

BRAD HOYLMAN  
27TH SENATE DISTRICT

**DISTRICT OFFICE**  
322 EIGHTH AVENUE, SUITE 1700  
NEW YORK, NEW YORK 10001  
PHONE: (212) 633-8052  
FAX: (212) 633-8096

**ALBANY OFFICE**  
ROOM 413  
LEGISLATIVE OFFICE BLDG  
ALBANY, NEW YORK 12247  
PHONE: (518) 455-2451  
FAX (518) 426-6846

E-MAIL: HOYLMAN@NYSENATE.GOV  
WEBSITE: HOYLMAN.NYSENATE.GOV



THE SENATE  
STATE OF NEW YORK  
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JUDICIARY

August 13, 2014

The Honorable Joan McDonald  
Commissioner  
New York State Department of Transportation  
50 Wolf Road  
Albany, NY 12232

Dear Commissioner McDonald:

I am writing to request that the Department of Transportation (DOT) conduct an investigation into whether Twin America LLC ("Twin America") has complied with DOT safety regulations, including the mandatory reporting of accidents, to make public all information the agency has collected about the accident history of bus operators pursuant to those regulations, and to promulgate new regulations that would expand accident reporting requirements to include incidents resulting in property damage

In the past two months, there have been at least two incidents in my Senate district involving double-decker sightseeing buses owned and operated by Twin America. On June 18, one of the company's buses struck and seriously injured a woman in the West Village. On August 5, a collision between two Twin America-owned buses in Times Square injured more than a dozen people.

According to DOT regulations, operators of double-decker sightseeing buses subject to DOT inspection are required to report any accident "which results in the loss of life or injury of any passenger, employee or other person, or which was caused by mechanical failure," within 48 hours of the incident.<sup>1</sup>

In a recent news article about the August 5 incident, a DOT spokesman stated that your agency was unable to quantify the accidents in which a particular bus operator has been

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<sup>1</sup> 17 NYCRR § 722.1-722.2.



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involved.<sup>2</sup> The above-referenced regulation, however, indicates that DOT should be collecting a report for every accident involving a bus under its inspection jurisdiction, including the June 18 and August 5 incidents.

I ask that DOT investigate whether Twin America, including its subsidiaries Gray Line New York and CitySights NY, have complied with the agency's safety requirements, including submitting mandatory accident reports, pursuant to DOT's statutory authority to conduct such inquiries under section 140(2)(b) of the New York State Transportation Law. I am also asking that you make publicly available all of the accident reports your agency has received from bus operators, so that the public has the information necessary to make informed decisions about which bus companies to frequent. Furthermore, I ask that you consider expanding the accident reporting requirement found in section 722.1 of the DOT regulations to include any accidents that result in property damage, even if no persons are injured.

I appreciate your consideration of my requests and look forward to your response.

Sincerely,



Brad Hoylman  
New York State Senator  
27<sup>th</sup> District

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<sup>2</sup> "Double-decker buses don't have to report accidents," New York Post, Aug. 10, 2014.