

Letter from the Editor

The last time we talked with you, the leaves were falling and we were preparing for what turned out to be a frigid winter. Now spring is on the way, a wonderful time of year to be moving around New York. At this time of year one can enjoy a street life full of fairs and events that is unequalled in America, or just a stroll through neighborhoods taking in the local flavors. Sam Schwartz celebrates the pedestrian environment from the transportation perspective, focusing on initiatives over the years that have made New York City a more pedestrian-friendly city and leaving us with hope that in an enlightened world there will be more.

With regard to the city street environment, the Rudin Center held a seminar on June 19 – 20, 2003, that dealt with context sensitive road designs and solutions in big cities. Context sensitive designs and solutions focus on making transportation improvements that are in harmony with their communities, in this case the urban environment. A summary

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By Bruce Schaller

HONORING THE 2004 LEADERSHIP IN TRANSPORTATION AWARD RECIPIENTS



Richard Ravitch, Michael Primeggia, Anthony Cracchiolo, and Emil Frankel
Courtesy of the New York University Photo Bureau

On March 8, 2004, the Rudin Center and the Council on Transportation honored two individuals and two agencies during our Annual Leadership in Transportation Awards: Emil Frankel, U.S. Assistant Secretary for Transportation Policy; Richard Ravitch of Ravitch, Rice & Company; the New York City Department of Transportation (NYCDOT) and The Port Authority of New York & New Jersey (PANYNJ). Janette Sadik-Khan, Senior Vice President at Parsons Brinckerhoff Inc., did a masterful job as Mistress of Ceremonies.

Frankel was presented with the Public Servant Award, given to an individual in recognition of outstanding achievement in the advancement of transportation. Outlining his accomplishments, Sadik-Khan explained that as Connecticut's Commissioner of Transportation, Frankel would ride the trains and personally ask people their thoughts and concerns. "Emil walks the talk about public service," she noted. This commitment com-

bined with his personal approach has translated into a deep respect for Frankel from his colleagues and staff. One person summed it up, "If Emil asked me to walk on water I would have tried."

Richard Ravitch received the Civic Leadership Award in recognition of the role he has played in the civic community to lead and foster positive change and action in transportation for over three decades. In introducing Ravitch, William Rudin, President of Rudin Management Company, Inc., noted his extraordinary work in turning around the Metropolitan Transportation Authority (MTA) in the late 1970s and early 1980s, and his continued leadership in the civic and business communities, describing Ravitch's efforts as "nothing short of legendary." Upon accepting the award, Ravitch urged the transportation community to make the hard decisions necessary and to allow a greater degree of public debate and transparency.

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ANNUAL AWARDS CONT.

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This year's Public Agency Award, in recognition of a specific project or history of accomplishment in transportation, was given to both NYC-DOT for *THRU* Streets and the PANYNJ for AirTrain JFK.

Accepting the award on behalf of NYCDOT was Michael Primeggia, Deputy Commissioner for Traffic Operations and one of the prime architects of the *THRU* Streets program. In describing Primeggia's efforts, Alan Friedberg, President of the Alan Friedberg Development Corporation, offered thanks that Primeggia was hired at NYC-DOT many years ago since without him, this project would likely not have succeeded so well. Introduced as a pilot project in the fall of 2002 by Mayor Michael Bloomberg, with participation by the Department of Transportation and the Police Department, *THRU* Streets aimed at making Midtown cross-town vehicle travel quicker and more reliable while improving pedestrian conditions. The program's primary element consists of nine Midtown streets designated *THRU* Streets with vehicle turns from these streets restricted on weekdays between 10 a.m. and 6 p.m. The *THRU* Streets program has had a beneficial effect on traffic conditions in Midtown Manhattan by improving travel time, increasing vehicular capacity, and enhancing pedestrian safety.

Anthony Cracchiolo, Director of Priority Capital Programs and AirTrain JFK Program Director, accepted the PANYNJ award for AirTrain JFK, the region's first fully automated light rail system, which was successfully launched into service on



Janette Sadik-Khan and Emil Frankel
Courtesy of the New York University Photo Bureau

December 17, 2003. To place the project in perspective, Beverly Dolinsky, Executive Director of the Permanent Citizen Advisory Committee to the MTA, noted in her introduction that everyone has been stuck at one time or another on the Van Wyck Expressway with butterflies in their stomach and eyes glued to their watch wondering if they would make their flight. "Thanks to the Port Authority, you can now relax on AirTrain, watching the bumper-to-bumper traffic as you speed overhead." Indeed, AirTrain JFK is the first rail transportation service to John F. Kennedy International Airport (JFK), and a hallmark of achievement for The Port Authority after over thirty years of debate and study and eight years of planning, design, and construction. The \$1.9 billion, 8.1-mile AirTrain JFK system connects the eight airline terminals in the Central Terminal Area to each other, to on-airport rental car and parking facilities, and to major transportation hubs at both the Howard Beach and Jamaica Intermodal Terminals, where air passengers have access to MTA subway and bus lines and to the Long Island Rail Road, for connections throughout the City and Region.

New York Transportation Journal

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The *New York Transportation Journal* is published by the NYU Wagner Rudin Center for Transportation Policy & Management in conjunction with the Rudin Center's Advisory board, the Council on Transportation.

The Rudin Center gratefully acknowledges the foundation, corporate, and individual sponsors that make possible our efforts to promote progressive transportation policy, including the *New York Transportation Journal*.

The views expressed in the *New York Transportation Journal* are those of the authors and not necessarily those of New York University, the Rudin Center, or any of its affiliated organizations and funders.

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Dean Ellen Schall of the NYU Robert F. Wagner Graduate School of Public Service, Steve Greenfield, Chairman Emeritus of Parsons Brinkerhoff Inc., Allison C. de Cerreño, Co-Director, and Elliot Sander, Director of the Rudin Center all provided welcoming remarks. Close to 150 individuals attended, among them regional agency heads including William Goldstein of the NYC School Construction Authority, Katherine Lapp of the Metropolitan Transportation Authority, Joseph Seymour of the Port Authority of New York & New Jersey, Iris Weinshall of New York City Department of Transportation, and Christopher Ward of the New York City Department of Environmental Protection.

The 2004 Nominating Committee included Allison C. de Cerreño, Beverly Dolinsky, Alan Friedberg, Steve Greenfield, Richard Maitino, Vice President of Parsons, Robert Paaswell, Director of the University Transportation Research Center, Janette Sadik-Khan, Elliot Sander, and Constantine Sidamon-Eristoff, of Counsel at Lacher & Lovell-Taylor. In addition to posting information on the Rudin Center website, requests for nominations were sent to members of the Council on Transportation and to regional agency representatives in the summer of 2003. Each Nominating Committee member was provided with a packet of all the submitted nominations, of which there were many good candidates. The nominations were discussed over the course of several weeks and selections were made based upon the information provided by the nominee's sponsor.

Annual Leadership in Transportation Awards

Each year the Rudin Center, in conjunction with the Council on Transportation, honors individuals who have made a significant contribution to the field of transportation within the New York metropolitan region. Three types of awards are given on an annual basis:

Public Agency. Awarded in recognition of a specific project or history of accomplishment in transportation.

Public Servant. Awarded to an individual in recognition of outstanding achievement in the advancement of transportation.

Civic Leadership. Awarded in recognition of the role played by an individual in the civic community to lead or foster positive change or action in transportation.

A call for nominations will be issued in July for next year's recipients. For nomination forms, please contact us at: 212-998-7545 or bella.pierson@nyu.edu.

