Jitney Enforcement Strategies in New York City

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The findings with regard to jitney enforcement efforts in New York City and their applicability to Dade County, Florida, are documented. The issues are remarkably similar in both places, although the origins and evolution of jitney service are different. Information is drawn from several printed documents prepared by the New York City Transit Authority (NYCTA) and its parent organization, the Metropolitan Transportation Authority (MTA) and from the interviews conducted in New York. The interviewees included representatives from NYCTA and MTA, the Amalgamated Transit Union in the borough of Queens, the offices of the mayor and of a congressional representative, transit and city police, a major legal van operator in Queens, and a consultant who has worked extensively in support of the jitneys. It is concluded that enforcement can work effectively if combined with service improvements or fare reductions. Integration of the jitneys into the public transportation network is a desirable long-term goal, although the means of integrating the jitneys are not yet clear. A successful resolution of the jitney issue will involve cooperation with the transit unions. Even if integration is achieved, there will still be a need for enforcement efforts.

The Center for Urban Transportation Research (CUTR) has undertaken a study for metropolitan Dade County, Florida, to examine jitney enforcement strategies in other major cities in the United States in which legal and illegal jitneys are in service. Jitneys are defined as passenger vans that seat 20 persons or fewer and operate by picking up and discharging passengers along major streets for an established fee. There is a lengthy history in Dade County of authorized jitney service in particular neighborhoods and travel corridors. Over the past several years, Metro-Dade Transit Agency (MDTA, the public transportation operator in Dade County) has suffered declining ridership on bus routes on which competing illegal jitney service has arisen and made major inroads.

In the wake of Hurricane Andrew, metropolitan Dade County received a federal grant to provide local transportation for residents in the hard-hit southern portion of the county. MDTA made arrangements to hire all qualified jitney operators to serve specific areas of southern Dade County under MDTA supervision. Along with improving transportation in the hurricane-ravaged areas, this action resulted in noticeable improvements in ridership on MDTA routes on which jitneys had previously operated. At the end of the federal grant in August 1993, MDTA was to devise a policy for dealing with the formerly illegal jitneys.

Specific issues considered in this study are how jitney service has developed in other cities, what (if any) enforcement actions have been tried in these cities, the success of these enforcement efforts, and the overall strategy (in place or under consideration) to deal with the jitneys. The results provide a different perspective for viewing Dade County's jitney service and various enforcement actions that have been taken.

Several transit agencies around the country were contacted to determine which cities to include in this study. Transit and planning personnel in Chicago, Los Angeles, Atlanta, and Houston indicated that jitneys were not operating in any extensive or organized fashion in their cities. New York City and neighboring counties in New Jersey were the only places comparable to Dade County in terms of jitney service. Because New Jersey Transit's problems with jitneys are of recent origin, New York City was the only city identified as a candidate for this task.

The New York City Transit Authority (NYCTA), in conjunction with other city and state agencies, recently conducted and analyzed intensive jitney enforcement efforts in Brooklyn and Queens. In addition, state and city legislation has shifted responsibilities for and added strong provisions in support of enforcement efforts. CUTR arranged for on-site interviews and observation of jitney operations.

This paper documents the findings with regard to jitney enforcement efforts in New York City and their applicability to Dade County. The issues are remarkably similar in both places, although the origins and evolution of jitney service are different. Information is drawn from documents prepared by NYCTA and its parent organization, the Metropolitan Transportation Authority (MTA), and from the interviews conducted in New York. The interviewees included representatives from NYCTA and MTA, the Amalgamated Transit Union in the borough of Queens, the offices of the mayor and of a congressional representative, the New York City Council's Transportation Committee, transit and city police, a major legal van operator in Queens, and a consultant who has worked extensively in support of the jitneys.

The first section of this paper presents a brief description of the history of jitney service in New York City and reports the changing legal environment for jitney regulation. The following two sections describe the conduct and results of two enforcement efforts undertaken in 1992, one along Flatbush Avenue in Brooklyn and the other in the Jamaica area of Queens. The results of the interviews and the perspectives of the various parties are then presented. Conclusions and implications are discussed in the final section.

One difference between Dade County and New York City is in terminology. "Jitney" is used in Dade County, whereas in New York these vehicles are referred to as "vans." The Dade County usage is applied here for the sake of consistency.

