

New York City Bicycle Coalition

November 14, 2006

Honorable Michael R. Bloomberg
City Hall
New York, NY 10007

RE: Encouraging Bicycling in New York City

Dear Mayor Bloomberg:

The New York City Bicycle Coalition is made up of organizations from across the boroughs that represent commuter cyclists, recreational riders, racers and commercial cyclists and has come together to advocate for improved cycling conditions in New York City. We greatly appreciate your administration's recent announcement outlining plans aimed at encouraging cycling. This is an important step toward making cycling a mainstream mode of transportation in New York City.

We are also pleased that the September 2006 report, "Bicyclist Fatalities and Serious Injuries in New York City," begins by acknowledging, "Bicycling is good for New York City!" and expressing your Administration's intent to make New York City "an even better place to ride." The cycling community looks forward to working with you to put this commitment into action.

The process of implementing these recommendations can benefit greatly from regular, informed input by bicycle advocates and other cyclists. We urge the City to reinstate the New York City Bicycle Advisory Council as an ongoing forum for constructive public involvement on planning and implementing projects and policies aimed at improving and expanding cycling. We also are hopeful that the scope of the discussions between the Departments of Health, Transportation, Police, Parks and members of our Coalition is expanded from solely addressing the outreach campaign to address the recommendations contained in the report.

Attached are our Coalition's comments on the report. They draw on the concerns and experience of thousands of New York cyclists that our organizations represent. Many of our comments reflect two general themes:

- To realize the full benefit of the improved cycling infrastructure promised by your administration, these improvements must be accompanied by a shift in attitudes toward cycling by New Yorkers. Your direct involvement in encouraging cycling will be essential to the success of this effort.
- The New York City Police Department (NYPD) must be an integral partner in the effort to make New York bike-friendly. Many of the initiatives described in the report will be of limited value without active participation by NYPD.

Everything the City of New York does to encourage New Yorkers to bike will make bicycling safer because the more regular bicyclists there are on the streets, the fewer collisions there are between drivers and cyclists.

Furthermore, anything the city does to create barriers to cycling and make it more burdensome—like the NYPD's proposed changes to the parade permit rules—will discourage bike riding in New York City, making cycling more dangerous for those who continue to ride here.

(Over please)

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We look forward to working with you and your administration to make New York City safe for the growing number of cyclists and enable our city to realize its potential as a world-class cycling city. Please contact Noah Budnick at 212-629-8080 to arrange a date and time for the initial meeting.

Sincerely,

New York City Bicycle Coalition

Bikes Now
Brooklyn Civic Riders Bicycle Club
Century Road Club Association
Fast and Fabulous Cycling
Five Borough Bicycle Club
FreeWheels
Kissena Velodrome Coalition
New York Bicycle Messenger Association
New York Bicycling Coalition
New York Cycle Club
New York City Pedicab Owners Association
Recycle-A-Bicycle
Revolution Rickshaws
Right Of Way
Time's Up!
Transportation Alternatives
Staten Island Bicycle Association
The Weekday Cyclists
Veloprop

cc: Commissioner Iris Weinshall
Commissioner Raymond Kelly
Commissioner Thomas Frieden
Commissioner Adrian Benepe
Commissioner Amanda Burden
Public Advocate Betsy Gottbaum
City Council Speaker Christine Quinn

New York City Bicycle Coalition Comments
Joint Report “Bicycle Fatalities and Serious Injuries in New York City: 1996-2005”

The comments below respond to the action steps included in the Joint Report on “Bicycle Fatalities and Serious Injuries in New York City: 1996-2005” (“the Report”). They also expand on previous New York City Bicycle Coalition proposals.

To review progress to-date on the action steps included in the report, we recommend that the City convene a public meeting in Spring 2007, where the administration would present plans and the public could ask questions and provide comments. In the interim, we would like to partner with the City to develop a three-year schedule of bicycling improvements and to review how these improvements fit in with the official Bicycle Master Plan.

Bicycle Infrastructure

We applaud your administration’s commitment to complete 200 miles of new on-street bicycle lanes, paths and routes by September 2009 and 40 miles of off-street greenway paths by 2010. A safer and less stressful environment for cycling will increase the use of bicycles for daily transportation and contribute to improving air quality, reducing asthma and obesity rates, and alleviating traffic congestion.

