



2023
Legislative
Agenda



OpenPlans

Open Plans Legislative Agenda at a glance

Open Plans' Legislative Agenda is centered around four key policy areas that make a city livable. These pieces work together, and each one is essential to the success of the others.

These policy areas require action on the City level, the State level, and within the City's agencies and Administration. When activated together, these initiatives build toward a truly livable city.

Create More Joyful & Equitable Public Spaces

Reform the Curb



Eliminate Parking Mandates

Make Our Streets More Livable

Making Our Streets More Livable

City

- ✓ [Intro 501](#)
Citizen Enforcement
- ✓ [Intro 500](#)
Eliminate City Parking Placards
- ✓ [Intro 708](#)
Reconfigure NYC's Truck Network
- ✓ [Intro 150](#)
City EV Charging Mandate
- ✓ [Intro 417](#)
Simplify CB Notifications

- 💡 Require DOT to use a People Level of Service and to prioritize safety over vehicular Level of Service in street and intersection designs
- 💡 Amend CB notice requirements so that DOT does not need permission for any street safety improvements
- 💡 Amend the building code to address issues with sidewalk scaffolding

State

- ✓ [S3080A/A516](#)
E-bike Rebate Program
- ✓ [S7406C/A3179D](#)
State EV Charging Mandate
- ✓ [S717](#)
Eliminate the Rule of Two
- 💡 Place a tax on high-weight vehicles

SAFE Streets Act

- ✓ [S524A/A4655](#)
Lower NYC Speed Limits
- ✓ [S8152A/A9152](#)
Crash Victims Bill of Rights
- ✓ [S9528](#)
Vehicle Safety Standards
- ✓ [S4529/A547](#)
Safe Bike Passing
- ✓ [S5130/A7782](#)
Easier Complete Streets Activation
- ✓ [S8394/A08624](#)
Expanded Complete Streets

Agencies & Administration

- 🔄 Two-way and double-wide bike lanes
- 🔄 Break the Citi Bike monopoly and add dockless bikes and scooters citywide
- 🔄 Adequately manage and improve the Dangerous Vehicle Abatement Program (DVAP) pilot
- 🔄 Amend the CEQR standards to use a People Level of Service and to prioritize safety over vehicular Level of Service in street and intersections designs.
- 🔄 Reduce the city fleet

Reforming the Curb

City

- ✓ [Intro 31](#)
Permanent, Standardized Open Restaurants
- ✓ [Intro 854](#)
Daylight 100 Intersections Yearly
- ✓ [Intro 293](#)
Activate Community Curb Space

- 💡 Home Rule message for automated enforcement of the curb lane
- 💡 Require DOT to create a publicly accessible digital curb inventory

State

- ✓ [S1398A/A10446](#)
Automated Bike Lane Enforcement Pilot
- ✓ [S8992/A10336](#)
Automated Bus Lane Enforcement
- 💡 Grant home rule for all automated enforcement of the curb lane

Agencies & Administration

- 🔄 Create a curb management strategy
- 🔄 Request that the City have home rule for automated enforcement at the curb
- 🔄 Daylight every intersection in New York City
- 🔄 Transition a majority of free parking spaces to metered spaces and explore dynamic pricing
- 🔄 Iterate and expand on containerized trash pilots.

Creating More Joyful and Equitable Public Spaces

City

- 💡 A bill to create a Director of the Public Realm and an Office of Public Space Management
- 💡 Require the City to indemnify community partners who are working with the City to advance the City's stated goals

Agencies & Administration

- 🔄 Remove the burden of liability from community groups and have the city indemnify them
- 🔄 Remove the requirement that Open Streets operators get a SAPO permit for all programming
- 🔄 Expand Summer Streets to the outer boroughs
- 🔄 Expand public space management so that more neighborhoods can have Open Streets
- 🔄 Streamline the application process for School Streets

Eliminating Parking Mandates

City

- 💡 Support and pass a full elimination of parking mandates

State

- ✓ [S7574/A9246](#)
Statewide Parking Mandates Elimination
- 💡 Allow the elimination of parking mandates in NYC to bypass or go through an expedited environmental review

Agencies & Administration

- 🔄 Advocate for and communicate the benefits of the full, citywide elimination of parking minimums

The New York City Council serves an incredibly important role in making our city more livable. They have the ability to affect change at a local level and have the power to perform direct oversight of the Department of Transportation and supplement their agency goals. The following bills and bill ideas are a part of Open Plans' City Legislative Agenda and will contribute greatly to the safety of our city and make it more joyful, accessible, and livable.