JITNEYS IN NEW YORK CITY

Unlike Dade County, New York City does not have a long history of legal jitneys. The first recent instance of unauthorized jitney

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operation was noted in southeast Queens during the 1980 transit strike, when individuals operating private vehicles began to provide local service and feeder transportation to the Long Island Rail Road station in Jamaica. These individuals continued in illegal operation as feeders to the subway system after the strike was settled and regular bus service was restored. Private cars were used at first, but 14-seat vans quickly emerged as the vehicle of choice for jitney service. Recently, an increasing number of 20-seat vans have been observed in operation. The jitneys thrived along busy bus routes with peak frequencies of 12, 15, and even 20 buses per hour, because of the high numbers of people congregated at bus stops along these routes.

Jitney fares originally matched the fares charged on NYCTA buses. When bus fares have been increased, jitney fares have lagged behind for a time but usually have risen to match the new bus fares within 1 to 2 years.

Jitney operators generally did not observe any of the laws and regulations governing vehicles and drivers who carry passengers for hire. New York State had jurisdiction over vehicles of this size (larger than taxicabs but smaller than buses). Eventually, some of the larger jitney operators petitioned the New York State Department of Transportation (NYSDOT) for authorization to operate back and forth between the subway and certain neighborhoods. NYSDOT evaluated requests on a case-by-case basis and did grant legal authority to jitney operators who were able to show a demand for their services. The situation evolved to the point where legal and illegal jitneys operated with little constraint along the busiest NYCTA bus routes and along routes operated by surviving private bus companies (Green Bus and Jamaica Bus) in southeast Queens.

Enforcement efforts were sporadic, given a lack of resources and low awareness of the problems caused by jitney operations. During most of the 1980s, the primary enforcement effort consisted of a single New York City Police Department officer in the local precinct in Jamaica. In 1989 and 1990 enforcement sweeps consisting of a concentrated 1-day effort at a particular location became a standard practice. These sweeps resulted in a significant number of citations (interestingly, about 40 percent of the summonses issued are for unlicensed drivers), but their effectiveness was extremely limited.

The jitney problem was not confined to this area of Queens. Other feeder services sprang up in Brooklyn (along Flatbush Avenue and in Coney Island) and to a lesser extent in the Bronx. In Staten Island, the most physically isolated of the five boroughs that make up New York City, jitney operators applied for and received Interstate Commerce Commission authorization to operate commuter service to Manhattan via New Jersey. New York City distinguishes between feeder vans and commuter vans, but both operate in similar fashion. Estimates of the number of jitneys operating in New York City range from 2,400 (*1*) to 5,000.

A policy report prepared by MTA staff in January 1992 indicates that jitneys tend to proliferate in neighborhoods with high concentrations of Caribbean immigrants (*1*). Since jitneys are a commonplace form of transportation in Jamaica, Puerto Rico, Haiti, and other islands in the West Indies, immigrants from these places showed an immediate willingness to use jitneys. This cultural aspect regarding perceptions of public transportation service, particularly a familiarity with jitneys, appears to have been a necessary condition for the initial development of jitney service. The Dade County and New York City metropolitan areas have a much higher percentage of West Indian population, as indicated in Table 1. This might explain why jitneys have not emerged to any significant extent in urbanized areas other than New York and Dade County. It should be noted that after they are developed, jitney services attract a wider segment of the population in neighborhoods in which they operate.

The same MTA policy report addressed other issues surrounding jitney operation. The report suggested four options for managing jitney operations (*1*):

1. A vigorous enforcement effort, in conjunction with efforts to reduce the labor costs associated with NYCTA bus operation, to enhance bus service and to make fares more competitive;
2. An orderly withdrawal of NYCTA bus service from areas where jitneys operate at a competitive advantage;
3. A withdrawal of NYCTA express bus service, with no change in local service; and
4. A broad policy change to centralize bus transportation planning and the responsibilities of route franchising and contracting within MTA, with a resulting public-private network incorporating jitneys and including enforcement efforts.

The report recommended a further evaluation of these options and continued interim enforcement efforts. The MTA Board of Directors voted unanimously (with two abstentions) to continue enforcement efforts.

Recent legislative developments may result in stricter jitney enforcement efforts. The New York State Senate and Assembly passed enabling legislation during its 1992 session and amended this legislation during the 1993 session. The enabling legislation allows New York City to adopt a local law regulating the jitneys. The city enacted local legislation in December 1993 that transfers responsibility for jitney regulation and enforcement from the state to New York City. The enabling legislation mandates several strong provisions that have been included in the New York City law. These provisions include the following mandates:

