpoint.

8 SENATOR KENNEDY: Are you familiar with that  
9 technology? Does that technology exist?

10 MATT TOLIN: From sidewalk to bike lane?

11 I am not a technology expert.

12 I don't think to that degree it exists, but  
13 perhaps someone else --

14 SENATOR KENNEDY: I've only heard something  
15 of the sort.

16 MATT TOLIN: I haven't seen it yet.

17 SENATOR KENNEDY: Okay.

18 MATT TOLIN: And I've spent a lot of time in  
19 the scooter space so far.

20 SENATOR KENNEDY: Well, that's why we're here  
21 to learn more, and that's why I'm asking.

22 MATT TOLIN: Absolutely.

23 SENATOR KENNEDY: You know, you hear things  
24 and you don't know if they're real or made up.

25 And then, finally, from a parking, you know,

1 we have -- you had mentioned the kick-stand  
2 e-scooters versus those that are different.

3 Can you talk about -- and then you heard from  
4 another one, I suppose would be one of your  
5 competitors, from Charge, talk about there being  
6 stations implemented.

7 How does your -- how does OJO work?

8 MATT TOLIN: Sure.

9 Love to partner with Charge.

10 So, for example, in Hoboken, there's two  
11 scooter companies operating.

12 Lime is operating under a dockless model, and  
13 if you go to Hoboken you'll see it.

14 We partnered with a company called  
15 Jersey Bike. So they own the bike -- bike-share  
16 real estate. They own the docks, if you will.  
17 There are 37 of them in Hoboken.

18 All OJOs, you can only park and end your  
19 ride if it's within the confines of the 36 parking  
20 stations.

21 So we can create corrals based upon longitude  
22 and latitude coordinates.

23 So, you know, there's, obviously, already a  
24 current bike provider in Manhattan, but there's a  
25 lot of real estate all throughout the five boroughs

1 where we could put our heads together and designate  
2 scooter parking over here.

3 And you could -- you can -- it doesn't have  
4 to be a physical structure. You know, you can  
5 demarcate it with lines and paintings and stencils,  
6 but we're able to do it through coordinates.

7 So we believe, as a company, in that kind of  
8 the corral-parking mentality.

9 Whether or not it's within a docking station,  
10 you know, there's flexibility to that.

11 SENATOR KENNEDY: Well, I appreciate your  
12 testimony here today.

13 And, again, my office will be in touch with  
14 you.

15 MATT TOLIN: Great.

16 Thank you for the opportunity.

17 SENATOR RAMOS: Thank you.

18 SENATOR KENNEDY: Thank you, Mr. Tolin.

19 Next we will hear from Miguel Ramirez.

20 Is Miguel with us?

21 Miguel?

22 And Eric Zoundi.

23 Eric?

24 And Eric is from New York Pedicab Alliance?

25 ERIC ZOUNDI: That's correct.

1 SENATOR KENNEDY: Excellent.

2 Good afternoon.

3 ERIC ZOUNDI: Good afternoon, Senators.

4 Thank you again for this opportunity to  
5 testify.

6 Again, my name is Eric Zoundi, and I'm a  
7 pedicab driver and an advocate for pedicabs in  
8 New York City.

9 I'm also leading an effort to organize and  
10 formalize a pedicab organization called New York  
11 Pedicab Alliance, with the Urban Justice Center.

12 I'm here to support this bill to legalize  
13 e-bikes and e-scooters.

14 And I would like also to invite this  
15 committee to consider including pedicabs --  
16 e-pedicabs in this legislation.

17 "Pedicabs" are defined as bicycles according  
18 to New York Administrative Law 2240.

19 They are entirely a human-powered vehicle  
20 used for hire, as stated in the Administrative  
21 definition.

22 In simple terms, a pedicab is 21-speed  
23 mountain bike attached to a fiberglass tube with a  
24 padded seat on it.

