BEFORE THE NEW YORK STATE SENATE
STANDING COMMITTEE ON TRANSPORTATION

PUBLIC HEARING

TO REVIEW THE BRIDGE VEHICLE IMPACT ASSESSMENT AND EXAMINE WHAT STEPS NEW YORK STATE CAN TAKE TO PREVENT FUTURE BRIDGE STRIKES BY COMMERCIAL VEHICLES

Farmingdale State College
2350 Broadhollow Road
RTT Room T-101, Lupton Hall
Farmingdale, New York 11735

October 25, 2012
10:00 a.m. to 3:00 p.m.

PRESIDING:

Senator Charles J. Fuschillo, Jr.
Chair

SENATE MEMBERS PRESENT:

Senator Martin Malavé Dilan (RMM)

Senator Jack M. Martins

ASSEMBLY MEMBERS PRESENT:

Assemblyman David G. McDonough

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Phillip Eng., P.E. Asst. Commissioner, and Chief Engineer NYS Department of Transportation	50	57
Sergeant Ira Promisel Chief Technical Sergeant New York State Police; Also, State Coordinator Regional Bridge Strike Mitigation Task Force	67	78
Kenneth Tirone Chief Operating Officer Hub Truck Rental Corporation; Also, Board Member NYS Motor Truck Association	102	113
Kevin McCaffrey President Teamsters Local Union 707	126	134
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SENATOR FUSCHILLO: [Inaudible/technical difficulties.]

And to my right, who will soon be here, is Senator Martin Dilan, who is the Ranking Minority Member of the Transportation Committee.

I would also like to thank SUNY Farmingdale president, Dr. Hubert Keen, for allowing us to host this Transportation hearing here today.

Just for the record, today we are here to discuss a very real problem facing drivers of commercial vehicles and affecting all drivers on our roadways: commercial bridge strikes.

Commercial trucks are prohibited from driving on our state parkways because the bridge overpasses do not provide sufficient clearance for them to fit under.

However, many trucks are still --

Hello, Senator.

However, many trucks are still entering the parkways and striking these bridges. These bridge strikes pose a danger and a major inconvenience to all drivers.

They often cause extensive damage which results in lane or road closures which can back up traffic for several hours. Some bridges may even be

weakened over time due to the multiple strikes.

Currently, there is no specific state law which prohibits striking a bridge.

Driving a truck or commercial vehicle on a parkway is a traffic infraction punishable by only a $150 fine.

These strikes have been a continuing problem.

There have been over 2,000 bridge strikes since 1993.

Since 2005, there have been nearly 200 such strikes a year, according to New York State Department of Transportation, and Long.

Island is being particularly affected by this problem.

More than a quarter of all the bridge strikes from 2010 to 2011 have occurred right here on Long Island, according to a recent "News Day" report.

86 percent of all commercial bridge strikes since 1993 have occurred in either in Long Island, New York City, the Lower Hudson Valley, and Buffalo.

And just yesterday, a truck slammed into a bridge overpass on the Saw Mill River Parkway in Westchester, spilling debris and diesel fuel all over the road.

The result was a closure of the northbound lanes near the accident and massive traffic delays for hours and hours.

We're here today to examine the problem.

Discussions today will include, but not limited to:

The recent influx of bridge strikes by commercial vehicles;

Findings from the Bridge Vehicle Impact Assessment Task Force;

How commercial vehicle bridge strikes can be prevented;

And how the current laws, if necessary, can be enhanced to mitigate occurrence of the bridge strikes.

At this time, let me welcome our first speaker, Dr. Anil Kumar Agrawal.

Just for the record, will you please state your name and your title, and thank you so much for being here.

DR. ANIL KUMAR AGRAWAL: Good morning.

Thank you, Senator.

My name is Anil Kumar Agrawal.

I'm a professor of structural engineering, bridge engineering, at The City College of New York.

I'm also chair of the ASCE committee on bridge inspection, management, and rehabilitation.

And, also, I'm chief editor of the ASCE "Journal of Bridge Engineering."

We -- I was the principal investigator for this project, which was started by New York City DOT in 2008. And, the primary goal of the project was to find the factors which were leading to multiple impacts on the same bridge by the trucks.

You know, single impact is considered a freak accident, and we're not really -- you know, we could do something. But what New York State DOT was seeing was, that there were multiple impacts on the same bridge, and that was one goal.

Another goal was, of course: What are the possible approaches to mitigate, you know, bridge strikes?

Like I said, the project was started in February 2008, and we submitted the final report this year, January.

And during this course of the project, I also got involved with the Bridge Strike, you know, Mitigation Task Force, which is led by Sergeant Promisel.

So, my discussion -- or, my testimony will

be, actually, primarily on the study we did: What are the factors which are leading to the bridge strikes?

So the first thing we did was, you know, New York State DOT provided us the data.

SENATOR FUSCHILLO: Can you just pull your microphone closer to you.

DR. ANIL KUMAR AGRAWAL: Our first goal was to analyze the data on the bridge impacts. New York State had been collecting the data.

We analyzed the data, like you see the chart there.

That, New York State actually started looking at the data from 1993, but really the systematic collection of the data started somewhere up around 2004, 2005.

When -- and we see that during that period, on average, there have been, like, 200 strikes a year on the bridges.

But we also wanted to study, you know, if this is a problem only to New York, or is it a nationwide problem?

So during the course of the study, what we did was, we prepared a very detailed survey that we sent to all the state DOTs across the country, to

see if they have done something, they have some data, if this is a problem they also face.

And what you see, this map, that, you know, you see, the "red" ones, they indicated that it was a major problem for them.

And the "green" ones, they say: Well, we do have a problem, but we are not really very concerned about it.

And the "yellow" ones really did not respond.

So what we see is, that this is not a problem isolated to New York State. It is a nationwide problem.

But what it is noteworthy is that, you know, this study, the amount of data that has been collected, and the analysis that was not done.

This is the most comprehensive analysis among all the DOTs.

No other DOT had actually conducted this kind of study, you know, spent effort, and then find the factors which lead to, you know, bridges strikes, you know --

SENATOR FUSCHILLO: I must say, that in this political environment that we're experiencing right now, I never thought that New York and California would be a "red" state.

[Audience laughter.]

SENATOR FUSCHILLO: Boy, did I throw you for a curve.

[Laughter.]

DR. ANIL KUMAR AGRAWAL: So, we -- and essentially, you know, you see the states, they have been experiencing a lot of hits.

Some states actually, like Missouri, have more than 2,000 hits, and they still do say that, you know, they don't have a major problem.

Other states, they have lesser hits. Like, Florida has a lesser number of hits, but they have damages, a lot of damages, because of trucks.

SENATOR FUSCHILLO: So we're experiencing a national problem here.

DR. ANIL KUMAR AGRAWAL: It's a national problem. It's not a, you know, local problem.

And I think the solution also has to be at the broader scale -- local scale, but at the broader scale also.

Then what we did was, we started looking at the data, and we wanted to see that -- well, New York State said, Well, let's's see where exactly in New York State is the problem.

So we, you know, wanted to see, and the goal

was, actually, to look at the multiple impacts, not single impact.

So we plotted the bridges on the, you know, left-hand of the chart, the bridges that have been hit most of the time.

And what you see on the right-hand side is the total number of hits on these bridges.

So if you look at the area like Long Island, you know, which is -- you know, Hauppauge, so, you have 53 bridges that have been hit.

And this is the data till mid- or sometime 2011, that 53 bridges have been hit 341 times.

And if you go to Westchester County area, which is New York State DOT Region 8, then what you see is, 77 bridges that have been hit 741 times.

So if you add only these two regions, and, you know, count the total impact, you have more than 50 percent of the problem that you have all in the [unintelligible].

So during the first year of the study, this was the focus, you know: Look at all the data, all the possible factors which lead to, you know, impact.

And, you know, this one trend that we found.

And, you know --

Can you go further?

Okay, go further.

You missed some slides.

Go back.

And, you know, I think there's some mixup with the slides, but, what we wanted to do was, that we wanted look at further, you know, what -- what area of the New York State we really have a problem.

And what we found was, that the four regions of New York State -- you have the Poughkeepsie area, which is the Region 8; you have the Hauppauge area, which is Region 10; and New York City region area; and then, if you go all the way to Buffalo -- that this portions of New York State, if you account for the hits, they account for more than 90 percent of your hits. These are multiple hits.

If you look at the Westchester County area, then the hits are on the parkway bridges.

Again, Region 10, in the Hauppauge area, you know, most of the hits, you have 95 percent of the hits are on the bridges which are over the parkway, by the over-height trucks.

Same as in the New York City area.

If you go to Buffalo, then the problem is slightly different.

In Buffalo area you have these railroad bridges [unintelligible], and these are like low-height bridges. These bridges are also in the vicinity of the industrial area, where, you know, you have, you know, a serial problem.

So, that's what we are finding, that, you know: Did these four regions of New York State, if we really focused, and if we looked at the, you know, the [unintelligible] of the truck from the parkway, which is the [unintelligible] mitigating factor.

Over the parkway -- the bridges over the parkway, they're low-height bridges.

So the two factors, you know, low-height bridges and, you know, parkway, they go with each other.

And this is the factor which is leading to 95 percent of the impacts on the bridges that we have.

Also, you know, there's another factor, which is very interesting, and, you know, I saw a YouTube video: In New York State, if the height is less than 14 feet, then the State underreports the height by a foot.

Now, there's a YouTube video, where the

driver is actually recording himself, and he's saying, that: I know this bridge height. And my cargo height is more than the bridge height, but I'm going to go under the bridge anyway. And if I make it, that is good. If I don't make it, then it's going to be messy.

And as he is, you know, recording himself, he passes through the bridge, and he says: Well, I made it.

The only lucky thing for him was, that I recalculated the distance, was that because New York State underreports, you know, this height by 12 inch, when -- if it less than 14 feet, and his cargo, the difference was only, like, 2 or 3 inches.

But this is creating a confusion, because what is happening is, if you look at the state, we did the survey of other states, next to New York is the Montana, which is underreporting by 6 inch, and all other states, they're underreporting by 3 inches.

So I think where there's confusion, there's a distrust on the part of the drivers, that when they see the sign, they believe that, no, it's actually a height maybe more than that.

They don't always know the rule, but they

believe that the actual height may be more, but if there's nobody around, I'll just make it.

So, that's another factor which is, you know, leading to the problem.

Now, New York State troopers, led by Sergeant Promisel, they have been collecting a lot of data.

And, you know, what they do, actually, if there's a bridge strike, the State troopers go to the site, he has a form, he collects the data.

And the data has been very useful. You know, we wanted to see what really is the other contributing factor.

So if you look at the chart, you have, on the left-hand side, is a chart with, you know, what kind of mapping technology that were used.

So one chart shows that, you know, they have -- you know, the left-hand chart is for the trucks that have hit the bridge already, and the right-hand chart is for the trucks that were counted by the State troopers on the parkway before they hit the bridge.

And what you see is, that in both the two charts, the ones who were using the GPS, the consumer GPS, are the ones, like [unintelligible].

You know, 84 were the ones who hit the bridge, and 66 are those who did not hit the bridge.

But they are very predominantly using the GPS, consumer GPS. And consumer GPS is not programmed to consider the low height of the bridges. And, that may be taking the drivers, you know, when they don't intend to, but, the GPS may be taking the drivers to the parkway and then, before they realize, they go and hit the bridge.

Sometimes they see the bridge, but they have no way, they keep on going, and then they may be hitting the bridge.

Also, we wanted to see, you know, where the trucks are coming.

So if you look at, again, you know, the left-hand side, that's the trucks that have hit the bridges; right-hand side, they don't hit the bridge, but they were stopped.

And if you look at the licensing of the state of the truck, you have only 5 percent trucks are from New York State, the ones who hit the bridges.

All the trucks, they come from all over the country. And, there, the 12-inch-high difference may be playing a role, you know, because, you know, their states, it's a lot different. You know, some

states do not underreport at all. It's, zero inches, three inches, and six.

And New York State is 12 inches all the way.

So that's -- and if you see the ones who are caught in the parkways, there are only 7.4 percent of the drivers are from the New York State.

All other drivers are from the other states.

We also looked at the mitigating options.

I think this is a problem which is not, you know, a simple problem. It involves many complicated factors. It's not a problem where you can find a quick fix. It has to be a very broad-based solution.

We did do a study, and we felt that you need to look at, from a regulatory point, from technological point, and from educational point, where we could change the mind -- psychological mindset of the truck drivers.

They have been using the consumer GPS a lot.

So this would be some [unintelligible] to make so they don't use their consumer GPS.

Either prohibiting -- or, you know, through the outreach, or one of [unintelligible].

The fines and penalties, again, should be such that it becomes, you know, unattractive for

them to go on the parkway. Or, if they are on parkway, then they get off immediately before they hit or they [unintelligible].

One thing we talked about, that, you know, there's a test. Like, you have a CDL test, a commercial driving-license test. Or, you know, you have a continuing education.

But, I'm an engineering. You know, engineers are required to take their continuing-education credits for every three years.

So if they have a continuing education, and there's a course there, or some model there, where they are, you know, exposed to the risks and problems, and problems related with the consumer GPS, on all these bridges strikes, I think that's going to help in changing the psychological mindset of the drivers.

Other thing I was thinking was, that, you know, if you see now that on the parkways and other -- if there's a reckless driver, sometimes I see the sign that: If there's a reckless driver, dial #77 to report, that trucks are not supposed to be on the parkway.

So if you could have some kind of system, where, when the people call in, and they say, okay,

you know, there's' a, you know, truck on the parkway, I think that can be helpful.

And then, so for the technological approaches, I think there are over-height detection systems, which are, you know, basically like a electronic beam. They're laser beams you put over the highway.

If the beam is broken by the over-height truck, it will flash the red-light signal, it can inform the police, you know, it flash a sign for the truck to stop.

But can be done a lot to actively warn the driver of the risk.

So, you know, and that can be very helpful.

And what we look at is, that they are a limited number of bridges which are being hit a lot, so, there's a certain geographical region of the state which is being hit a lot.

So if we do further study, we collect more data, then we can actually pinpoint which are the entrances where the drivers are entering more, to hit certain bridge, and then we can install these systems on those, you know, ramps.

There's a truck GPS already. It's developed by Rand McNally. You know, it costs only $500, and,

you could be updating with the maps and your low-height bridge data, probably $20 per month.

That's what the company told me.

The thing is, if you had this GPS being used in the truck, then the GPS will automatically guide the driver away from the parkway.

It can be programmed. It's not something very complicated.

Remember, the regular GPS, actually, you could take, and there are open source GPS, you know, we could sit down and write a program which will, you know, move the drivers away from the parkway.

So that's another, you know, very effective solution, because now they are being warned that, you know, you have to get out from here.

Signs are good.

Long Island is little. You know, if you go to Long Island, you having extensive number of signs.

I drove on Long Island, one of the ramps, to the [unintelligible] Parkway. I counted 14 signs, but the drivers are still crossing. They're still crossing and going to hit the bridge.

So signs, you know, stop being effective at a certain point, but this active approach of, like,

you know, the GPS warning in real time to the driver, can play a major role beyond that point.