Below are specific recommendations to ensure that these facilities maximize the goal of encouraging cycling.

Physically Separated Space

Physically separated space for cyclists prevents crashes by protecting cyclists from reckless drivers, double parked vehicles, and drivers who open vehicle doors into cyclists’ paths. Physically separated lanes are self-enforcing, and, by providing a safer place to ride, will encourage cycling. A standard bike lane—with only a six-inch wide stripe dividing cyclists and drivers—is insufficient to prevent crashes and the frequent near-misses that dissuade many New Yorkers from traveling by bike.

Prioritizing Improvements

The City should utilize the report's findings to prioritize implementation of safety improvements.

Arterial Roads. Because arterials are often the most direct routes between common origins and destinations, they are popular cycling routes. Some arterials are also planned routes in the City's Bicycle Master Plan, as well as City-designated truck routes. Not surprisingly, the Report identifies arterial roads as the most dangerous type of street for cyclists and found that large vehicles, like trucks, are twice as deadly to cyclists as small vehicles. For this reason, the City should prioritize the installation of strong safety measures like protected bike lanes and green bike lanes (see below) on arterials and truck routes.

The high crash rate on arterials highlights the need for physical protection for cyclists from the high volume of motor vehicle and truck traffic that travels at high speeds.

Intersections. The DOT should develop a toolbox of intersection-specific safety improvements for cyclists and install them where needed. Effective safety improvements include:

- colored bike lanes through intersections;
- advanced cyclist waiting areas at intersections (“bike boxes”);
- green light head starts for cyclists;
- sidewalk corner extensions that slow drivers and give cyclists time and space to establish themselves in the street.

Traffic Calming

Speeding is pervasive in New York City, especially after dark and in light traffic conditions. Traffic-calming treatments, such as speed humps, elevated crosswalks, and neck-downs that slow turning traffic (or that double as bus stops), benefit all street users. They can be an effective compliment to physically separated space and should be part of the City's toolkit for repairing dangerous intersections and streets.

Bike Lane Connectivity

In planning new cycling facilities, we urge the DOT to consult the Bicycle Master Plan and ensure connectivity among facilities. Improved connections among parts of the bike network will ensure New Yorkers who want to ride that their entire route includes facilities for cyclists. This is a critical ingredient for encouraging cycling. Conversely, gaps in bike lanes make cycling stressful, even to the point of total discouragement for some would-be riders.

For example, the new Eighth Avenue bike line would encourage cycling to a much greater degree if it included a safe means for cyclists to navigate the blocks near the Port Authority Bus Terminal. The same goes for Columbus Circle, where cyclists seeking to reach Central Park, a haven from motor traffic, must contend with the disappearance of a dedicated lane.

Green Bike Lanes

The October 27, 2005 letter to our Coalition from the DOT included the commitment to begin installing green pigmented bike lanes in curbside locations in 2006. We encourage the DOT to increase the scope of this initiative to include pigmented bike lanes through heavily-cycled intersections and to displace parking and relocate bike lanes adjacent to the curb. Existing bike lanes should be converted to green lanes, which would include a painted buffer. Studies from Portland, Oregon show that drivers slow down and yield to cyclists 25% more often in pigmented bike lanes than in non-pigmented bike lanes¹.

¹ "Portland's Blue Bike Lanes: Improved Safety through Enhanced Visibility," City of Portland, July 1999

Outdoor Bike Parking

We certainly support the proposal to accelerate the installation of bike racks citywide. Our coalition also urges the City to establish common sense bike parking rules that affirm people's right to park their bicycles at City-owned sidewalk fixtures.

The City's ongoing practice of arbitrarily confiscating bicycles parked at signposts and other City-owned property profoundly discourages cycling and sends the message that New York City does not support cycling. The Administration can show its good faith by immediately ceasing to confiscate parked bicycles and by working with the cycling community to improve bike parking facilities and rules.