1. Jitneys (termed "van services" in the legislation) must provide service on a prearranged basis only; street hails are not permitted.
2. Jitneys are not permitted to solicit, pick up, or discharge passengers at any point along a NYCTA or private fixed bus route. A grandfather clause in the 1993 amendment makes an exception for jitneys with prior authorization to serve certain areas in lower Manhattan.
3. Seizure of a vehicle by a police officer or deputized agent of the Taxi and Limousine Commission (TLC, which will be charged with enforcement of jitney regulations) is permitted if there is reasonable cause to believe that it is being operated as a jitney without a license. TLC must hold a hearing to adjudicate the violation within 5 days of seizure.
4. The jitney may be released before the hearing if the jitney owner has no previous record of illegal operation. The owner must post a bond, of sufficient value to cover the maximum penalties possible and reasonable costs for removal and storage, in order to obtain release. If the owner does not reclaim the vehicle before the hearing and is subsequently found guilty, the vehicle can be released only after all penalties and costs are paid. The maximum fine for a first violation is $1,000.
5. For a second violation, the jitney may be held until adjudication (that is, for up to 5 days). The owner, if found guilty a second time, then must pay all applicable penalties and costs in

TABLE 1 Percentage of Metropolitan Area Populations of West Indian First Ancestry (7)

Metropolitan Area	Population	Population of West Indian First Ancestry	Percentage
Miami, FL	1,937,094	105,477	5.45%
New York, NY	8,546,846	403,458	4.72%
Newark, NJ	1,824,321	29,727	1.63%
Boston, MA	2,870,650	40,363	1.41%
Washington, DC	3,923,574	32,234	0.82%
Philadelphia, PA	4,856,881	16,650	0.34%
Baltimore, MD	2,382,172	7,504	0.32%
Houston, TX	3,301,937	9,551	0.29%
Los Angeles, CA	8,863,164	25,295	0.29%
Atlanta, GA	2,833,511	8,291	0.29%
Chicago, IL	6,069,974	13,529	0.22%
Oakland, CA	2,082,914	3,388	0.16%
Dallas, TX	2,553,362	3,506	0.14%
Cleveland, OH	1,831,122	2,159	0.12%
San Francisco, CA	1,603,678	1,733	0.11%
Honolulu, HI	836,231	927	0.11%
San Jose, CA	1,497,577	1,483	0.10%
Detroit, MI	4,382,299	3,920	0.09%
Seattle, WA	1,972,961	1,349	0.07%
Minneapolis, MN	2,464,124	1,253	0.05%
Pittsburgh, PA	2,056,705	1,102	0.05%
Denver, CO	1,622,980	860	0.05%
St. Louis, MO	2,444,099	976	0.04%
Portland, OR	1,239,842	530	0.04%

order to recover the vehicle. Even then, the city can choose to institute forfeiture procedures, as noted later. The maximum fine for a second or subsequent violation within a 5-year period is $2,500.

6. Upon a second conviction or for a third violation within 5 years for operation of a jitney without authorization, the vehicle may be seized and forfeited to the city if it is found that the owner was aware of the vehicle's illegal use and did not take reasonable steps to prevent such use.

7. The city may request that the New York State Department of Motor Vehicles (DMV) place a block (based on the vehicle identification number) on the reregistration of any vehicle with a violation for illegal operation as a jitney. DMV currently can block reregistration at its discretion; the recent legislation would make such a block mandatory upon request of the city.

The New York City Mayor's Office for Transportation and the New York City Council were attempting to craft legislation at the time of the interviews. As mentioned earlier, the legislation passed (by a 41 to 4 vote) and was signed by Mayor David Dinkins in December 1993.

In 1990 an interagency task force on jitneys was established to consider different approaches to combat the problem. Two major enforcement efforts were undertaken in 1992 and are described in the following sections. The first was along the Flatbush Avenue corridor in Brooklyn, and the second was first focused on Jamaica Center and later extended more widely in southeast Queens.

Jitney Enforcement Efforts

Brooklyn

The Flatbush Avenue corridor in Brooklyn was selected as the first target for a controlled and concentrated enforcement effort. NYCTA used the strategy of targeting one specific location at a

time in its graffiti eradication program in the 1980s. A major traffic corridor, Flatbush Avenue had experienced a large-scale influx of jitneys. A high proportion of these jitneys were illegal and, judging by their appearance, unsafe. The overall purpose of this experiment was to determine the ridership and revenue impacts, resource requirements, and cost-effectiveness of concentrated enforcement.

The Flatbush Avenue corridor extends for 7 mi from downtown Brooklyn to Kings Plaza, the only suburban-style shopping mall in Brooklyn. NYCTA operates the B41 bus route in the corridor. Ridership on the B41 is the heaviest of any route in Brooklyn, with an average weekday ridership of 35,000 (*2*). The Brooklyn central business district and Kings Plaza are major trip generators at opposite ends of the route, resulting in strong ridership demand in both directions for most of the day. On its outer portion, the B41 also functions as a feeder route to the No. 2 rapid transit line, which terminates at Flatbush and Nostrand Avenues.