25 They weigh about 175 pounds, empty.

1           They're allowed to carry up to three  
2 passengers at once, yet not allowed to use  
3 electric-assist.

4           Having been banned from using the bike lanes  
5 in 2009, pedicab drivers struggle every day to keep  
6 up with traffic on the busy street of Manhattan  
7 without electric-assist, while carrying, at times,  
8 heavy passengers and traveling on hilly streets.

9           Drivers who go against the law and use  
10 e-pedicabs get similar summons like the e-bikes.

11           Could be \$500, 1,000, or even \$2,000.

12           In 2016, when I was about to finish my  
13 master's program from (indiscernible) College,  
14 I teamed up with a team of entrepreneurs from  
15 social-innovation companies to reflect on ways to  
16 bring more value in the pedicab industry.

17           We did a lot of market research, and were  
18 amazed by the potential of pedicabs to bring about  
19 social and environmental change in the city.

20           However, this -- the technology and  
21 rebranding involved in our vision made it difficult  
22 to move forward with everything, with our vision.

23           And so we could not move forward without  
24 change of policy that allows pedicabs to be  
25 electric-assist.

1           If you've been in New York City, especially  
2           in Midtown Manhattan during springtime, summer, or  
3           the fall, it's difficult to not run into a pedicab,  
4           and yet pedicabs have been discriminated against by  
5           the city administration when it came to legalizing  
6           electric bikes.

7           In the spring of 2018, the mayor,  
8           Mayor de Blasio, made an announcement, stating that  
9           they were not included in the proposal to clarify  
10          e-assist for bicycles in New York City.

11          For the record, pedicabs have been in  
12          existence in the city of New York for over 24 years,  
13          helping a lot of operators feed their families,  
14          including a lot of young people from different  
15          backgrounds, and older ones as well.

16          Over 70 percent of the industry consists of  
17          recent immigrants, like me, without many employment  
18          options.

19          I've personally driven a pedicab since 2012.

20          I graduated from Baroche MP program in 2016,  
21          and paid off my school fees, thanks to the  
22          opportunity of driving a pedicab in Central Park.

23          Authorizing pedicabs to have the e-assist  
24          will make it possible for more employment-seekers in  
25          the city to be able to carry passengers across town,

1       make a living, and pursue their dreams.

2               Without the e-pedicabs, a common individual  
3 who is not very fit will have difficulties taking a  
4 pedicab on the street -- on the busy streets of  
5 New York.

6               Yes, this also increases safety on the  
7 streets, since pedicab drivers will not impede  
8 normal flow of traffic when they are going on hills.

9               They are a lot -- there are a lot of young  
10 girls and guys who are interested in becoming  
11 pedicab drivers, but because of the fear that they  
12 would get tired at some point in traffic and get  
13 stalled, they are not even giving it a thought,  
14 giving it a try.

15              There is a multitude of reasons why people  
16 could hire pedicabs.

17              More recently, most pedicab drivers focus  
18 on -- focus around tourist attractions.

19              Some people simply want to chat with someone,  
20 and so hire pedicabs to show them the city.

21              For others, it is for the fun of riding open  
22 air.

23              And others, it's for the knowledgeable tour  
24 guide who is pedaling the pedicabs.

25              Ultimately, riders hire pedicabs to simply go

1 from one place to another.

2 Pedicabs could become a first- or last-mile  
3 solution for everyday commuter to Manhattan if they  
4 can legally be electric-assist.

5 While other cities around the world have  
6 welcomed electric-assist pedicabs as an ecofriendly  
7 alternative, New York has yet to allow them to get  
8 better in helping them reduce pollution and  
9 congestion issues.

10 This Transportation Committee of  
11 New York State Senate should include e-pedicabs in  
12 your legislative agenda, and so support  
13 Councilman Espinal interests in making e-assist  
14 pedicabs a reality in New York City.

15 Thank you so much.

16 SENATOR KENNEDY: Thank you very much,  
17 Mr. Zoundi.

18 Any questions?

19 SENATOR RAMOS: Just a comment.

20 SENATOR KENNEDY: Yep.

21 SENATOR RAMOS: I'd be -- I'm very interested  
22 in sitting down with you and learning more about  
23 e-pedicabs, and how I can be helpful to  
24 Councilman Espinal, or if there's a state measure,  
25 happy to be helpful.

