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January 12, 2021

**Testimony of Rocco J. Lacertosa
Chief Executive Officer
New York State Energy Coalition**

Before the

**New York City Council
Committee on Transportation**

Regarding

Int. 2159 – Hazardous Obstruction Legislation

Good morning Chairman Rodriguez and the rest of the committee members and thank you for the opportunity to testify.

My name is Rocco J. Lacertosa and I serve as Chief Executive Officer of the New York State Energy Coalition (NYSEC). NYSEC serves as the voice of renewable biodiesel and heating oil industry in the five boroughs of New York City and Nassau and Suffolk Counties

Today's hearing will involve a broader discussion about the issues of illegal parking and bike lanes throughout the city but I would like to focus my testimony on intro 2159, which we believe will negatively impact the way our industry operates. The heating oil industry is well into the 2020-2021 heating season and we are already seeing cold temperatures and winter conditions in New York City. As a result, our members are working harder than ever to deliver consistent service amongst a number of obstacles. Furthermore, given the pandemic and the increasing number of people who are working from home and residing within the home for long periods of time, the demand for heating oil is higher than ever.

It should be of no surprise to the members of this committee that delivering any type of essential service in New York City has become increasingly difficult given the expansion of transit infrastructure improvements such as dedicated bus lanes and the proliferation of bike lanes in neighborhoods throughout the five boroughs. The heating oil industry, however, faces a unique set of challenges as we are unable to park just anywhere when conducting our deliveries. In almost all cases, our fuel trucks must park as close as possible to the customer's location, whether it be commercial or residential, in order to access the point of entry to the fuel tanks. Thankfully, our delivery personnel take on average 15-20 minutes to complete a fuel delivery depending on the size of the tank with a maximum of 30 minutes in some specific instances.

As the City implements more bus and bike lanes to improve the transit system in New York City, our members have had to adapt their delivery options to fit the current streetscape. However, some of our members have reported customer locations where they have no physical way of delivering fuel without temporarily occupying a bus or bike lane. It is important to note that our members go out of their way to ensure that their vehicles are complying with all New York City

Representing New York's



Heating Fuels Industry

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parking and traffic regulations but the legislation being proposed today could make things significantly more difficult for our members.

As written, Intro 2159 would create a new civil violation punishable by up to \$175 for blocking a bus lane or bike lane within a radial distance of 1,320 feet from an entrance or exit of a school. Many of our members serve not only DOE and private school facilities but also a number of residential and commercial customers whose locations would fall within that distance. As such, the legislation poses a number of concerns for our members and we look forward to working with the bill sponsor and the Council to address these concerns.

We would like to work with the Council to maintain the intent of this legislation while at the same time allowing our industry to function efficiently for our customers.

Thank you.