Prior enforcement actions had been sporadic and limited, as noted earlier. The Flatbush Avenue experiment was designed to be a 6-week effort (March 9 through April 19, 1992) for 16 hr/day on weekdays and 8.5 hr/day on weekends. The Transit Police Surface Crime Unit assigned approximately 20 officers and 3 supervisors on weekdays, with an additional 2 to 4 police officers assigned by a local precinct of the New York City Police Department. Towing resources and storage space were provided by the New York City Department of Transportation (NYCDOT).

An important facet of this effort was an extensive public outreach program aimed at community officials, bus riders, and van operators. All elected and community officials were informed of the upcoming enforcement and its purposes in advance. NYCTA posted service announcements in all buses, printed and distributed brochures describing the enforcement effort, and assigned personnel to high-volume locations to provide customer assistance during the 6 weeks. NYCTA also distributed flyers to van operators in the corridor before the enforcement effort, advising them of the regulations that would be strictly enforced. This preenforcement activity was important in gaining public support for the enforcement actions.

As a final step in the preenforcement activity, plans were drawn up to provide additional service on the B41 route to accommodate expected increases in bus ridership. Eight extra buses were added (four in the morning peak and four in the evening peak) during the first week (*2*). By the middle of the experiment, an additional five buses were placed in service during the morning peak, for a total of 13 additional runs. These additional runs were originally done as extra service with overtime pay but were incorporated into the regular B41 schedule at the next opportunity, thus reducing the costs.

The ridership and revenue results of the concentrated enforcement were impressive. In areas with jitney competition, the riders most likely to stay with bus service are those who are eligible for discounted fares and those who are transferring between routes. It was not surprising, therefore, that the largest ridership increases were experienced among full-fare riders. Weekday ridership on the B41 route increased by 27 percent, from 35,700 to 45,200, while weekday full-fare ridership increased by 51 percent, from 14,700 to 22,150 (*2*). Average weekly revenue increased by 42 percent during the same 6-week period. Observed jitney trips declined from a preenforcement estimate of 2,350 daily weekday trips in January to an observed estimate of 726 trips in March, a decrease of 69 percent (*2*). The increase in B41 ridership was larger than the observed decrease in the number of jitney trips, suggesting that bus riders were attracted from other options or that jitney trips were undercounted. Nearly 2,500 universal summonses (for traffic violations) were issued to the jitneys, along with nearly 500 notices of violation (for illegal operation of vans).

A cost/benefit assessment was performed using annualized revenues and costs (*2*). The annualized increase in NYCTA revenue resulting from ridership increases was estimated at $2.82 million, with an annualized increase in cost of $1.90 million ($1.1 million in enforcement, $0.8 million in increased service). The resulting net benefit is $920,000 a year. Note that this figure does not include any projected revenue obtained from summonses or notices of violation. During the 6 weeks of sustained enforcement, revenue from these sources totaled $187,000.

At the end of the experiment in mid-April 1992, there was an increase in jitney activity along Flatbush Avenue and a concomitant decline in B41 ridership and revenue. By September 1992, about half of the gains in ridership and revenue had been lost as enforcement efforts were directed elsewhere in the city. To maintain and increase ridership, limited-stop service was instituted on the B41 route in September 1992. Designated B41 limited buses stop only at major destinations and transfer points, resulting in a travel time savings of between 10 and 15 min. Increased enforcement efforts to keep clear a dedicated bus-only lane in downtown Brooklyn were also undertaken at this time. Average daily revenue has remained stable since the implementation of limited-stop service, at 20 percent above the preenforcement level (*3*). Customer satisfaction is high, with 63 percent reporting that service has improved (*4*). A notable percentage of B41 riders (22 percent at limited stops, 37 percent at local stops) indicated that they formerly used vans or car services for their trips (*4*). Thus, the limited-stop service improvement has helped to retain the increased ridership resulting from the jitney enforcement actions.

The conclusion drawn from the Flatbush Avenue experiment is that sustained jitney enforcement in conjunction with service improvements is a cost-effective action. The appropriate level and duration of effective enforcement has not been conclusively determined. Personnel from the Surface Crime Unit of the New York Transit Police have indicated that a sustained effort of 10 weeks, followed by up to 3 months of enforcement at roughly half the level of the concentrated enforcement and then routine enforcement patrols would be most effective. Whatever the optimal level, it is clear that the combination of a sustained enforcement effort and bus service improvements can combat jitneys and reverse the trend of declining ridership and revenue on bus routes affected by jitney competition.