LEADERS PAST AND PRESENT

2004

Public Servant Award

Emil Frankel
*Assistant Secretary for
Transportation Policy, USDOT*

Civic Leadership Award

Richard Ravitch
Ravitch, Rice & Company

Public Agency Award

AirTrain JFK, Anthony Cracchiolo
*Director of Priority Capital
Programs, PANYNJ*

THRU Streets, Michael Primeggia
*Deputy Commissioner for Traffic
Operations, NYCDOT*

2003

Douglas Currey
Mysore Nagaraja, Sr.
Robert Yaro

2002

John Kaehny
Francis Lombardi
Iris Weinshall
Special Tribute in honor of 9/11/01
Joseph Hofmann
Arthur Imperatore, Jr.
Special Tribute to our Trustees
Lewis Rudin & Family

2001

Virgil Conway
Jerrold Nadler
Gene Russianoff

1999

Mike Ascher
Joseph Boardman
Jane Garvey
Arthur Imperatore Jr.
Special Tribute
William Vickery

1998

Christopher Lynn
Richard Maitino
Lawrence Reuter
Dan Scannell



Courtesy of the New York University Photo Bureau

EDITORIAL — THE BOROUGHS OF NEW YORK

CAN DOWNTOWN BROOKLYN GET ITS TRANSPORTATION ACT TOGETHER?

By **CAROLYN S. KONHEIM**

The appeal of Brownstone Brooklyn and an abundance of subway service have made Downtown Brooklyn the keystone in New York City's strategy to keep Manhattan businesses with a wandering eye in the City. Brooklyn generates 31% of the MTA's riders, 25% of its fare revenues, and 25% of all trips by all modes in the peak hour into the Manhattan Central Business District (CBD). Nevertheless, in the enthusiasm about a plan to expand the region's third CBD, transportation was invisible. Few noticed Brooklyn was offered a pittance in public investment compared to the billions being lavished on New York City's other similarly-sized development areas. The prospect was that Brooklyn's roads would remain hopelessly clogged with traffic seeking to avoid tolls, its subways would become ever more crowded, and a once-promising traffic calming program would continue to sit on a shelf. Why, some asked, can't Downtown Brooklyn get its transportation act together?

Yet, spearheaded by local leaders, transportation has become a hot topic in Brooklyn, dominating headlines and development discussions, fostering a growing grass-roots consensus on what's wrong and what's needed that has been championed by Brooklyn Borough President Marty Markowitz. The glimmer of relatively rapid, low-cost ways to transform nearly every subway line and bus route in the borough ignited media interest in late November when a hearing by the New York State Assembly spotlighted a community-initiated *Brooklyn Transit Agenda*.

Right after last Thanksgiving, the beginning of the holiday season was greeted with a draft environmental impact statement (DEIS) on the City's plan to upzone, condemn and rebuild 14 million square feet (msf) in the heart of Downtown Brooklyn. Community activists, generally supportive of a new job center and more housing, waded through the voluminous DEIS, searching for some clue how Downtown Brooklyn's jammed streets and subways could absorb more trips.

“Transportation has become a hot topic in Brooklyn, dominating headlines and development discussions, fostering a growing grass-roots consensus on what’s wrong and what’s needed....”

Amid New Year predictions of double gridlock and bulging subway cars, a third phenomenon occurred: the giddy celebration of bringing the Nets basketball team to a new arena over a MTA Long Island Rail Road train yard at the eastern edge of Downtown Brooklyn. Although the site is adjacent to many more train lines than Madison Square Garden, it is also located at a notoriously congested confluence of the three main feeder routes to Downtown. The prospect of still more traffic and the taking of part of a neighborhood for the Arena and the 18 tall buildings that will subsidize it ignited a firestorm of protest.

Trying to decipher what it all means, many reporters and civic leaders turned to Community Consulting Services (CSS), a transportation think-tank for community leaders. By mapping all known development sites, CCS discovered that rather than the 6.7 msf that is the focus of the rezoning DEIS, 40 msf of new development is slated for the Downtown Brooklyn area — the equivalent of four World Trade Centers. Of this, 12 msf are underway, but their trips are not fully reported in the baseline conditions in the DEIS. Other planned major trip generators, like an IKEA and a huge film studio at the Brooklyn Navy Yard, are considered only in general background traffic growth. Of most concern to members of Brooklyn Community Board 2 was that half of the potential development that the re-zoning and urban renewal extensions would authorize was not examined in the DEIS. The consequences estimated by CCS could be project-generated traffic volumes that are five times greater than can be gleaned from the DEIS. The “unmitigatable” delay that is reported at a third of intersections would probably extend to all 30, all already failing even without the rezoning.

Although the Arena plan is technically separate from the rezoning proposal, real world linkages have real world consequences. Consequently, in an unusual move ten days before the City Planning Commission hearing, a supplement to the rezoning DEIS was issued to incorporate the Arena project into the rezoning baseline. This provided the opportunity to address an important omission of the rezoning DEIS, the lack of any assessment of the impact of increased transit use, projected to be the travel mode for 70% of trips to Downtown Brooklyn, on the capacity of already crowded subways. In response to community comments, the supplement examines line-haul effects, but by using the Manhattan cordon as a short-cut surrogate for Downtown Brooklyn, it misses the location of most impact. It also fails to convey the dynamic of the turnover of transit capacity in Downtown Brooklyn to people entering there to go to Manhattan,

which gets dual benefit for the same transit investment. Most counter-productive for transit planning is that trips are arbitrarily redistributed from the heaviest lines. For example, reducing the share of trips from 10% to 1% on the No. 5 line, brings it to just under capacity (99%), allowing the conclusion that no mitigation is needed. CCS's analysis indicates that the No. 5 line could be as much as 15% over capacity, adding to the demand for at least seven peak hour trains in the corridor where the A/C and 4/5 trains are operating at their maximum throughput.

“Downtown Brooklyn can become the showcase for every important urban planning initiative and the pride of New York.”

The penalty to transit from these errors and omissions in the DEIS can be particularly great if Governor Pataki makes a decision on the use of 9/11 funds to build a new LIRR tunnel to Lower Manhattan without accounting for the future peak hour riders that may number 13,000 more than available capacity both entering Downtown Brooklyn and boarding Manhattan-bound in the Downtown area using the two subway corridors, the A/C and 4/5, that parallel the LIRR line. The inclusion of these subway riders doubles the cost-effectiveness of a line that serves only a limited number of suburban and airport passengers.

The DEIS supplement also does not change the traffic analysis artifices of City Environmental Quality Review (CEQR) procedure. Instead of the kind of area-wide traffic model that the City uses when it is serious about understanding how road networks really operate, CEQR encourages the use of Highway Capacity (Manual) Software (HCS), which is incapable of analyzing the interaction between intersections. Since the HCS method doesn't reveal the kind of spillback that plagues the approaches to Downtown Brooklyn, CEQR procedures allow assigning traffic irrespective of available road capacity.

Veterans of many CEQR reviews now feel the best that can come from the EIS process is a

Carolyn S. Konheim heads a consulting firm and chairs Community Consulting Services.

forthright definition of the problem. Disclosure of impacts is all that the law requires. This obligates that CEQR lead agencies no longer strip out of the DEIS released to the public the substantiation of analyses that they required to certify the document as adequate. Seasoned reviewers see EISs as catalysts for the body politic to define and coalesce its own goals and objectives. The upcoming EIS on the Arena development presents one last opportunity to reform the EIS process and regenerate public trust in the results.