There are a number of different approaches.

You can have a bridge-strike mitigation website;

Outreaching motor carrier associations;

Or outreaching independent operators;

Like I talked about, the CDL test;

We could have education materials be for, like, the trucking companies, so that they know what are the risks;

Driving school can be a very good source. When there's -- you know, people who want to be truck drivers, they go to driving schools.

And this is [unintelligible] for nationwide, then a model, because this is a national problem. So if, some way, we could introduce a model in the driving school itself, that when they are going through the training, they go through this course, and they know the risks, and all these thing, what they're supposed to do; what they can do, or what they cannot do, this is really going to help.

And, finally, like annual safety course for the drivers, you know, where they -- you know, they look at the safety aspects. And, you know, one of

them can be [unintelligible] impact.

To conclude: I think the problem is very complex. It requires a, you know, solution from many angles -- multiple agencies, multiple states -- because the trucks come from other states, and they hit the bridges in New York State.

So, you know, it has to be done at different angles.

Certainly, I mean, the solution will require, you know, committed, you know, resources, labor, budget finance, because they're the measures that have to be implemented by different state agencies, and, you know, they need the resources.

I'm a member of this Bridge Strike Task Force, which is, you know, right now, looking at all these three, you know, approaches, and trying to see what are the actions that we could formulate that will be helpful in solving this problem.

So I want to thank you for invitation.

And I would like to close, finish my testimony, at this point.

And, if you have any questions, feel free to ask.

SENATOR FUSCHILLO: Well, first of all, thank you very much for your testimony.

Can you go back to the map of the United States.

Right there.

This is obviously a national problem.

DR. ANIL KUMAR AGRAWAL: Yes.

SENATOR FUSCHILLO: And we see this.

I just want to ask a few questions, and I know my colleagues have a few questions.

Has anybody on the task force reached out to Google?

And the reason I ask that is, we could Google any address in the world now, and it tells you specific things about that address.

Wouldn't it make sense to reaching out to Google and making them aware that trucks are not permitted on certain parkways?

Because, again, it is a national problem --

DR. ANIL KUMAR AGRAWAL: Yes.

SENATOR FUSCHILLO: -- where, when that came up on a Google map, there would be, obviously, a warning which comes out now for certain other areas?

Has anybody on the task force reached out to Google?

DR. ANIL KUMAR AGRAWAL: Well, I mean, I got involved in the task force much later in the study. And the task force is -- again, you know, it's an informal, you know, group of, you know, different operators and agencies which are collaborating to solve the problem.

But when we started studying this problem, New York State DOT did outreach, I think NAVTEQ, which provides the data to all the mapping companies, on the low-height bridges.

We did have some discussion going, several email exchanges, to NAVTEQ. And what their point was, that, yes, it can be done. You know, the maps, they can incorporate this truck option, where, you know, the truck drivers, you know, can use that.

But we -- at that point, we're aware that, you know, GPS is the one which people are using.

There very few people who are using the Google maps.

SENATOR FUSCHILLO: Right.

DR. ANIL KUMAR AGRAWAL: Or one of these maps.

SENATOR FUSCHILLO: You had mentioned in your testimony, and just clarify for me, that the height of the bridges are being underreported?

DR. ANIL KUMAR AGRAWAL: Yes.

SENATOR FUSCHILLO: So if a bridge is ten feet, it could be shown that it's --

DR. ANIL KUMAR AGRAWAL: A foot below that.

SENATOR FUSCHILLO: -- a foot below that.

DR. ANIL KUMAR AGRAWAL: Yes.

SENATOR FUSCHILLO: Okay.

Is that a national issue, or just the state issue here in New York?

DR. ANIL KUMAR AGRAWAL: I think this is creating a problem, or, at least there's a perception that this may be creating a problem, because we did the survey of all the states, and, you know, it's in our report.

So, if you look at how the states underreport the, you know, bridge heights, so, New York State is, technically, the only one which underreports by 12 inches.

Now, there are states which do not underreport at all. I mean, it's -- you know, the actual height is posted there. So, there's no confusion there.

SENATOR FUSCHILLO: And is there a reasoning for that?

DR. ANIL KUMAR AGRAWAL: You have -- you

know, we -- generally, states want to underreport a little bit, because you have the permanent height change, and all those things, so you don't want the trucks going, you know, to hit the bridges.

So what commonly the states do, they underreport by 3 inches, which is done by a majority of the states.

Beyond 3 inches, we saw Montana, which underreports by 6 inches.

And then, you know, we go 12 inches, which is in New York State.

Now, why we underreport that, I'm not aware, but this has been for quite some time.

SENATOR FUSCHILLO: Has anybody on the task force asked the DOT?

DR. ANIL KUMAR AGRAWAL: We have been discussing, and, you know, DOT is aware. And I think DOT might have tried in the past to, you know, have some -- it's a law, actually, so, you know, have some action.

SENATOR FUSCHILLO: In your research, what preventative measures have other states taken to prevent trucks from accessing parkways and highways where they shouldn't be?

DR. ANIL KUMAR AGRAWAL: Well, parkways, you

know, mostly New York State phenomenon.

SENATOR FUSCHILLO: Pardon me?

DR. ANIL KUMAR AGRAWAL: It's New York State phenomenon. You know, we have lots more parkways in New York State.

But if I -- so, I cannot say, specifically, for what they have done to prevent, you know, entering the parkways, but we did second-stage survey.

So, first the stage was, actually, to identify the key factors.

The second stage of the survey was to identify what works, actually, in preventing the bridges strikes.

And what we found was, that, you know, 14 states have used these over-height detection system.

SENATOR FUSCHILLO: Tell me about that.

DR. ANIL KUMAR AGRAWAL: Now, this over-height detection system is, basically, you could imagine, it's a laser beam which goes from one side of the road to the other side.

SENATOR FUSCHILLO: Uh-huh?

DR. ANIL KUMAR AGRAWAL: And, you know -- so, you know, one pole, it shoots the laser beam, and

the other pole is the sensor.

Now, if an over-height truck comes, and if the height of the truck is more than this, you know, beam, it will break the beam, and this will trigger the sensor here, which will not get the signal.

And, in turn, what you could do, actually, because we are in the high-tech area, so, it can trigger the red-light signal ahead. It can send an email to the police. It can send a call to the police. It can light a message, further, that: Stop here, don't go further.

So it could do all these things.

SENATOR FUSCHILLO: And that's happening now?

DR. ANIL KUMAR AGRAWAL: Right.

SENATOR FUSCHILLO: Let me ask you a -- what I think is just a commonsense approach. And, I've talked to my colleagues about this as well. And, I've gotten e-mails, since "News Day" has started to write articles about this, from people all over the state.

When you enter a parking garage, there's a bar.

DR. ANIL KUMAR AGRAWAL: Yes.

SENATOR FUSCHILLO: Like this.

And if you have a vehicle, a truck, that's

higher than that, you're going to hit the bar, and the bar is generally lower than the garage entrance.

Has it ever been discussed with the task force --

DR. ANIL KUMAR AGRAWAL: Yes.

SENATOR FUSCHILLO: -- to put these bars, whether they're made out of plastic, or wire, or chain, whatever it is, that if a -- if an 18-wheeler is on the -- entering the parkway, via this GPS issue, which is a national problem, they won't get on the parkway.

Because, the technology you're talking about is good, they have to see the red light. By the time the police could be notified, they're on the parkway.

And the whole concept or idea of why we're doing this hearing today, is to see how we prevent them from getting on the parkway.

DR. ANIL KUMAR AGRAWAL: Yes.

SENATOR FUSCHILLO: I don't want them on the parkway and then the signal's going, and they say, All right, I shouldn't be here. Well, it's too late. Let me go forward, let me turn around.

Before we know, they're going to get stuck.

So this works.

DR. ANIL KUMAR AGRAWAL: Yes. And --

SENATOR FUSCHILLO: It works.

DR. ANIL KUMAR AGRAWAL: -- this was discussed during the course of this study.

And one of the concerns is that, you know, if the truck driver is going at a certain speed, 20 or 30 miles per hour, and you have these beams which are installed on the parkway --

SENATOR FUSCHILLO: Well, I'm talking about installing them on the entrance ramps.

DR. ANIL KUMAR AGRAWAL: Oh, yeah.

SENATOR FUSCHILLO: Okay?

So, the truck's not going to be going that fast when they're coming on the entranceway, first of all, incorrectly. We know that.

By the time they get on the entranceway, in some areas, they're going start seeing the signs while they're there.

DR. ANIL KUMAR AGRAWAL: Yes.

SENATOR FUSCHILLO: If they have this crossbeam, they're not going to get on it.

DR. ANIL KUMAR AGRAWAL: Yes.

SENATOR FUSCHILLO: Correct?

DR. ANIL KUMAR AGRAWAL: Yes.

SENATOR FUSCHILLO: Okay.

So is there a reason why this commonsense technology shouldn't be applied?

DR. ANIL KUMAR AGRAWAL: Well, I think the primary reason --

SENATOR FUSCHILLO: Because it's not technology.

DR. ANIL KUMAR AGRAWAL: Yeah.

-- I mean, these beams, you know, and they have another name. They're called a "headache-bar," because, you know --

SENATOR FUSCHILLO: "Headache-bar"?

DR. ANIL KUMAR AGRAWAL: "Headache-bars."

-- they give headache to truck drivers.

And we looked at another option, similar to what you talked to with the parking garages.

And what we got, was that this is a liability issue for the State.

That, you know, if -- you know, generally, the truck drivers will be at lower speed. But if somebody did come at, you know, a higher speed, and what you are doing now is, that you have a bar, where, you know, if somebody comes and hits at certain speed, and part of the bar or, you know, part of the, you know, truck can actually fly off and, you know, go like a, you know, missile, and it

hit the nearby people, or some other car.

So it's a potential, you know, legal issue. And that's -- for that reason, we did not pursue that option.

SENATOR FUSCHILLO: But wouldn't you say that many things that municipalities do -- and Senator Martins is a former mayor -- could be a potential liability issue?

But the overriding factor of preventing this issue, which is a major issue here in New York State, and, obviously, around the country, wouldn't that outweigh it?

You know, when I get on the parkways, sometimes, and I live here on Long Island, they have dividers, plastic cones. They're break-aways.

They could be a potential liability issue to a car if somebody hits them and it hits the other vehicle.

I just -- I've heard that too much to be taken as an excuse not to even try it as a pilot.

We would appreciate it if the task force would look into that issue further, because it's low-cost, it makes sense, it's effective, and it's been in practice for many, many years in private -- in the private sector.

And I see no reason why it shouldn't even be tried.

But, I'm going to end my questions there, because I know my colleagues have some questions.

DR. ANIL KUMAR AGRAWAL: Well, I -- you know, just to, because I think I agree with that. You know --

SENATOR FUSCHILLO: Then you could end it right there.

DR. ANIL KUMAR AGRAWAL: It could be effective.

SENATOR FUSCHILLO: Thank you.

Senator Martins.

SENATOR MARTINS: Thank you very much.

SENATOR FUSCHILLO: Thank you, Doctor.

SENATOR MARTINS: I'm going to take up the questioning right where Senator Fuschillo left off.

Just from a commonsense approach, if you have these headache-bars there, at a position where the truck is going, certainly, less than the 55 miles an hour that we expect them to go when they're impacting a bridge, if we take that, and bring it to a point where we can actually control it, get the truck off, and not have to deal with the impact of a truck on a parkway and the potential dangers that

come with that to life and to property, I just see it as a much more cost-effective, easy-to-implement solution that's not going to take, you know, an undue toll on a state that's already strained, and their resources are already strained to the limit, certainly.

I think we can all understand that.

The idea of putting a rope, a chain, a piece of wood, just to remind somebody that they shouldn't be where they shouldn't be, even though we have 15 signs that said that they shouldn't be there to begin with.

Look, we always look for excuses as to why somebody does something dumb.

Okay?

Why do truck drivers, who are -- have to get their CDLs, have to follow certain procedures, we make excuses for people.

But let's understand, and I think you mentioned this during your testimony, there are signs there. They're clearly marked.

Whether you live in New York; whether you're driving a truck, and you live in Florida, or you live in Colorado, or in California, or anywhere else in the country, you still understand postings and

signs, and they're all standard.

Correct?

DR. ANIL KUMAR AGRAWAL: Yes, that's correct.

SENATOR MARTINS: So, you know, what we're doing here, is trying to come up with an alternative to fix something that, for all intents and purposes, doesn't need to be fixed, other than to get the driver's attention.

DR. ANIL KUMAR AGRAWAL: Yes.

SENATOR MARTINS: So the sooner or the closer we put that to the entrance to a parkway, the better off we're going to be.

Correct?

DR. ANIL KUMAR AGRAWAL: I agree with you.

If -- I mean, if liability, the State is not concerned about the liability issue, then this is going to be the most effective one, because it will prevent the entry of the trucks right at the ramp point.

SENATOR MARTINS: Well, Doctor, we're all concerned with liability. I think, as a matter of course, we live our lives concerned with liability.

But the reality is, and I would hope you would agree, that the point where a truck, traveling at 55 miles an hour, hits an immovable object like a

bridge, the liability, potentially, of not stopping that truck from even entering the parkway is significantly higher.

DR. ANIL KUMAR AGRAWAL: Yes. Yeah.

SENATOR MARTINS: And, so, let's do what we can to stop that truck where we can.

Are you familiar with the penalties in New York State for a truck driver who enters a parkway and strikes a bridge?

DR. ANIL KUMAR AGRAWAL: I -- not very specifically, but I think it's not very high.

SENATOR MARTINS: Well -- and, again, I would -- and maybe we can address that with some of our speakers later this morning -- but I would think that the opportunity is there to create a disincentive.

You know, you talk about points on a license for a CDL license holder, you talk about the ability of that person to continue to earn a living and drive a truck, you go to the very heart, I think, of what motivates people in certain instances.

And, certainly, if we have the ability in New York State to reevaluate the penalty structure for somebody who strikes a bridge, and holds them specifically and individually accountable, I think

will go a long way towards getting those numbers way down.

And it may be a combination of a headache-bar.

And I do like the term "headache-bar," Chairman, because I think, you know, we really should make an effort to create a barrier right at the entrance to the parkway.

But, also, for those people who don't get it, and do enter the parkway and do strike a bridge, make the penalty such that they're going to think twice if they're going to ignore a posted height limit on a parkway.

DR. ANIL KUMAR AGRAWAL: I agree with that.

This is going to be a very long-term solution, because it's essentially going to the psychological, you know, mindset of the driver, that, they see that they are going to be penalized heavily, they will remember that --

SENATOR FUSCHILLO: Well, but there's also a factor here, too, that the trucker doesn't want to engage in this practice as well: getting on a parkway where they shouldn't be, and driving under a bridge and getting stuck there, losing their load, and they're tied up for days, or hours. They could

possibly lose their truck as well.

DR. ANIL KUMAR AGRAWAL: If the penalty is high, then they will make it a point that they don't forget. That --

SENATOR FUSCHILLO: I'm not even talking about the penalties; even, just, prohibiting them.

