



Comments Received by the Department of Consumer Affairs  
on  
Proposed Rules regarding Ticket Sellers

**IMPORTANT:** The information in this document is made available solely to inform the public about comments submitted to the agency during a rulemaking proceeding and is not intended to be used for any other purpose



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September 16, 2019

**BY E-MAIL AS A .PDF TO [RULECOMMENTS@DCA.NYC.GOV](mailto:RULECOMMENTS@DCA.NYC.GOV)**

New York City Department of Consumer Affairs  
42 Broadway, 5<sup>th</sup> Floor  
New York, NY 10004

Re: Comment on proposed ticket seller rule amendments

To Whom It May Concern:

I represent New York Water Tours, Inc. (“NYWT”). NYWT provides boat sightseeing services in New York harbor. NYWT works with licensed Ticket Sellers who vend its tickets, including tickets for boat tours around the Statue of Liberty and Ellis Island. The Department of Consumer Affairs (“DCA” or the “Department”) has proposed to add two “Proposed Rules” to existing regulations on ticket sellers (1) requiring ticket sellers to disclose on tickets for trips to the Statue of Liberty that the trip cannot land at Ellis Island; and (2) prohibiting ticket sellers from representing that a tour or trip includes any destination the tour or trip does not; as well as related penalty schedule revisions. A public hearing regarding the proposed rules took place at 10:30AM today. I write to provide the following written comments from NYWT regarding the Proposed Rules.

DCA cites ticket sellers’ misrepresenting to consumers that Statue of Liberty trips will also stop at Ellis Island when they will not as a reason for the first Proposed Rule. In NYWT’s experience, Ticket Sellers who work with other companies are also responsible for misrepresenting where their tours depart from, and when; as well as the duration of the tour. Therefore, NYWT supports the Proposed Rules, with the following comments:

With respect to the first Proposed Rule, NYWT proposes that DCA go further and, in addition to the affirmative disclosure that “This trip or tour does not land at Ellis Island”, also require tickets to disclose that the trip or tour will not land at Liberty Island; as well as the address of the location from which the tour departs, departure times, and the duration of the tour.

Thank you for your attention to this matter.

Respectfully submitted,

*Gideon Orion Oliver*

Gideon Orion Oliver



**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515**

**Comment for DCA Proposed New Rules**  
**RE: Illegal Ticket Vending to the Statue of Liberty / Ellis Island**  
**September 16, 2019**

I write in support of the Department of Consumer Affairs (DCA) proposed rules and additions to the penalty schedule that will help terminate the fraudulent, deceitful and illegal practices in ticket vending to the Statue of Liberty, Ellis Island or other destinations on the harbor. We have seen a dramatic uptick of third-party vendors trying to aggressively con unsuspecting tourists by peddling boat tour tickets to Liberty or Ellis Island that will never actually dock at or provide visiting access in either location or selling tickets for services that are free such as riding the Staten Island Ferry. This has resulted in many tourists who were trying to visit our treasured national parks not only unable to fully participate in these experiences but also subject to being harassed, feeling deceived and ripped off, and leaving New York with a negative view of our city.

These proposed rules are a good first step in ensuring that ticket sellers are transparent with their consumers, that consumers are provided with the appropriate information about their trips' respective destinations and that the City can hold those who engage in this illegal, duplicitous behavior accountable.

REPLY TO:

WASHINGTON OFFICE:  
2132 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515  
(202) 225-5635

DISTRICT OFFICE:  
201 VARICK STREET  
SUITE 669  
NEW YORK, NY 10014  
(212) 367-7350

DISTRICT OFFICE:  
6605 FT. HAMILTON PARKWAY  
BROOKLYN, NY 11219  
(718) 373-3198



**Twin America Testimony & Statement on Proposed Department of Consumer Affairs  
(DCA) Rules  
Monday, September 16, 2019**

Twin America provides hop-on/hop-off, open top double-decker sightseeing tours, serving over one million people in New York City annually. As one of the largest and oldest sightseeing companies in New York City, Twin America employs approximately 300 ticket sellers and approximately 800 other employees throughout the City, all of whom are union members. Our employees are frustrated by the aggressive fraudulent ticket sellers on our streets, and we applaud the DCA for proposing new rules in attempt to mitigate consumers people from being misled.

Twin America is in favor of raising the bar for all ticket sellers in order to improve tourism and quality of life in New York City for our residents, businesses, and visitors. While we are supportive of the proposed DCA Rule prohibiting a ticket seller from implying that a trip or tour includes any destination that will not be included in the trip or tour, we know that this Rule addresses only part of the problem we're facing. Unfortunately, hundreds of rogue, independent contractor ticket sellers have repeatedly misled unsuspecting visitors that are being conned out of quintessential New York City experiences. This problem goes well beyond the ticket sellers targeting visitors to the Statue of Liberty and Ellis Island; it is rampant throughout the City. We hope that, if enacted, this Rule will be enforced so that ticket sellers will stop misleading consumers across all tourism products.