Improving Greenway Infrastructure

In implementing this action step, the City should seek to minimize the number of places at which motorized vehicles cross greenways. Novice cyclists, children and seniors rely disproportionately on greenways to exercise and/or to gain comfort cycling. The desire to avoid traffic is undermined by vehicular crossings that put cyclists in peril. Earlier this year, Dr. Carl Henry Nacht was killed by a NYPD tow truck crossing the Hudson River Greenway, and there have been numerous other crashes. Greenways must be made safe in order to more effectively encourage cycling.

Chevrons/SHARROWS (on-street symbols)

While we support properly installed and enforced pavement bike symbols ("sharrows"), it is important that other means for protecting cyclists be used in places where the symbols are unlikely to be visible. For example, the chevrons near the Port Authority Bus Terminal on the new Eighth Avenue bike route are rarely visible to drivers due to the volume of traffic. In this area, a protected bike lane would better ensure cyclist safety.

We suggest that the DOT look at the successful use of chevrons in Berkeley, San Francisco, and Chicago, where the symbols not only encourage cyclists to ride a safe distance from parked cars and make key connections in those cities' bike networks, but also reinforce to drivers cyclists' right to the road and encourage safer driving around bicyclists.

Driver Awareness

By encouraging respect for cyclists, a City-sponsored public awareness campaign has the potential to eradicate the all-too-common beliefs among drivers that they have a greater right to the road than cyclists, and that cyclists must yield to their superior force. As discussed throughout this document, improved enforcement must accompany outreach and improved infrastructure to send an integrated message that cyclists are fully entitled to take the street space necessary to ensure their safe passage on the road.

Outreach Campaign

The Report finds that inappropriate and, in many cases, illegal driver behaviors such as driver inattention, driver aggressiveness and failure to yield contributed to many cyclist fatalities and serious injury crashes. For this reason, City Hall must send drivers the clear message to be aware of cyclists and respect their right to the road.

The public awareness campaign that the City and advocates are developing seeks to emphasize this message. To maximize effectiveness, our coalition of organizations urge you, Mayor Bloomberg, to launch this campaign by April 2007, when cycling will increase for the summer season. The DOT's initial proposal for this campaign, included in its October 27, 2005 letter recommended implementation in Spring 2006.

Bicycle Awareness Curriculum

We support the proposal that a bicycle awareness curriculum be included in training for new drivers, remedial traffic school programs and workshops for drivers in the City government fleet. We recommend that this curriculum be expanded to include all drivers of government vehicles, as well as the Taxi & Limousine Commission. We also urge the City to work with the Metropolitan Transportation Authority to ensure that bus and paratransit operators include bicycle awareness in their training.

This curriculum should include specific guidance for turning across bike lanes and for vehicles like garbage trucks and buses that make frequent stops.

311 Services for Cyclists and Pedestrians

The City's 311 system should be refined to facilitate reporting of incidents on greenways and bridge bicycle and pedestrian paths. Currently, the 311 system is geared for incidents occurring at specific addresses/intersections or on facilities clearly under the jurisdiction of a particular City agency. The 311 system should be updated to allow operators to utilize greenway names, access points, and landmarks to quickly report on incidents. Similarly, 311 operators should have a clear understanding of which agency is responsible for bridge sidewalk paths. Better integration of bike and pedestrian facilities in the 311 system will facilitate the City's ability to respond to concerns and improve cycling conditions.

911 Services and Bicycle/Pedestrian Infrastructure

Because emergencies can occur on off-street greenways and bridge paths that are not accessible from the roadway (such as the Brooklyn Bridge), greenway names and nearest vehicular access points need to be in the 911 street database so that emergency response is not delayed.

Mayor's Management Report

Statistics for summonses issued by the NYPD to drivers for cyclist- and pedestrian-threatening violations should be recorded and published in the Mayor's Management Report on an ongoing basis. This information can assist the NYPD in targeting danger zones that need increased enforcement and help the DOT identify locations where improved bike lane and path designs are needed most urgently. The emphasis given to these summonses will also put the public on notice that such behavior is no longer tolerated in New York City.