Because I'm sure they don't want to be there either, stuck under a bridge, where they lose all their goods and destroy their truck.

DR. ANIL KUMAR AGRAWAL: Yes.

SENATOR MARTINS: I can guarantee you, that when a trucker is driving on Long Island, they understand fully well that the speed limit is 55 miles an hour.

When they're in Upstate New York, they understand that the speed limit on the thruway, north of a certain point, is 65 miles an hour.

And they understand how fast they can go, and what their liability, personally, would be if they were caught speeding.

To the same end, if we hold them accountable, and there are real penalties in place, I think that would be an incredible disincentive to professional truck drivers.

DR. ANIL KUMAR AGRAWAL: Yeah, this is one of

our recommendations in the report; that, you know, to look at -- to make the -- reevaluate the penalty program.

An instructor said -- says that it is unattractive and -- for them to be on the parkway. And if they are on the parkway, then they will find ways to get off immediately.

SENATOR MARTINS: And just one last point, on the GPS.

If I were to use a standard GPS off the shelf, there are settings on the GPS. If I want to use -- if I want to travel the fastest route; if I want to travel the least-expensive route, if I don't want to enter a toll road, it can actually redirect me around roads where there are tolls.

DR. ANIL KUMAR AGRAWAL: Yes.

SENATOR MARTINS: I would -- you know, if I'm a pedestrian, it has another setting for that.

I would think that there should be, rather easily, a setting that would not allow for commercial traffic, for example.

Because, not only are trucks too high, but our parkways also don't allow for commercial traffic, period.

DR. ANIL KUMAR AGRAWAL: Yes.

SENATOR MARTINS: Have you had any conversations, or has the commission or committee had any conversations, with the GPS manufacturers with regard to creating that setting as an alternative, so that when you do have commercial vehicles, they do understand that there is a route that they can take and the parkways are not an accessible route?

DR. ANIL KUMAR AGRAWAL: Well, we had discussions with the NAVTEQ in this, you know, regard; that, you know, if the programming of the GPS can be done, so that it is giving out for, you know, the truck's route, you know, you can have an option to [unintelligible] that.

If you want to follow a truck route in New York, then it will automatically take care of this, being not on the parkway, and all this thing, it will implement.

I think it's not a technological challenge.

It's a business decision for the, you know, GPS companies to put.

I don't think it's a lot of effort, also. It's a very simple programming. You know, they already have the algorithm.

What they have to do is, in the routing

algorithm, they have to put the parkways, then they have to put the overhead-trucks' data that they get from the State, and then do the routing on the basis.

It's just a matter of programming, and, you know, they could update their software.

There are also options where you have this, what they call these "open-source GPS," where the State can have its own, you know, model developed. And anybody can buy those device and download the, you know, software there, and run the open-source GPS. And that will automatically program it, it will automatically download the data from the website for the low-height bridges.

But what we are looking at is a national problem.

So, you know, if you provide the software from New York, you know, the truck comes from other states may not be using it.

So I think the ideal solution would be actually what you mentioned, that, the truck companies really providing either this option on the GPS to use the truck route, or, not allowing the truck GPS -- you know, this consumer GPS on the trucks at all.

SENATOR MARTINS: And holding the drivers accountable for these types of incidents.

DR. ANIL KUMAR AGRAWAL: And then if they do use consumer GPS, then they are responsible.

SENATOR MARTINS: They're responsible.

Doctor, thank you very much.

Thank you, Chairman.

Thank you.

Assemblyman Dave McDonough?

ASSEMBLYMAN MCDONOUGH: Thank you, Doctor, for your testimony, and I think most of it has been covered.

But I noticed in the one chart how many are out-of-state drivers who may not have the GPS.

And I think the GPS is nice down the road, but it's going to take a while to develop that.

I would subscribe more to the headache-bar or the chains at the entrance ramp.

Now, all we have now, in some cases, is a square sign that shows a truck with an "X" on top, which is not enough of a warning.

The other point is, that in New York State, especially on our parkways on Long Island, many of our bridges are, I don't know how you would say it, curved, or whatever.

DR. ANIL KUMAR AGRAWAL: Stone-arch bridges, yeah.

ASSEMBLYMAN MCDONOUGH: So, consequently, if they're not in the center lane, and some of them think they can be getting under it --

And you mentioned that bridges are reported about 3 inches, average, under-height; right?

DR. ANIL KUMAR AGRAWAL: 12 inches.

ASSEMBLYMAN MCDONOUGH: 12 inches, okay.

-- but, still, some of them do it.

And then what happens, obviously, is, you have the accident, you have the potential damage to other vehicles, and, you have the closing of the parkway.

And eventually, with so many strikes, as you reported here, a tremendous amount of bridge repair and cost.

So I think that the fastest way to do this, for prevention, is to provide the "headache bar," as the Senator called it, or the chains, to give them the warning, and to give them an escape route before they enter the parkway.

But, I think that's the first thing.

Education is obviously important.

I don't think any driver wants to lose his

load.

You know, I think it's mostly lack of knowledge that makes them take that parkway. Either the GPS or the map he's holding, or whatever, tells him that's the shortest method there.

But, the damage and repair to bridges is another factor that we have to consider also.

DR. ANIL KUMAR AGRAWAL: Yeah, I mean -- but, you know, also, we have to understand, these over-height bridges, our bigger damage is actually traffic nuisance.

You know, every time you have a bridge strike on the, you know, [unintelligible], and in the Westchester County --

ASSEMBLYMAN MCDONOUGH: It stops. It stops.

DR. ANIL KUMAR AGRAWAL: -- it actually stops the traffic for five or six hours, and that's the much bigger damage.

Because bridges -- the stone-arch bridges, they don't get damaged much. The trucks get damaged.

But the traffic problem that we have, that I think it's much bigger economic loss compared to, sometimes, you know, the damages to the bridges.

But, absolutely, I agree with your point,

that, you know, if we could identify the ramps, or, you know, as a blanket measure, I think you could put the headache-bars on all the ramps.

So, you could identify some the locations, based on the data that we are collecting, where you could put the headache-bars.

Or, as an experiment, you know, the bridges which are being hit a lot, you know, the ramps nearby there, we could start with some of those locations and see how it's affecting the impacts.

And then -- you know, so that could be one of the, you know, studies, is to, you know, prevent the strikes.

ASSEMBLYMAN MCDONOUGH: Your "laser" description, that's a good idea, but that's costly, and would take much longer to get that installed everyplace.

But I think the headache-bar or the chains would alert them long before they get on the parkway.

DR. ANIL KUMAR AGRAWAL: Well, I mean, laser system has been used by 14 states.

They have a service life of 15 years, from the data that we get.

You know, there's one case in point, where

there was a tunnel in Maryland, where, you know, these over-height trucks were going and they caused massive damage.

And after they put these laser-eye detection system, then, last five or six years -- they did quite some time ago -- and after they installed this system, they never had any single incident of, you know, trucks hitting.

Again, 14 states that reported about the, you know, this laser-eye detection systems, all of them actually rated this system on the scale of 8 to 10 in terms of performance over the life.

Cost-wise, the cost, you know, you could -- if you are looking at the ramp on the parkway, probably the low-cost system, you could customize in the range of five, six, to ten thousand dollars, plus installation costs.

But they go for, like, 10, 15 years. You know, they are, relatively, free from defect.

Like, the headache-bar, you know, once the truck hits, it's likely, you know, that the bar is damaged, and you have to go to the site and replace it.

The laser beams, you know, they are -- you know, they will give the incentive to the driver

that, to stop, there's a red light.

There's a psychological barrier. You know, if you see a red light, you want to stop.

That, every driver knows.

If he sees a red light, and sees a sign that, you stop here until the help comes, then it's quite likely to -- quite likely that he will stop.

There are some drivers that [unintelligible] that think they will make it, but --

SENATOR FUSCHILLO: You know the Nassau County issues about, ten, twenty thousand red-light tickets every year? Maybe even more?

ASSEMBLYMAN MCDONOUGH: Well, there's no warning of those, that you're going to hit one. But with the trucks, with the red light --

DR. ANIL KUMAR AGRAWAL: This will be combined with either, the red light, and then, on the side you have this message board, with a light itself, saying, that, you know, there's a low-height bridge ahead. You know, stop on the side and wait for the help.

And at the same time, the message will be sent to the --

ASSEMBLYMAN MCDONOUGH: And far enough back to provide the driver with an exit, rather than just

stopping and staying there; right?

DR. ANIL KUMAR AGRAWAL: Yeah, far enough.

On the side of the ramp, you know, you could --

ASSEMBLYMAN MCDONOUGH: Thank you very much.

DR. ANIL KUMAR AGRAWAL: -- if you have so much space, then you could ask them to wait till the help comes, and then they could wait.

So, I mean, this system, the thing is, even you have one truck which, you know, broke the beam, you know, you physically don't damage the beam, so, you know, the system is ready.

The headache-bar, once, you know, the truck hits it, it's likely, if it's damaged, then you have to go and replace it.

SENATOR MARTINS: Let me -- can I follow up on just one point, Senator?

ASSEMBLYMAN MCDONOUGH: Yeah, go ahead.

SENATOR MARTINS: The lifespan of this laser beam is, you said 15 years.

The lifespan of a piece of wood, or of a --

DR. ANIL KUMAR AGRAWAL: That's what the --

SENATOR MARTINS: -- or a chain is significantly longer than that.

But, did you say that it's going to cost

ten or fifteen thousand dollars per ramp, to install the system that includes a red light, a digital sign that tells people to pull over, or a red light that tells them to stop, plus the laser beam that would be installed?

DR. ANIL KUMAR AGRAWAL: Yes, that's --

SENATOR MARTINS: That's $15,000 per ramp?

DR. ANIL KUMAR AGRAWAL: Yeah, that's --

SENATOR MARTINS: To get a red light installed at an intersection, where it already exists, costs us closer to $150,000 per red-light installation.

I just -- I don't know where those numbers are coming from.

But, I would think that it would be, not only significantly higher than that, but astronomically significantly higher than that, per ramp, to install it.

I'm even wondering whether or not putting a piece of wood up there is going to cost us $10,000, between the cost of putting, you know, the pole, the arm on the pole, and then hanging that piece of wood at a height where it makes sense.

You know, we're talking about factors exponentially higher than those that, one to the

other.

So -- you know, and when we put that --

And, certainly, we can get into the testimony, Don, as we go through the hearing today.

-- the costs are just -- I understand there's a preference here to go to go with laser beams, but, frankly, Doctor, the costs to the State of implementing a program like that, with the number of ramps that we have on the parkways that we have, northern state, southern state, Meadowbrook, Wantagh, and we could go on and on -- it's just, it's cost-prohibitive.

DR. ANIL KUMAR AGRAWAL: Like I said, plus the installation cost. The cost of the equipment that I told you, it's right from the catalog from the companies which we surveyed from the other states.

So, you know, other states reported they had the system. These are the systems they are using, the most effective system.

Then we went back to the companies and we looked at their system comparison.

And I'm talking about the minimum configuration that they have. And that would be, you know, just the catalog costs.

SENATOR MARTINS: Okay.

DR. ANIL KUMAR AGRAWAL: Then, of course, you have the costs for the installation, and all the those things. That's separate. And that depends on the, you know, region of the contractor you're hiring, and all those things.

So you might be very well, you know, correct in the figure that you are telling, but I'm just telling you the company cost.

SENATOR FUSCHILLO: Thank you, Doctor.

Thank you very much for your testimony.

Phillip Eng.

Good morning, Phillip.

ASST. COMM. PHILLIP ENG, P.E.: Good morning.

SENATOR FUSCHILLO: Assistant Commissioner, and Chief Engineer, New York State Department of Transportation.

Thank you very much for being here.

ASST. COMM. PHILLIP ENG, P.E.: Thank you.

Chairman Fuschillo, and members of the New York State Senate Standing Committee on Transportation, thank you for this opportunity to discuss issues of bridge strikes on parkways and highways across New York State.

I am Phillip Eng, Assistant Commissioner, and

Chief Engineer, for the New York State Department of Transportation.

Under Governor Cuomo and Commissioner Joe McDonald, we have been working on corridor safety studies that, for the first time, take a look at the corridor as a whole, providing a more comprehensive view of potential improvements.

We have taken many steps in recent years to investigate and reduce the number of commercial-vehicle bridge strikes on our highways and parkways.

Since 2009, New York State DOT has been a member of a regional bridge strike task force that has gathered and analyzed data from surveys of commercial-vehicle drivers conducted during ticket-enforcement campaigns.

Through this coalition of groups in the metropolitan New York area, we assessed the data, and share our best practices, regarding measures taken to reduce the number of errant trucks on parkways and subsequent bridge hits.

Ira Promisel, Chief Technical Sergeant for the New York State Police, facilitates this task force for State DOT, and he will be providing additional details regarding that task force.

But as part of our ongoing participation, State DOT has increased outreach to insurance companies, map providers, GPS manufacturers, and the motor-carrier and trucking industry, to collaborate on solutions.

As a result, we have encouraged insurance companies to offer discounts for independent owner-operators who use commercial GPS systems that have bridge-height layers on mapping displays.

State DOT also posts, on a monthly basis, height- and weight-clearance information, as well as parkway height restrictions to the 511NY developer page, websites that use this type of information to feed their applications, such as Google Maps.

And looking ahead, the Department is working to provide this data in a real-time format via a web-mapping service.

This format will allow developers to supply their applications, such as websites, mobile apps, and GPS, with the most up-to-date restrictions.

It will also eliminate the need for users to download new information each month.

An important development right now, the 511NY map is being updated this year to include layers for truck restrictions.

This map layer will display all active bridge and parkway height-restriction information across New York State.

As a interactive layer, users will be able to hover over and click on a particular restriction for more information.

We've also distributed pamphlets of our parkway restrictions for commercial vehicles and the dangers of low bridges to commercial drivers applying for tax I.D. numbers in New York State.

The brochure is posted on our website, and handed out during random roadside truck inspections.

We have sent nearly 90,000 of these brochures to trucking companies registered to do business in New York State.

And State DOT is also increasing and improving signage.

So to reduce the number of trucks illegally traveling on Long Island parkways, the Department has installed additional overhead and ground-mounted signage, flashing beacons, portable and electronic variable-message signs, alerting truckers to these restrictions.

Additionally this year, State DOT has added placard stickers on "exit" signs and on some access

roads leading to parkways that also indicate that trucks are not allowed.

These signs display a "truck" icon with a red slash through it.

In New York City, on I-678 southbound exit ramp to the Jackie Robinson Parkway, we've installed "Cars Only" pavement markings on the ramp -- the deceleration lane of that ramp, to enhance the truck restriction. That was done about three years ago.

Since its implementation, we have seen a reduction in the number of hits and intrusions on the Jackie Robinson Parkway.

As part of the City DOT's pilot project to allow selected trucks on the eastbound Grand Central Parkway, between the RFK Bridge and the BQE I-278, we've also used "Cars Only" pavement markings in the left-most lanes, that keep trucks restricted to the two right-most lanes entering onto the BQE.