Jamaica, Queens

Jamaica is the hub of feeder bus routes extending throughout eastern and southeastern Queens. When jitney service first began in this area in 1980, all NYCTA routes fed the Hillside Avenue subway at either 179th or 169th Streets. In 1988 the Archer Avenue rapid transit line was completed, and NYCTA buses from southeast Queens entering Jamaica via the Merrick Boulevard corridor were rerouted to serve the new Jamaica Center station. Legal and illegal jitneys soon followed the buses to Archer Avenue.

Immediately after the station was opened, the six bus routes in the Merrick Boulevard corridor experienced ridership increases of 13 percent, but the jitneys soon began to siphon riders (*5*). Of the

six bus routes entering Jamaica via the Merrick Boulevard corridor, three were particularly affected by jitney competition. These three routes were generally the busiest routes and operated along major commercial streets. The first enforcement sweeps focused on Jamaica Center but proved to be ineffective beyond the day on which they occurred.

The effect of the jitneys on the Merrick Boulevard corridor buses was compounded in fall 1990 by an ill-advised one-way pair street conversion on Jamaica and Archer Avenues. The one-way pair added approximately 5 min to the travel time of every evening peak-period bus leaving Jamaica Center, because of its unusual configuration requiring a detour north to Jamaica Avenue (*6*). On the other hand, the jitneys' travel time was reduced by the one-way pair because of their loading locations in Jamaica Center. This accelerated the decline in ridership on the six routes. The city abandoned the one-way pair, and NYCTA restored its original routing for the six routes leaving Jamaica Center in August 1993.

Southeast Queens is a two-fare zone, since there are no bus-to-subway transfers in New York. A reduced-fare initiative was undertaken in October 1992 in an attempt to reclaim lost market share on the Merrick Boulevard corridor buses. Instead of the one-way fare of $1.25, a round-trip fare of $1.50 was offered on the six bus routes. Riders would pay $1.50 on their way to Jamaica and receive a ticket for the return trip. Thus, a rider would experience a daily fare decrease from $2.50 to $1.50 for a bus only trip or from $5.00 to $4.00 for a bus and subway trip. The Merrick Boulevard corridor routes were not operating at full capacity; thus, service adjustments required in conjunction with this initiative were minimal. Daily ridership increased on the six routes by 2,500 or 8 percent. Revenue had been expected to fall, but it remained constant (*3*).

In December 1992 a concentrated enforcement effort began in Jamaica Center under the leadership of the New York City Police Department, with the assistance of the New York City Transit Police's Surface Crime Unit, NYSDOT Motor Carrier Investigators, the TLC, Long Island Rail Road police, and NYCDOT. Daily ridership on the Merrick Boulevard corridor routes increased by an additional 3,000 riders for a total ridership increase of 5,500, and revenue rose by $3,000 (*3*).

A second phase of the enforcement took place from mid-February through the end of June 1993 and was focused in the morning hours in the residential neighborhoods served by the major Merrick Boulevard corridor routes. This resulted in an additional 2,500 daily riders, for a total ridership increase from November to March of 8,000 or 26 percent. The total daily revenue increase was $5,500 (*3*).

Limited-stop service had already been instituted in the peak direction during the peak periods on the three routes most affected by jitneys in southeast Queens. In January 1993 the evening limited-stop buses were rerouted to avoid the circuitous one-way pair, with a travel time savings of approximately 5 min. This service enhancement contributed to the increase in ridership.

The Jamaica experiment suggests that sustained enforcement combined with a reduced-fare initiative can be a successful tool to increase bus ridership and revenue. The two private bus companies operating in Jamaica have experienced similar revenue increases during this enforcement. NYCTA's Queens Surface Division also reports a significant reduction in accidents during periods of intensive jitney enforcement. As in Brooklyn, a key element is the combination of intensive enforcement with either a service improvement or a fare reduction.

New York City Jitney Perspectives

Interviews were conducted with political, transit, jitney, police, and union representatives in New York City to gain a fuller understanding of the issues surrounding the jitneys and of possible solutions. This section reports the wide range of perspectives, as revealed in the interviews.

Political Perspective

Although some New York politicians are firmly on one side or the other of the jitney issue, most are hoping to find some way for jitneys and buses to coexist. Integration of the jitneys into the public transportation system is the long-term goal, although there are various opinions on how this will be accomplished. Immediate concerns include safety, reliability, efficiency, and fairness. The safety issue is paramount: there is a clear recognition that illegal jitneys are frequently uninsured, uninspected and operated by drivers with no license or with a suspended license.