Making Our Streets More Livable

Livable streets are joyful streets where neighbors can foster community, children can safely bike or walk to school on their own, and seniors can comfortably cross the street and get around their neighborhood. They provide an alternative to harmful, car-centric design by prioritizing our most vulnerable users instead of drivers. Adopting the following bills and ideas would be significant steps in making New York City's streets more livable.



Intro 501 **Citizen Enforcement**

This bill would create a new civil violation and enforcement mechanism for obstructing bike and bus lanes, sidewalks, crosswalks, and fire hydrants, allowing everyday people to easily report these infractions. This bill will help disrupt the culture of cars having free reign to park or idle wherever, whenever.



Intro 500 **Eliminate City Parking Placards**

City-issued parking placards allow vehicles to park in restricted areas, disrupting the streets, curbs, and sidewalks around them. This bill would eliminate almost all City-issued parking placards. For too long, parking placards have been abused, causing unsafe conditions and chaos on city streets. This bill would stop thousands of vehicles from being able to park wherever they want.



Intro 708 **Reconfigure NYC's Truck Network**

This bill would reconfigure New York City's truck route network, which has inequitably distributed

congestion and stress on our street system and is responsible for a significant amount of emissions and traffic violence. This bill would help increase safety and reduce traffic and emissions as a result of our trucking system.



Intro 150 **City EV Charging Mandate**

This bill would require existing and new parking garages to equip 40% to 60% of spaces with electric vehicle charging capability. While electric vehicles are not going to solve our root problem — car-centric culture and design — they will help ensure our infrastructure supports a greener future.



Intro 417 **Simplify Community Board Notifications**

This bill would consolidate the notification process for Community Boards and Council Members about bike lane projects and allow DOT to proceed with less delay. This will help streamline the process, avoid unnecessary delays caused by procedural inefficiencies, and expedite these important projects.



Require the DOT to use a People Level of Service and to prioritize safety over vehicular Level of Service in street and intersection designs

Currently, the DOT uses the car-centric metric of Level of Service (flow of vehicular traffic) when making planning decisions. We propose DOT use a People Level of Service as their planning metric in order to get a better understanding of effects on all users, including pedestrians and micromobility users.



Amend CB notice requirements so that DOT does not need permission for any street safety improvements

This bill would allow any street safety improvement to be put in place without Community Board approval. This would allow necessary street safety improvements, like turn calming and curb and sidewalk extensions, to be built more rapidly, potentially saving lives and stopping the process from jamming up.



Amend the building code to address issues with sidewalk scaffolding

This bill would clarify and streamline inspection rules and formulas surrounding sidewalk sheds — the scaffolding erected around buildings that often stays there for years. Sidewalk sheds create congestion on our already crowded sidewalks, make it harder for pedestrians to navigate, and make our sidewalks less open and vibrant. New York is unique in the world for having these sheds up for years at a time, often for no discernible safety reason. To address these issues, the building code could be amended to only require building inspections every ten years for non-terra cotta buildings; adjust the formula for sheds over sidewalks that are not adjacent to the building; and only require inspections on new buildings after 15 years.



Reforming the Curb

Curb space in New York City is incredibly valuable. While a variety of functions happen at the curb — bike and bus lanes, bike parking, outdoor dining, passenger pick-up and drop-off, commercial and neighborhood loading, and more — the vast majority of our curb space is designated for private vehicle storage. Instead of evolving to accommodate these new uses, the curb has remained a space primarily for free parking for decades. The curb and its uses should be reformed, and these bills and bill ideas play an important role towards that goal.



Intro 31 Permanent, Standardized Open Restaurants

As we shift to a permanent Open Restaurants program, equitable regulation will be crucial to ensuring that small restaurants are not overburdened, leaving only large restaurants with the ability to keep outdoor dining. We urge the Council to amend this bill to give DOT permanent authority over the program, provide for a year-round program for those restaurants who want to participate, allow for temporary licenses so that community board approval does not delay implementation, and cap fees so that the program is not cost-prohibitive.