With these positive results in New York City, the State DOT is moving forward with similar pavement markings at other key locations, including the Hutchinson River, Saw Mill River, Cross County parkways in Westchester County, the northern and southern state parkways in Long Island,

and the FDR Drive, Marsh Hill, and Grand Central parkways in New York City.

And in the Syracuse area, State DOT, last year, prohibited all commercial vehicles from using the Onondaga Lake Parkway.

Tractor-trailers and vehicles that were more than 10-feet-9-inches high had already been banned from the traveling parkway. And, now, State DOT has extended the ban to all commercial vehicles, following the completion of our traffic study that recommended that measure.

Banning all commercial vehicles from the Onondaga Lake Parkway strengthens our already aggressive efforts to prevent over-height vehicle crashes into the low-clearance CSX railroad bridge over the roadway.

Commissioner John McDonald said, "This prohibition, combined with a series of other traffic-safety initiatives, is aimed at making the Onondaga Lake Parkway as safe as possible."

And State DOT is also piloting new technologies.

For example: The King Street Bridge over the Hutchinson River Parkway, at the New York-Connecticut border, was hit 17 times in

2006, and 13 times last year.

This year, we've had 6 hits to date.

Prior to -- that -- 2012, the bridge endured the most hits in New York State.

But this reduction can be attributed to treatments that we've installed at this location, including a "CB Wizard" system for the CB radio, that broadcasts recorded messages, at preset intervals, about parkway restrictions for commercial vehicles.

So moving forward, we are continuing to monitor bridge-hit locations, review the existing signage, to ensure that all existing signs are in place and properly posted.

And we continue seeking opportunities to supplement signage, pavement markings, and other technologies and outreach.

Governor Cuomo has stated repeatedly that "Government must work for the people."

And Commissioner McDonald has reinforced that at State DOT.

In no areas is this more vital than in the safety of our transportation infrastructure.

We fully understand that an efficient and reliable system of highways and parkways will keep

goods and traffic flowing, strengthening New York State's economy.

In every way, our Department, as a member of the task force, and individually, is striving to identify the reasons for these errant drivers, and is continuously working to make our roads safer for all those traveling throughout the state, and for all New Yorkers.

Thank you for your time, and I'm happy to respond to any questions.

SENATOR FUSCHILLO: Thank you, Mr. Eng.

I appreciate you being here, and your testimony.

Let me ask you a question.

What, if any, is in the works for a pilot program?

You've heard certain suggestions, the headache-bar; as you've heard, the laser technology, you know, from our previous speaker.

This is a national problem.

Obviously, it's more prevalent here in New York State, and seems to be ongoing.

Is there anything in the works that the DOT is working on right now, similar to the suggestions that the previous speaker had mentioned?

ASST. COMM. PHILLIP ENG, P.E.: Yes.

I think you heard from Dr. Agrawal, that we have enhanced the signage at a lot of our entrance ramps to the parkways and areas where there are restrictions with regards to trucks or commercial vehicles.

But, currently, we are looking to supplement those signs, working on some successes that we had in New York City, where we've used painted pavement markings on the road itself.

On the Jackie Robinson Parkway, where we had issues with truck intrusions and bridge hits, in the 15 months prior to the installation of these pavement markings, we had six such incidents.

In the 30 months since then, we've had two.

So we're expanding that effort onto Long Island to address some of the most frequent areas on the northern state parkway and the southern state parkways. The.

The text will be "No Trucks." It will on the entrance ramps. It will be followed by "Low Bridge Ahead."

And we believe that will be a good first measure.

We're also going to do that, as I said in the

testimony, at other key locations across the downstate area, particularly on the parkways where we've seen a number of hits.

I know you've also talked, with the earlier, with regards to some technology.

We are taking a look at potential areas where technology can be used, but I think, as Senator Martins mentioned, they are more costly.

We have used in the past some laser over-height detectors, but we've not seen the reliability of those systems that perhaps some of other states have.

So, it's a matter of trying to find the most cost-effective but successful measures, and then implementing them across our highways.

SENATOR FUSCHILLO: You heard the terminology today, the "headache-bar," by the previous speaker.

Has that been given any consideration?

Or, as a pilot program, to test it in certain areas?

ASST. COMM. PHILLIP ENG, P.E.: Well, we have discussed it.

There are concerns with the Department, with regards to the potential hazard, if they do get struck and pose a new hazard, trying to address the

current one.

But that doesn't mean that there might not be opportunities to take a look at where such a device would be acceptable.

However, our approach was to really try to take a look at some of these other measures that we've seen successes.

We hope that the pavement markings will generate the same success that we've seen in New York City.

We believe that, as the motorists, the truckers, are seeing that -- they're looking at the road ahead, so the painted pavement markings will be in their line of sight; whereas, sometimes roadside signs are off, and perhaps not picked up by the motorist.

SENATOR FUSCHILLO: Senator Martins?

SENATOR MARTINS: Thank you.

I often go back to my own experiences on the road, and, you know, the kinds of things that we're expected to notice when we're driving.

You know, you're expected to notice signage, you're expected to notice speed limits.

Certainly, if you go and exceed the speed limit and one of our local law-enforcement officers

happens to notice that you did, you're gonna get pulled over. And if you say, "Well, I didn't see the sign," I don't think they're going to be very sympathetic.

I appreciate the fact that we're stressing the need to put more signage and markings on the ground.

But I would also encourage the DOT to consider a pilot program similar to the program that the Chairman just mentioned.

The opportunity exists, certainly, for a pilot program in a closed environment, say, on an island east of New York City, where we can identify certain parkways where there have been bridges struck. And there can be a mechanism -- mechanical mechanism put in place, where there's a friendly reminder in the form of a headache-bar, or something along those lines, whether it breaks away, or whether it just hits, you know, that portion of the truck that is higher than would be there normally.

But I think if the alternative to a truck hitting a piece of wood or hitting a chain is that that truck is going to strike a bridge, and the cost -- potential cost to life, potential cost to property, as well as to the structural integrity to

bridge, I would think that the alternative of putting a bar, with a piece of wood or a chain, would be far more cost-effective, and effective, period, Commissioner, than not doing anything at all, and waiting to see whether or not these markings actually work.

Is there an opportunity for us to explore something like that?

ASST. COMM. PHILLIP ENG, P.E.: Yes, I understand your interest in us pursuing it.

What we can do is, take a look, to see if there are locations, perhaps, where a device -- and not knowing the type of material that we might choose, but perhaps a device and a location where it won't pose the hazards that we're talking in general.

So, maybe not to exclude it completely, but to see if we can identify locations, we will take a look at that.

SENATOR MARTINS: When we talk about things like, enforcement, and the laws that exist, as disincentives to truck drivers, under these circumstances, getting into situations where they may strike a bridge, does the Department of Transportation work hand-in-hand with the Department

of Motor Vehicles in coming up with policies, procedures, or recommendations with regard to enforcement, that perhaps the Legislature can look at?

Is that part of your review as well?

ASST. COMM. PHILLIP ENG, P.E.: We do take a look at potential legislation.

One of the things you have been discussing earlier was with regards to the -- how the mechanism which New York State signs the vertical clearances on our bridges.

Currently, under the Vehicle and Traffic Law, we are required, for bridges 14 feet or less, to sign them. And that signage is for 1 foot less than the actual vertical clearance.

There has been discussion about potential legislation to be more consistent with other states with regards to signing for bridges that are fourteen-six or less, and then that new signage would be three inches below the actual clearance.

SENATOR MARTINS: Commissioner, we mentioned that many of our bridges here on Long Island, and certainly across New York State, have an arch to them.

Is that measurement taken from the lowest

point or from the highest point?

ASST. COMM. PHILLIP ENG, P.E.: It is the lowest vertical clearance on the drivable roadway, yes.

SENATOR MARTINS: So it's a foot below the lowest point on that arch, and not necessarily the midpoint of the clearance under the span?

ASST. COMM. PHILLIP ENG, P.E.: Correct, it's always the lowest vertical clearance point under that bridge.

SENATOR MARTINS: Now, I understand, you know, and we heard testimony earlier, about how truck drivers can possibly not trust the measurements. But I also understand that we have, essentially, a fudge factor when it comes to giving them some leeway. And there may be a need for it.

What you're suggesting, and what I heard today, is that, we may actually want to reduce that factor by three-quarters, simply because we want to make them more, certain?

Is that what it is?

We want to send a message to truck drivers that we really mean the heights that we say?

Or, do we really want to give them less of a factor, when they may be off by a couple of inches?

I always saw that as a positive: You go a foot below, what's the big deal? We're actually giving people that extra leeway.

The previous testimony we heard today, and I guess I'm hearing from you as well, is that that factor may be counterintuitive?

It may be actually inducing people to take a risk, and take a larger load through a bridge or under a bridge that they shouldn't be traveling under?

ASST. COMM. PHILLIP ENG, P.E.: Right, what we're believing is, that over-height vehicles have a distrust of those signs.

They know that we have a foot clearance, and that they can sneak through on certain corridors.

And rather than looking for an alternative route, where they should be, they can go through what they think is the shortest route, we believe they are trying to still pass under some of these bridges.

SENATOR MARTINS: But if you change the height, and you reduce that factor to three inches, from a foot, the education necessary to transmit that to every truck driver and every commercial driver who has been accustomed to passing a high

load under it -- and -- or -- the level of -- or, the number of hits that we're opening ourselves up to, by reducing that height, has the Department determined how they're going to communicate that, and what the potential short-term impact, literally, is going to be from taking such a measure?

ASST. COMM. PHILLIP ENG, P.E.: Well, we know that if we were to get legislation to do that, we would have to, obviously, change the signs very quickly.

It would have to be a public-awareness outreach, similar to what we're trying to do with "No Truck On Parkways."

It would have to be, such that the industry is aware that we've changed our signs to be more consistent with the other states.

And the thought is, through consistency, as truckers drive from one state to another, they will not try to violate under these bridges.

SENATOR MARTINS: Thank you.

SENATOR FUSCHILLO: Assemblyman?

ASSEMBLYMAN MCDONOUGH: No, thank you.

SENATOR FUSCHILLO: Mr. Eng, thank you very much for being here.

I appreciate it.

ASST. COMM. PHILLIP ENG, P.E.: Thank you, Chairman.

SENATOR FUSCHILLO: Sergeant Promisel.

Good morning, Sergeant.

SGT. IRA PROMISEL: Good morning.

SENATOR FUSCHILLO: Just your name and title, please, for the record.

SGT. IRA PROMISEL: My name is Sergeant Ira Promisel. I'm a chief technical sergeant with the New York State Police.

Good morning.

I want to thank Senator Fuschillo and the other members of the Legislature for the opportunity to address this important issue, and to highlight what has been done by the task force members.

My name is Ira Promisel. I'm a chief technical sergeant with New York State Police, with 22 years of experience, working with the New York State Department of Transportation at the Hudson Valley Transportation Management Center in Hawthorne, New York.

Through my current position, academic experience -- I have two master's degrees, and I'm a Ph.D. candidate -- and my roles as co-chair of both the New York State Traffic Incident Management

Steering Committee, and I-95 Corridor Coalition Incident Management Track, I have developed expertise in the area of traffic-incident management in a multi-disciplined environment, and how it relates to bridge hits, in the areas of technology, analysis, and operation.

And my role on the Bridge Strike Mitigation Task Force is primarily as a facilitator and coordinator of their efforts.

My testimony today will focus on an overview of the regional approach to attacking the issue of trucks striking bridges, including reasons for recent increases, legal issues, background, the task force's approach, lessons learned, and an overview of several treatments.

Recent Increases:

There's been an increase in bridge strikes and their effect, but it is not a new problem.

There are four primary reasons for the increase:

An exponential increase in trucking traffic, much of that's created from just-in-time delivery. With more truck traffic, there's more opportunity for errors.

Congestion, in general is also increased, and

this leads to more significant effects when there is a crash.

The increased use of global positioning systems, it's an aggravating factor, by directing truckers onto these restricted roadways.

And, New York State DOT has also significantly improved the collection of data related to the bridge hits, giving them more accurate representation of incidents.

How This Can Be Prevented:

There is no single measure that can prevent this.

A layered approach, over time, includes: Identifying mechanisms of how and why this is occurring, descriptions of who's hitting the bridges, and coordination between and among industry and government.

Laws and Regulations:

Based on data and experience we've amassed, the use of enforcement as a deterrent is unlikely to assist.

The use of police is critical for the collection of data, however.

And I must say, from a personal standpoint, I'm all for enforcement, I'm all for writing lots of

ticket, ands have done so throughout my career, including tickets in this case.

It just doesn't seem to have the deterrent effect that we'd expect to see.

Mandatory equipment -- commercial-grade GPS, receiver-transmitter devices -- may prove more effective, but need to be addressed on a national basis.

An example is outlined in U.S. DOT study on Intelligent Dimension Evaluation and Alert Systems.

And that was done with New York State as well.

The Bridge Mitigation Task Force:

In 2009, a number of efforts were brought together into one task force. It is a cooperative effort, with no separate funding or dedicated personnel. It's comprised of various parties that meet on an ad hoc basis several times a year. Although it is primarily a regional entity, it has national partners, such as the I-95 Corridor Coalition.

Principles of the task force include:

Identifying the reasons for the hits;

Working regionally and nationally;

Gaining economies of scale and testing and

deploying solutions;

Focusing on safety -- doing no harm -- effectiveness, and cost.

And I will also say, it's not a policymaking entity.

It's, we make recommendations. We try to implement solutions, as best we can, on an agency level.

What we've have learned from surveys and treatments performed to date:

We've learned a lot about drivers.

Drivers overwhelmingly speak English.

And this is something that, in the past, was one of the thoughts, that maybe they don't understand English, and are from out of state.

It's either their first or second time in New York.

They generally are not fleet drivers.

They tend to listen to their CBs, and tend to be late adopters of technology.

The drivers claim they often do not see signs, even multiple signs.

Our data indicates there's also no specific time of day or time of year where there's a significant increase or decrease in these bridge

hits.

GPS and Mapping:

There's a significant difference between commercial and basic GPS systems. There appears to be a dependence on the systems that then minimize driver's interpretation of their surroundings.

Some fleet managers discourage GPS by drivers because of errors and dependence issues.

Effective Treatments:

Pavement markings have shown promise as they may be more apparent to drivers than signs alone.

The CB Wizard broadcasts out messages at regular intervals, and seem to be effective by warning drivers, and, I think more importantly, creating conversation between drivers.

We've listened to these conversations, and it's very interesting to hear them say: Oh, who's that lady talking about the over-height bridge, and what does that mean?

And some of the other drivers, locally, will say: You idiot, get off the road.

And, so, that's -- seems to have put an additional effect on it.

Comprehensive systems, including cameras, variable-message signs, height detectors, and

integrated signs, have shown to be effective, but have cost and maintenance issues.

Innovative signing also appears to have some effects. Putting LED lights, for example, around the signs.

Bridge Mitigation Task Force Efforts:

Outreach has been a key effort of this -- of the Bridge Mitigation Task Force, and it has included public and private entities, such as the trucking industry, and that includes the rental industry; the American Transportation Research Institute, which is an arm of the trucking industry; motor carriers, and risk managers; map providers; other government entities at all levels.