The Borough's elected leaders are now stepping up to the plate. Although strongly supportive of economic development, they are also concerned about the issues raised by the local communities. Borough President Markowitz presided over a February 18, 2004 public hearing on the upzoning plan. Markowitz fashioned what he heard into a comprehensive outline of conditions for his continued support for the plan. A March 12, 2004 statement by the Borough President outlining his conditions include:

- Establishing a broadly-based transportation Management Association that would develop and maintain a comprehensive traffic plan that protects neighborhood streets.
- Implementing safety-based traffic calming measures, including redesign of the approach to the Brooklyn Bridge as part of accelerating the reconstruction of Tillary Street.
- Managing parking in a number of innovative ways, such as residential parking permits.
- Increasing transit service to and within Downtown Brooklyn with ten measures from the Brooklyn Transit Agenda, in particular:
 - an LIRR/JFK line that would add service to Downtown Brooklyn;
 - expanding the subway fleet by rebuilding, not scrapping, existing cars;
 - improving connections between nearby lines with free MetroCard transfers and exploring a Downtown hub linking the two subway divisions;
 - restoring services, e.g., the F express and off-peak No. 5;
 - creating both express bus services and a local jitney/bus loop;
 - expanding ferry services.

The Borough President called for all entities to speak with one voice at the June hearing

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(Letter from the Editor Cont.)

of the meeting report is provided in this edition of the *Journal*.

Spring is also a sign of hope and renewal, something that the Borough of Brooklyn has symbolized for years (even beyond the eternal one — the return of the Dodgers). In the continuation of our “The Boroughs of New York” series, Carolyn Konheim responds to an issue many of us have discussed for many years — the inability of Downtown Brooklyn to get its transportation act together. The question comes at a critical time when the Borough's leaders appear to be rallying around transportation initiatives necessary to support the accelerating redevelopment of the City's third largest central business district.

Another subject that presents an aura of hope to many people is the Americans with Disabilities Act. It has been 14 years since the landmark ADA was passed with great expectations that many of the barriers to the disabled enjoying a mainstream life would be eradicated. Rosalyn Simon assesses the strides that the transit industry has made in doing its part to make the world more accessible to the physically challenged.

An additional sign of renewal is the recovery of New York City from the tragedy that took place on September 11, 2001. The financial industry is doing better and many plans for improvements to lower Manhattan are being finalized. Nevertheless, as a consequence of 9/11, the gathering and sharing of security information and analyses will always be a paramount concern. Roberta Weisbrod writes in this edition of the *Journal* about the formation of “Information Sharing and Analysis Centers” (ISACs) for the transportation sector and the need to address critical gaps in this regard in one of New York City's most vulnerable areas — the maritime industry.

Bruce Schaller rounds out this issue of the *Journal* by providing an assessment of the recent taxi fare hikes. He describes the opportunities that may result from the increase as well as the challenges faced.

Finally, the Rudin Center is continually conscious of the need to recognize those who have made significant contributions to the transportation industry in the New York region. Richard Ravitch and Emil Frankel both have scored substantial achievements throughout their lives and were rightfully acknowledged with awards on March 8, 2004. The Port Authority of New York & New Jersey was also recognized for the completion of AirTrain JFK and New York City Department of Transportation for its *THRU* Streets program.

We hope you enjoy these articles as you read them amongst the blossoming flowers.



IN THE REGION

PORT MARITIME SECURITY: CRITICAL GAPS IN INFORMATION SHARING

BY ROBERTA E. WEISBROD, PH.D.

How can we protect the nation's and the city's transportation infrastructure from terrorism? A crucial component is the sharing of valid threat information. With a special focus on transportation, this article describes the organizations established for threat information sharing, analysis and dissemination for critical infrastructure. The ports and maritime sector have gaps in threat information sharing for which solutions are advanced herein.

Why Threat Information Sharing is Important

The current color-coded threat information system is "one size fits all." It is wasteful of resources to insist on high alert levels on a nationwide basis. Worse, the lack of sector specific information doesn't allow for precise prevention and preparedness efforts that could be undertaken. This lack of threat information, specific to geographic area and/or economic sector, being shared with local government and the private sector has been raised repeatedly as a critical gap in protecting the nation against terrorism. A nightmare scenario is a repeat of September 11 in which there were numerous failures of threat information.

The private sector controls 95% of the nation's infrastructure. To meet the urgent challenge of threat information sharing, many businesses and industries have organized "Information Sharing and Analysis Centers" (ISACs) for their sectors.

Information Sharing and Analysis Centers: Focus on Transportation

In 1998, President Clinton established ISACs in response to cyber security threats, both the Y2K bug and cyber hacking. They were seen as a way for the nation's critical infrastructure businesses to work with government. ISACs "could serve as the

mechanism for gathering, analyzing, appropriately sanitizing and disseminating private sector information to both industry and the National Infrastructure Protection Center (NIPC). The center could also gather, analyze and disseminate information from the NIPC for further distribution to the private sector."

After September 11, the scope expanded to include terrorism threats, and the number of involved sectors also increased to include many, but not all, of the economy's critical sectors: Financial Services; Water; Power (Electricity); Energy (Oil & Gas); Chemical; Fire Services; Food; Information Technology; State Government; Research and Education; Real Estate; and Transportation. Each sector's ISAC is led by one trade association and has a federal agency point of contact and coordination. ISACs are self-funded by the industrial sector, but in some cases, the federal government has provided grants to ensure the widest coverage.

The way ISACs work is that information from the field – tips either directly from workers and managers from individual companies, or via the trade associations – are logged, aggregated, evaluated, and shared with other member companies of the ISAC. This function is administered by a private sector security firm in partnership with the trade association. Information received from the field is transmitted up to the Department of Homeland Security and other appropriate agencies. The administrating company, when transmitting the information, conveys the sector-specific interpretation of the significance of the findings. Information received by the administrating company is scrubbed of classified information before being provided to members.

Organizing the Transportation Sector

Transportation has several ISACs – a Surface Transportation ISAC composed of the Railroad and Mass Transit, and led by the Association of American Railroads (AAR); a Trucking ISAC; and an Air ISAC. For the Port and Maritime sector, the Coast Guard takes on only some of the roles of the missing ISAC.

Surface Transportation ISAC (ST-ISAC) – Trains and buses

The AAR is the lead entity for the ST-ISAC. Prior to forming the ISAC in 2002 the association undertook a series of steps, including a thorough terrorism risk assessment of the industry, and then created a Security Management Plan, which each railroad company has implemented on their own property. As a result all railroad employees have received training videos

"In 2001, information from air pilot training schools that some foreign students had no interest in learning about take off or landing was not widely shared, analyzed, or acted upon, with devastating consequences."

about suspicious activities and reporting to authorities. In 2003 the American Public Transit Association joined the ST-ISAC. An annual fee, \$7,500 for each rail company, supports the ST-ISAC and FTA subsidizes membership for the public transit members.

Trucking

The American Trucking Associations (ATA) formed the Trucking ISAC in March 2003, having evolved from the ATA's highly effective Trucking Army-Highway Watch program. The "Trucking Army" was established initially to assist in the national effort against smuggling drugs. Truck drivers were trained to spot and report suspicious behavior.¹ After 9/11 this mission was expanded and, in fact, became focused on the security threat² and truck drivers across the nation opted to receive two-hour long training modules on what constitutes suspicious behavior and what to do about it. Potentially three million of the nation's professional truck drivers are the ubiquitous eyes and ears field protection force, the power of which was illustrated by the capture of the beltway snipers as a result of a truck driver's sighting and reporting.

Planes and airports

The Aviation Information Sharing and Analysis Center is led by the Airports Council International-North America (ACI-NA), which represents all commercial, regional and state airport authorities in the U.S. and Canada and is responsible for 98% of air passenger traffic and virtually all the cargo traffic.