On the other hand, it is recognized that the jitneys are here to stay and that a draconian approach will not work. The need for consistent enforcement is acknowledged along with the need for a path for jitney operators with good safety records to become legal. The jitneys are perceived as convenient, fast, inexpensive, and desirable for many riders. The employment opportunities offered to the communities in which vans operate are recognized by politicians. Increased revenue opportunities for the city arising from the licensing of jitney operators are also perceived.

Constituents are reported split on the jitney issue: users are very supportive, nonusers (especially senior citizens who are not granted discounts on the jitneys and residents of streets used by jitneys) are opposed, sometimes vehemently so. This split in public opinion adds to the difficulty in devising a workable solution. The political perspective is that in the long run, jitneys must somehow be integrated into the transit system within a framework provided by the city. The transit unions are seen as a major stumbling block, but there is a sense that jitney competition may spur changes in antiquated work rules.

Attempts to craft a local ordinance in accordance with the enabling state legislation have encountered various obstacles. Legal jitney operators are extremely concerned over the prohibition of street hails along bus routes as well as the requirement for prearrangement of jitney services. NYCTA is strongly supporting the block on reregistration of any vehicle with a series of violations for illegal operation as a jitney, but the city is worried that innocent purchasers might unknowingly buy a vehicle subject to a reregistration block. NYCTA is also requesting that jitney authorization be required for a specific geographic area and granted only if there is a finding of need. The city has little desire to be placed in the position of determining how much transportation is "enough" and argues that a needs analysis for every jitney application would waste money that could be spent on enforcement. The city hopes to set up a system centered on base operations from a central dispatching location for each jitney operator, similar in many respects to private taxicab services.

The political perspective may be characterized as squarely in the middle on the jitney issue. Problems with safety are acknowledged, but the jitneys are perceived as meeting a real transportation need in the communities in which they operate. Extreme options (defined as "enforcing the vans into the sea" or ignoring the problems) are rejected, but ways in which the jitneys can be integrated are still being sought. Possibilities include the licensing of jitneys to serve areas where there is little or no existing transit service, but this is difficult in a city with such an extensive bus network.

Transit Perspective

There is a range of perspectives within NYCTA and MTA concerning the jitney problem. At one end of the spectrum are those involved with broad policy-making decisions; at the other end are those directly responsible for service provision and enforcement strategies. Concerns about safety issues and revenue and ridership losses are shared across the entire spectrum, as is support for continued enforcement efforts.

In general, transit policy makers recognize the eventual need for some sort of service coordination with the jitneys. They understand, but do not necessarily agree with, the perception on the part of outsiders that jitneys are introducing competition into a system bloated by artificial work rules and other constraints. The market niche established by the jitneys is acknowledged, as are the differences under certain circumstances in service quality that makes that niche possible. A general policy that allows legal jitneys to operate in coordination with NYCTA buses, with sufficient controls in place to ensure that they stay within the limits of their authorization, is the ultimate goal. Transfer of regulatory power from the state to the city is an important step toward this goal. Another step suggested is the transfer of the power to franchise routes to the MTA. MTA has the power to contract routes, but the contracting of existing service is subject to union negotiation due to the state's Taylor Law (which governs the rights and responsibilities of public-sector unions) and Section 13(c) of the UMTA Act of 1964.

Transit policy makers see the possibility of a long-term role for jitneys in a coordinated public transportation system, but there is a keen awareness of short-term concerns. The enforcement efforts in Brooklyn and Queens are viewed as successful and necessary to establish control in major transit corridors. Community support of these efforts has been a key factor in their success. Great care has been taken in crafting these enforcement efforts to be sensitive to community concerns and to avoid negative public response. The results of market research indicating both concerns over jitney safety and insurance and the importance of service quality have been incorporated into decisions on enforcement strategies.

There is also strong concern regarding the city's approach to the state enabling legislation. Both MTA and NYCTA view the definition of the area to be served by licensed jitneys and an assessment of need for service in that area as vital elements of a long-term jitney policy. The city's unwillingness to address the issue of need is seen as contrary to the spirit of the enabling legislation. There is a fear that jitneys will be treated as another form of for-hire private transportation, not as an element of (and potential competitor with) the public transportation network.

Notwithstanding the immediate concerns, transit policy makers envision a long-term accommodation with authorized and regulated jitneys. The exact mechanism for integrating the jitneys is not yet defined; the most feasible appears to be identifying separate markets for the jitneys and the buses. This may involve new service or a contracting of existing low-volume routes that can be better served by smaller vehicles. Other service options include "peak-shaving," or dispatching jitneys in the peak periods to supplement bus service, and contracting service to jitneys at certain times of day (e.g., after 9:00 p.m.).