Furthermore, while we appreciate the DCA's proposal to strengthen the Rules, let it be known that the existing Rules of the City of New York are not presently enforced. Many of these independent ticket sellers, who are licensed by the DCA, sell and offer for sale tickets on New York City Parks Property, which is currently prohibited by the Rules.

Twin America, along with several of our counterparts in the New York City tourism industry, has met with DCA and other elected and public officials to urge the City to hold companies accountable for the actions of the ticket sellers they contract with to sell their attractions. This can be achieved through the DCA licensing system if the law required that ticket sellers were employees of authorized operators and DCA and other New York City agencies suspended the operating authority of the employer should the ticket sellers systematically violate the law. We strongly believe that this is the only way to solve the problem the City is trying to address through this Rule.

We will continue to offer our time and experience to help your agency and others amend rules and draft additional regulations that will help to foster a more pleasant and safer experience for visitors and New Yorkers alike. We believe there is more work to be done to enhance the customer experience in New York City, and we look forward to continuing the conversation. Thank you for your consideration.

**DRU CAREY, ESQ.**  
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[drucairey@gmail.com](mailto:drucairey@gmail.com)

September 15, 2019

THANK YOU FOR GIVING ME THE THIS OPPORTUNITY TO SPEAK ON BEHALF OF MR. BAMISE JEGEDE.

I KNOW MR. JEGEDE TO HONEST, HARDWORKING AND LAW ABIDING.

FOR THREE YEARS, MR. JEGEDE HAS BEEN WORKING AT BATTERY PARK WITH HIS TICKET VENDORS SELLING TICKETS FOR A BOAT THAT TAKES TOURISTS OUT TO THE STATUE OF LIBERTY. THAT BOAT IS THE MAJESTIC PRINCESS. THE BOAT DOES NOT STOP AT THE STATUE OF LIBERTY ISLAND. IT TOURS AROUND THE ISLAND SO THAT PEOPLE CAN SEE THE STATUE UP CLOSE AND TAKE PICTURES. THE TICKET THEY SELL SAYS THAT THE BOAT DOES NOT STOP AT THE ISLAND. MANY TOURISTS DO NOT WANT TO GET OFF AT THE ISLAND AND CLIMB THE STATUE, AND ARE WANTING ONLY TO TAKE A CLOSE LOOK. THEY DO NOT WANT TO TAKE THE TIME TO DO MORE.

ALL OF MR. JEGEDE'S TICKET SELLERS ARE LEGALLY LICENSED TO SELL TICKETS BY THE DCA. ALL OF MR. JEGEDE'S SELLERS WEAR LOGO SHIRTS WITH THE NAME NEW YORK ICONIC CRUISES ON THEM. ALL TICKET SELLERS WEAR THEIR DCA LICENSE AROUND THEIR NECKS AT ALL TIMES.

IF THERE ARE PROBLEMS WITH UNETHICAL BEHAVIOR FROM TICKET SELLERS AT BATTERY PARK IT IS NOT DUE TO MR. JEGEDE'S EMPLOYEES. IN FACT WHATEVER CHANGES THE DCA WISHES TO MAKE TO THE RULES GOVERNING THE TICKET SELLERS, MR. JEGEDE WELCOMES. HIS EMPLOYEES FOLLOW THE RULES. IT IS THE OTHERS WHO DON'T.

IF ANYONE QUESTIONS THIS, I ASK THAT YOU RESEARCH HOW MANY TICKETS HAVE BEEN ISSUED TO HIS EMPLOYEES. IT WILL BE PRECIOUS FEW.

MR JEGEDE AND HIS TICKET SELLERS ARE THE ONLY COMPANY CURRENTLY NOT PERMITTED TO SELL AT BATTERY PARK. THE ONLY BOAT AFFECTED BY THIS NEW RULE IS THE MAJESTIC PRINCESS. THIS HONEST BUSINESS MAN AND HIS BOAT PARTNER ARE VICTIMS OF AN UNFAIR APPLICATION OF THE LAWS OF THIS

CITY. IF YOU MAKE THE SHORT TRIP TO BATTERY PARK AND OBSERVE, YOU WILL SEE SCORES OF TICKETSELLERS WORKING FOR OTHER BOAT COMPANIES BUSILY SELLING BOAT TOUR TICKETS TO TOURISTS. SOME OF THESE SELLERS WILL DO UNSCRUPULOUS THINGS. SOME WILL PUT HEAVY PRESSURE ON TOURISTS TO BUY FROM THEM. SOME SELLERS WILL LIE AND SAY THAT THE BOAT IS GOING TO THE ISLAND, OR THAT THE BOAT WILL GO TO STATEN ISLAND!