Ships and ports – There's the rub

The public and Members of Congress have expressed a great deal of concern about the vulnerability of the port and maritime sector, particularly related to the lack of transparency of what is in the shipping containers,³ 5.7 million of which reach our shores on an annual basis. This concern has validity above and beyond the fact that less than 4% of the containers are inspected, and uninspected containers can and have smuggled terrorists, weapons and drugs. Al Qaeda understands the marine system, is known to possess at least 15 ships, and has commandeered small vessels to attack the USS Cole, and the French oil tanker, Limburg.

For these and other reasons, ports are considered the Achilles' heel of the U.S. transportation system. In response to this threat, the U.S. has established a layered level of

defense against international freight threats, the Safe and Secure Tradelanes (SST), the Container Security Initiative (CSI), the Customs Trade Partnership Against Terrorism (CT-PAT) and Operation Safe Commerce. This layered defense in no way removes the obligation of the port and transportation industries to share specific threat information regarding the transport of international and domestic freight.

The critical gap

For reasons unclear, the port and maritime sector did not form their own ISAC. That being the case, the U.S. Coast Guard has taken a leadership role,⁴ for which it is to be highly commended. In February 2003, the Coast Guard signed a memorandum of understanding with the National Response Center (NRC) and the FBI's National Infrastructure Protection Center (now the Department of Homeland Security Information Analysis and Infrastructure Protectorate (DHS IAIP)). The Coast Guard agreed to be responsible for the collection of reports of suspicious behavior in the maritime environment, and for the distribution of threat information products.

How information flows up. Maritime industry stakeholders who see suspicious activities are encouraged to call the NRC number which then transmits information to DHS where the IAIP Directorate analyzes the reports and other intelligence information and when appropriate, develops and disseminates additional threat products to the appropriate ISACs.

Information flow down – this is how it works in New York Harbor. For threat information with a maritime element, DHS sends a copy of the threat product to the Coast Guard Headquarters in Washington, D.C., where it is further distributed to Coast Guard Captains of the Port and other operational commands. The Captains of the Port, as the Federal Maritime Security Coordinators (designated by the Maritime Transportation Security Act of 2002), and as leaders of their Area Maritime Security Committees, further distribute the threat products to their security committee members and other key maritime stakeholders in their ports. In addition Coast Guard Headquarters also distributes the threat products to about 50 national maritime associations, themselves composed of maritime businesses. And, in fact, since the MOU was signed between the Coast Guard and NIPC in February 2003, the Coast Guard

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Who could lead the Port Maritime ISAC?

A Meta Association of Trade Associations

The port maritime sector is organized by trade associations, for seaports, for river ports, for marinas, for tankers, tugs and barges, and containerships. They have not, however, come together in a national organization.

The Marine Transportation System National Advisory Council

This government-sponsored council might have the potential to facilitate a broad national organization – however it is a recently convened top-down organization.

Harbor Operations/Harbor Safety Committees

The port and maritime industries are organized, together with the fishing and recreational interests, into regional Harbor Safety or Harbor Operation Committees. While initially organized by the Coast Guard and under the aegis of the Captain of the the private/not-for-profit/local government sector, about three years ago these hundred or so Harbor Committees began convening for annual meetings. Because of their comprehensive make-up, they are my choice to lead an ISAC.

Area Maritime Security Committees

As authorized by the Maritime Transportation Security Act of 2002, these have recently been established by the Coast Guard to be the coordinators of maritime security, under the aegis of the Captain of the Port. An issue is that these committees have limited membership.

Maritime Associations/Maritime Exchanges

Each regional port has a Maritime Association made up of the port maritime businesses. While long standing and often well funded, they represent only a relatively small sector of the industry.

The Maritime Security Council

This council has the information gathering, analyzing and disseminating ability, but doesn't have the sectoral reach as trade or port-regional entities. It is focused on the international shipping arena, and therefore has no interaction with the domestic carriers or recreational boaters. It is also relatively new so it lacks long-established networks.

Roberta E. Weisbrod, Ph.D., is Director of Partnership for Sustainable Ports and Co-Director of Cargo Security International.

BEYOND THE REGION

THE AMERICANS WITH DISABILITIES ACT: IMPROVING TRANSPORTATION, CHANGING LIVES

BY ROSALYN M. SIMON, PH.D.

According to the 2000 U.S. census 49.5 million Americans with disabilities over age 5 reside in communities throughout the nation; 33 million are aged 16-64 years. While the majority of individuals with disabilities (65%) use the automobile as their primary mode of local travel, more than 13 million individuals with disabilities live in households that do not own or lease personal automobiles. For these individuals, accessible public transportation is essential for independent living and community integration. It provides access to education, employment, health and medical care, leisure and recreational activities, and other societal interaction.

Federal Policy for Accessible Transportation

Historically, meeting the transportation needs of people with disabilities has been problematic. While the transportation industry says it has struggled with the costs of making public transportation accessible, disability advocates have argued that costs should not be a deterrent to their civil right to equal access. As a result of this longstanding debate, resolution has fallen squarely on the shoulders of federal intervention. However, for many years federal policy on accessible transportation was inconsistent as the government grappled with the concerns of cost while looking to legal principles, requiring various levels of accessibility.¹ As a result, uniform accessible transportation did not exist until it was required by the Americans with Disabilities Act in 1990 (ADA).

The Americans with Disabilities Act of 1990

The passage of the Americans with Disabilities Act in 1990 unlocked the doors for individuals with disabilities and imploded the walls of exclusion. ADA is intended to provide equal opportunity, full societal integration, independent living, and economic self-sufficiency for people with disabilities. To achieve these goals, the federal statute prohibits discrimination against individuals with disabilities in employment, activities of state and local governments (including providing transportation services), public accommodations, and telecommunications. Unlike previous federal transportation legislation addressing services for individuals with disabilities, ADA covers all modes of public and private surface and water transportation.

Rosalyn M. Simon, Ph.D., is President and Chief Executive Officer of SIMON & SIMON Research and Associates, Inc.



Courtesy of VIA Metropolitan Transit

ADA Transportation Requirements

Possibly the most far-reaching civil rights legislation ever passed, ADA and its implementing regulations have changed the manner in which transportation is provided in America. The law requires that all new or leased vehicles acquired on and after August 26, 1990 be accessible. Fixed route operators must also provide “a safety net” of comparable complementary paratransit service for individuals that cannot use the fixed route. The U.S. Department of Transportation (USDOT) regulations for implementing ADA emphasize the use of strict procedures to determine paratransit eligibility according to federally established categories. Comparability is defined in terms of the days and hours of service, service area, and fares. Trip purpose restrictions are prohibited. Advance reservation systems must be established to provide next day service and capacity constraints are prohibited. All transit systems’ ADA paratransit programs had to be in compliance by 1997.

Heavy and light rail systems, commuter rail authorities and Amtrak were required to have at least one car per train accessible by July 26, 1995. Key rail stations were required to be accessible by July 26, 1993; all Amtrak stations have to comply with ADA accessibility requirements by July 26, 2010.

Title III of the ADA specifies statutory requirements for private fixed route, demand responsive, and over-the-road bus transportation providers. The USDOT implementing regulations identify requirements for accessible transportation facilities, vehicles, maintenance of accessible vehicles and equipment, communication and information services, service delivery, and personnel training.

Impact of ADA Implementation in Transportation

In the thirteen years since its passage, ADA has dramatically expanded the availability of accessible transportation nationwide. Fixed route accessibility has increased, paratransit service has improved, key rail stations are accessible, and transportation operations and service delivery have been re-designed. General awareness of the law among public transportation operators is high and private operators, including over-the-road bus companies, have become aware of their accessible transportation requirements. Relationships between transit systems and representatives of their local disability communities have improved because of cooperation and collaborative leadership.