✔ **Intro 854**
Daylight 100 Intersections Yearly

Daylighting — prohibiting parking within a minimum of 15 feet of an intersection, and often filling the space with a feature like a boulder, planter, or micromobility corral — is a crucial strategy to make our streets safer. This bill would require DOT to daylight at least 100 dangerous intersections yearly, with priority for intersections that experience a high volume of traffic violence, and require DOT to report on its progress. While we believe that every intersection in New York City should be daylit, this bill would be a sizable step in orienting our streets for our most vulnerable users.

✔ **Intro 293**
Activate Community Curb Space

This bill would allow community-based organizations (like community centers, schools, arts institutions, and religious institutions) to reclaim adjacent outdoor and curb spaces for car-free programming. This bill would be a significant step in the effort for more joyful public space and reimagining how we use curb space.

💡 **Home rule message for automated enforcement of the curb lane**

New York City is not currently empowered to enforce its own curb. A home rule message would request the New York State Legislature to permit automated (camera-based) enforcement of our curb lane and its various uses. Cars frequently idle in bike lanes, bus lanes, and commercial loading zones, and automated enforcement would ensure current rules are enforced.

💡 **Require DOT to create a publicly accessible digital curb inventory**

This bill would require DOT to create a digital curb, which would catalog and map the uses of all curbside space in New York City in a publicly accessible, standardized format. This would allow the City and advocates to get a better grasp on the current state of curbside uses. In order to effectively think about how to use the curb creatively and efficiently, its data must be consolidated and made publicly available.



Creating More Joyful and Equitable Public Spaces

New York City's streets, sidewalks, and plazas are central to public life. We use them everyday for walks around the block, chatting with neighbors, doing business, and much more. Our government has a responsibility to ensure that these spaces are accessible, safe, and well-managed. The following bill ideas will help ensure our public spaces are accessible, equitable, and joyful.

💡 **A bill to create a Director of the Public Realm and an Office of Public Space Management**

This bill would create the Office of Public Space Management alongside a Director of the Public Realm. These new roles would allow for more equitable and cohesive management of our public spaces, serve as a conduit for coordination between agencies, and create a mandate for well managed, joyful public spaces.

 **Require the City to indemnify community partners who are working with the City to advance the City’s stated goals (Open Streets operators, private maintenance partners, street safety improvement installers)**

This bill would make it easier for community partners to help the City reach its goals (by installing street improvements and operating Open Streets) by not requiring \$1 million insurance policies and by indemnifying them. This will ease the burdens on smaller organizations and make it procedurally easier for these organizations to do what they’re meant to do.



Eliminating Parking Mandates

Parking mandates — a type of zoning rule that requires a certain amount of parking to be built along with any new residential, commercial, or mixed-use construction — are still required in most areas of New York City. This archaic rule requires parking be built regardless of demand, incentives driving, and contributes to our climate crisis. The New York City Council has an important role to play in fully eliminating these mandates.

 **Support and pass a full elimination of parking mandates**

During the zoning text amendment process that could eliminate parking mandates, the City Council should express support for a full, citywide elimination of parking mandates. After the process plays out, and the elimination comes to a Council vote, the body should pass it.

State

Although the City Council has control over much of our city's streets, we do not have complete home rule over them. Organizing around State bills is an essential piece of making our streets safer and more livable. The following bills and bill ideas are a part of Open Plans' State Legislative Agenda and will contribute greatly to making our city more joyful, accessible, and safe.



Making Our Streets More Livable

The State plays an important role in making sure our streets are livable. The following bills and bill ideas would exercise the State's wide power to improve our streets and expedite City initiatives.



S3080A/A516 **E-bike Rebate Program**

This bill would set aside money for a Ride Clean Rebate program, allowing those who wish to purchase e-bikes to receive a rebate. This program would use the same funds as the current electric vehicle Drive Clean Rebate program, which are already allocated and not fully paid out, and would expand equitable e-bike access.