IT IS CLEAR THAT THE RULE IMPOSED BY THE NYCITY ECONOMIC DEVELOPMENT CORPORATION (EDC) HAS FAILED TO SOLVE OR EVEN ADDRESS THE PROBLEM OF ROGUE TICKET SELLERS AT BATTERY PARK. SO WE ASK HERE IN A PUBLIC FORUM, WITH NEW YORK CITY GOVERNMENT OFFICIALS PRESENT:

**REVOKE THE UNFAIR AND DISCRIMINATORY EDC POLICY THAT PROHIBITS ONLY ONE TICKET SELLER COMPANY FROM WORKING AND MAKING A LIVING!**

THE EDC CLAIMS THAT BOATS THAT LEAVE FROM OTHER NYC PIERS AND THAT HAVE SELLERS AT BATTERY PARK ARE NOT UNDER THEIR JURISDICTION AND THAT THEY ARE NOT RESPONSIBLE FOR THE FACT THAT THERE CONTINUE TO BE SELLERS AT BATTERY PARK. WELL WE SAY, EDC, YOUR SOLO POLICY THAT AFFECTS JUST ONE COMPANY IS EVEN MORE UNFAIR AND DISCRIMINATORY IF YOU ACT ALONE. IT BEGS THE QUESTION, "WHAT CAN BE THE TRUE MOTIVE OF THIS POLICY?"

ALL AGENCIES THAT OVERSEE THE PIERS ARE UNDER THE AEGIS OF THE CITY. THE CITY MUST ACT UNIFORMLY TO INSURE FAIRNESS.

IN CLOSING, I ASK THAT WE ARE HEARD AND THAT THE CITY, AND THE AGENCIES THAT DO THE CITY'S BIDDING DO THE RIGHT AND FAIR THING AND RESCIND THE TICKET SELLER BAN THAT APPLIES TO PIER 36.

THANK YOU

I am writing and Speaking on behalf of the good apples of tickets agents, someone with a major in business administration and marketing, a professional licensed ticket agent, a family man, and someone who feeds their family thanks to this tourism business. First and foremost I want to thank the city for allowing me to express my voice in this hearing. I have been selling tickets and providing customer service for the past 3-4 years through every season . Through the cold iced winter weather, hot baking summer weather, rainy stormy days and slow days, ticket agents are one of the first people in the downtown section helping tourists sometimes simply find a near by bathroom, a near by restaurant, a near by store, a near by museum, the Wall Street bull, the Freedom tower, the Brooklyn bridge, the bus tours, the MTA, the public transportation, and much more. We grab our coffee early in the morning just like everyone else does and we have warm hearts just like everyone else does. That is why when there is a heart attack on a stressful Monday morning, WE are the first in line to call for help. When there are people slipping on ice in the winter or on a rainy day, TICKET AGENTS are the first to help. When someone faints due to the heat of the summer, TICKET AGENTS are the first to help. Here's one thing that I've learned in life though, and that is that no business, no organization, no country, and no family is perfect. That is the nature of humanity and the world, but we as a country have always worked towards progression. Here's the truth. In these past years as a ticket agent, I have never got into a fight, a stabbing, or a shooting or attacked a tourist like the media puts us all out to do "on a daily basis" for the past YEARS. There are many ticket agents just like me that have nothing to do with the few bad apples that have committed terrible acts that have been dealt with by police authorities. Also, we have never lied to customers and claimed that they can land on the island because that is not what we do. In fact, that would be an insane and impossible task to accomplish for all these years. Here's a fact. Millions of people come from all over the world to visit NYC as whole, not just to see the statue of liberty, but to explore what New York City has to offer OVERALL. Thats where we come in and give information on what our boats do. Unlike the Staten Island, our services actually take customers under the Brooklyn Bridge alongside the east river, allows customers to take real decent photos of the statue from the boats, then takes them up the Hudson River to see the skyline and harbor. We have had many tourists come back from the Staten Island ferry and decide to actually go on our boat tour because they didn't get the experience they were looking for. Many battery park staff members and police members claim that Staten Island does the same "tour" as our company does. By Battery park staff members and others lying that we are frauds and scammers, they cut off tourists NYC experience and cuts off their rights to explore any other options, also making NYC a very scary place to explore. The media has also claimed that tickets agents are scammers, so we have been targeted as such. It's safe to say the news don't get views for spreading good news, only bad ones