A pamphlet-distribution effort, led by New York State and New York City DOT, has been underway for a number of years.

We've also engaged in discussions with other states that have been looking at similar issues, including Illinois' GPS Task Force.

On the-data analysis side, a DOT CUNY-sponsored study was completed in 2011, including an analysis of the problem, a nationwide survey of DOTs, and potential solutions.

The task force also initiated a survey effort

of drivers as part of its initial ticket blitz, which was later integrated into legacy surveys.

CUNY then developed and housed a database for this information. It went online this month.

The task force coordinated with ATRI for a willingness-to-pay survey regarding directional devices.

That, actually, the survey went out yesterday, was when they went live with it.

Height layers, mapping and GPS, are difficult to complete and keep current.

New York State DOT, with funding and support from I-95 Corridor Coalition, has developed a process to share the height layer via 511, and are in the process of adding other agencies' layers.

So, LIRR, the MTA, they have their own layers of heights, and there's a significant problem with rail bridges. That's where most of bridges across the country are hit, they're actually the rail bridges.

New York City DOT also has a height layer that they distribute.

An automated process is being developed as a continuation of this effort to improve dissemination of this information to GPS mapping and trucking

companies.

I-95 Corridor Coalition will assist New York State DOT in sharing this information on a wide scale, and improve 511 and associated systems nationwide.

We're reaching that national audience that we need to.

Enforcement:

A mass enforcement effort to include data -- a data component of -- a data-collection component, excuse me. Almost 300 tickets were written in one week, took place.

The most promising result was that collection of data, that allowed better targeting of treatments.

Signs and Messaging:

A number of attempts have been made, or are in the process of being made, to improve the communication of the message to targeted roadways.

They include pavement markings, higher signs, LED signs, posting additional height signs, over-height detectors, and "No Truck" stickers.

Pavement markings will be added to three DOT regions. These will be completed in this construction season, and will include signing as

well as marking.

Technology:

Three main technology systems have been examined and deployed.

Future deployments are being looked at in the near and mid term.

These include video systems.

And this is one of the really -- real good things is, leveraging existing "ITS" -- intelligent transportation systems -- that are out there, and using that for the bridge heights.

So some of them are video systems, like LPR, the CB Wizard, and comprehensive over-height notification systems.

Although these systems can make a huge impact on all types of bridge strikes, including those that involve over-height vehicles, due to improper configuration, like a boom itself, or improperly loaded, they can never totally eliminate the human factor.

We just had a case on I-81 yesterday, I believe, with a boom that was up, that struck a bridge.

Technology -- or, excuse me. I already said that.

Connected Vehicle Initiative:

The best solution, and the hardest to implement right now, is related to the Connected Vehicle Initiative.

CVI connects communication devices to on-board systems of trucks to exchange real-time events, including restrictions, between the vehicle, infrastructure, and driver.

There are challenges, including cost, infrastructure, and maintenance, especially to the portions of the trucking industry that we're most concerned of, which is your independent driver.

This will need to be a collaborative effort between government and industry.

NYSDOT, working with I-95 Corridor Coalition, has been a leading agency in examining the feasibility of CVI.

Human Factor Studies and Treatments:

What do people see or not see when focusing on GPS or other distractions?

Currently, there are a number of research and deployment efforts underway, regarding distracted drivers, from numerous entities related to this issue.

We've been monitoring to this, and I think

that this is going to be a key element in solving, not only this problem, but other over-height restrictions, and other things, making people more aware of their surroundings.

Some of the Successes:

There's been significant and measurable reduction of bridge strikes at King Street, Jackie Robinson Parkway, and the Syracuse CSX Bridge, based on efforts made by the task force members.

The task force, working with regional and national groups, is working to replicate and improve on these success.

Thank you again to Senator Fuschillo, and all of those attending this hearing, for your attention to this important issue.

I would be happy to answer your questions at this time.

SENATOR FUSCHILLO: Sergeant, thank you very much. I appreciate your testimony.

Just a few basic questions.

Where do you work out of?

SGT. IRA PROMISEL: I work out of Hudson Valley Transportation Management Center.

It's a facility similar to what you have on

Long Island, that looks at traffic throughout the region. So, we cover the seven counties north of New York City.

SENATOR FUSCHILLO: I'm going to ask you a questions.

The first question is: Is there enough personnel of the State Police Department to properly enforce our roadways?

SGT. IRA PROMISEL: I would refer any of policy-type questions like that to my higher headquarters.

SENATOR FUSCHILLO: I thought you would.

[Laughter.]

SENATOR FUSCHILLO: You had mentioned in your testimony, over-height detection systems.

Has there been any recommendations or considerations to what you have heard today from one of the previous individuals who testified with regard to the headache-bar?

SGT. IRA PROMISEL: Absolutely.

And that was one of first discussions that we've had because, obviously, that's the number one commonsense thing that immediately comes to mind.

We -- obviously, with -- and that's why I prefaced some of our -- some of my testimony, saying

we're not a policymaking entity.

We make recommendations.

If they tell us those recommendations, whatever they happen to be, are not going to be implemented, then we will -- are going to move on, and we're going to implement all of things we can implement.

In the case of headache-bar, what we had looked at was a number of different efforts out there. We want to make sure we do no harm, so there's a lot of concern, particularly about chains and heavy-duty pieces of material that could potentially become dangerous.

There's other things that have been looking at.

On the Henry Hudson Parkway, there's, right now, some PVC pipe that's hanging.

I don't have any numbers on the effectiveness in it, but I can tell you, from an anecdotal level, seen on a number of occasions, coming back from John Jay College, trucks hitting that and continuing on their way.

So I don't know if that is the right approach.

We also looked at a device that, basically,

would be spring-loaded, at the exit -- or, be at the entrance ramps, as you had discussed, which would be the best place to put that.

It would be spring-loaded, the truck would hit it, it would basically move aside so you're not causing any damage, and then, as that truck exits it, it would slowly return to the original position.

Again, there was some legal issues that were concerned by the Department -- expressed by the Department. And there was also some maintenance issues on maintaining a device.

Those are the two primary issues that keep coming up.

The bridge -- the task force would be happy to look at anything and everything, and we have, that we can -- that becomes available, but at a certain point, it does become a policy issue for the various agencies.

SENATOR FUSCHILLO: Because it could simply be a bar. It could just simply be, you know, a bar coming down.

It doesn't even have to have chain or plastic or wood, or anything hanging over it. And if the bridge is 14 feet in height, this could be 14 feet, you can't get on the entrance ramp.

And I think that's really the goal here, is, as I said before: How do we prevent the occurrence of even getting on the parkway?

And if there's a disruption, I'd rather the disruption be on the entrance ramp than on the parkway itself.

And, you know, there are many things, as you know, probably better than anybody on this panel, that needs constant maintenance on all the highways, whether it's signage, whether it's pruning of trees, that could be a hazard or a liability.

You know, we travel on a weekly basis, when we're in session, back and forth to Albany. And on the thruway, they're constantly pruning trees. They're constantly putting up fences, to prevent deers from coming on roadways in certain locations.

On Long Island, it's the same issue here.

You know, years ago, they started to install the sandbags and the sand buckets, so individuals wouldn't crash into a bridge. Those needed maintenance.

I mean, these are the jobs of, obviously, the Department of Transportation, and their employees, to provide maintenance of our roadways.

And I just think this would be something that

should be seriously looked at.

The technology of lasers as well, is that something that the State Police, or your role in the task force, you've considered?

SGT. IRA PROMISEL: Yeah, absolutely. That's something that we -- we actually have some devices that are out there now.

As the chief engineer had mentioned earlier, there is some reliability issues on the ones that we currently have in place. Although, nationally, it looks like, particularly, this company called "Trigg," that was looked at in the study, has produced some that have a more -- that seem to be more reliable.

It definitely is something to look at.

There is also, along the same lines, video analytics, which, since we already have a lot of cameras on the highways, that, license-plate readers, they're getting put out there.

Even loop detectors that can detect whether it's a commercial vehicle, is if you've got the loop set up the way they need to be.

Those detection devices could also be utilized within existing messaging systems out there, again, taking cost into the factor, and

leveraging existing technology that we have.

SENATOR FUSCHILLO: And, you know, they work, and they do work, but they're just part of the solution.

But I've noticed the installation of illuminated signs at traffic intersections now, when there is a red light, if -- the sign will come on.

Because, in certain areas, you can make a right turn on red. But, now, they're posting in certain areas, "when light is on, don't do it."

And it illuminates, and this is a new technology that's being used, similar to what Senator Martins had talked about, when -- at the entrance.

I appreciate your work.

This is a serious problem.

And now that the task force has issued their report, work needs to be done, and I'm sure you'll agree.

And that's really the impetus of this hearing, is to see what we can do, and how we prevent this, because we can't just keep going on.

This is a major issue.

And, the economic impact is quite significant as well to the State, but also to the goods and

services that are being shipped, and to the individuals.

I mean, look at yesterday, the Saw Mill River Parkway was just shut down. And, besides the inconvenience, it's a major cost factor, to have, you know, law enforcement out there to clean up, the fire department, and everybody else, that has to remediate that situation as well.

We're trying to prevent that.

SGT. IRA PROMISEL: We're doing a couple things.

And if you don't mind indulging me on the Saw Mill.

SENATOR FUSCHILLO: Not at all.

SGT. IRA PROMISEL: I actually -- we've instituted a new process within this.

One of things that we're trying to do on the task force is, initially, it was looking at recommendations, sharing information. Now we're trying to operationalize a lot of the things that are going on. That's with the pavement-marking issue, and things like, where we actually can get these things in the field.

One of things that we're doing, we found that law-enforcement survey to be extremely valuable.

And now we're following up.

Even though less of the hits come from fleet drivers, we have a real opportunity at working with the industry, and then calling up those fleets.

So we've made it a practice now, each time we have one of those hits, we reach out for the head of risk or safety for those fleets.

I called the -- it was, FFD, was the company that hit the bridge on the Saw Mill -- it was that frozen-foods company -- and spoke to the head of safety.

I'm waiting for a call back from the head of risk. He wanted to interview the driver first.

SENATOR FUSCHILLO: Sure.

SGT. IRA PROMISEL: But I found out some very interesting information, and this goes to other ones.

Number one, they had a commercial GPS on board.

They have a system, not only -- it's not only a commercial [unintelligible], it's an interactive system that restricts them.

They have training where they talk about the bridge heights.

There's a whole bunch of factors, that this

company was doing all the things right. And the last fleet truck that hit as well, they actually sent me a copy of their [unintelligible] dispatch for the truck and in there is specific verbiage about not getting onto our parkways.

So, I mean, they -- they're -- now we -- that helps, though, because that let's us know:

Okay, where do we need to target the efforts?

How can we make this a better solution?

And one of the trends that we're starting to see -- and, again, it's only anecdotal. We haven't studied it in a real rigorous way yet. -- is, it seems like these are new drivers that are coming out there.

In both those cases, they were fairly new drivers. Even though they attended an academy from those companies, they were new drivers. Again, first or second time in New York.

In this case, both of them, first time in New York, and one of their first times on these long hauls.

It changed the nature of how we would discuss it.

The other thing in talking to these folks is, the turnover rate of the truckers is 90 to

100 percent a year, which is a tremendous turnover, which, again, challenges on our solutions.

SENATOR FUSCHILLO: The thing that I haven't heard today, which I think is key to the success of this, too, is inter-municipal cooperation.

You know, there are many occasions where there aren't state roads leading onto the entrance or egress of our parkways here on the Island, their town, their county, their villages.

Was there anybody from the counties' association or municipal governments on the task force as well?

SGT. IRA PROMISEL: Not necessarily the municipal associations, but the task force does include a really wide spectrum of folks.

We have involvement with "TRALA," which is the rental truck industry; "ATA," the American Trucking Association; the Motor Carriers Association.

So we have a -- industry groups.

We have MTA, LIRR.

We have a number of police entities, including Westchester County Police, and they've been just phenomenal at collecting the surveys. They've been, pretty much, the best at actually

collecting data, as well as writing lots of tickets.

They -- they -- we have the City of Rye.

We have a -- one of the -- I'm trying to think what the name of it -- the entity from Connecticut, but, we have folks from Connecticut involved.

Long Island, obviously, the DOTs, DPWs.

So, it's a very wide spectrum.

SENATOR FUSCHILLO: Again, I think the missing component is, you know, we spend a lot of time in Albany, and there is an association of highway superintendents, there is a conference of mayors, there is a conference of municipal leaders, where county executives and town supervisors and village mayors are all participants in these member associations, as well as county highway superintendents.

I think that's been missing today, because, you know, again, I think we're all in agreement, we don't want truckers to get on, and then have to back up, or face the consequences that they have been facing.

So the cooperation of the signage, and maybe even the markings, before, may have to be from a village mayor or town supervisor or county

executive, city mayor, you know, jurisdiction outside of the state.

And that's a missing component here as well, because that should be there as, you know, a preventive measure as well.

SGT. IRA PROMISEL: And I will do that outreach before our next meeting, so that will happen.

The other thing that kind of goes along with it, and motor carriers, actually, Kendra Adams had mentioned it, she said: You know, maybe we should do a "Bridge Awareness Strike Week," you know, on a national basis.

Because, again, it's a national problem.

And one of the -- you know, the "Click It or Ticket," one of the MTA police officers, Ed Conte [ph.], had said: Oh, we should do "Check It or Wreck It."

Which I thought was very catchy.

And, you know -- but that sort of thing, you know, you can see "Click It or Ticket" has made an effect, so maybe that's a good way to go on this.

And that would be a great opportunity to really engage --

SENATOR FUSCHILLO: I don't know if the

truckers association would agree with you, but --

[Laughter.]

SENATOR FUSCHILLO: But, I thank you for your testimony.

I know Senator Martins has some comments as well.

Senator?

SENATOR MARTINS: Thank you.

Let me just take a step back.

On a policy decision, we've been talking about people making policy decisions; and those people who make the policy decisions, as to whether or not to pursue a headache-bar, or pursue some other technology, or decide that there's going to be stripings or markings on the ground, or increase signage.

Who makes that decision?

Because we're talking about people in the abstract, but, ultimately, I would think that, given that it is a state problem -- national problem, a state problem, and a problem that affects Long Island specifically, that a committee like this should be weighing in on those policy decisions; yet, I understand that these decisions are being made by people, in general terms.

Who's making that decision?

SGT. IRA PROMISEL: It really depends on the entity, and I can't speak for all of the broad spectrum of entities there.

Generally what we'll do is, we'll take our policy decisions -- or the -- excuse me -- we'll take our recommendations, and then we'll forward it to our various chains of command.

So if it's something that's an enforcement issue, for example, that would go through our -- on the State Police side, I would forward that up through our field command and our division traffic folks. They'll take a look at it, and then they'll forward it up to the appropriate level, to make the decision that they need to make.

On the DOT side, they have their own setup, does New York City DOT, or NYPD, or whomever the other entity is.

It really is, who's got the ownership of the facility, and then, who's got the enforcement of the facility.

