



NYC BUSINESS INTEGRITY COMMISSION

VEHICLE & TRAFFIC SAFETY IN THE TRADE WASTE INDUSTRY

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COMMISSIONER AND CHAIR



RESEARCH ON THE ROAD
NOVEMBER 2023



THE COMMISSION

CHAIRIED BY BIC

ALSO INCLUDES THE COMMISSIONERS
OR DESIGNEES OF:



CORE MISSION

- Regulate **Trade Waste Industry & the Public Wholesale Markets**
- Protect consumers, legitimate businesses, and **ensure a fair and competitive market**
- Vet companies for **integrity, criminality, and public safety**



AGENCY HISTORY



1995 DANY indictment showed NYC's trade waste carting industry had long been controlled by organized crime



Local Law 42 of **1996** created the Trade Waste Commission (TWC)



1987 Racketeering case alleged that Fulton Fish Market and its union were controlled by the Genovese crime family



2001: Markets Division of SBS was combined with the TWC and renamed BIC

BIC & TRAFFIC SAFETY

2016	Join Vision Zero Task Force
2019	Local Law 198 officially expands authority to include trade waste traffic safety
2021	Safety rules go into effect in August
2023	Side guard requirement for the industry effective January 1



TRADE WASTE INDUSTRY COMPANY TYPES

BIC LICENSEES:

~280 companies

- Haul putrescible waste, recyclables, or specialty waste (medical, paper for shredding, used cooking grease) from NYC commercial establishments



BIC REGISTRANTS

~1,500 companies

- Haul construction and demolition debris from NYC job sites





BIC TRAFFIC & SAFETY RULES

VEHICLE EQUIPMENT REQUIREMENTS

- Cross-over mirrors for trucks over 26,000 pounds

INSPECTION, RECORDKEEPING, & OPERATIONAL REQUIREMENTS

- Inspection by qualified inspector every 6 months
- Driver daily vehicle inspections (DVIRs)
- Comply with federal driver hours of service requirements
- No windshield obstructions
- Take unsafe vehicles out of service

WORKER TRAINING REQUIREMENTS

- Annual safety training for drivers and helpers
- Defensive driving courses for drivers every 3 years

PATTERN OF UNSAFE PRACTICES

- Illegal U-Turns
- Unsafe backing up or driving in wrong direction
- Obstructing bike lanes, crosswalks, or sidewalks
- Clinging to the outside of the vehicle



PATTERN OF UNSAFE PRACTICES VIOLATIONS & NOTICES OF WARNING (NOWs)

