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**Gale A. Brewer, Borough President**

**Testimony of Manhattan Borough President Gale A. Brewer  
New York City Council Committee on Transportation  
Proposed Int. No. 1109-A  
March 30, 2016**

My name is Gale Brewer and I am the Manhattan Borough President. Thank you Chair Rodriguez and members of the Transportation Committee for holding this hearing on Int. 1109-A, a proposed local law on pedestrian plazas. This legislation would provide a mechanism for designating and de-commissioning pedestrian plazas throughout the City and give the Department of Transportation (DOT) rulemaking authority over the use of, and activities in, pedestrian plazas.

It appears Manhattan currently has the largest number of pedestrian plazas, although a single comprehensive list of plazas with the status of each would greatly improve transparency. We love our plazas and the opportunities they give us to sit, relax, people watch and get away from vehicular traffic. Many of them function just fine the way they are. Others, like Times Square are in need of some assistance. Int. 1109-A would essentially establish a plaza program by law, and give DOT the power to create both City-wide plaza regulations and plaza-specific regulations for those public spaces, such as Times Square, that need extra attention.

Now, no one likes the edginess, eccentricities and grit of Manhattan more than I do. I'm the last person who wants to see everything sanitized and polished. But there's a fine line between quirky and edgy and the more recent series of incidents that are both disturbing and dangerous. From costumed characters intimidating families and stealing money, to ticket sellers committing fraud, my office receives regular complaints of concern and annoyance over what they fear Times Square is becoming. We have heard stories in meetings at the Times Square Alliance of workers avoiding the plaza on their way to work and actors asking that rehearsals take place outside of the neighborhood. These problems affect tourism and the quality of life of residents as well. Therefore over the last year or more, my office has been working collaboratively with the Alliance, Council Members Johnson and Garodnick, and many stakeholders on bringing order to the chaos to make sure we stay on the right side of the line between fun and frightening.

Int. 1109-A is a critical product of this dialogue. In response to the hard work of the Times Square Alliance and local elected officials, the Mayor formed his task force which adopted most of their recommendations. The special enforcement unit is already up and running and this legislation is the next critical step in the plan. While the legislation would give DOT the authority to regulate commercial activity, solicitation and entertainment in the plazas, it would not ban any of these activities, and the rulemaking process will ensure ample opportunity for these various activities to continue to occur, while protecting the primary purpose of the plazas – pedestrian access and movement. It will balance the critical interests of pedestrians with the

protected interests of expression. The only suggestion I would like to offer is that the bill be amended so that public hearings are required for both proposed plaza designations and the rescinding of established plaza designations instead of simply providing an opportunity for comments. I understand that currently DOT does not move forward on plaza designations without community board approval but some provision for codifying a hearing would be best. More importantly, DOT should not be able to rescind a plaza designation without a public hearing because the wider public should be given a chance to weigh in on the loss of important public space.

Thank you to Chair Rodriguez for holding this hearing so quickly, and I urge the Committee and Council to pass it so that rules can be promulgated before this summer.