1 I just need to learn more.

2 ERIC ZOUNDI: That would be great.

3 Absolutely, I'm available to sit with you.

4 SENATOR KENNEDY: Thank you once again for  
5 your testimony.

6 ERIC ZOUNDI: It was a pleasure.

7 Thank you.

8 SENATOR KENNEDY: Our pleasure.

9 That brings us to a conclusion on those that  
10 had signed up to speak.

11 Is there anyone else that would like to speak  
12 before we come to a close of this public hearing?

13 Going once?

14 Going twice?

15 Well, thank you everyone for being here  
16 today, thank you for your participation.

17 To those that testified, I am extremely  
18 grateful.

19 We will be taking all of this testimony into  
20 consideration as we are formulating the legislative  
21 initiative, and, ultimately, working over the next  
22 two to three weeks, to hopefully advance some  
23 legislation.

24 I will now turn it over to the bill's  
25 sponsor, Senator Ramos.

1           SENATOR RAMOS: Yeah, no, thank you, Tim.

2           I have to say, as Chair of the Transportation  
3           Committee, State Senator Tim Kennedy has done a  
4           tremendous job in helping us usher a very different  
5           perspective to what the future of New York State  
6           holds.

7           And it started with congestion pricing during  
8           the budgeting season, and now we're talking about  
9           things that we've never really considered before,  
10          but are the right thing to do by New Yorkers.

11          So I want to publicly thank you, Tim, for  
12          your leadership and your openness --

13                         [Applause.]

14          SENATOR RAMOS: -- and his dedication, and  
15          his funny jokes.

16          Sure, he is actually pretty funny.

17          And I want to thank everybody who took the  
18          time to come.

19          I know many delivery workers even took the  
20          day off when they can't necessarily do that.

21          We all now know about their hardships.

22          So a very special thank-you to all the  
23          delivery workers who were able to come today to  
24          testify.

25                         [Applause.]

1           SENATOR KENNEDY: Thank you.

2           Gracias.

3           Xiè xiè.

4           And thank you to all the advocates, and those  
5 who have lent their research skills and their  
6 expertise, to ensuring that we're getting to the  
7 meat of the issue.

8           I'm very much looking forward to adding these  
9 two colleagues as co-sponsors on my legislation,  
10 and, hopefully, get to that magic number that will  
11 bring it to the floor for a vote before the end of  
12 session.

13           Thank you, everybody.

14           [Applause.]

15           SENATOR KENNEDY: Senator Liu.

16           SENATOR LIU: Thank you, Senator Ramos, for  
17 bringing this legislation before us.

18           And thank you to Senator Tim Kennedy for  
19 trekking all the way here from Buffalo and for  
20 chairing this wonderful hearing.

21           Thank you.

22           [Applause.]

23           SENATOR KENNEDY: So, once again, I just want  
24 to reiterate my gratitude for those that testified;

25           To Senator Ramos for carrying this bill;

1           Senator Liu, for your attentiveness and  
2           engagement in this entire process.

3           These two are just tremendous senators that  
4           represent their districts, and the entire state,  
5           extremely well.

6           I want to recognize again, our leader,  
7           Senator Andrea Stewart-Cousins, for advancing this  
8           initiative as well.

9           And, a special shout-out, once again, to the  
10          staff for working so diligently to make everything  
11          go smoothly; from the technological aspects, this  
12          was live-streamed entirely; to making sure that all  
13          of those that testified today had everything they  
14          that needed, and we were able to move through so  
15          many different individuals.

16          So thank you, all.

17          Have a wonderful day, and a wonderful  
18          weekend, and we will see you very soon in the state  
19          Capitol.

20          Have a great day.

21          This brings this public hearing to a close.

22                 (Whereupon, the public hearing held before  
23          the New York State Senate Standing Committee on  
24          Transportation concluded, and adjourned.)

25                         ---oOo---