(at any cost). Ticket agents have also been harassed and sales have been refunded because police in the past have influenced customers that we are bad people (leading to refunds). There is real proof and videos ticket agents have collected over the years to prove harassment from the police. Ticket agents have also been arrested in the past for simply speaking about other boat tours and have spend nights in jail (cases where judges dismiss) for using our right to the first amendment, the freedom of speech. Luckily there are a few cops that have been with us in the field for over the years and have grown good relationships with us and are witnesses that we simply give customers information, and let the customers decide on what they want to do. Also young employees (who are probably in their teens) in battery park are being told to speak against us, but when they see we are humans just like they are, they don't carry on such a segregated act and behavior. The empire outlet staff (who just recently opened up for business) also speak bad against us and treat us wrongfully because they obviously want us gone so they can attract more business. Tickets agents have been harassed by all corners and it causes a great depressions back home. There has also been many racial comments thrown at ticket agents as well since most are latinos and African Americans. The fact is that there is a great monopoly game being played here, and we refuse to be lied about and bullied. This is the truth about ticket agents. Thank you for your time and I hope the city plays a fair role in the lives of tickets agents.

**Date: September 16, 2019**

**Fax To: Carlos Ortiz, Director of Legislative Affairs, NYCDCA**

**Fax Number: (646) 500-5962**

**From: Robert E. Maher, Managing Director – New York Cruise Lines & Subs**

**Regarding: Comments on Public Hearing on Ticket Selling (Page 1 of 1)**

**September 16, DCA Public Hearing, 10:30 AM 42 Broadway, 8<sup>th</sup> Floor, NY NY 10004**

Comments:

1) Proposed Rule Amendments S 2-442:

Recommend adjusting disclosure (on both ticket and marketing collateral) as follows:

“This Trip or Tour does not disembark passengers on Liberty Island, nor Ellis Island..”

S 2-443: We agree with wording of proposed paragraphs (a) and (b)

DCA should also closely review itineraries of operators’ tours to ensure that the consumer is getting what they are paying for (truth in advertising), especially in relation to where the disembarkation location for the boat tour is actually located ( City Name, State, Pier and Street), and actual distance from point of sale to point of disembarkation.

2) Proposed Section 6-66 Changes:

We recommend penalty suspension of ticket selling license for one year after third violation of the citations (joint or severally) listed on pages 4 and 5 of the Notice.

We recommend increasing fines as follows for code violations listed below to:

First Violation - \$250

Frist Default - \$250

Second Violation- \$350

Second Default- \$350

Third Violation- \$500

Third Default- \$500

We recommend that the Agency set up a separate Citation schedule for the sponsoring Companies (The Companies which the ticket sellers work for), including but not limited to; monetary fines & DCA license suspension.

3) We recommend the DCA develop an industry task force immediately to assess and address the methods and approaches currently being taken by Street Sellers, especially in the Battery Park area. The task force should be made up of owner representatives from the bus & boat tour operators, Deputy Mayor Matthew Washington, NYCVB, NYPD, EDC & DCA. The discussions should be had under the watchful eye of a selected industry professional, who will compile and disseminate the findings and formulate recommendations on model going forward. The same approach has been taken in other major cities (e.g. London, mid-town NYC).

4) In any case, they key to a successful regulation is enforcement. Should DCA see through increasing regulation for Street Sales of Tickets, the key to success of those regulations is through consistent and fair enforcement.

While we were growing up in Nigeria, the only other country that we wanted to set our feet on was the United States of America. We even had a kindergarten song for this. As we grew older we could have left behind this as a child-fantasy, but no, even in adulthood we held onto the dream of America. While we studied at the prestigious University of Ibadan, friends who went to the US on academic exchange programs returned with ebullient stories of the greatness of America. It was upon this nation's notion of fairness and freedom that our pursuit of the American dream is built.

In 2016, I started as a ticket agent. Soon after, I founded a company (Aurora Tourism Services LLC: New York Iconic Cruises) which was nurtured into a sightseeing company. Through this company we were able to bring reforms to the business of ticket selling in Battery Park. Prior to my efforts and the efforts of my ticket seller employees, ticket selling in Battery Park was stigmatized as a rogue business. Other sellers sold and dealt with competitors in unethical ways. As much as we cannot claim to have reached perfection in our endeavors, we have sold honorably during our time at Battery Park. That is why we were granted the right to sell for Majestic Princess.

Then this year certain parties allowed bad actors (ticket sellers) who had previously been banned from Battery Park for constant violations of ticket seller laws, to return to Battery Park! I warned those parties that the troubles would start up again but I was ignored. And just as I said, the troubles started again.