In 1990, for example, the national bus fleet of 54,000 was 39 percent accessible. Today more than 90% of the nation's 57,000 buses are accessible.² The majority of transit systems provide 100% accessible service during the peak hours.

Paratransit Services

As public transportation operators report full compliance with ADA paratransit service criteria, paratransit services have significantly improved since the enactment of ADA. The national paratransit fleet is 94.4% accessible, and demand has skyrocketed. Contrary to the assumption that paratransit demand would decrease as fixed route accessibility increased paratransit demand has steadily increased. Collectively transportation operators have certified more than 1 million riders with disabilities as ADA-eligible and the numbers continue to grow. More than 100 million annual paratransit trips are occurring today, a four-fold increase since 1991.

Rail Service

The accessibility of fixed rail systems has grown substantially since the passage of ADA. The American Public Transit Association (APTA) reports that almost 99% of heavy rail cars, 79% of light rail cars and 67% of commuter rail cars are accessible to people with disabilities, including those who use wheelchairs. Of the 685 key rail stations identified for accessibility by people with disabilities, 62% (423) are in full compliance with ADA requirements. Another 124 will achieve compliance in 2005 bringing key station accessibility to 80%.

Improved Operations and Service Delivery

ADA implementation has further redefined accessible transportation operations and service delivery. ADA regulations require that fixed route bus operators be proficient in operating accessibility equipment, mobility aid securement, and serve passengers with disabilities "in a courteous and respectful manner, with particular attention to the differences among disabilities." Transportation systems have implemented training programs that focus on understanding and meeting ADA compliance and sensitivity to passengers with disabilities. Most operators understand the need for frequent lift cycling, providing boarding and securement assistance, announcing stops and reporting lift malfunctions during service. ADA mandatory training requirements cover all employees who interact with passengers with disabilities, as well as employees responsible for vehicle maintenance.

Regulatory requirements have driven technology development. Improved computerized scheduling and software programs for dispatching vehicles are being used for paratransit delivery. On-board stop announcement systems, talking buses, talking signs, and tactile way-finding systems are now available to improve service delivery and passenger travel on public transportation.

Many transportation systems now offer travel-training on fixed route services for individuals with disabilities and senior citizens. Since the passage of ADA, increased numbers of transportation systems report improved relationships with their local disability communities that provide assistance with collaborative training, planning and advice on accessible transportation service delivery.

Challenges

ADA has improved the accessibility and the delivery of accessible transportation services around the country, but the broader goals of the ADA have yet to be achieved. Despite notable progress, challenges remain. Some transportation operators still face safety and operational concerns such as the dependability of fixed route equipment, reliability, safe securement of all types of mobility aids, operators' failure to announce stops and the "passing up" of passengers who use wheelchairs. Many communities still complain about the lack of pedestrian accessibility and inaccessible public rights-of-way.

(Continued on page 14)

Rudin Center Highlights

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Context Sensitive Solutions in Large Central Cities

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Featured Project

High Speed Rail Projects in the US: Identifying the Elements for Success

Funded by the Mineta Transportation Institute, the goal of this study is to identify lessons learned for successfully developing high speed rail (HSR) in the United States. Phase 1 of the study briefly assessed all HSR efforts in the United States since 1980 to determine their history and current status and reviewed relevant federal legislation. Phase 2, now underway, is a more in-depth study of California, Florida, and the Pacific Northwest. Look for the final report, which will provide a unique and valuable contribution to the field by providing a much-needed and strong foundation upon which additional research in this area could be based, in summer 2004.

SURFACE, AIR, AND WATERWAYS: FOCUSING IN

PEDESTRIAN ENGINEERING

BY SAMUEL I. SCHWARTZ, P.E.

This was my lucky day. I was walking down Fifth Avenue and each time I reached a corner, the bright white androgynous figure greeted me on the pedestrian signal. No red hands hindered this walk. I was moving at a good pace, about four miles per hour (mph), and found the signals in sync with me – they were changing at a four mph progression! I easily passed by the creeping traffic and thought I must be dreaming. And in fact, I was daydreaming.

To my knowledge, signals everywhere on earth, including all New York City signals, and those on Fifth Avenue travel to the beat of vehicular traffic, not pedestrian traffic. The reason for this is that traffic engineers, not pedestrian engineers, are in charge of the signals. And traffic engineers like to see red signals turn to green at 35 mph progressions or higher. What does this all mean for the average pedestrian? A lot of stopping and starting.

For example, if you're walking at four mph, with the progression, you'll be able to go two to three blocks before you get stopped for cross street traffic. If you're a slow walker, or just slowed by other pedestrians, you'll have to stop about every block. If you walk against the progression, e.g. going uptown on Fifth Avenue, you'll have to stop at just about every block whether you're walking fast or slow. In that case, you might as well take it easy.

I'm not suggesting that traffic engineers lower the speed of progression to four mph, but rather that there may be times where just changing the green-red split slightly, or the offset between one signal and the next, will make a difference and help walkers just 'make the light.'

While speeds of progression offer just a little relief for pedestrians, there are far more effective ways to minimize

"Signals everywhere on earth, including all New York City signals, and those on Fifth Avenue travel to the beat of vehicular traffic, not pedestrian traffic."



Courtesy of Sam Schwartz LLC

Figure 1: A Neck Down at Mulry Square

the disruption of pedestrian flows through signal timing modifications, geometric changes and traffic restrictions. However, perhaps we should first examine the ineffective way of solving the 'pedestrian problem.'

Traffic engineers often view pedestrians as "The Problem." *If only New Yorkers would behave as their German and Japanese counterparts do, we could squeeze far more vehicles into Manhattan.* Former New York City Mayor Giuliani's solution to the pedestrian flow issues was to move pedestrians out of the way of turning vehicles by fencing them in at their natural crossings and moving them 150' out of their way (75' each way) to cross mid-block. Not only did this require costly fences, new traffic signals, scarifying old crosswalks and installing new crosswalks, but a traffic officer to monitor the area to make sure people did not go around the fences. If a traffic officer had been assigned there in the first place to hold the traffic briefly while the pedestrians crossed, and then hold the pedestrians while the cars turned, a lot of money would have been saved!

The Bloomberg administration's *THRU* Streets program is one of the most pedestrian-friendly measures to take place in recent years. Turns have been banned on ten crosstown streets, allowing pedestrians to traverse intersections with more ease. At many other intersections, there are split-phasing signals in which straight moving traffic is allowed to move while turning traffic is held up by a red 3 o'clock (right-turn) or 9 o'clock (left-turn) arrow. It is during this phase the pedestrians cross, only after which vehicles are allowed to turn.

A less dramatic, and barely noticeable, pedestrian engineering measure takes place at hundreds of intersections throughout the city. The Leading Pedestrian Interval (LPI) was introduced during the Koch Administration. At intersections where there are a high number of conflicts between turning vehicles and pedestrians, a



Courtesy of the City of New York Department of Parks & Recreation

Figure 2: The resurrection of a Calvert Vaux park at Canal St. and Route 9A. The “traffic” solution for the streets bordering the park resulted in simpler pedestrian crossings.

special pedestrian phase is introduced just before the traffic signal turns green. Even though it is only five or six seconds long, it allows the pedestrians to get into the crosswalk before the turning vehicles and claim their space.