Enforcement

To fully encourage cycling, the awareness campaign and improved infrastructure must be accompanied by active NYPD enforcement of traffic laws and, at the very least by policies that do not discourage cycling. *The NYPD's readiness to enforce laws that are intended to protect cyclists' right to the road will make or break the City's efforts to make New York "an even better place to ride."*

Parade Permit Rules

It is essential that all City agencies be united in the objective to encourage cycling. The NYPD's proposed revision to the City's parade permit rule actively discourages cycling by requiring permits for formal and informal group rides of 30 or more cyclists and by making groups of ten or more cyclists subject to arrest if one person in the group breaks the law. This requirement places a significant administrative burden on organizers of formal rides and will inhibit informal rides. The resulting decrease in the number of cyclists on the street will mean more dangerous conditions for those who continue to ride because drivers will be less used to looking for bike riders and safely maneuvering around them. This proposed rule discourages cycling and should be withdrawn immediately.

Routine Violations

The NYPD sets the tone for traffic enforcement, and drivers defer to police attitudes toward routine violations. Motor vehicle violations such as speeding, reckless driving, opening doors into moving traffic, driving and parking in bike lanes, unsafe passing, tailgating, cell phone use, and failure to exercise due care are routine in New York City. These common infractions threaten the safety of cyclists (and all road users). For this reason, it is essential that the NYPD commit to actively enforce the provisions of State and City motor vehicle law that prohibit such behaviors.

Because these violations are so traumatic to cyclists' safety and equanimity (and also discourage would-be cyclists), we list here the specific statutes:

- Speeding: New York State Vehicle and Traffic Law (NYS V&T) §1180
- Reckless Driving: NYS V&T §1212
- Unsafe Passing: NYS V&T §1122
- Tailgating: NYS V&T §1129
- Dooring: NYS V&T §1214 and NYC Traffic Rules §4-12 (c)
- Cell Phone Use: NYS V&T §1225c
- Failure to Exercise Due Care: NYS V&T §1146
- Parking in a Bike Lane: NYC Traffic Rules §4-08
- Driving in a Bike Lane: NYC Traffic Rules §4-12 (p)(2)

New bicycle treatments, such as the above-mentioned green bike lanes, bike symbols and chevrons, will be useless if motorists are allowed to park, drive or stand in parts of the street designated for cyclists.

Equitable Enforcement

NYPD enforcement procedures must be normalized so that bicyclists and drivers are treated equitably. Unequal enforcement of the law discourages cycling. Offenses that lead to a summons or warning when committed by a driver must result in no greater penalty if committed by a cyclist. Arrest and/or bicycle impoundment are not acceptable actions in response to routine bicycle traffic violations.

NYPD Education and Training

The City's integrated approach to encouraging cycling will be more effective if the NYPD ensures that officers understand the laws that apply to cyclists. Our organizations have all received numerous reports of faulty tickets, such as for failure to wear a helmet issued to cyclists over the age of 13, for riding a bike not equipped with lights or reflectors during the day, for riding outside of the bike lane when the bike lane is unsafe. This type of incorrect enforcement sends the wrong message and actively discourages cycling, particularly for new cyclists.

Crash Reporting

We support the proposal that the NYS Department of Motor Vehicles (DMV) “modify the recording of bicycle crash information on the police accident form.” In combination with NYPD education and training, this modification could improve the documentation of bicycle crashes.

Pending modification of DMV’s police form, the NYPD should ensure that all officers are aware that they are required to file a report for every bicycle crash in New York City. Members of our organizations have received reports that some NYPD officers are reluctant to file a report if they haven’t witnessed the crash or fail to mention the involvement of a motor vehicle when reporting on a bicycle crash. The cyclists injured in these crashes are unable to obtain no-fault insurance coverage, which can cost them thousands of dollars or prevent their receiving much-needed healthcare. Moreover, failure to file crash reports and filing incomplete reports skews the crash data that agencies use to make street safety improvements and undermines potential fixes. Additional training of NYPD officers is needed to ensure that officers file all relevant reports for crashes involving cyclists and pedestrians and issue summonses and appropriate criminal charges.

At-The-Scene NYPD Conduct toward Crash Victims

As highlighted by the NYPD's handling of the recent crash involving Dr. Lawrence Yoo, the NYPD needs to ensure officers follow the established procedures for handling crashes involving cyclists. When the NYPD does not follow their standard process for protecting the property of an injured cyclist, the cyclist may delay seeking medical care in order to protect their bicycle, or suffer theft or vandalism by being forced to lock their bike at the accident scene or in front of hospital.