It is not irrelevant to mention at this point that we have written over a dozen correspondences to the city agencies, its personnel and contractors over a period spanning ten months on these issues without a single reply up till this moment. This refusal to respond to me clearly demonstrates that the city and its agents are not acting fairly towards the true stakeholders in Battery Park.

Despite the fact that we are law abiding, tax paying and a responsible company providing livelihood for hundreds of families, a letter was issued that effectively banned our ticket sellers from Battery Park beginning on the 21st of August 2019. There was never a prior warning nor a single response to any of the numerous correspondences we had written months earlier attempting to get the city to deal with the wrong doing at Battery Park by others. The final effect of the supposed ban of ticket sellers from Battery Park is that currently All boat companies are currently employing ticket sellers in Battery Park EXCEPT the growing companies operating from Pier 36! AND THAT MEANS MY COMPANY!

I am chagrined that the very ugly inequality and unfairness that we struggled with in Nigeria is now right here in the heart the free world, in Manhattan, in the City of New York. Ironically, it is the very essence of the symbolism of the Statue of Liberty: Freedom, that we are so glaringly denied as a young enterprise, we are left in the claws of giant companies with easy access to the authorities, using same to oppress us, they are about to strangle us.

We strongly feel this negates the very values that this country represents, we challenge all the appropriate authorities to wake up to their responsibilities and create an equal opportunity mechanism for all operators selling in Battery Park by reopening Pier 36 and monitoring ALL OPERATORS including

the big companies with equal attention.

In conclusion, we urge the city via its Economic Development Commission (EDC) and others to develop a workable system that contains both feedback and sanctions not only for the users of Pier 36 but all operators selling in Battery Park irrespective of where they dock. We also admonish the appropriate city authority to ensure that an investment-friendly model is established for Pier 36 in a business like manner. Currently, investments by me and my boat partner for millions of dollars are destabilized by unfair and unequal and arbitrary actions by the city's agencies and partners.

Thank you.

Hello everyone, our names my name is Opeyemi Jegede I am a ticket Agents. I have a masters degree in Pharmacology and Therapeutics.

The summary of what is happening in Battery Park is Hypocrisy, Favouritism and Monopoly at the expense of ticket agents.

The big companies in the likes of Hornblower, Topview and Circleline are hypocrites and they are favoured by the system who indulge them to use ticket agents in disguise and hypocritically tarnish our image whenever the media or the city authorities come questioning. This companies use ticket agents to sell their tickets which are sold in Battery Park in disguise by not putting uniforms on them in order to conceal their presence but sell there tickets through them. This means one agent can sell for four different companies competing with each other and thereby formenting indiscipline in the sector.

The Police has natural hatred for ticket agents in Battery Park this hatred is created from the persistent untrue bias reported by a section of the media, this makes the system work against ticket agents. Ticket agents in Battery Park are treated in isolation different from other agents in New York City, we are treated unfairly. Arrests are made on baseless allegations which are usually dismissed by the court but they keep arresting agents to keep exaggerating their statistics.

It is a clear fact that as much as there are a lot of people who desire to go on Liberty and Ellis islands some people on the other hand prefer to view the harbor and take pictures only. This are two different products that do not affect each other. There should be fair trade, freedom of enterprise and freedom of choice. The boat cruise is to a lot of people more enjoyable than going on the island but the media say otherwise and report unfairly as if agents are selling the Staten island ferry or we are fraudulently getting money from tourists for products that do not exist.

Hornblower owns the sole right to dock on Liberty and Ellis island, they also sell tours that go around the island using Pier 15 and Vesey Street Pier for their operations. Nevertheless the media accuse agents as if they are selling what does not exist. A section of the media especially Daily News talks as if the product we sell is a fraud. A section of the media repeatedly refer to incidents that had happened long time ago as if they just happened. This is a trick deployed to tarnish the image of the growing companies. Daily news is an example of a media outfit used by hornblower, they take front page advert Hornblower on one hand and on the other hand writes one sided reports based on unprofessional and unethical imbalances against ticket agents in the pretext of an editorial. They call agents "illegal", "rougues", "scammers" etc this is injustice and unfairness.