Based on NYS
VTL

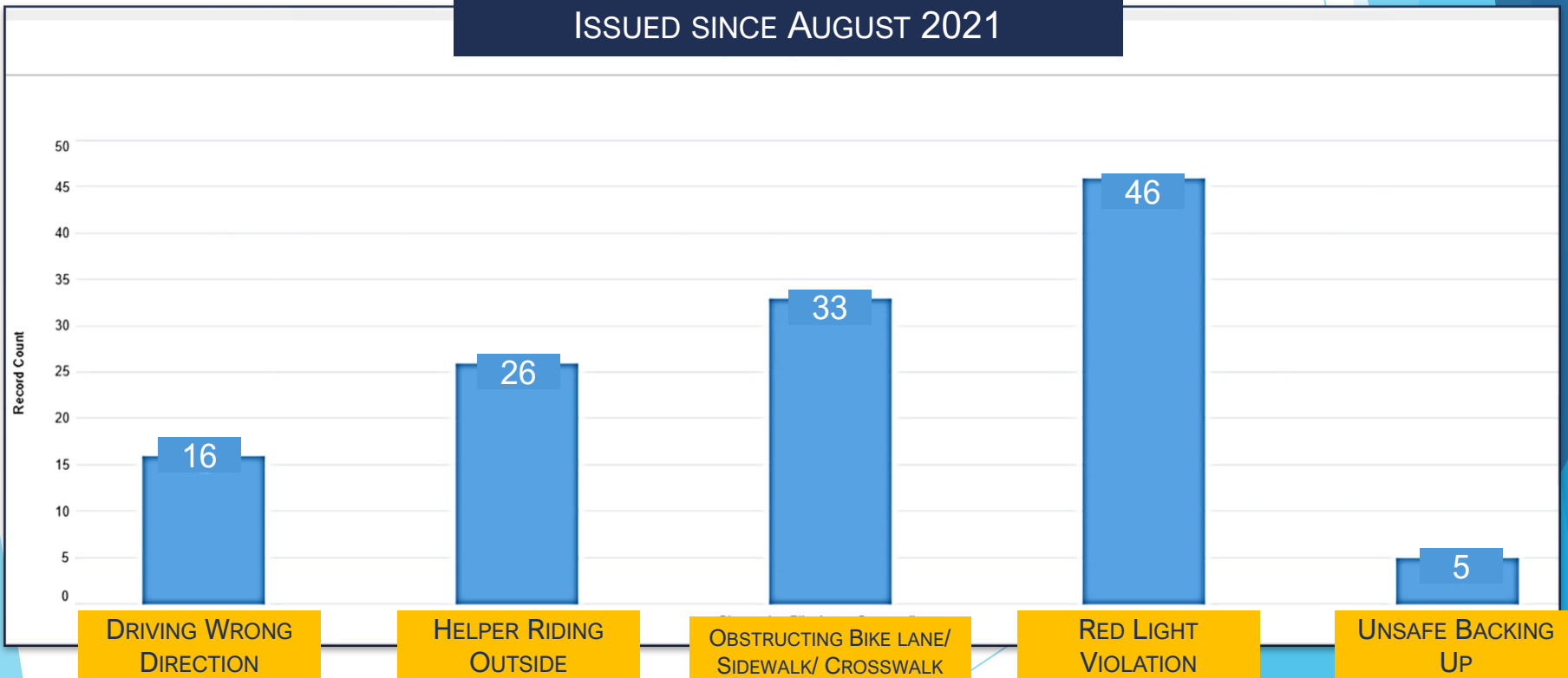


4 in 6-month
period is a
violation



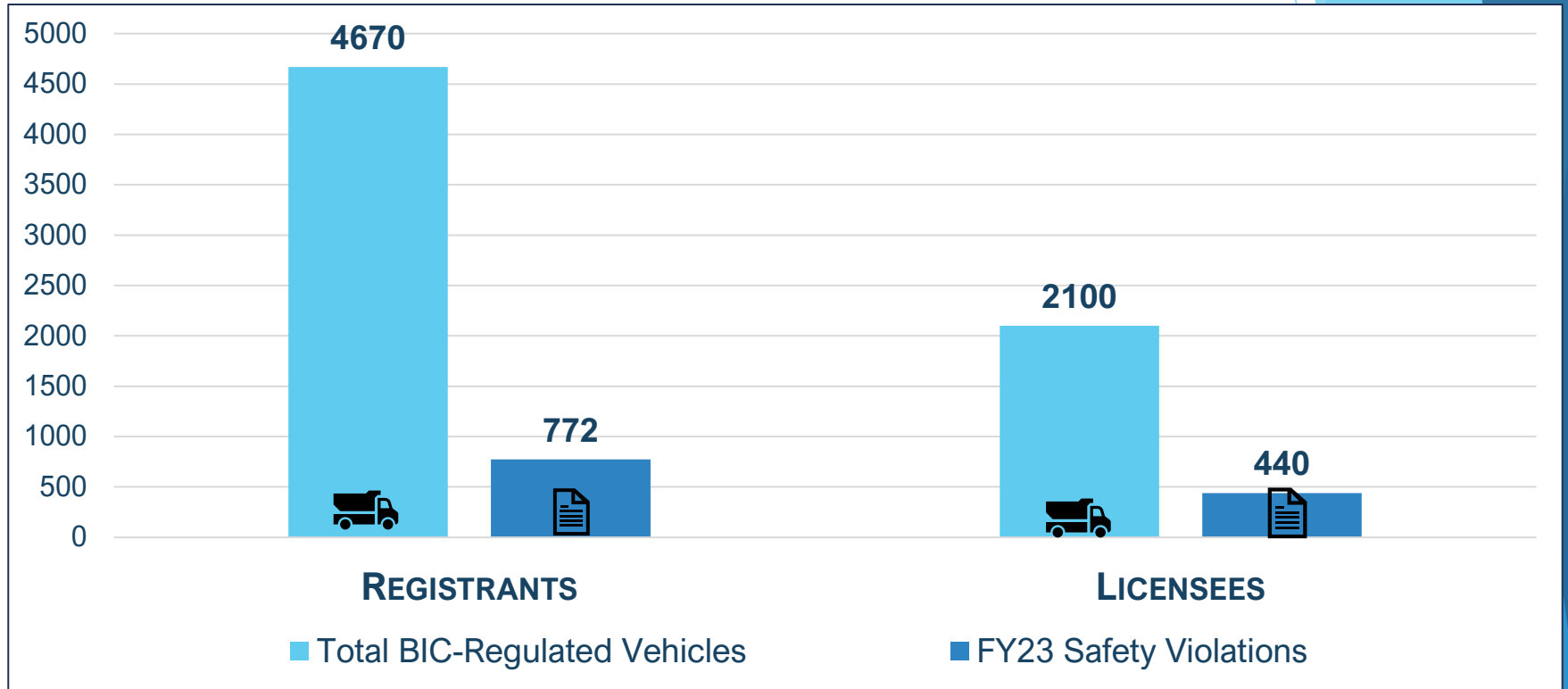
Escalating fines
for repeat
violations

ISSUED SINCE AUGUST 2021