S7406C/A3179D **State EV Charging Mandate**

This bill would require electric vehicle-capable parking spaces and charging stations in many new buildings. While electric vehicles are not going to solve our root problem — car-centric culture and design — they will help make sure our infrastructure supports a greener future



S717 **Eliminate the Rule of Two**

This bill would redefine reckless driving to be dangerous driving, more strongly penalize dangerous driving that results in injury, and remove the burdensome “rule of two.” The rule of two serves as an impediment to crash victims and their families receiving justice, and the normalization of dangerous driving has resulted in countless injuries and deaths; this bill would rectify that



Place a tax on high-weight vehicles

High-weight vehicles are extremely dangerous for pedestrians and further contribute to the climate crisis. By placing a tax on these vehicles, the State can discourage high-weight vehicle purchases.

Statewide Safe Streets (SAFE Streets Act)

Open Plans is part of a statewide coalition of advocates working to pass the SAFE Streets Act, a package of bills that would make our streets safer and give crash victims more rights. We had several big wins in the 2022 session. This session, we're continuing to work on making our streets safer by advocating for the following bills in coalition with the New York State Safe Streets Coalition.



✓ **S524A/A4655** **Lower NYC Speed Limits**

This bill, also known as Sammy's Law, would allow for the life-saving lowering of speed limits in New York City, from 25 mph to 20 mph. There is a direct correlation between car speeds and how deadly a crash is; lowering the speed limit in New York City will save lives.

✓ **S8152A/A9152** **Crash Victims Bill of Rights**

This bill would guarantee rights and a voice for crash victims and their loved ones in legal proceedings. Unlike in other cases involving serious injury or death at the hands of another person, crash victims and their families are not provided information regarding the crash or given rightful priority and due process; this bill would rectify that wrong.

✓ **S9528** **Vehicle Safety Standards**

This bill would mandate new vehicle safety standards in all vehicles registered in New York State and manufactured on or after January 1, 2024. These standards would help reduce pedestrian deaths and serious injury by limiting blindspots and requiring modern advanced safety features in all new cars manufactured in New York State after 2024.

✓ **S4529/A547** **Safe Bike Passing**

This bill would require drivers to pass cyclists at a safe distance of, at minimum, three feet. This would allow cyclists to ride with more certainty and security, and add a violation of this to the traffic law.

✓ **S5130/A7782** **Easier Complete Streets Activation**

This bill would require DOT (or the relevant agency) to consider Complete Streets designs when doing resurfacing, maintenance, and pavement recycling projects (instead of only during redesigns). These types of projects, which happen far more regularly than street redesigns, will further enable safe access to public roads for all types of users.

✓ **S8394/A08624** **Expanded Complete Streets**

This bill would expand the State's Complete Streets design principles to include all state, county, and local transportation projects that receive federal and/or state funding. Presently, the Complete Streets law only applies to state roads, and an expansion to local projects will help ensure safety on local and county roads as well.



Reforming the Curb

In addition to the need to diversify our curb space, we also need to ensure that enforcement mechanisms are in place to keep them that way. Only the State can authorize new types of automated enforcement, and these bills and bill ideas would help us keep our curb safe and utilized in their respective ways.

 **S1398A/A10446
Automated Bike Lane
Enforcement Pilot**

This bill would allow for automated camera-based enforcement for 50 bike lanes around New York City. While we believe such a program should be far more widespread, this bill is a good opportunity to show the effectiveness of automated bike lane enforcement.

 **S8992/A10336
Automated Bus Lane Enforcement**

This bill would further expand camera-based automated enforcement for bus priority lane violations in New York City. Automatic enforcement of bus lanes and stops has proven to be effective and the program should be expanded.

 **Grant home rule for all automated enforcement of the curb lane**

This would permit automated camera-based enforcement of our curb lane and its various uses. Cars frequently idle in bike lanes, bus lanes, and commercial loading zones, and automated enforcement would ensure current rules are enforced.



Eliminating Parking Mandates

The State can play an important role in eliminating parking mandates: the Legislature can eliminate them statewide. The State could additionally expedite New York City's environmental review process for the zoning text amendment that would eliminate parking mandates. These bills would circumvent the City's lengthy zoning text amendment process, and the former would solve the problem of parking mandates at its root.