The ultimate pedestrian-friendly signal-timing program is the ‘Barnes Dance’ aptly named after former New York City Traffic Commissioner Henry Barnes who served under Mayors Robert Wagner and John Lindsay. The pure Barnes Dance sets aside an entire phase of signal timing in which traffic is stopped in all directions and pedestrians can cross in all directions, even diagonally. At one time, the City demarcated diagonal crosswalks part-way across intersections where the Barnes Dance was installed. While the markings have long since faded, a few Barnes Dances stubbornly persist. I’m afraid to mention their locations for fear they will disappear. However, if one would like to see a Barnes Dance in person, pay a visit to the southern terminus of Broadway at Battery Place, and watch the WALK signal come on in all directions.

Traffic signals can help to solve many problems of movement and flow, both vehicular and pedestrian. Yet changes in the physical condition of an intersection ranging from sidewalk bulges to pedestrian bridges and even underpasses (for vehicles or peds) become necessary in some instances.

Samuel I. Schwartz is President and Chief Executive Officer of Sam Schwartz LLC.

One traffic accident in particular that occurred during my tenure as Traffic Commissioner still haunts me. Two small children were struck by oncoming traffic at the complex intersection of Seventh Avenue, 11th Street and Greenwich Avenue (a.k.a. Mulry Square), and died as a result. This tragedy marked the intersection for treatment. Because it was a complex location with three approaches, meaning a three-phased signal, little could be accomplished for pedestrian safety through signal timing. The large amounts of asphalt and poorly defined crossings only worsened the issues of safety at the intersection.

To help alleviate the problems, the city decided to reduce pedestrian exposure by building out the sidewalks, thus ‘necking down’ the roadway. Figure 1 shows the neckdown on Greenwich Avenue.

There was little or no degradation of traffic flow at Mulry Square after pavement was taken from cars and given over to pedestrians. It is important to note that pedestrian and vehicular traffic are not in a zero sum game. In fact, this is just one example of many which demonstrates that improving pedestrian flow does not mean worsening traffic flow. In order to develop a truly optimal solution, pedestrian engineering and traffic engineering must go hand in hand.

All too often, pedestrian engineering is an after-thought. It is limited to where crosswalks are added late in the designs rather than integrated into the process of building

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RUDIN CENTER RESEARCH

CONTEXT SENSITIVE SOLUTIONS IN LARGE CENTRAL CITIES

BY ALLISON L. C. DE CERREÑO, PH.D., AND ISABELLA PIERSON

On June 19 and June 20, 2003, the NYU Wagner Rudin Center for Transportation Policy & Management hosted a peer-to-peer exchange session, funded by the Federal Highway Administration (FHWA) and supported by the National Association of City Transportation Officials (NACTO), on context sensitive design/solutions (CSD/S)¹ in large central cities. Participants at the session were drawn from departments of transportation or public works in nine major cities (Baltimore, Boston, Chicago, Detroit, Los Angeles, Miami, Minneapolis, New York City, and Philadelphia) and three states (Illinois, Maryland, and New York). Representatives also attended from the American Association of State and Highway Transportation Officials (AASHTO), the Association of Metropolitan Planning Organizations (AMPO), and FHWA. What follows is an excerpt from the resulting report.

There are a number of definitions of CSD/S. According to FHWA, for example, context sensitive design (CSD) is “a collaborative, interdisciplinary approach that involves all stakeholders to develop a transportation facility that fits its physical setting and preserves scenic, aesthetic, historic and environmental resources, while maintaining safety and mobility.” The New York State Department of Transportation defines context sensitive solutions as “a philosophy wherein safe transportation solutions are designed in harmony with the community.” Regardless of how it is defined, CSD/S incorporates a focus on public involvement and an inclusive planning process.

Goals of the Session

The decision to hold a peer-to-peer exchange session on context sensitive design/solutions (CSD/S) was made in conjunction with the NACTO cities and FHWA. Representatives from the NACTO cities agreed that understanding CSD/S and sharing lessons learned and best practices is important for large central cities and that because of their unique role in the nation’s economy and society, there is something fundamentally different about large central cities that renders

illustrations from less urbanized areas insufficient. However, a quick literature review showed that most of the published examples of CSD/S are from smaller cities or suburban or rural areas. Further, the few disseminated findings dealing with large urbanized areas (e.g. Route 9A in New York City), tend to focus on state-led projects rather than city-led initiatives.

The goal of the session was to lay a foundation for dealing with the state of the practice and processes related to context sensitive solutions, and to identify specific examples that could be used as benchmarks for lessons learned and best practices. Examples were drawn from the following cities: Boston, American Legion Highway Reconstruction Project; Los Angeles, Santa Monica Boulevard Transit Parkway Project; Minneapolis, I-35W Lake Street Access Project; New York City, Herald Square; and Philadelphia, Germantown Avenue Bridge.

Each example illustrates some elements of CSD/S more than others, but together they provide a baseline for understanding how large cities are coping with the myriad issues related to CSD/S and why a more concerted effort is needed in understanding and implementing CSD/S.

Defining the Problem

Many large central cities have expressed difficulty in implementing CSD/S. Several factors were identified by participants in the peer-to-peer session, including competing interests, fiscal constraints, institutional inertia, lack of contextual definition, legal concerns, organizational culture and personalities, and politics. With respect to factors specific to the transportation industry, first and foremost perhaps is the cultural factor. AASHTO’s Green Book, which serves as a *guide* for design standards, is still often utilized by individual practitioners to support rigid standards in a culture focused primarily on vehicle mobility, throughput, and safety rather than on how to best integrate these important aspects of transportation with features that support and shape communities. Related to this is the tendency of agencies to pose CSD/S as a means for “balancing” safety and aesthetics, in other words a zero-sum game where safety loses if CSD/S wins. Thus, the reluctance to avoid exceptions is built into the industry’s culture and the way in which it defines the context. Understanding at what point obstacles occur is critical. Although the Green Book leaves room for flexibility, many state department of transportation manuals add rigidity to the process.

“...the reluctance to avoid exceptions is built into the industry’s culture and the way in which it defines ‘the context’.”

Another aspect of the problem relates directly to tort liability. Tort claims have been rising for the past 30 years and the professional literature recommends that engineers/designers document their rational justifications for making decisions. This process is often aided by the existence of other examples where guidelines were found to be inappropriate to the context and so variations in design were used. However, very few formal examples of CSD/S implementation in large cities have been published.

Such examples are important since large central cities are distinct in the following ways:

- *Population size.* Large central cities have considerably larger populations as well as higher population densities than other areas of the country;
- *Government structures and complexities.* Large central city bureaucracies with large staffs and numerous specialties have organizational frameworks as great in complexity as those of most states;
- *Multimodal systems.* These cities must deal with multimodal transportation networks which are more extensive than any other location in the country, and which often operate 24 hours a day, seven days a week;
- *Antiquated urban design.* Many of the nation's large central cities are built on antiquated grids from the eighteenth and nineteenth centuries (or even earlier - e.g. downtown Boston) which constrain them when transportation modifications and/or improvements are sought;
- *International gateways and security.* Large central cities are critical international gateways for people and goods. As such, they have in recent years also become clear security targets, and must increasingly be prepared on a daily basis to react as first responders. (This issue is likely to become a topic of increased concern as homeland security efforts proceed.)

To be fair, some smaller cities and suburban and possibly rural areas share some of these features. Many Main Streets, for example, are also built on antiquated grids and some smaller cities have multimodal systems.

Allison L. C. de Cerreño, Ph.D., is Co-Director and Isabella Pierson is Assistant Research Scientist for the Rudin Center for Transportation Policy & Management.