LICENSEE AND REGISTRANT COMPARISON

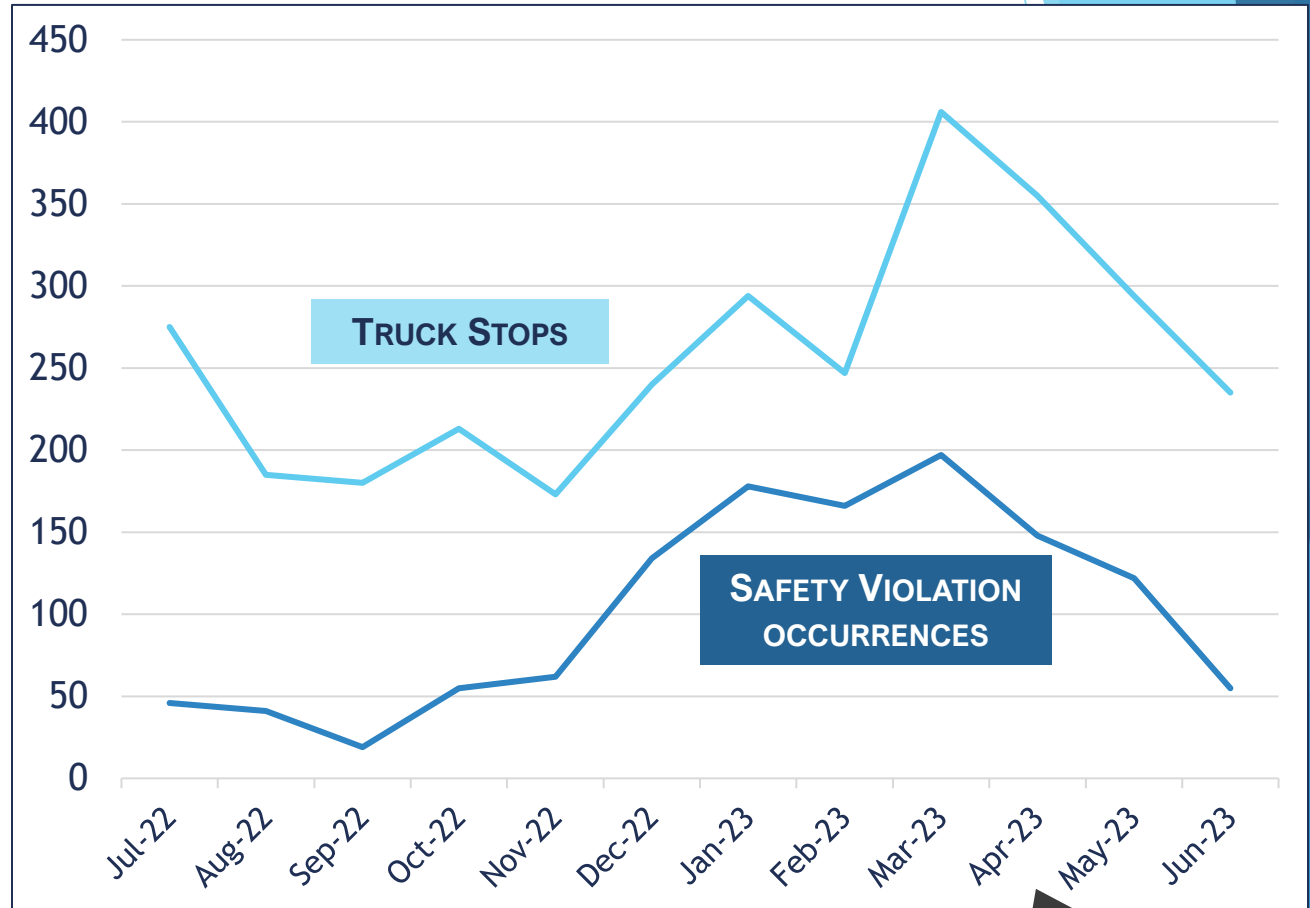


- *Registrants: 69% of vehicles and 64% of safety violations*
- *Licensees: 31% vehicles and 36% of safety violations*