 **S7574/A9246
Statewide Parking Mandates
Elimination**

This bill would eliminate parking mandates statewide in addition to making other changes to onerous parking-related zoning rules. Such a measure would make New York a leader in modernizing our zoning rules to combat car-reliance and allow for the construction of more housing.

 **Allow the elimination of parking mandates in New York City to bypass or go through an expedited environmental review**

The process of removing parking mandates requires a citywide review and a lengthy environmental review. Such a change — which would actually help fight against the climate crisis — could be exempted from environmental review by the State. The affordability and climate crises continue to march forward, and we must take decisive action against both; a speedier adoption of parking mandate reform aids in this goal.

Agencies & Administration

Agencies have a large amount of flexibility and power when it comes to improving our city. They can take swift internal action that will help make our public spaces more joyful and equitable, our streets more livable, and our curb more modern. As a part of Open Plans' Legislative Agenda, we urge relevant agencies and the Administration to take these actions.



Making Our Streets More Livable

Simple planning decisions and foresight can make our streets more livable; agencies and the Administration have the power to enact these changes internally.

Two-way and double-wide bike lanes

As it stands, our city's bike lanes have room for improvement. When standard bikes, e-bikes, and e-scooters are forced to share a narrow bike lane, it inherently creates conflict as users go different speeds and need to pass. While new cargo delivery bikes are a great way to get large delivery trucks off our streets, they create an even further need for wider bike lanes. In addition, one-way bike lanes simply aren't practical for a future where more and more people are getting around by micromobility. The DOT should ensure as many new bike lanes as possible are wider and two-way.

Break the Citi Bike monopoly and add dockless bikes and scooters citywide

Citi Bike is a phenomenal addition to micromobility in New York City, but it's still far too geographically limited. The City should expand on the recent scooter pilot project by including dockless bikes, making it permanent, and scaling it citywide — especially in neighborhoods that do not currently have access to Citi Bike. A dockless bike/scooter program which does not require extensive infrastructure investment and construction costs could be implemented quickly and easily, vastly increasing New Yorkers' access to micromobility.

Adequately manage and improve the Dangerous Vehicle Abatement Program (DVAP) pilot

While DVAP has engaged some of the dangerous drivers identified by the program, it is not progressing at a pace that would allow the important insights that the pilot program must provide. The program is failing to deliver on all fronts — in the number of eligible drivers informed and educated, and, in the appropriate circumstances, impoundment. DOT must allocate the necessary resources to sufficiently complete the pilot program. Furthermore, DOT and the Council should jointly explore ways to improve and iterate upon the program after the pilot's completion, including how to ensure that drivers who have received education do not reoffend.

Amend the CEQR standards to use a People Level of Service and to prioritize safety over vehicular Level of Service in street and intersection designs

Currently, the CEQR standards require consideration of the car-centric metric of Level of Service (flow of vehicular traffic) when making planning decisions. We propose DOT/DCP use a People Level of Service as their planning metric in order to get a better understanding of effects on all users, including pedestrians and micromobility users.

Reduce the city fleet

The city can lead the way in reducing driving by reducing the size of the city's fleet. While many city vehicles are essential, such as fire trucks and ambulances, the city can reduce the number of commuter vehicles provided and eliminate non-emergency light-use city vehicles. Agencies should work with DCAS to reduce the size of their fleet, particularly Parks (where cargo bikes and carts should be prioritized) and DOT. Agencies should also ensure they have programs in place to reimburse employees for subway trips for commuting and while on the job.



Reforming the Curb

Agencies and the Administration have immense control over who accesses the curb and how it's used. We should follow the lead of cities around the country and comprehensively manage our curb as space for a variety of uses, not just private vehicle storage.

Create a curb management strategy

Leaders in the curb management space, like San Francisco, have published curb management strategies — holistic reviews of their city's existing curb management strategies and policies, as well as ways to improve them. DOT should put into action the commitment outlined in the New New York panel's report to create such a document. This strategy must prioritize alternative uses of the curb, embody the City's transportation, climate, and street safety goals, and include plans at the neighborhood-level to ensure context-based planning at the curb.

Request that the City have home rule for automated enforcement at the curb

In conjunction with City Council legislation, the Administration and DOT should also formally request home rule power over automated enforcement at the curb. This way, the City can implement automated enforcement in a way that makes our streets and our curb more equitable for all.