As ticket agents we should have the right to earn a living and cater for our families by doing what we love most which is selling tickets to view iconic places on the Hudson river such as

Brooklyn bridge, Manhattan bridge, Statue of Liberty, skyline of World Trade Center. We hope that again and this time fairness will prevail and city authorities will stand up to the task of regulating this subsector with such fairness that would protect ticket agent from victimization and also prevent big companies from monopolizing this industry at the expense of growing companies. What I see is a desire for monopoly from the big companies wishing and doing everything unethical to crush the growing companies. For example in August a notice was circulated to all operators using Pier 36 to cease all sales from Battery Park. As I am speaking Hornblower ticket under the guise as Citysightseeing, Circleline and Topview are still selling in Battery Park. What I don't understand is why Pier 36 was taken in isolation because stopping the growing companies from Pier 36 did nothing to solve the problem claimed to exist in the subsector. All it did is to shut the growing companies down and enhance the big stronger companies to take control of the sector. This discriminatory act had stopped the growing companies from working for about a month now while all other giant companies selling boat tours from Battery Park are still selling in Battery Park till this moment. Pier 36 was sacrificed and its door shut against the growing companies till this moment. This indicates that bigger companies can do whatever they like but growing companies have no right to exist. This I see as injustice and favouritism. We need to face the reality here and really discover what is wrong with the subsector not shutting juvenile business down. Again Topview and Citysightseeing companies pretend to sell bus tours with a few agent standing to feed numerous unlicensed agents. These companies disappeared two days before the closure of Pier 36 and reappeared a few days after, still selling by the help of unlicensed agents. Whenever this big companies are asked they deny and pretend they know nothing about how their tickets are being sold in Battery Park please refer to <http://tribecatrib.com/content/somebodys-got-say-enough-moving-target-tour-ticket-sellers>

Conclusion: Leaving this sector in the hands of greedy monopolist and failure of the city authorities to oversee this all important sector consequently bring enormous instability and frustration to the lives of ticket agents, their families and dependents for instance, sales of ticket have been stopped for over half a dozen times recently with no tangible solution afterwards. It is time for the city authorities to take the bull by the horn by addressing these three cogent issues:

- 1) implementing a framework that is legitimate, sustainable and verifiable as reprimand for erring ticket agents
- 2) designing a system of accountability for all operating companies and monitoring progress which would include feedback and sanctions

3) most importantly creating a level playing ground for all operators without fear of favour.  
Thank you

## Ortiz, Carlos (DCA)

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**From:** Moses Tiamiyu <moses.tiamiyu@gmail.com>  
**Sent:** Monday, September 16, 2019 1:35 PM  
**To:** Rulecomments  
**Subject:** Re:Ticket Rules

Hello Honorables,

I write to appeal that you reconsider on the new rule with the few points below.

It is not every tourist that wants to dock on the Island Statue of Liberty and Ellis Island an obvious vacuum our line of business seeks to fill. Docking on both island is an approximate journey of 3 hours, a time most tourist can't afford to spend in the midst of over 100 points of attraction in New York City. The Staten Island Ferry mostly considered as alternative, doesn't deliver the same desired tourist experience from the tourist point of view, a thing most New City locals can't seem to comprehend due to familiarity with the many beautiful and emotional points of history spread around the big Apple.

Admittedly, there are some miscreants that have found themselves in the line of this business - an undeniable truth in most line of business. The Wall Street has not been shut down despite many miscreants in white collar taking sad advantage of investors. There are laws in place to protect investors and those found culpable and apprehended have a price to pay, such should be applied to control the tourism business and tourist as we can't deny that some tourist would rather the 1 hour express than the 3 hours.

Consumers affairs, NYPD, operators of the boats and agents should be invited to a round table to address the intended clean up of the industry as against total closure, measures such as a government approved communication material to advertise our services can be considered.

Agents should make frantic efforts amongst themselves as well to protect the integrity of their business. Courteous customer service and approachable dressing would be appreciated. Dressed the way you want to be addressed being on the street doesn't make you a miscreant. Being born in a bakery does not make you a bread.

New York City is seriously struggling with homelessness and over reliance on government social security support, it's no brainer that the proposed closure would have a negative impact on the lives of agents and their families at large, who are genuinely in this business to make ends meet.

Moses.  
Sent from my iPhone

## Ortiz, Carlos (DCA)

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**From:** Augustine Fayemi <austineamerica66@gmail.com>  
**Sent:** Monday, September 16, 2019 4:03 PM  
**To:** Rulecomments  
**Subject:** Proposed Rules Governing Ticket Sellers.

My name is Augustine Fayemi.

A graduate of French language with major interest in tourism.

I have been working as a ticket agent for years and i can categorically state that i have never heard any agent selling tickets to Staten Island ferry bound tourists because we all know it is FREE

What i have noticed is that some tourists instead of asking for directions to Castle Clinton, some unknowingly board Ferry to Staten Island even with the island tickets in their possession.