SENATOR MARTINS: Talking, specifically, we're talking about, and I've heard it a couple of times, the hesitation of implementing this headache-bar, for fear that there's going to be some

danger to somebody.

And, frankly, I would love to find out who's making that quality judgment.

Because, the idea of forgoing an opportunity to stop a truck that you know is going to hit a bridge on that parkway, given its height, the ability to stop that truck as it enters an on-ramp onto a parkway, as opposed to -- because of a potential that a piece of chain or a piece lumber may be struck and fly off, I'm assuming, as opposed to the very real danger of having that truck enter the parkway, reach highway speed, and hit a bridge, thereby affecting other passenger cars and other people in the area, for me, it just seems like a no-brainer.

And I would love to know who it is that's making a decision that that is too much of a risk or that there's too much of a liability to address it at the entrance ramp, as opposed to somewhere actually on the parkway.

Because you know, we all do sitting here, that truck that would have struck that piece of wood or that chain, if they enter the parkway and accelerate to highway speed, it's going hit that bridge and come to a screeching halt, and

potentially -- not potentially -- likely hurt themselves, hurt someone else on the roadway, and cause incredible damage.

So, who's making these decisions?

SGT. IRA PROMISEL: And I'd have to refer -- in this case, that's a decision through the Department of Transportation, and I'd have to refer that to them.

I don't know who the individual is --

SENATOR MARTINS: I understand.

SGT. IRA PROMISEL: -- but that would be someone within the Department Of Transportation.

What I've been told is, that it's a legal interpretation.

So, I would assume it goes through their legal counsel.

SENATOR MARTINS: Yeah, I understand, liability and laws are set by the Legislature.

Let's go to another point, and keep -- and I heard a couple of references to the Jackie Robinson Parkway, entirely different scenario than what we're dealing with here on Long Island.

The idea of the Jackie Robinson Parkway and that entrance, or that split, you know, where the Grand Central starts, and -- or continues, and

Jackie Robinson Parkway starts, it's entirely different, I would hope you would agree, than the experience that we have here on Long Island, with our entrance ramps onto parkways.

The entrance onto our parkways are clearly delineated, they are slow entrances, usually they're sweeping, and the opportunity to stop something at that point, as opposed to a split in a roadway where you really don't have the opportunity to put an over-height device, is entirely different.

And I'm glad to hear that you're getting, and have success, with regard to the markings on the round, with regard to the Jackie Robinson Parkway.

But I would hope, that in keeping with some of the suggestions that we've heard here today, that there's an opportunity for a different point of view when it comes to a pilot program here on Long Island.

SGT. IRA PROMISEL: Personally, I'm all for trying whatever new thing we can try, and see what works.

That's part of the principles of the task force, is, instead of having all these different entities operate within silos, one entity or two entities can try out the treatment, see if it works.

If it doesn't work, or they run into problems, then we may not utilize that.

And we've run into that in the past with a couple of the treatments that we tried.

If it does work, then we try to replicate it and get that everywhere we can.

SENATOR MARTINS: And just one last point:

When I talk about, and I've spoken about earlier today, the issue of enforcement and ticketing and disincentives, frankly, I'm not discussing numbers.

I couldn't care less whether there's 500 tickets written or 5 tickets written.

I'm looking for an opportunity, and I think we need to explore the opportunity, for what motivates certain people, what serves as a disincentive to certain people, and whether or not that shouldn't be a factor as well.

When we talk about those things that will cause people who enter parkways, like we have here on Long Island, with large commercial vehicles, you know, by and large, you have to pay attention, you have to see the signs that are there to be seen.

And there has to be a consequence when you don't.

And that's -- and that's only -- the only point that I was trying to make.

SGT. IRA PROMISEL: No, absolutely.

And that was one of our big things that we wanted to do.

Unfortunately, we just haven't seen the cause and effect on it.

And, you know, potentially, there could a number of reasons for that.

One of the things that I am looking at, is trying to collect data from other places that have raised it.

Virginia, for example, has -- although they're just in the few-thousand-dollar range for fines, they, for example, have raised the costs of the tickets.

I don't have results on whether they've made -- that's made an impact or not.

SENATOR MARTINS: Well, and that would suggest that I'm also not speaking in terms of fines, as much as I'm speaking in terms of the effect on the license itself.

SGT. IRA PROMISEL: They added --

SENATOR MARTINS: Because --

SGT. IRA PROMISEL: -- I believe it was --

I've got the chart there -- it was 3 points that was added to their CDL, off of their plan that they implemented. It was around 2007, I believe.

But, again, I haven't seen any real good results on whether it has been effective or not.

SENATOR MARTINS: Thank you, Sergeant.

SENATOR FUSCHILLO: Senator Dilan?

SENATOR DILAN: Yeah, I just would like to indicate that I do agree with Senator Martins with respect to a pilot program out here in Long Island.

However, where there are differences with infrastructure, the environment, that perhaps it could be pilot programs, to also examine those areas.

For example, the one that Senator Martins indicated, where the split in the road comes to Grand Central, to the Jackie Robinson, and anywhere else in the state where it could be different conditions, I think all of that should be considered.

SGT. IRA PROMISEL: Absolutely.

SENATOR DILAN: Thank you.

SENATOR FUSCHILLO: Assemblyman McDonough?

ASSEMBLYMAN MCDONOUGH: Yes, thank you.

And I know we're running long here, so I only

have two very brief comments; and that is:

The CB radios, you know, they were very common, everybody had one.

Are they still very common in trucks?

Is it, you know --

SGT. IRA PROMISEL: Not as common as they were, but they're still common enough to make an impact.

ASSEMBLYMAN MCDONOUGH: So you have a method, through the CBI [ph.], or something, of communicating on CB bands that they're going to hear, even if they're not looking for that message, if they're in the area; right?

SGT. IRA PROMISEL: We broadcast on 19 and 21, which is the ones they generally listen to, and it goes out every 30 seconds on one of the stations.

ASSEMBLYMAN MCDONOUGH: And the only other question I have is, somebody mentioned spring-loaded arms, which you drive through, and that would warn you.

But isn't that like a toll gate, that you would almost have to come to a full stop?

SGT. IRA PROMISEL: No, the arms are high enough --

ASSEMBLYMAN MCDONOUGH: Oh, oh. Okay.

SGT. IRA PROMISEL: -- that it would only be the trucks that would strike that spring-loaded --

ASSEMBLYMAN MCDONOUGH: Only hit the back of the truck?

SGT. IRA PROMISEL: Yeah.

And it would be that safety aspect of, also, you know, being a break-away, if you will, so it wouldn't -- it couldn't fall on the --

ASSEMBLYMAN MCDONOUGH: Is it -- if a truck hits it, what happens then?

A signal goes off, or a broadcast, or what?

SGT. IRA PROMISEL: It can be set up a number of different ways.

You can just leave it as is --

ASSEMBLYMAN MCDONOUGH: Put lights ahead [unintelligible] stop?

SGT. IRA PROMISEL: Or you can do that, you could put sensors on it, and put that red light. You could put a light that flashes. Or, you could just have a light ahead that says: Hey, idiot, you just hit a bar. Get off.

ASSEMBLYMAN MCDONOUGH: Stop, stop.

Okay, thank you very much, Sergeant.

SENATOR FUSCHILLO: So, Sergeant, you ticket the driver?

SGT. IRA PROMISEL: Yes.

SENATOR FUSCHILLO: Do you put -- any violation to the carrier?

SGT. IRA PROMISEL: No.

SENATOR FUSCHILLO: Okay.

Only unless there's an inspection done on the vehicle, if there's some deficiencies?

SGT. IRA PROMISEL: Correct.

And one of the issues is, the bulk of the drivers that we're seeing hitting the bridges are independent drivers.

SENATOR FUSCHILLO: Okay.

SGT. IRA PROMISEL: So, the ability to deal with the fleets, although we are attacking that issue as well, the vast majority are from independent operators.

SENATOR FUSCHILLO: In-state or out-of-state?

SGT. IRA PROMISEL: Out-of-state.

SENATOR FUSCHILLO: Okay.

SGT. IRA PROMISEL: Almost exclusively out-of-state.

SENATOR FUSCHILLO: Thank you for your work, and thank you for your testimony.

SGT. IRA PROMISEL: Thank you, sir.

SENATOR FUSCHILLO: Appreciate it, Sergeant.

Thank you.

Ken Tirone, vice president of operations, board member of Hub Truck Rental, and New York State Motor Truck Association.

Thanks, Ken, for being here.

KENNETH TIRONE: Thank you.

Well, good morning, everyone.

SENATOR FUSCHILLO: Good morning.

KENNETH TIRONE: As the Senator said, I'm Kenneth Tirone.

I actually did get a promotion many years ago, and Kendra didn't not put it on the script that she added for me.

So, I'm chief operating officer of Hub Truck Rental Corp.

We are a full-service maintenance, lease, company on Long Island, so we have a lot of trucks out here.

And, today, although I'm representing the New York State Motor Truck Association, I am a board member with them.

And, Mr. Chairman, I would like to thank you, and the Committee, for the opportunity to speak here today.

You're going to hear a lot of the same stuff.

It's like we must have written -- you know, or read from the same book.

The issue of bridge strikes in New York is a longstanding problem, particularly in this region.

Recognizing that there are -- was no simple solution to the bridge-strike issue, several agencies, along with the trucking industry, formed the Bridge Strike Mitigation Task Force in 2009, to work together, to identify preventive measures to reduce the number of bridge strikes that occur each year.

The task force has been very active, and we believe has had a positive impact on reducing bridge strikes.

According to the Bridge Vehicle Impact Assessment, which you saw before, which came out in December of 2011, the overall number of bridge strikes or bridge hits in New York has actually shown a significant decline since 2009.

While there are still certain regions and locations that show an increase in bridge strikes, there are a couple of factors that should be taken into consideration.

First, the collection of data on the bridge strikes has significantly improved as a result of

the work of the task force.

In the past, not all bridge strikes may have been adequately reported; whereas, now, concerted effort is being made to record the strike, as well as determine what had caused the strike.

In addition, commercial-vehicle traffic has increased exponentially over the last ten years.

The fact that bridge strikes have not increased at the same rate is an indication that progress has been made.

And I will tell you, that our fleet has increased since 2001, 64 percent.

And we run truck 1,550 trucks on Long Island. We were running 900 back then.

So, you know, we have pretty good experience here.

Obviously, there is still much work to be done.

One key component to tackling the bridge-strike problem is outreach and education.

The New York State Motor Truck Association has worked closely with the task force members to identify key target groups, and has undertaken outreach activities at both a state and national level.

Data collected at bridge-strike locations show the vast majority of bridge strikes are caused by out-of-state drivers, which you've seen.

Using our contacts with other state organizations, we have distributed brochures, designed to educate truck drivers about low bridges on parkways across the nation.

This is the brochure that everybody was talking about.

Because we use this at all our rental counters, and this is put out by the New York DOT.

If you want to, I have some copies if you want to have one afterwards.

Surveys with drivers involved in bridge strike indicate that a disproportionate number of bridge strikes are caused by independent drivers, so we've worked with the Owner-Operator Independent Driver Association, "OOIDA," to distribute the parkway brochure to their members, include articles about bridge strikes in their newsletter, as well as run stories on their radio show, "Landline Radio."

Those same surveys show that many drivers are following a GPS unit which leads them onto parkways or roadways with low bridges.

Our chairman, Kendra Adams, has been on both

the "Lockridge Report" and the "Dave Nemo Show" on SiriusXM Radio's "Road Dog's Trucking" station multiple times, to educate drivers on the dangers of using an off-the-shelf GPS unit not designed for commercial vehicles, as well as the importance of paying attention to road signs.

Finally, surveys have also shown that drivers utilizing rental vehicles are often unaware of the parkway restrictions.

So, members of the task force have reached out to the Truck Rental and Leasing Association, "TRALA," which we are -- Hub Truck Rental is a member of that, to encourage their assistance with providing information to their membership, which they would then distribute to individuals that rent commercial vehicles.

And that's what we do at our rental counters.

These education and outreach programs are ongoing, and new opportunities continue to be identified.

This will remain a priority of the task force, and the New York State Motor Truck Association will continue to work with our partners across the nation to educate commercial-vehicle drivers.

Aside from education and outreach, the task force has been focused on finding both short- and long-term solutions to reduced bridge strikes.

The task force is at a point where they are now beginning to operationalize many of the possible solutions that have been discussed.

Better data has allowed the task force to identify those bridges that continue to have a large number of strikes, and implement strategies to prevent strikes from occurring.

For example, and you've heard it, the "CB Wizard" alert system, an unmanned CB-radio transmitter that can broadcast messages to drivers, has resulted in a significant reduction of bridge strikes on the King Street Bridge located on the Hutchinson Parkway.

The CB Wizard is now being utilized at the Mamaroneck Avenue location, another area of high bridge hits.

Pavement markings will soon be installed on entrance ramps to several parkways, indicating "No Trucks."

Pavement markings have been shown to be an effective signage mechanism in other instances.

The New York State Department of

Transportation is updating their 511 Traveler Information System to include truck restrictions.

The data will eventually be provided in real time through the use of an XLM feed.

Discussions about better signage continue, with some short-term solutions being:

To ensure that existing signs are clear, are free of vegetation and other obstacles that would make them difficult to see or read;

Ensuring that signs are placed well enough in advance to provide drivers time to make a decision;

And working with other agencies to ensure the consistency of the signage.

The use of a new and improved technology --

The use of new or improved technology offers some potential long-term solutions.

The task force continues discussions regarding the use of overhead [sic] detection systems at the entrances of parkway ramps.

If an over-height vehicle is detected, either a red light or warning message will be illuminated to instruct the truck driver to stop. Instructions could then be provided to the driver on what to do next, such as, instructions for an alternate route, or call for enforcement for assistance.

There is great potential for this type of systems; however, there are costs and maintenance issues that must be worked out.

The use of smartphones may provide another long-term solution. Entrance ramps could be geo-fenced, so that if a driver were to drive into the geo-fence area, they would receive a notification on their smartphone that trucks are prohibited from entering the parkways.

While there are positive aspects of this system, drivers would be required to have the appropriate application on their device for the program to be effective.

Additionally, work still needs to be done, that the use of this type of program does not lead to a distracted-driving situation.

The task force recognizes that drivers utilizing non-commercial GPS units have aggravated the bridge-strike problem, but, it's important to note that it hasn't eased it -- or, hasn't caused it.

I'm sorry.

Prior to the use of GPS, drivers were using maps and Internet sites to gain routing information, and they were still hitting bridges.

The idea of mandating the use of a commercial GPS unit has its pros and cons.

First, in order for it to be effective, it would have to be done at a national level.

As has been previously stated, the majority of bridge strikes in New York are caused by out-of-state drivers.

Passing New York State law that can only apply to New York State-registered vehicles does not help to address this problem.

Additionally, a commercial GPS is only as good as the data that it provides.

While New York has made great strides in providing timely and accurate data for the GPS providers to utilize, it is still incumbent upon the provider to incorporate the data into their system in a timely manner.

In addition, truck drivers must continually update the system to ensure they have most accurate and up-to-date information.