However, even in these cases where some qualitative features are similar, quantitatively large cities differ greatly. Thus, CSD/S examples from smaller cities, suburban or rural areas are often not applicable to the large central cities.

Next Steps and Tools

The following areas for action were identified to aid large central cities in effectively planning and implementing projects with CSD/S in mind.

1. Raising Awareness.

The peer-to-peer session laid the foundation for a compendium of examples of CSD/S implementation in large central cities. However, many more are needed. More importantly, the cities suggested that such examples should be disseminated as quickly as possible so that engineers involved with projects in their respective cities have access to documented cases where CSD/S have been successfully applied. The most effective way to do this is likely via a website.²

For the past four years, the New York State Department of Transportation has been promoting the practice by awarding its Excellence in Engineering – Context Sensitive Solutions Award in recognition of a project that exemplifies the spirit and success of Context Sensitive Solutions in New York State.³ The cities expressed that more positive reinforcement for implementing CSD/S would help to increase its use and were interested in learning more about the NYSDOT awards.

2. Building Professional/Organizational Capacity.

Specific types of training are necessary for successfully planning and implementing CSD/S. Among them, cities would like to see expanded course offerings including but not limited to the subjects of:

- creating public spaces;
- developing effective teams that cross disciplines;
- generating public participation;
- resolving conflict; and,
- documenting appropriately to avoid liability.

After the 1998 Maryland workshop, five states were selected for pilot projects. The central cities would like to see a similar

(Continued on page 14)

We're Moving!! to the Puck Building



Along with the rest of the Robert F. Wagner Graduate School of Public Service at NYU, the Rudin Center will be moving to the historic Puck Building in mid-May 2004. Built between 1885 and 1893 in a Romanesque Revival style designed by architect Albert Wagner, with additional construction in 1899, the Puck Building takes up the block bounded by Lafayette, Mulberry, Houston, and Jersey Streets. It is listed on the National Register of Historic Places and is a New York City landmark.

As of May 18, 2004,
our new address will be:

**295 Lafayette Street,
2nd floor
New York, NY 10012**

In its new location the Wagner School will, for the first time, have its faculty, research centers, and students in one place, and the Rudin Center is excited to be a part of this.

You may still reach us at our current phone numbers and emails. Additional information will be sent to all our colleagues and friends once the move is complete. We look forward to seeing you at our new offices.

(Context Sensitive Solutions Cont.)

set of *demonstration projects* in which the central cities take the lead.

3. Process Improvements.

Several cities have instituted time limits on the exception process. Agreement on timely responses from the state on variances helps streamline the process and avoids the difficulties commonly experienced by many cities which find themselves waiting for months at a time.

Some cities already have “delegated authority” or “self-certification,” which allow a city to certify that it is meeting state and/or federal requirements rather than having to go through the state-federal process. Those cities without these mechanisms were interested in the process undertaken to put them in place.

4. Research and Innovation.

To provide a more accurate assessment of real liability risks and settlements, the cities requested that information be gathered and disseminated regarding how many suits are brought each year, how many make it to court, how many are settled out of court, and of those that make it to court, how many result in awards to the plaintiffs. (One participant pointed out that the Transportation Research Board is currently working on such a project.)

Several of the cities were frustrated by the need to apply for multiple variances on projects even where the need to follow CSD/S principles and allow for flexibility is understood. The development of urban design standards that take into account the antiquated grids and built environments with which these cities must deal, might help to avoid a number of these variance requests and streamline the process while further developing the CSD/S definition and applicability as well.

To facilitate the implementation of CSD/S, it is important for public agencies, and private and civic organizations to support similar joint efforts aimed at: a) deepening the understanding of the practice – its challenges and benefits; and, b) educating those who grapple with how to design, operate and maintain our transportation infrastructure.

1. *The terminology used when describing CSD or CSS is still being shaped. Some locales interchange them and others have specifically shifted from CSD to CSS in recognition of a focus on outcomes as well as process. In other words, rather than focusing on new designs, they focus on finding a solution, which involves more than just designing. Here, the phrase Context Sensitive Design/Solutions (CSD/S) is used to encompass the various expressions of the concept.*
2. *At the time the peer-to-peer session was held, Project for Public Spaces, Inc. was exploring the possibility of building a national website focused on CSS. Shortly after the session, FHWA and the National Park Service contracted PPS to develop such a website and recommended that NACTO be represented on the working group along with the contracting parties, AASHTO, the Institute of Transportation Engineers (ITE), and the Federal Transit Administration (FTA). David Burwell, formerly of the Surface Transportation Policy Project (STPP) is leading this effort.*
3. *New York State Department of Transportation, Context Sensitive Solutions, Online, Accessed 12/19/03, <http://www.dot.state.ny.us/design/css/css.html>*

(Pedestrian Engineering Cont.)

a comprehensive, fully functioning network for both pedestrians and vehicles. An example involved plans for Canal Street between Washington Street and West Street, where lots of pavement was dedicated to handle traffic movements from West Street to Canal Street and ultimately to the Holland Tunnel and beyond. A traffic engineering design solution (circa 1998) would have marginally improved traffic, but worsened conditions for walkers. It would have been necessary for pedestrians to traverse up to five crosswalks and take three to four minutes just to cross the street. The local community was outraged with the plan and organized to prevent the action. Their argument was strengthened when they discovered that a Calvert Vaux park (of Olmsted and Vaux fame) had graced the site from about 1870 to 1930.

Legal action was taken with the resolution being to have a third party, my company, ‘mediate’ the design. We found that by closing Washington Street as a thru-street, traffic flow could be simplified, the number of signal phases reduced, and crossing less complex. The community would also benefit by having an enlarged park. As a result of community organization, a responsive New York City Department of Transportation, urban design and traffic engineering, a beautiful replica Calvert Vaux Park will grow from the asphalt next year (Figure 2).

As I stroll the streets of New York, the walking capital of America, I realize how much more needs to be done for the pedestrian. If traffic engineers dare dream a little more, then maybe they will realize that in New York City, the pedestrian is King (and Queen).

(ADA Cont.)

Paratransit service delivery still presents some of the most formidable challenges. Commonly reported concerns include accurate eligibility procedures that can stand up to local political pressure, escalating growth fueled by a growing senior population, the ability to estimate demand, the necessity to eliminate capacity constraints and untimely trips, and the need for increased funding.³

Though problems exist, transportation options for people with disabilities are dramatically better since 1990. Since the enactment of ADA, increased accessibility of transit for individuals with disabilities has led to an increased use of transit across all modes. According to APTA, in 2001 people with disabilities made 97 million unlinked trips on fixed route transit systems. Michael Winter, the Federal Transit Administration’s Director of the Office of Civil Rights, has stated, “The most significant impact of the ADA has been on the independence and mobility of people with disabilities. ADA has allowed for the integration of people with disabilities into American society. Transportation is the centerpiece.”

1. *R.A. Katzmann, “Transportation Policy,” in J. West (Ed.) The Americans with Disabilities Act: From Policy to Practice (NY: Milbank Memorial Fund, 1991), pp. 214-237.*
2. *American Public Transit Association, Public Transportation Fact Book (Washington, D.C.: American Public Transit Association, 2003).*
3. *Transit Cooperative Research Program, Impact of the Americans with Disabilities Act on Transit Operations, Legal Research Digest # 19 (Washington, D.C.: Transportation Research Board of the National Academies, 2003).*

(Port Security Cont.)

has distributed over ten threat products to the Area Maritime Security Committees and national maritime associations.