I must be lying if i say there are no few agents with some misdemeanors.They are however very few in number and their misdeeds should not be seen as general actions of other law abiding licenced agents.

For almost over a month now to feed my family has not been easy.

My suggestions are:

1. Erring ticket agents should henceforth be sanctioned accordingly.
- 2.Law abiding licenced ticket agents should be allowed to operate unhindered.
- 3.There should be more checks and balances from the appropriate authorities.

In conclusion all the stakeholders are rendering hospitality services to humanity and we should all be happy first to make our international and other tourists happy.

Thank you and God bless.

Thomas Berton

Mon, 09/16/2019 - 8:06am

**Comment:**

I am writing today as owner of Manhattan by Sail, NYC's leading historic public sailing company. We provide harbor tours to visitors and residents of NYC. We at Manhattan by Sail are in support of the proposed rule changes governing the oversight of ticket sellers. We have operated the Clipper City out of Battery Park for the past six years. Over that time, we have seen our tourism business decline rapidly due to the proliferation of illegally stationed ticket sellers in and around Battery Park in violation of DCA's rules. Customers who want to visit us for a sailing experience have to navigate hundreds of ticket sellers, many of them using illegal tactics to sell tickets for boats not operating out of Battery Park. They are choking off the source of our business as they send visitors away. We encourage increased oversight and enforcement of policies that ensure that legitimate businesses have an opportunity to thrive, and that visitors to Battery Park are not subject to aggressive and fraudulent sales tactics. thank you for your time and attention, Thomas Berton President

Anthony Malone

Sat, 09/14/2019 - 4:32pm

Comment:

As Director of Operations for Pier A in Battery Park, and on behalf of the ownership group. I would like to express our support for the proposed legislation and thank Council Member Chin for her efforts to improve the chaotic situation in Battery Park. As a long term hospitality operation in Battery Park, we are committed to contributing to a positive experience for both locals and visitors who come to Battery Park and avail of its many attractions and amenities. We have made substantial financial and time commitments to this effort and are seriously concerned about activities that threaten the visitor experience in the park which, by extension, also threaten the vitality and viability of our business. On a daily basis, I have witnessed many troubling occurrences. Visitors are routinely forcefully approached and waylaid into aggressive sales pitches for misrepresented tours and experiences. Vendors frequently follow and harass visitors, demanding to see visitor's statue cruise tickets and sometimes resorting to insults if they do not receive the attention they seek. On busy days, the average visitor can be subjected to this same experience many times in a short time spent here. I have also witnessed tickets being sold and monies collected for free transportation services. On many occasions we have received reports from visitors who have been sold tickets for boats that do not exist and/or boats that are no longer running on the day that the visitor is in the area. Universally, ticket vendors attempt to intercept and redirect visitors away from the Battery Park area to boats leaving from other parts of the city and even out of state. This redirection of visitors out of the park and consequently away from Pier A has had and continues to have a profound negative affect on foot traffic numbers and therefore on the business. Vendors frequently attempt to solicit and sell tickets on Pier A property, a designated no sale zone. Our team's efforts to curtail and confront this activity has been met with defiance and sadly, occasional threats of retribution and violence. The staff at Pier A also report instances of harassment both on Pier A property and on the immediate approach to work, frequently sexual in nature. On occasion, vendor activity has resulted in police involvement, ranging from filing reports of overt threats to an instance of assault on a staff member and felony property damage. It is worth noting that I have had positive experiences with specific companies in the area who train, manage and hold their team members accountable for illegal selling practices and aggressive/harassing behavior. Having an open dialogue with responsible parties has already yielded positive results for all concerned. To that end, I would strongly support legislation that links ticket sellers to a specific company, who could then be held accountable for infractions to DCA rules and could maintain the integrity of the no sale zones.

## Ortiz, Carlos (DCA)

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**From:** enverhayward <enverhayward@gmail.com>  
**Sent:** Monday, September 16, 2019 4:58 PM  
**To:** Rulecomments  
**Subject:** Ticket agents have rights too

My name is Enver Hayward a 4 year veteran ticket agent in the Financial District. I support that tickets clearly state that our tour boats do not dock, stop or disembark at the Statue of Liberty or Ellis Island. Also nobody should ever try to sell or offer for purchase a ride that is free for all. What we do as ticket agents is sell an "Entertainment Route" that shows you sights in passing. The tour boat is not much different than a tour bus. The bus might go by the Empire State building but that bus ticket will not allow entry into the actual building. When I do my job honesty is always the best policy to ensure that people get what they pay for and actually want what they are receiving. You cannot hold the misdeeds of the few against the whole. We agents are adult tax payers with families and we deserve respect as everyone does. From what I have seen in recent years the city looks at us as a nuisance or as criminals. I have heard police officers state that we sell fake tickets. Even local citizens interrupting sales pitches to interject that the Staten Island Ferry is free. As a sales man my position with a potential customer is to detail all options and allow you to choose what suits you best. I personally over the past 4 years have over 1000 happy customers. Also I have heard tourists complain about the wait times at the Empire State building and Top of the Rock during the holidays and seasons of high congestion. You can't please everyone but we ticket agents do our best every day to provide a quality entertainment service, feed our families and pay our Bill's. We ticket agents deserve respect and our chance to live our American Dream as everyone does.