While at first glance, a commercial GPS mandate may sound like a quick solution, it will only be effective if done on a national scale, and only if the serious discussions have been had with industry to ensure there are no unintended

consequences.

Increased enforcement and higher fines for trucks that are either on the parkway or have hit a bridge have been discussed at length.

While the New York State Motor Truck Association agrees that drivers should be held accountable for their actions in the event that they strike a bridge or enter a parkway, the reality is, that increased enforcement is not a preventive measure and will not change behavior.

Out-of-state drivers are frequently not aware of the restrictions, and are, therefore, not aware of the high fines or penalties associated with being on the parkway.

If the goal is to prevent bridge strikes, then increased enforcement and higher penalties is not the solution.

An issue that has been identified by the task force, is the fact that New York State Vehicle and Traffic Law requires bridges that are lower than 14 feet to be posted 1 foot less than the actual clearance.

You've heard that quite a bit today.

New York is the only state in the country that has this large of a differential.

Most states require a posting of only 3 inches less than the actual clearance.

To make matters worse, our company adds 3 inches to every truck we measure and put into service.

So, we're kind of -- it's crazy.

It has become widely known to commercial drivers across the country that New York State posts clearances on bridges significantly lower than the actual clearance.

Unfortunately, this can inadvertently lead to bridge strikes when drivers see a posted sign, know that it's posted lower than the actual height, and decide to proceed under the bridge, you know, based on what they've heard.

The New York State Motor Truck Association would like to recommend that this Committee consider changing the New York State law to better align with posting requirements across the country.

We strongly feel that this would help eliminate confusion, and would assist in addressing the bridge-strike issue.

While the issue of bridge strikes continue to be a major concern, the New York State Motor Truck Association feels that great progress has been made

by the Bridge Strike Mitigation Task Force, and with the proper support and resources, progress will continue to be made.

The task force is an excellent example of government and industry working together to come up with an effective solution that works for everyone.

The New York State Motor Truck Association will continue to be an active participant of the task force, and will continue to focus on educating trucking companies and drivers across the country.

And we do that through all of the motor truck associations throughout the country.

It is our sincere belief that if we continue to work together, we will continue to make great strides in reducing bridge strikes across the state.

I thank you for your time today, and will be happy to answer any questions you have.

SENATOR FUSCHILLO: Ken, thank you very much.

Appreciate you being here.

I'm sure my colleagues have some questions.

I want to ask you a question, a pretty basic question: Do truck drivers know the height of their trucks?

KENNETH TIRONE: Yeah -- well, our trucks, they do.

I can't tell you that --

SENATOR FUSCHILLO: Well, look, you're a member of the task force, you're a member of --

KENNETH TIRONE: No, no, I'm the -- I'm sorry.

I'm representing the Motor Truck Association today.

I'm not -- I happen to not be on the task force.

SENATOR FUSCHILLO: Okay, but you're part of -- you're a member of the association?

KENNETH TIRONE: Exactly.

SENATOR FUSCHILLO: Okay.

As a member of the association, not in your own -- as in your own business, would you say that truckers know the height of their trucks?

KENNETH TIRONE: Yes.

SENATOR FUSCHILLO: Okay.

So you stated in your testimony that they know that, in New York, they post it, and it's generally a foot lower.

So, is this a gamble that they're taking?

Because I -- let me tell you, and I am not questioning the intellect of these drivers, but I see your brochure here.

I mean, is this a gamble that they're taking?

I mean, if they say their truck -- you know, you said they know the height of their truck.

And, is there a standard height?

KENNETH TIRONE: No.

Most trucks, they could range anywhere -- you know, your average truck ranges anywhere, from twelve feet, up to, let's say twelve-eight. And they go as high as thirteen now.

SENATOR FUSCHILLO: Right, and they know that?

KENNETH TIRONE: Yeah.

SENATOR FUSCHILLO: And then they still see the sign.

You know, on your brochure, where it states pretty clearly, you know, in multiple locations that the DOT has posted, you know, at the end of the arch, ten feet.

And then you see --

KENNETH TIRONE: Six feet, or whatever.

SENATOR FUSCHILLO: -- you see, this.

And you see this on your front.

So, is this just a gamble they're taking, a risk they're taking?

Because you also stated, it may cost up to

$10,000 to have your truck towed out of there, plus, the civil damages that the State's gonna go after these truckers, or, I guess, the carrier with as well.

So they're just taking a gamble.

And would you concur that --

Go ahead, do you want to say something?

KENNETH TIRONE: Well, what I was going to say is, you know, there are a lot of issues that put a driver on the wrong highway.

And --

SENATOR FUSCHILLO: But, you know, we've heard so much about a GPS system.

And I don't have one in my car.

My wife has one in her car, and we use it frequently. She uses it all the time.

But I still verify, when I'm making a right-hand turn --

SGT. IRA PROMISEL: Exactly.

SENATOR FUSCHILLO: -- that it says the road I want to go on.

But I look at the street sign, or I look at the signage, that is posted by the municipality.

And, when a trucker is driving on a roadway that says, Make a right-hand turn here for the

Meadowbrook Parkway, there's signage there that says, "No Trucks Allowed"; "Maximum Truck Height."

And even on your brochure, you post where the DOT has it.

Is this just going by the wayside, where they're not even looking at this stuff, obviously?

KENNETH TIRONE: Yeah, well, for the most part, they have to be, because how else?

You know, like you said, there's a sign, very obvious, there's a height.

And they know the height of their trucks. You know -- or they're supposed to know.

It's posted, nine times out of ten, at least in our trucks, they're posted.

But you've seen it, you've --

SENATOR FUSCHILLO: They post it on the truck?

KENNETH TIRONE: Yeah, they're posted inside the truck, and they're also posted on the corners of the truck, you'll see, you know, twelve-foot-eight.

And it's in the mirror, and it's reverse, so that they can see it when they're driving, you know.

SENATOR FUSCHILLO: But would you say -- you know, we see truckers all the time on the thruway when we come back and forth to Albany.

And I don't know how the basis of pay is determined for some.

Whether they're independent or they work for a company like yours, is it based on highway mileage? is it based on time?

I mean, are these guys trying to take shortcuts, with their gamble, to get to where they have, to maximize what they're making?

KENNETH TIRONE: We don't have drivers.

We supply the truck and we supply the maintenance.

But I will tell you, that what I hear from drivers, is that they're trying to make time.

SENATOR FUSCHILLO: Right.

KENNETH TIRONE: You know, there's a load, they have to make, you know, a certain delivery on a certain time. And, you know, and then there's construction, and it diverts them off a highway that they might be on, and then they're not familiar with the roadway; and, yeah, they could see the signs.

But --

SENATOR FUSCHILLO: They still gamble.

So, in your -- how many years have you been in the industry?

KENNETH TIRONE: Thirty-five years.

SENATOR FUSCHILLO: Okay, so you're an expert, 35 years in the industry.

If the DOT, at one of the entrance ramps had a bar --

KENNETH TIRONE: You could stop right there.

You don't have to go any further.

SENATOR FUSCHILLO: I would really like to finish my --

[Laughter.]

KENNETH TIRONE: I don't want you to finish, because I agree with you 100 percent.

SENATOR FUSCHILLO: All right.

KENNETH TIRONE: I mean, I -- I -- we were having a conversation earlier, and I said, that, you know, I know I am like that.

When I go into a tiered parking lot, I'm -- my car, I mean, you know the car is going to make it.

SENATOR FUSCHILLO: You're ducking.

KENNETH TIRONE: But you're ducking, you're looking, and then you're saying, "Did they take into consideration that pipe?" you know, even though you got through.

And it's the same thing here.

And you're not talking about putting a bar up

as high as the truck. They couldn't get through it.

You know, but there is some problems, and -- which was brought up in our little discussion on the side, with the maintenance vehicles, that the State has that goes on on the roadways. You know, they go on there with dump trucks, and things like that.

Unless, they made a separate, you know, maintenance entrance, which wouldn't be that big of a deal.

SENATOR FUSCHILLO: Are they 13 feet high, the trucks?

KENNETH TIRONE: What -- no.

SENATOR FUSCHILLO: DOT trucks?

KENNETH TIRONE: No, but they're probably -- I don't know what -- they're probably 10 to, let's say, 11, 12 feet, maybe tops.

Nothing that would be -- and they're aware when they're going on those parkways.

SENATOR FUSCHILLO: Right.

KENNETH TIRONE: You know.

So -- no, but I'm with you there.

SENATOR FUSCHILLO: Thank you.

Senator Martins?

SENATOR MARTINS: Mr. Tirone, thank you.

I'm with you too. I think that that's the

easy solution here, at least a commonsense solution.

But, I just wanted to ask you a question about these heights.

KENNETH TIRONE: Yes.

SENATOR MARTINS: You know, nationally, people who are driving in New York know that our bridge heights are posted lower than they are --

KENNETH TIRONE: Yeah.

SENATOR MARTINS: -- but they don't know what our violations are.

They wouldn't know -- because they're out-of-state drive, they wouldn't know what the ticketing process is.

You said that increasing fines and increasing ticketing in New York would not have an effect, because they wouldn't know. But, they do know that our bridges are marked differently than anywhere else in the country.

So, I would think that, drivers being drivers, they're going to know all aspect of what's going on here. If they're going to drive in New York State, they'll be aware of it.

But your own company posts the height of your trucks 3 inches higher. The State posts these heights --

KENNETH TIRONE: Lower.

SENATOR MARTINS: -- 12 inches lower, so as to create the variable that will prevent bridge strikes.

Are you concerned, that if we minimize that delta, that what we're actually doing is, creating less, or, actually more of a likelihood, that there's going to be a bridge strike?

KENNETH TIRONE: Well, you know, I never thought --

Before, I was sitting back, listening to the testimony going on, I never thought about it, but I said, you know: Why do you put 6-foot on the side of your built-in pool, and it's 6-foot deep?

Why don't you put five, you know, or, twelve?

You know, why don't you just change that depth?

So, why put something that isn't real?

You know, 3 inches is -- you know, like I think one of the fellows said, that the pavement heights, you know, could be changing, depending on, if they came out and they just paveed, or did something like that.

But a foot is a massive amount of --

SENATOR MARTINS: But it's a foot

discrepancy, what I would consider to be in the right direction.

KENNETH TIRONE: But it isn't working.

SENATOR MARTINS: It's not --

KENNETH TIRONE: It isn't working.

You know what I'm saying?

SENATOR MARTINS: But, Mr. Tirone, if we change it, isn't there -- I mean, I certainly have a concern, that if there is already that perception that is out there, unless we let every truck driver in the country know that the discrepancy that had been there, and that everybody seems to know about nationwide, has changed, they're going to come in here and say: Oh, I've got 12 extra inches. Let me just go barreling through.

And what we're doing, is we're setting ourselves up for even more bridge strikes.

KENNETH TIRONE: No, I understand. I understand, you know, what you're -- you know, your thinking there, that's for sure.

But I'm just saying, that, you know, there's a time when you got to get real.

And right now, you know, they're not -- we're not real.

And I understand, you know, the change, and

how word gets around.

And I think somebody said CBs are still out there, but they're not out there as much. And that's how word got around.

So, now, you're losing that correction, too.

SENATOR MARTINS: 1,500 trucks you have on the road. 1,500-plus.

KENNETH TIRONE: Yep.

SENATOR MARTINS: Any problems?

KENNETH TIRONE: Yeah, we --

SENATOR MARTINS: Like everyone else; right?

KENNETH TIRONE: No, we have guys hit bridges. And, you know, it was raining, they couldn't see.

You stop.

You know, you don't -- you know, you're talking big money.

SENATOR MARTINS: Yeah, we agree.

You know, between you and I, pretend no one else is listening, we agree that this idea of putting a headache-bar in there, that the Chairman just mentioned, and we're advocating here, especially for a pilot program here, from a practical standpoint, as a person who's got 1,500 reasons to want to make sure that these trucks

don't get on the road the wrong way, that seems to be a solution, and a practical, commonsense solution. And, you know, in these difficult times, a cost-effective solution, easy to implement, ready to go, that's going to provide, hopefully, some relief short term.

So, thank you.

KENNETH TIRONE: Thank you.

SENATOR FUSCHILLO: Thank you very much.

Assemblyman Dave McDonough?

ASSEMBLYMAN MCDONOUGH: I just have one thing, and I will address you correctly as Chief Operating Officer Tirone.

There, right, you just got promotion recognized.

Just one question: The task force, you said, is that national?

Do most of states and the trucker associations --

KENNETH TIRONE: The task force is here in New York.

But there are -- there are:

The Motor Truck Association of New York.

There's a Pennsylvania, New Jersey, Connecticut, they're throughout the country.

ASSEMBLYMAN MCDONOUGH: Because in a previous thing, Kendra Adams had suggested, I think somebody said, about a national program of education for the trucking industry.

KENNETH TIRONE: Through TRALA.

Okay?

TRALA is the truck rental and leasing organization. They're in Washington. They're a lobbying group for us, you know, for the truck rental and leasing companies.

And through them, we spread, you know, the word.

ASSEMBLYMAN MCDONOUGH: Okay.

KENNETH TIRONE: Thank you very much.

ASSEMBLYMAN MCDONOUGH: Thank you.

KENNETH TIRONE: If anybody would like these brochures, see me later.

ASSEMBLYMAN MCDONOUGH: I would.

KENNETH TIRONE: Would you like one, to have it?

(Mr. Tirone hands out brochures to the Committee members.)

(Senator Martins exits the room.)

SENATOR FUSCHILLO: [Inaudible/technical difficulties] Teamsters Local 707.

Kevin, thanks so much for being here.

KEVIN MCCAFFREY: Senator, thank you for inviting me, and members of the Committee. I appreciate the opportunity to be here.

I'm here, not on just behalf of Teamsters Local 707, but also Joint Council 16 that represents over 100,000 teamsters in the New York metropolitan area.

Our local represents almost 3,000 members, the majority of them in the trucking industry.

We represent workers who work for YRC, ABF, New Penn, UPS Freight, and Cardinal Health, just to name a few.

As was pointed out before, it's not my drivers that are hitting the bridges, for the most part. We do have a couple of errant run-ins, but for the most part, they understand, and they know, that they shouldn't be on parkways, they shouldn't be -- they know the routes they need to take.

And -- so -- but we do have some sort of integral knowledge of what is, and as was said before, of the mindset of truck drivers, through discussions with them, and through the truck drivers that have run on -- they run into and they pass on to me.

So -- and as a former truck driver myself, I also understand what happens.

Many of these incidents, I have to believe, are through inexperienced drivers, which was pointed out before.

I remember being a new driver myself, and the panic sometimes that I felt when I got into a situation where I didn't know how I was gonna get out of.

And I grew up here in Long Island and I knew what our roadways were like, and I understood what I would get into.

But if you have somebody from, like, Arkansas or Texas or Florida coming up here for the first time into the big city, and seeing all the congestion and all of the things that are going on around them, a lot of things can be happening.