Daylight every intersection in New York City

Daylighting dramatically improves safety at intersections by providing more visibility for drivers, pedestrians, and other road users. Hoboken, for example, has had zero traffic deaths in four years, in part because they have expanded daylighting to nearly every intersection. DOT should enforce daylighting at every intersection (which is state law) and build curb extensions at the most dangerous intersections in order to orient our streets for our most vulnerable users.

Transition a majority of free parking spaces to metered spaces and explore dynamic pricing

Currently, the vast majority of curb space in New York City is free. This means that not only is the City foregoing over \$1 billion of potential revenue (which could be dedicated to improving our streets and transportation system), it is also missing an opportunity to adequately manage parking demand and turnover. Expanding metered parking spaces and exploring demand-based dynamic pricing would be complementary and beneficial to the City's stated goals.

Iterate and expand on containerized trash pilots

New York City is notorious for the piles of trash on our sidewalks, blocking pedestrian rights of way and providing a nightly feast for rats. DSNY should work with DOT to continue to iterate on and expand the trash containerization pilot projects. In the meantime, they should also provide trash corrals in the curb lane to get trash off our sidewalks and make trash pick-up easier for our hard-working DSNY employees.



Creating More Joyful and Equitable Public Spaces

City agencies and the Administration have immense power to facilitate joyful, equitable public spaces. They should use this ability to empower local organizations to activate their public spaces — making it easier, not harder, to enjoy public space. It is also crucial for them to ensure that public space is accessible equitably for all.

Remove the burden of liability from community groups and have the City indemnify them

Currently, public space partners are required to carry expensive and onerous general liability insurance to carry out their work. When an organization is furthering agency goals, the City should indemnify them and volunteers involved against claims by others of loss and injury. This would provide existing partners with relief and allow new partners to enter equitably.

Remove the requirement that Open Streets operators get a SAPO permit for all programming

Despite already going through the lengthy process of getting an Open Street approved, Open Streets operators are still required to get a SAPO permit for all programming that occurs on the street. This is a burdensome requirement and adds friction to what should be a simple process. It should be removed to allow Open Streets organizers more time to focus on programming rather than paperwork.

Expand Summer Streets to the outer boroughs

Summer Streets are a vibrant and beloved part of life in Manhattan. This program should be extended to the outer boroughs so more New Yorkers can have access to joyful public spaces. While Manhattan's Summer Streets are heavily programmed, additional Summer Streets could be successful with less programming on the outset to make implementation simpler.

Expand public space management so that more neighborhoods can have Open Streets

Right now, public space management happens on a piecemeal and decentralized basis. The City should implement dedicated public space managers on the local level to ensure that public space is managed equitably, efficiently, and well.

Streamline the application process for School Streets

In order to apply for a School Street, schools are required to go through an onerous process that could take months, including a lengthy application and required letters of recommendations. We urge the DOT to simplify this application, so that schools can ensure all students are safe coming to and from school and activate School Streets with ease.



Eliminating Parking Mandates

The Administration and Agencies have a vital role to play in eliminating parking mandates. They scope, organize, and dictate much of the zoning text amendment process, and it is essential that from the outset they indicate support for a full, citywide elimination.

Advocate for and communicate the benefits of the full, citywide elimination of parking minimums

It is incredibly important for those that are leading the process that would eliminate parking mandates to fully support citywide elimination on the outset. Fully removing this archaic rule — which would allow for more housing to be built, help fight against the climate crisis, and ensure parking isn't built where it isn't needed — is a public good. Relevant agencies and the Administration should be clear in communicating this, and advocate wholeheartedly for full elimination.



For more information

Sara Lind

Chief Strategy Officer
sara@openplans.org

Michael Sutherland

Policy Analyst
michael@openplans.org

Open Plans

377 Broadway, 11th Floor
New York, NY
10013

 www.openplans.org

 [@openplans](https://twitter.com/openplans)

 [@openplansnyc](https://www.instagram.com/openplansnyc)

Open Plans' mission is to transform the streets of New York City to be truly livable for the residents of this city.

Open Plans uses tactical urbanism, grassroots advocacy, policy and targeted journalism to promote structural reforms within city government that support livable streets, neighborhoods and the city-at-large.