TRUCK STOPS VS. SAFETY VIOLATIONS

- ▶ Correlation between # of truck stops and violation occurrences
- ▶ Consistent occurrences of safety violations since rules went into effect



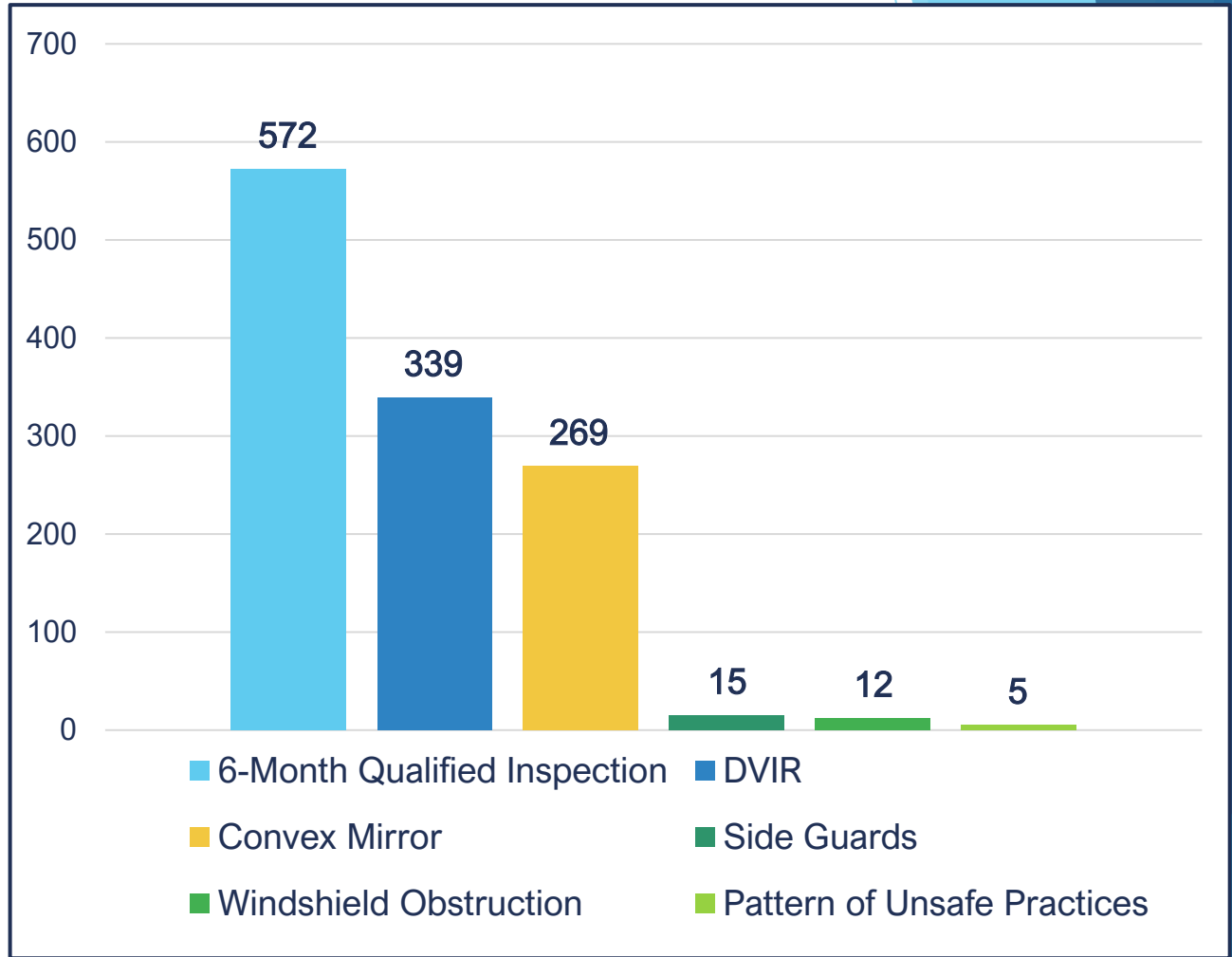
BIC TOWN HALL TO ANSWER QUESTIONS ON SAFETY VIOLATION COMPLIANCE



FISCAL YEAR 2023 SAFETY VIOLATIONS

FY 2023 All TW
Violations to
Regulated
Companies: **2,008**