I think one of the biggest reasons, that had already been pointed out before, is the GPS systems; and that is, that they're relying on the GPS systems to tell them where to go, because of the complexity of our roadways. It's not as if you drive ten miles and you may see another road. Here, the roads are right on top of each other.

I think that almost all of these truck

drivers are relying on GPS systems right now.

And I think, as was said before, that it needs to be a -- national standards need to be set for commercial drivers using GPS systems that have the overlays in there that will account for low bridges and clearances.

What my experience, and what I've seen, not only just through my working with the truck drivers and as the president of the teamsters local, just driving on Long Island, like yourselves have done, and seen these trucks that are in those situations.

And this is something that's come up before several years ago. We had a rash of these bridge strikes.

And I was actually contacted by somebody in the press, and they asked me:

What is the biggest problem?

What could prevent this?

And my response was, that signage needs to be changed.

I look at -- and the signage has gotten better. Almost all of the entrances have the "No Truck" sign.

But, I could tell you, a truck driver that's going down there, and is not familiar with the area,

and may be going onto a "No Commercial Vehicle" roadway, may be one thing.

He'll say, maybe I'll get off at the next exit. I can't turn around now.

He's got a 53-foot trailer, he's got a big sleeper unit, and he's on that exit ramp when he sees that, and he can't turn around.

"I'll get off at the next exit."

I think what really needs to be added to this is the signage that says, "Low Bridge Ahead."

And someone from the DOT spoke about that before, and the pavement markings.

Not only "No Commercial Vehicles," "No Trucks," but, "Low Bridge Ahead," that will stop somebody.

Nobody - you know, someone will take a risk of getting a commercial for an off route because they can't get off the highway in time, but nobody wants to hit a bridge.

I think we need to -- there's certain instances, examples, that we've done a very good job on Long Island. And I think it's when you're getting off the expressway, and over by the northern state interchange, and you're heading south on the Meadowbrook Parkway, there's plenty of signage in

there.

One of them is, it's got the sign with the truck hitting the overpass.

I think if we start -- we talk about low-tech solutions, I think the first thing we should do is really improve the signage, to identify the fact that you're not just going on a route that's "No Commercial Traffic," but more importantly, that you're gonna hit a bridge if you go on this roadway.

Many of these trucks that you see on there, there's not a discrepancy of a couple of inches, or whatever.

These trucks that are hitting the bridges are 13-foot-6-inch high, they're 53-foot trailers, and they don't belong there, and they shouldn't be there.

So it's not a matter so much of the mismarkings, although that should be fixed.

But the problem is, is they're getting on roadways that they shouldn't be on, and they are not aware of the fact that they're just on the wrong roadway, but they're gonna hit a bridge if they continue down that road.

And I think that the best thing that we could do, and the most low-tech solution we could do right

now, is improve the signage to really let them know that there's bridges ahead, not that they're just on the wrong roadway.

I was listening about the headache-bar.

Boy, I'd hate to be driving a truck and hit that.

And I've had the misfortune of running into some tree limbs from time to time, and it will wake you up, it will give you a headache.

And I couldn't imagine the damage it would do to the vehicles, and -- and -- but, I would suggest possibly trying some that at some of those intersections or those entrance ramps where we've had some problems, where it's been extensive. And I think it's worth a try.

But I think the cost and expense of putting that on every single entrance ramp that we have to any of our parkways would be astronomical.

And I think -- I think maybe a good low-tech solution would be, to start with the increased signage that identifies the fact that you're going to hit a bridge if you get on this roadway, because I don't think that's there right now.

One of the other things you talked about is the inexperienced drivers.

I was just looking outside at your sign, Senator, where it identified the hearing, and it had the picture of the truck stuck under the bridge, the parkway bridge.

And you could see it in there, it says -- it says clearly, you can see, it's a fifty-three-foot trailer, thirteen-foot-six high.

And on the back, it's got a decal.

And I pointed out to somebody before, it says: Lease, train, then drive.

So -- and it goes to what's going on out there.

The turnover in the owner-operators is probably 100 percent, or close to it. And the sergeant spoke about that.

It really is.

These guys are going out there, and they have very little experience out there.

Our workers stay with us for 25 to 30 years. I mean, they know it, they've got the experience. They're a different kind of dynamic, in terms of compensation, and the way the whole -- their compensation's set up is -- works.

But, there's really the inexperienced drivers.

We really need to get the message out there through the motor truck associations.

The ATA is the national truck association, which could be helpful in helping to get a message in there about, how we have a distinct area here, and that we have parkways, which most other states do not have.

So --

SENATOR FUSCHILLO: Now, these "inexperienced drivers," and I've heard that term many times this morning, they're trained, correct, to become drivers?

KEVIN MCCAFFREY: The inexperienced drivers?

SENATOR FUSCHILLO: I mean, I'm saying, these -- they have to be trained somewhere to be a driver; correct?

KEVIN MCCAFFREY: Yeah, they go to a driver training school, and, they get that training in three months, and all of a sudden, they never drove anything more than a -- maybe a pickup truck, and they're driving a very large vehicle now.

SENATOR FUSCHILLO: Right, and then they go to a company, and they're a contract for hire, these independents?

KEVIN MCCAFFREY: Generally, those are the

only companies where they can get work because, to go to work for the big trucking companies, you need at least two years of experience.

SENATOR FUSCHILLO: But what type of goods and services, what type of companies, are hiring these individuals?

KEVIN MCCAFFREY: They -- usually, they're truckload carriers.

We generally handle less-than-truckload, which means there will be multiple shipments on the truck at one time, and they consolidate it at different facilities. And --

SENATOR FUSCHILLO: So, Kevin, who are these truckload carriers?

Who are these -- the owners of these truckloads?

I mean, who are these businesses?

KEVIN MCCAFFREY: Well, they're mostly brokers and -- like, JB Hunt is a big one, where they have the owner-operators. Almost all those --

SENATOR FUSCHILLO: You see trucks all over.

KEVIN MCCAFFREY: Yep.

Almost every one of those truckload carriers. out there that --

SENATOR FUSCHILLO: Now, aren't they part of

a nationwide association, or a state, wherever they are?

I mean, isn't it incumbent upon them, also, to properly train these individuals, or educate them?

And we've heard that here, you know, repeatedly, education is important in preventing these strikes.

I mean, isn't it incumbent upon them to educate these contract-for-hire drivers as well?

KEVIN MCCAFFREY: Absolutely.

And I just -- the only -- I think they do. I think they tell them, you have to be aware of the height clearance of your vehicle.

But, I think we have a unique situation here in New York, and especially Long Island and Westchester, where we've got the parkways which nobody else has.

And they just -- and you put the combination of a lot of things going on, and the GPS telling them to go the wrong way, and it just comes together.

And if you don't have the experience, you don't know how to deal with it. You panic, you don't know how you would get off that parkway, you

can stop now.

And you said: Let me take a chance.

You know?

But if we told them they were going to hit a bridge if they take a chance, I think maybe they would stop.

SENATOR FUSCHILLO: Okay.

Dave?

ASSEMBLYMAN MCDONOUGH: I think that you've got the best solution, at least for the short term, is that "Low Bridge." Maybe, even, with like the picture that the Senator has up, with a sketch of a truck hitting the bridge.

SENATOR FUSCHILLO: "Don't let this happen to you."

ASSEMBLYMAN MCDONOUGH: He doesn't want to lose his load, you know, so he's going to lose hours and hours.

And I think that's the best thing right now, short term.

SENATOR FUSCHILLO: Kevin, thank you very much. Appreciate your testimony.

KEVIN MCCAFFREY: Thank you, Senator.

Appreciate it.

SENATOR FUSCHILLO: Jeffrey Frediani and Christopher McBride, from AAA.

Good afternoon.

Just, if you could for the record, state your name, your title, and affiliation.

CHRISTOPHER MCBRIDE: Christopher McBride, community transportation specialist with AAA New York.

JEFFREY FREDIANI: And I'm Jeffrey Frediani. I'm a legislative analyst for AAA New York State.

We're an association that serves more than 2.7 million members that reside in the state of New York.

As we heard today, trucks hitting low-clearance bridges are a very common occurrence in the downstate region, and contribute to massive traffic delays and impose significant costs on taxpayers.

According to the New York State Department of Transportation, nearly 200 trucks per year hit low-clearance bridges and overpasses statewide, with more than 70 percent of these hits concentrated in the Hudson Valley, New York City, and Long Island where most of the state's parkways are found.

These parkways, which were designed in an

earlier era, have many bridges and overpasses with clearances of ten feet or fewer.

Although this problem occurs on many types of roadways in other parts of the state and country, the problem in the downstate area seems to be primarily on parkways.

In an effort to assess the problem and come up with constructive recommendations to address this issue, we recently examined the ten highest-frequency locations in Westchester County where tractor-trailers have hit overpasses between 2002 and 2011.

In fact, Westchester County leads the state with an average of 42 bridge strikes every year.

Our white-paper analysis found that the Hutchinson River Parkway has the most problems with trucks hitting overpasses. Eight out of ten of the most frequently hit overpass locations in Westchester County are on this roadway.

By far, the worst location of the them all was the King Street overpass on the Hutchinson River Parkway, with 93 hits between 2002 and 2011.

In our opinion, the problem at this location is directly attributable to a lack of coordination

with respect to proper signage between the New York State Department of Transportation and the Connecticut Department of Transportation.

Even today, a year after the location was cited in a report by the City University of New York City College, the problems with signage leading up to this location still have not been corrected.

Other locations, particularly the location we cited on the Saw Mill Parkway, had less serious but still problematic issues with signs, particularly regarding signs adequately warning commercial vehicles that they were prohibited at several entrances to this roadway.

Proper signage is clearly an issue that the New York State Department of Transportation needs to stay on top of; however, it is not the sole cause leading to truck crashes at these parkway overpasses.

In our opinion, the key factor in many of these crashes are out-of-state tractor-trailer drivers that are unfamiliar with the area and are using standard GPS devices, which, as we heard, do not contain information on bridge heights.

Surveys conducted -- excuse me.

Surveys taken by the New York State

Department of Transportation, in conjunction with several police agencies, show that a majority of these drivers have only traveled to the downstate region two times or fewer, and that many of these smaller truck operators are not using commercial GPS and/or guided by professional logistic services.

While the New York State Department of Transportation has reached out to insurance carriers, to encourage them to over discounts to tractor-trailer drivers that use commercial GPS units, much more needs to be done to get small owner-operators to adopt this technology.

Accordingly, AAA New York strongly supports Senator Schumer's recent request to the United States Department of Transportation to investigate this problem, and to issue standards regarding GPS devices in commercial vehicles.

In our view, this would help eliminate many of these types of crashes.

Additional actions can also be taken to address this problem. These include:

Greater enforcement, including targeting locations where these bridge hits occur most, and making penalties stiff enough to discourage those who knowingly use the parkways illegally;

Installation of low-clearance vertical signs on all parkway entrances, as this would prevent trucks from getting on the parkway in the first place;

Installation of more over-height detection systems, which are the electronic devices that automatically detect a vehicle's height, as we've heard before;

Greater outreach needs to be done to trucking organizations, to spread the message that parkways are roadways for them to avoid.

To their credit, the New York State Department of Transportation has taken some steps to address this problem. These include:

The formation of the regional bridge strike task force, which consists of many of the departments of transportation, police departments, and the I-95 Coalition, to help determine the causes behind the problem to better target enforcement and prevention efforts;

The installation of the "Cars Only" pavement markings on the Grand Central Parkway, and plans to install these on several parkways in Westchester County;

The addition of "No Truck"-symbol stickers as

well, on exit signs for accessing height-restricted parkways;

The CB-radio broadcasts, as have been discussed, along the parkways, warning trucks they are prohibited;

Increased sign visibility;

And the distribution of pamphlets on height restrictions to truckers applying for New York State Tax ID numbers.

In our discussions with the New York State DOT, officials have also voiced their desire to implement a Commercial Vehicle Infrastructure Integration system, which would provide real-time communication between vehicles and the infrastructure which would include crash-avoidance capabilities.

Trucks hitting bridges is a serious issue.

Crashes, especially those involving hazardous materials, can endanger lives, cause traffic delays that add up to millions of dollars per year, and put a strain on already meager infrastructure budgets.

We hope that this hearing acts as a launching pad to prod public agencies to take the necessary engineering, regulatory, and administrative efforts to help solve this problem.

In addition, we would also like to see the passage of a quick-clearance law in the state of New York.

Such a law would allow those who respond to traffic incidents to remove vehicles, cargo, and debris from the roadway to help speed the clearance of traffic lanes.

This would improve the safety and enhance the mobility of the driving public.

And such a bill authorizing a law was introduced in, both, 2009, and also last legislative session.

We want to thank the New York State Department of Transportation for their cooperation and information they provided for our report, as well as the City College of New York for their bridge-vehicle-impact assessment, which provided important background statistics and information for our study.

We look forward to being a productive voice in these discussions, and would like to thank you, Chairman Fuschillo, for the opportunity to comment.

SENATOR FUSCHILLO: Thank you very much.

[Inaudible/technical difficulties.]

What your thoughts on the headache-bars?

CHRISTOPHER MCBRIDE: Well, I think that they would certainly be worth trying.

I would -- first of all, I would recommend asking the New York City DOT about them, because, in the past, they have used them at a few locations on the Bell Parkway.

And, I don't have any data on what their effectiveness was, or if there were any issues with it, but, you know, I know they've had them in the past, probably about ten years ago.

So that might be worth looking into, you know, to examine their effectiveness.

In terms of the, you know, liability issues, like I said, that's something where you're gonna have to weigh the pros and cons.

We would agree that, you know, trucks hitting bridges is -- you know, is much more of a liability issue than, you know, some sort of bar.

And if you think about it, the bars, I mean, they could be designed in such a way, you know, to minimize that.

If my memory recalls, when I did see these

devices on the Bell Parkway, they either used plastic rods, or, in certain cases, styrofoam.

So, I mean, obviously, if those break off, there's going to be less of an issue than, you know, if a big metal bar breaks in half.

So, you know, like I said, in terms of the headache-bars, yes, we definitely think it's something that, you know, should be looked into further. And, you know, look to see if any other states have used them, you know, to see if they've had any issues with them.

SENATOR FUSCHILLO: Thank you very much.

Dave?

ASSEMBLYMAN MCDONOUGH: No, thank you.

Thank you for your testimony.

SENATOR FUSCHILLO: Appreciate your testimony.

Thank you very much.

JEFFREY FREDIANI: Thank you.

CHRISTOPHER MCBRIDE: Thank you.

SENATOR FUSCHILLO: Well, that concludes our public hearing, and I appreciate the attendance of all our speakers and guests.

We have our work cut out for us now at the Transportation Committee, to see how we're going to

move forward, and work with the New York State Department of Transportation, but, also, the mitigation task force, and other levels of municipalities throughout New York State.

I think the inter-municipal cooperation is key, along with the trucking association as well.

And we're going to see how we move forward with legislative remedies, if necessary.

So, thank you very much, everybody, for being here.

I appreciate it.

Thank you.

(Whereupon, at approximately 12:18 p.m., the public hearing held before the New York State Senate Standing Committee on Transportation concluded, and adjourned.)

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