With all respect due  
Enver Hayward

Sent from my Metro By T-Mobile 4G LTE Android Device

Tom Kovacic

Sat, 09/14/2019 - 9:31pm

Comment:

Speaking on behalf of Empire Outlets in Staten Island as Director of Marketing, I am writing today in support of the proposed DCA rule changes regarding ticket sellers. Empire Outlets is a new \$550m retail center located in the neighborhood of St. George, Staten Island. It supports 1,200 jobs and is the anchor of the renaissance of the North Shore of Staten Island. Empire Outlets is NYC's only outlet center. Its primary customers are international tourists and the transportation method they use to get there is the Staten Island Ferry. When we opened our outlet center in May we deployed marketing teams at the ferry terminal to promote the opening of the center. Our marketing agents were physically threatened by the ticket agents illegally stationed outside the ferry terminal and we had to withdraw the program for their safety. Every day our customers have to fight their way through 50-60 ticket agents in front of the Staten Island ferry. These visitors are regularly told falsehoods about the ferry to encourage them not to take the ferry and visit Staten Island. Many are told that Empire Outlets can't be accessed by the ferry. The Staten Island Ferry is the doorstep to Staten Island. It is the vehicle in which most of the visitors to our shops, restaurants and cultural institutions travel. Staten Island will never reach its full potential as a visitor destination with hordes of illegal ticket seller blocking the entrance to our borough. We ask that DCA protect the entrance to Staten Island and increase penalties to the companies illegally selling tickets in Battery Park.

travis noyes

Sun, 09/15/2019 - 9:11am

**Comment:**

As the Chairman of Destination St. George, I am writing today in support of the proposed rules changes regarding ticket sellers. Destination St. George is a coalition of arts, cultural, sports, restaurants and shopping on the North Shore of Staten Island. The North Shore of Staten Island has benefited from over \$1b in private investment over the past 5 years to create a world class waterfront destination. We are welcoming both locals and tourists from around the world to our shops, restaurants and attractions. The Staten Island ferry is the entrance to the North Shore of Staten Island for both local and visitors alike. We are deeply concerned with the illegal ticket vending outside the Whitehall ferry terminal in Manhattan. There have been many instances of violence both between ticket sellers, and ticket sellers attacking tourists. On a daily basis dozens of ticket sellers crowd the entrance to our borough, and in many instances use fraud and disinformation to keep visitors from reaching our shores. Visitors are told that the ferry does not have views of the Statue of Liberty, and that you will be "stuck" on the other side for an hour. Additionally, there have been instances of selling tickets for the Staten Island Ferry. We encourage these rules changes. But we also ask there be more stringent penalties for the selling of tickets outside of the Staten Island Ferry.

## **Ortiz, Carlos (DCA)**

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**From:** HENRY AWOTWI <zinger1200@yahoo.com>  
**Sent:** Monday, September 16, 2019 4:22 PM  
**To:** Rulecomments  
**Subject:** Companies must keep agents roster all the time

The police must come undercover to fish out those operating illegally every now and then. The rules must be enforced and companies accepting sales from unlicensed third parties must also be sanctioned. They are main reason why the unlicensed agents operate to the disadvantage of the rules and regulations. The companies must be made to keep a roster of license agents working for them which must be inspected unannounced when the accept customers from third-party unlicensed agents.

[Sent from Yahoo Mail on Android](#)

**Ortiz, Carlos (DCA)**

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**From:** Kwame Dompseh <kwame.dompseh@yahoo.com>  
**Sent:** Monday, September 16, 2019 2:11 PM  
**To:** Rulecomments  
**Subject:** Opinion

Am one the ticket vendor around battery park...My suggestion is the police to enforce the laws by arresting ticket seller with no license..I want my job to be protected..So I want outside battery park to be allowed for vendor and also to take away the aggressive vendor with no license...

Sent from my iPhone

My name is Kwame Dompok, my comments about this issue should be law enforcement to those who don't have valid ticket licenses from DCA must be eliminated from Battery Park among the good ones by undercover or police officers period. Again, undercover should...