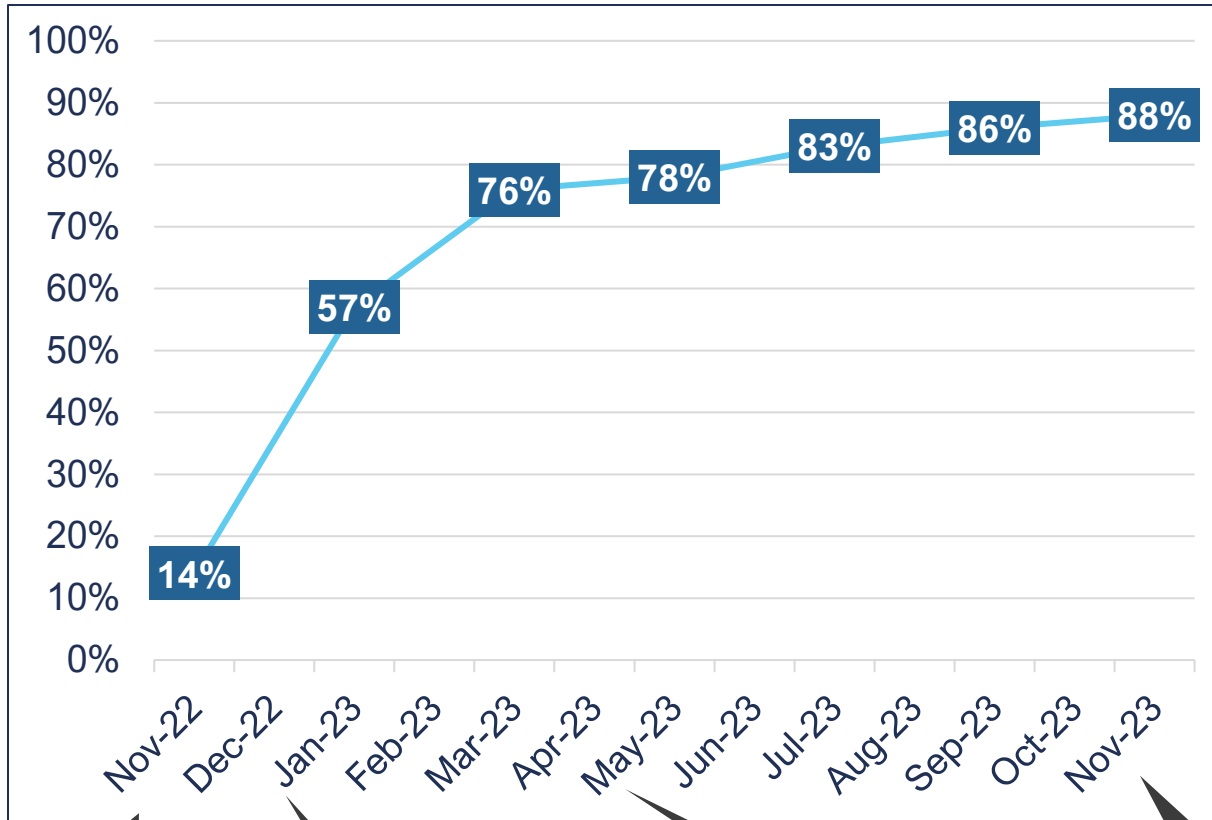
Safety Related:
1,212, about 60%





SIDE GUARD COMPLIANCE

LL56 of 2015 amended by LL108 of 2021



- Effective **1/1/2023** for trade waste vehicles with GVWR over **10,000 pounds**
- Proof of side guards or a waiver application required to be submitted through **BIC Online Portal**
 - Portal modules went live Fall 2022, followed by robust outreach