Transit personnel who are more closely involved with service provision and enforcement efforts are considerably less sanguine about the possibility of integrating jitneys into the existing transit network. The view at ground level is that there is a huge gap between philosophy and reality on this issue. Those interviewed cited vehicle and traffic safety, the prevalence of suspended drivers licenses, jitney participation in an underground economy, and new requirements mandated by the Americans with Disabilities Act as important concerns. The public accountability of the jitneys under any system, current or proposed, was identified as a major issue. The prevailing view of the transit operating personnel was that the legal jitneys used their authorization as a cloak to operate wherever and however they please. The possibility of jitneys and buses serving the same corridor was dismissed as absolutely unworkable. The enforcement efforts in Brooklyn and Queens were viewed as a major accomplishment, but there was a clear understanding that enforcement alone, without service improvements or fare initiatives, would not succeed. There was obviously little support for integration of the jitneys among this group.

Jitney Perspective

Representatives of legal jitney operators, not surprisingly, take exception to being criticized along with the illegal jitneys. The legal operators generally have supported and cooperated with enforcement actions targeted at those without authorization, since the illegals reduce their ridership as well as that of the transit authority. The jitney operators argue that enforcement by ticketing has been proven to be ineffective, since fines are merely a cost of doing business, and that enforcement must be concentrated to be effective. Legal operators support the forfeiture provision in the state enabling legislation as the key to eliminating illegal jitneys, although they suggest that they be allowed to absorb those who wish to be legalized.

Legal jitney owners are strongly opposed to the provision that jitneys not be permitted to pick up passengers anywhere along bus routes, because buses travel on all major arteries in their service areas. Detours to side streets are inconvenient to their riders. They suggest that their market has grown to such an extent that they should be allowed to operate on streets with bus routes on at least a trial basis, although they are willing to abide by regulations that prohibit picking up and discharging passengers at bus stops. Legal jitneys in Queens now carry signs in their windows indicating that they will not stop at bus stops, and owners have indicated that they will take action against drivers who violate this policy. The legals also argue that they must be permitted to discharge passengers along a bus route (except in a bus stop) if the passenger so wishes.

The legal jitneys argue that they provide quick, safe, comfortable, and cost-effective transportation that complements existing NYCTA bus service. They also point to the employment opportunities created by the jitneys, not just for drivers but in ancillary

services such as repair shops and car washes. The legal operators in Queens want to be left alone in Jamaica Center, where there is an informally designated jitney loading area separate from the bus stops, and to be permitted to drop off passengers along bus routes. They willingly support a cap on the number of jitneys permitted per operator, since this cap is good for business, although they would prefer to be allowed a defined annual increase.

Jitney supporters have advanced a more theoretical argument regarding the inability of a public agency to regulate quality and volume of service simultaneously. Following this line of reasoning, an agency such as NYCTA must give up either quality or volume in attempting to provide service in an area of high demand. In either case, a market is created for an alternative such as the jitneys. Supporters dismiss protransit arguments that the jitneys undermine the considerable public investment in transit facilities by claiming that sunken costs are irrelevant.

The legal jitney operators view buses as inflexible and inefficient and claim that competition from the jitneys has forced NYCTA to become more efficient and to improve customer service. They profess to be unaffected by the fare initiative in Queens and deny that it has been successful to any great extent. Although they are willing to cooperate with NYCTA in enforcement activities targeted at illegal jitneys, the legal operators claim that they must be allowed some leeway in order to satisfy their customers. The legal jitneys flatly reject charges that they have become less vigilant with regard to safety and operator qualifications as they have increased in size.

Police Perspective

As the agents carrying out any enforcement strategy, police officers bring a unique perspective to the jitney problem. The police experience with jitney enforcement has emphasized the need for a concentrated, coordinated effort. Illegal jitney operators must be convinced that the enforcement is serious. At the same time, sufficient resources must be allocated to any enforcement effort, as was the case in the Flatbush Avenue and Jamaica Center experiments. This commitment is particularly necessary in a multiagency enforcement effort, since each agency has competing priorities affecting its assignment of manpower.

In the New York City experiments, the Transit Police Surface Crime Unit and the New York City Police Department had primary responsibility for enforcement. They were supported by NYSDOT Motor Carrier Investigators, TLC personnel, Long Island Rail Road officers, and NYCDOT towing resources. As noted earlier, one purpose of these enforcement experiments was to determine the optimal length of an action, and the duration of the effects of enforcement. The general consensus was that the most concentrated effort should last for approximately 10 weeks and then be lessened over 3 months, followed by routine patrols.