Finally, it is essential that the NYPD make all efforts to notify the family of the crash victim.

Bicyclist Awareness

Our Coalition supports the bicycle awareness measures included in the Report's Action Steps. In particular, we emphasize our willingness to partner with the City in developing awareness campaigns geared toward cyclists.

Our organizations will continue to educate cyclists about safety and encourage helmet use, but helmets can't substitute for improved infrastructure, enforcement and respect for cyclists' right to the road.

Legislation

As noted below, the City must consider the unintended consequences to helmet legislation.

Mandatory Helmet Legislation

Our coalition has serious concerns about any proposed legislation that would require all New York City adult cyclists to wear helmets when riding. Because cyclist deaths and serious injuries are almost always the result of crashes with motor vehicles, preventing such crashes is the most effective way to improve cyclist safety and encourage more New Yorkers to bike. Helmets do not prevent collisions.

A mandatory adult helmet law would reduce bike riding in New York City. Mandatory helmet laws for adults are burdensome, especially for low income and working class New Yorkers. They can create a barrier to riding and can deter people from simply getting on their bicycles and going for a ride or running an errand. Mandatory helmet laws could be selectively enforced to stop New Yorkers based on their appearance. Fewer people on bikes means more traffic, more crowded subways, more air and noise pollution and less healthy New Yorkers. In cities around the world where mandatory adult helmet laws have been implemented, cycling has decreased 25%-33%².

Less cycling will also mean more dangerous streets for those who continue to ride. Research from California, Holland, the Netherlands, the U.K., and Australia shows that streets become safer as the number of cyclists increases; drivers become more aware of cyclists, more accustomed to looking for them and driving safely around them. This reduces the crash rate. Over the past decade, the same has held true in New York City, as cycling has increased 50% and bicyclist-motor vehicle crashes have decreased by 30%.

Indoor Bike Parking

Efforts to encourage cycling as a daily mode of transportation would be greatly enhanced if the City would require commercial buildings to make provisions to allow people to bring their bikes inside. According to NYC Department of City Planning surveys, the lack of bicycle access to buildings/secure bike parking is the number one reason why

² World Transport Policy and Practice, Volume 12, Number 2, 2006

people who want to bike to work do not. Some 60,000 bikes are stolen every year in New York City, and according to the NYPD, the recovery rate is less than 2%.

Bicycles are no different from hand trucks, strollers and other freight that go in and out of buildings everyday, and building owners and managers should be required to allow their tenants to bring their bicycles into the space that they rent or lease.

Cross-over Mirrors

We are pleased that the DOT supports truck cross-over mirror legislation, and our coalition will continue to support this and other legislation the City puts forth to require truck side barriers and wheel covers. Nevertheless, we note that improved street design is also key to solving the problem of poor sight lines and biker and walker “invisibility” to truck drivers.

Data Collection, Analysis and Reporting of Bicyclist Injuries

We support the City's commitment to improve reporting and analysis of crashes involving cyclists. This information can assist the City in assessing its progress in improving cyclist safety, in prioritizing implementation of improvements and in better understanding why crashes happen.

Report Methodology

The classification of fatal car-bicycle crashes as to “vehicle only” vs. “bicycle only” contributing factors differs greatly between the City’s analysis and the analysis conducted by Right of Way. As noted in the June 19, 2006 letter from Transportation Alternatives to the Department of Health, in a number of cases the NYPD simply got the basic facts of the crashes wrong, resulting in erroneous coding as cyclist culpable when in fact the driver was the responsible party.

Moreover, ignoring this analysis and looking only at the City’s analysis, the share of serious injury crashes that the City coded as cyclist culpable was considerably lower than the share of fatal crashes that the City coded similarly. The logical explanation is that the NYPD’s reliance on driver statements—the only statement available in fatal crashes—often results in spurious assignment of crash responsibility to the dead cyclist. In tandem with its efforts to improve data collection, the City should analyze contributing factors to bicycle crashes and implement countermeasures to prevent crashes based on these root causes of crashes.

Future studies need to examine street design, in addition to human, vehicular and environmental factors, as a contributing factor to crashes.

Reconciliation of Records

The Department of Health and Mental Hygiene should lead the effort to reconcile information recorded by several agencies.