OUTREACH:
E-BLASTS, PHONE
CALLS, MAILINGS,
SOCIAL MEDIA

LAW IN EFFECT.
NO BIC PLATES
FOR
NONCOMPLIANT
TRUCKS

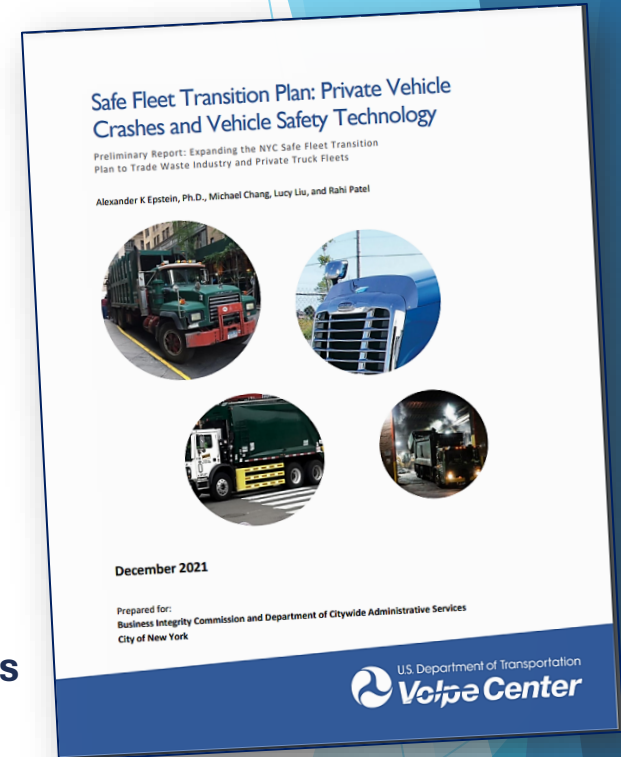
VIOLATION
ISSUING PICKS
UP

OUTREACH &
ENFORCEMENT
ONGOING



TRADE WASTE CRASH DATA

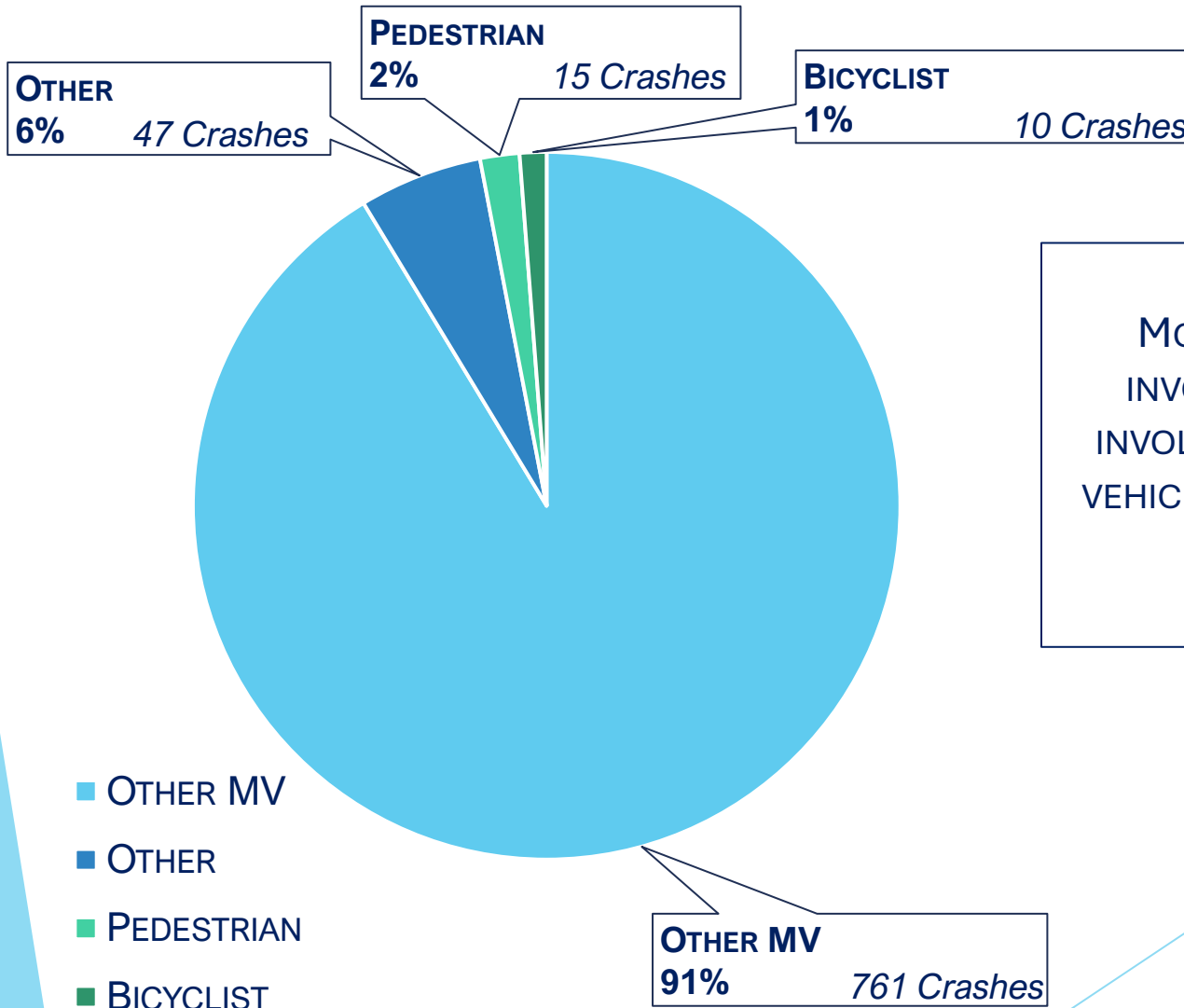
- December 2021 – US DOT Volpe Report for DCAS and BIC **Safe Fleet Transition Plan: Private Vehicle Crashes and Vehicle Safety Technology**
- Based on BIC fatal crash data from 2010 to 2019
- Looked at vehicle design and safety technologies
 - To identify preliminary best practices
 - And inform BIC policies including the 2021 safety rules
- **Key Findings:**
 1. Prevalence of start-from-stop **visibility-related crashes** involving conventional cab trucks implied a need for improving the driver’s direct vision
 2. Crashes involving trucks without side guards were fatal **25%** of the time; crashes with side guard-equipped trucks were fatal **15%** of the time