One major concern voiced by the police was the willingness of the courts to support the enforcement effort. The courts are generally viewed as lenient and unaware of the issues involved in jitney enforcement. The TLC, which will be charged with responsibility for jitney enforcement, has its own adjudicatory process, which the police hope will bring greater understanding and support for enforcement.

Police officials indicate that the legal jitney operators do cooperate with enforcement efforts, particularly by providing the names of drivers who are no longer with the company. Some legal operators are caught in enforcement efforts with suspended drivers' licenses, inappropriate registration or lack of insurance. Enforcement efforts, however, are generally oriented toward illegal jitneys, which pose a greater safety hazard.

Police officials charged with carrying out jitney enforcement are most concerned with the level of resources dedicated to the effort (in terms of both the number of officers and agents and the support facilities such as tow trucks and vehicle lots) and the effectiveness of the adjudication process. Their orientation is primarily public safety, but there is a sense that the revenue impacts of enforcement may be a greater incentive for the city to commit to a serious enforcement program.

Union Perspective

The transit union shares many of the viewpoints of the transit officials involved with service provision with regard to the jitneys. The union representatives view sustained enforcement as the key, in conjunction with service improvements. The union also shares the perception that authorization is a smokescreen for the legal jitneys to operate as they please. The idea of ultimately reaching an accommodation with the jitneys is understood, but provision for off-route jitney operation on a prearranged basis is seen as the only acceptable way to integrate the jitneys. The union opposes the concept of contracting existing routes or service to the jitneys.

From the union's perspective, NYCTA management made a mistake by cutting bus service in the 1980s in response to ridership decreases caused by the jitneys. At present, however, there is a strong spirit of cooperation between labor and management with regard to jitney issues. NYCTA officials readily acknowledge that the unions are very aware of the need to compete with the jitneys and to improve the quality of service. This cooperation brings benefits to both parties in that it provides the beginnings of a framework for the discussion and possible resolution of divisive issues. This labor-management dynamic is not clearly understood by those who perceive the unions as the major stumbling block to the ultimate resolution of the jitney issue.

CONCLUSIONS AND IMPLICATIONS

Several conclusions may be drawn from New York's recent experience with jitney enforcement. These conclusions have clear implications for future efforts.

1. *Enforcement works, in conjunction with service improvements or fare initiatives.* The Flatbush Avenue experiment in Brooklyn provides the best documentation that a concentrated, sustained enforcement effort, implemented in conjunction with bus service improvements, can be a cost-effective means of increasing transit ridership and revenue. Although the increases experienced during the period of concentrated enforcement were not sustained, revenue on the B41 bus route 1 year after the enforcement and service changes showed an increase of 20 percent compared to preenforcement levels. The optimal extent and duration of enforcement actions have yet to be determined, but the intensive 6-week effort has yielded clear results.

The combination of enforcement and fare initiative in Jamaica, Queens, was also successful in increasing transit ridership and

revenue. Both the police and transit operating officials noted an improvement in safety during the enforcement period.

2. *Integration of jitneys into the public transportation network is a desirable goal.* All parties in New York agree that the jitneys are here to stay and that it makes sense to integrate them into the system. The major problem lies in defining what exactly is meant by integration and how this integration is to take place. The most promising method is to authorize the jitneys to serve areas or neighborhoods currently not served or underserved by existing bus routes. In New York, these areas are not easily defined. In Dade County, the role of the jitneys in serving areas damaged by Hurricane Andrew strengthens the case for integrating them into the transit system. Dade County may have an easier time defining areas appropriate for jitney service due to continued growth in the county.

3. *Even with integration, the need for enforcement will remain.* Franchising legal jitneys to serve defined areas does not solve the problems caused by illegally operated jitneys. There will be a continued need for enforcement on the bus routes and on the new jitney routes. In addition, the legal jitneys must be monitored to ensure that their operation conforms to their franchise authority.

4. *Cooperation between the union and the transit agency is necessary in resolving the jitney issues.* The agency and the union are both affected by competition from the jitneys. Any solution must address the concerns of both parties in order to have a chance of success.

The large-scale emergence of jitneys has challenged the transit agencies in Dade County and New York City to examine policies and service issues more closely. Ultimately, the jitney operators may prove to be correct in their assertion that they have forced the public transportation agencies to be more responsive to customer needs. Enforcement efforts can play a significant and cost-effective role in addressing the safety problems associated with illegal (and sometimes with legal) jitney operation, while a means of cooperation between bus and jitney is sought.

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Publication of this paper sponsored by Committee on Paratransit.