The Port Maritime Sector Needs an Industry-led ISAC

Currently, information goes up the chain, and may – or may not – after a time get shared with others in the field. If shared, the threat information may or – much more likely – may not have the specificity that it had when originated, since information is generally sanitized of source and scrubbed of detail. The issue raised repeatedly is that the federal intelligence agencies are not good at sharing information. They have become better at sharing with each other, but as recently as December 2003, reports show that federal agencies are not communicating critical information to local law enforcement or to the private sector.⁵ Failure-to-share in part relates to the need for clearance to receive classified information. But getting clearance is difficult – even Rick Larrabee, who as an Admiral had clearance, was not able to get clearance when he became director of the Port Commerce Department of The Port Authority of New York & New Jersey.

It is very important that there be direct sharing of information between the port and maritime sectors of one part of the nation and another and between the components of the sector – barge operators with ferry operators with bulk carriers. In New York Harbor, the New York Shipping Association has taken the lead in establishing a security information forum for port terminal operators, meeting and communicating on a regular basis. With the current system for the port and maritime sector, there is unfortunately no lateral sharing of information across the sector.

TO DO: Create an Industry-led Port-Maritime Information Sharing and Analysis Center

What is needed to make a Port-Maritime ISAC happen? Effort, will, and some money. The federal government has to make the effort to find an entity willing to take on the role. The entity needs the will and commitment to see the task of setting up the ISAC through, a difficult task considering that it would include the very diverse maritime industry and representation from the recreational boating public. Possible organizations for leading the Port Maritime ISAC are noted in the border of page 7. The Maritime Security Council has recently announced its intentions to populate a Maritime ISAC.

Modal Integration of Transportation ISACs Is Also Needed

Transportation is all about handoffs from one mode to another. Even if every mode had fully populated ISACs, the lack of connecting links leaves holes of various dimensions in security's chain link fence. The transportation sector security effort needs integration among the modes.

As a way of promoting integration of all ISACs, a Council of ISACs has been initiated. The Coast Guard has been asked to participate in the Council of ISACs, the only federal agency other than the U.S. Fire Administration (the coordinator for the Fire Emergency Services ISAC) so invited. There have been a few meetings – a promising start.

1. www.truckline.com/insideata/atap/951992-alert.html
2. *Communication with William Wannamaker, American Trucking Association, November 2002.*
3. *See Stephen E. Flynn, "Beyond Border Control," Foreign Affairs (Nov/Dec 2000) and "America the Vulnerable," Foreign Affairs (Jan/Feb 2002). Also, U.S. Senate Committee on Government Affairs, "Senators Question Weaknesses in Border Protection, Especially Risk Assessment of Cargo: Urge Tracking of Containers from Point of Origin," 29 October 2003, Senator Joseph I. Lieberman.*
4. *Tony Regalbutto, U.S. Coast Guard, personal communication November 24, 2003.*
5. *See for example Andrea Baker, "Call for More Intel," Newsday (10 December 2003). James Kallstrom (Governor Pataki's security advisor) says that state and local government law officials are in the dark as a result of the federal government's failure to share critical intelligence.*

(Brooklyn Cont.)

on the MTA Capital Plan and the LIRR/JFK service proposal. The Borough President has asked all officials to rally around his conditions for continuing to champion a development plan designed to meet the region's, as much as Brooklyn's, economic needs.

The Brooklyn community has come a long way in getting its act together in a very short time. Nevertheless, elected officials, city agencies, developers and community leaders still need to respond to the recent outpouring of caring and vision and build a Brooklyn that works for everyone. If these parties can work together in good faith, Downtown Brooklyn can become the showcase for every important urban planning initiative and the pride of New York.

COUNCIL ON TRANSPORTATION

Representing major private and non-profit sector organizations, the Council on Transportation is a bipartisan group created by the Rudin Center, committed to improving transportation in the downstate New York region, especially in New York City. The Council acts as an Advisory Board to the Rudin Center.

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WHAT THE TAXI FARE INCREASE MEANS

BY BRUCE SCHALLER, PRINCIPAL, SCHALLER CONSULTING

For the first time since 1996, the Taxi and Limousine Commission is adjusting two fundamental regulatory parameters, the taxicab rate of fare and the number of medallion licenses. Effective May 3, the average fare will increase by 26%, from \$6.85 to \$8.65. With the addition of a \$1 rush hour surcharge, the average fare for trips between 4 p.m. and 8 p.m. will increase 41%, to \$9.65.

TLC also completed an environmental analysis and approved the issuance of 900 new taxicab medallions, to be issued through sealed auctions in batches of 300 starting in April. The number of cabs will thus increase from 12,187 currently to 13,087 in 2006.

What do these changes mean for taxi riders, cab drivers and owners, and for the City? The most obvious impact on taxi riders is that they will be paying more for a cab ride, especially during rush hour. No real public or editorial opposition to the fare increase was voiced, however, even though the May fare hike will be the largest fare increase since the 1970s. The public appears to accept that after eight years, drivers and owners deserve an increase. In fact, the new fare is only slightly higher than it was after the last three fare increases, in inflation-adjusted dollars, and well below the rate of fare in the 1970s.

Second and less obvious, riders should expect to have a somewhat easier time getting a cab. My econometric modeling projects that service availability, measured by the number of miles that drivers spend cruising for passengers, will increase by 13% this year once the fare increase and additional 300 medallions are in place. This forecast is subject to a number of possible factors, however. The rush hour surcharge will undoubtedly reduce taxi demand by more than 13%, although whether it will be any easier to get a cab at 5 p.m. remains to be seen. Another unpredictable factor is whether customers who now hail car service or black car drivers – having given up on getting a yellow cab – will switch back to cabs, or whether they will use car services and black cars even more to avoid paying the higher taxi fare.

Another likely benefit for cab riders is improved service. TLC also mandated that all taxis accept credit and debit cards by November 2005, install monitors that will show passengers their current location and install tracking equipment that will aid in recovery of lost property.

Increased driver incomes from the higher

fare are likely to lead to safer driving and fewer service refusals by cabbies if they feel reduced financial pressure. Driver retention may also improve, producing a more experienced and skilled workforce.

Finally, City Council-adopted provisions governing the medallion sale may lead to 81 new wheelchair-accessible and another 81 alternative fuel cabs on the street by 2006. Although these are small numbers in a fleet of 13,000 vehicles, they would be first steps toward the goals of accessibility and clean air.

The taxi industry will realize a long-awaited increase in fare revenues. Since the TLC limited the increase in lease caps to 8%, driver incomes are likely to increase by 30% to 35%. This is a major increase after two decades in which driver incomes have been stagnant in inflation-adjusted dollars.

For the City, the most tangible result of this year's activity will be over \$80 million in general fund revenues this year and in each of the next two years from the medallion auctions.

While major steps forward, the fare increase and medallion sale are only the beginning of the task at hand for city regulators. The City has committed itself to a careful technology development, testing and evaluation program to usher in the new technology mandates, which will be a challenge for both the City and the taxi industry to implement successfully and on schedule.

Another important challenge for the TLC and the taxi industry is to attract and retain skilled, courteous and safe drivers. Raising driver incomes is critical but not sufficient to achieving this goal. How the City will capitalize on this opportunity created by a substantial increase in driver incomes remains to be seen.

Finally, TLC should take up the idea, discussed at the public hearing on the fare hike, of periodically reviewing the rate of fare. Eight years is too long a period between fare increases. Smaller but more frequent increases would be preferable for both the public and the cab industry. The fare reviews should go beyond examining the industry's financial condition, however, to include the availability and quality of cab service. Thus, TLC should make this year's evaluation of the two fundamental regulatory parameters that it controls – the fare and the number of medallion licenses – a regular feature of its regulatory agenda.

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