TRADE WASTE CRASHES BY MODE

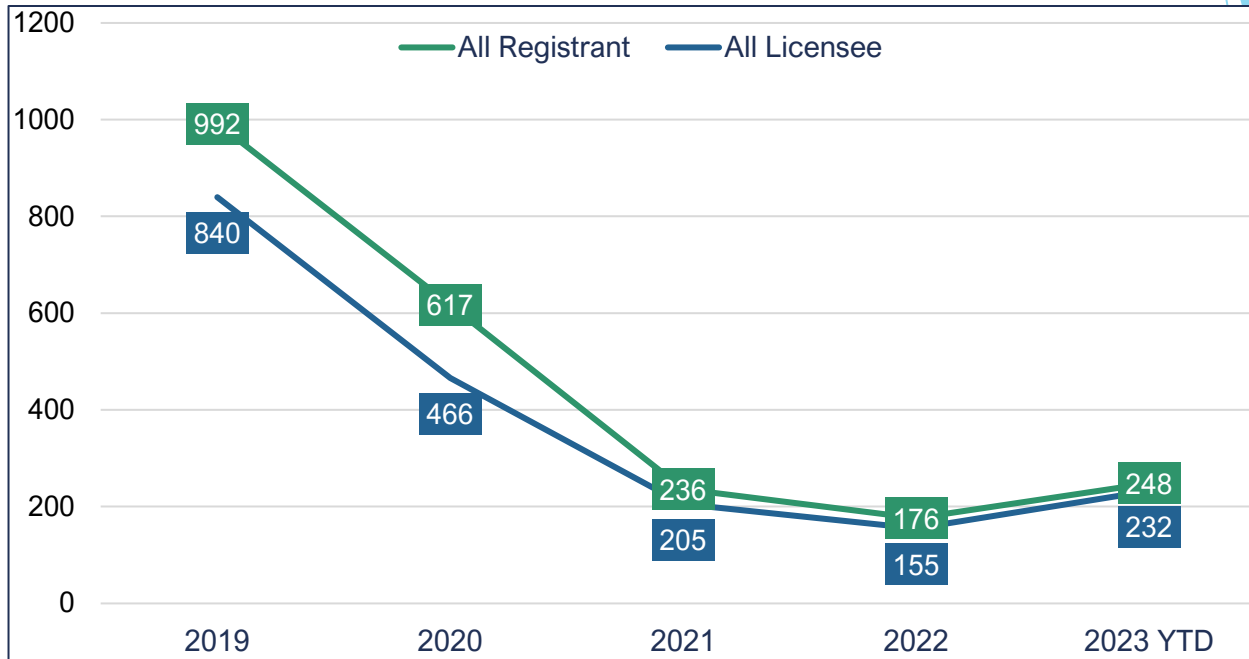
5-YEAR AVERAGE



MOST TRADE WASTE-INVOLVED COLLISIONS INVOLVE ANOTHER MOTOR VEHICLE, NOT PEDESTRIANS OR CYCLISTS



TRADE WASTE TOTAL CRASHES



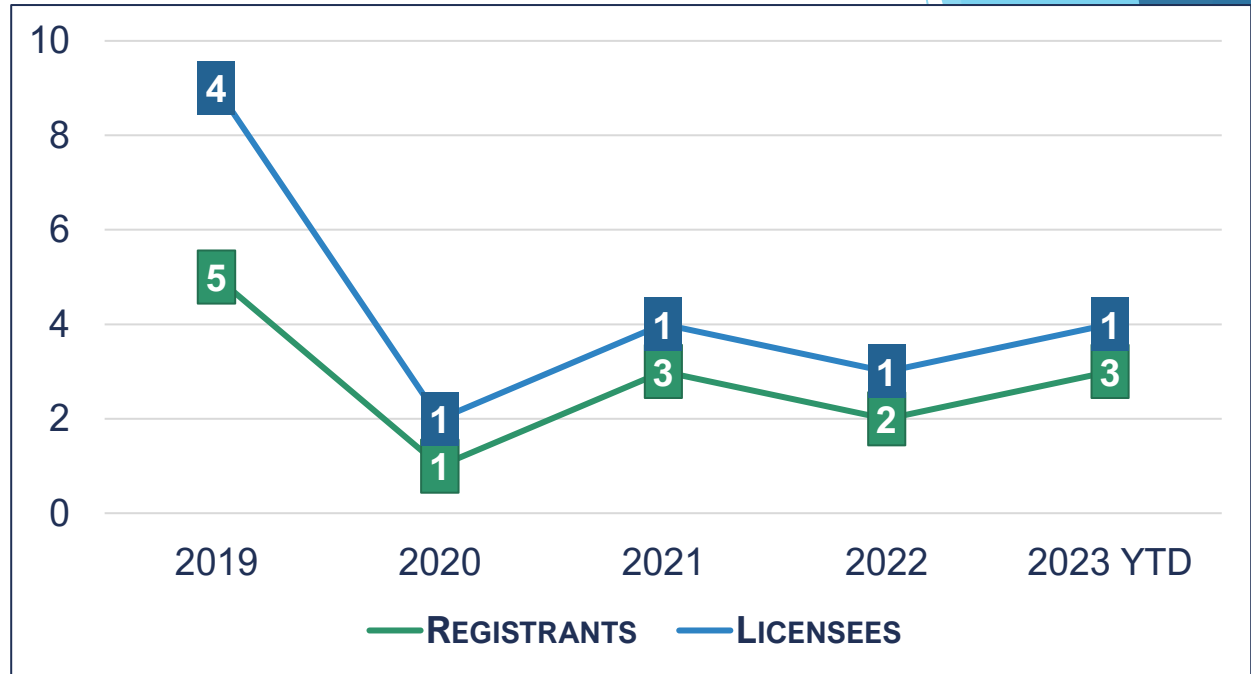
- ▶ 2020 policy change for MV-104s relevant to downward trend. Difficult to assess impacts of BIC safety enforcement.
- ▶ Licensees represent outside % of crashes (**46%**) compared to regulated vehicles (**31%**).
 - ▶ *Potential Factors:*
 - ▶ Licensees drive more miles on City streets
 - ▶ Registrants don't engage in lengthy daily routes



TRADE WASTE FATAL CRASHES

AS OF 10/27/23

	% OF FATAL CRASHES	% OF BIC-REGULATED FLEET
REG	63%	69%
LIC	37%	31%



▶ Fatal crashes by licensees vs. registrant more closely correlate to fleet size than total crashes.

▶ *Potential Factors:*

- ▶ Truck design: Registrant dump trucks more likely to have low-visibility cabs
- ▶ Licensees moving towards high-visibility cabovers



LOOKING TO THE FUTURE

- Truck stops and side guard enforcement are ongoing priorities
- Consider safety rule amendments based on enforcement findings, safety data, and industry feedback
- Engage with Vision Zero partners to expand crash and side guard data analysis
- Host more town hall style events to ensure continued communication with the industry
- Continue improving BIC Online Portal digital capabilities for efficient reporting and data analysis



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