

**NEW YORK CITY DEPARTMENT OF TRANSPORTATION  
TESTIMONY FOR HEARING BEFORE THE  
CITY COUNCIL COMMITTEE ON TRANSPORTATION  
December 2, 2015**

Good morning, Chairman Rodriguez and members of the Transportation Committee. I am Ryan Russo, Deputy Commissioner for Transportation Planning and Management for the New York City Department of Transportation (DOT), and I am joined by Jeff Lynch, Assistant Commissioner for Intergovernmental and Community Affairs. Thank you for inviting me to testify this morning and for your continued partnership on many important transportation initiatives across the City.

Today, I will be testifying on three bills: Intro 219, Intro 696, and Intro 863. I would like to start with Intro 219, which would create a bicycle safety task force to examine bicycle utilization and infrastructure and to develop recommendations on how to make New York City more bicycle-friendly.

Since this bill was first introduced nine years ago, biking in New York City has changed dramatically and we have become a leader in cycling nationally. All of our hard work was recognized by Bicycling magazine, which named New York City as the best biking city in the U.S. in 2014.

In recent years, we have seen tremendous growth in cycling in New York City. With our bike share network expansion, we now have over 450 stations with more than 7,500 bikes throughout the City which New Yorkers are using more than ever before. Nearly 39,000 bike share trips per day were recorded this October, a growth of 46% compared to October 2014.

Today, New Yorkers can ride on our over 1,000 mile bike network and this year we are on track to build nearly 13 miles of protected on-street lanes – an unprecedented pace.

Even with all of this progress, DOT is aggressively pursuing Mayor de Blasio's ambitious goal of doubling bicycling trips in New York City by 2020. To achieve this, we must stay focused on building out the City's bike lane network and finishing the rollout of our next phase of bike share, both of which involve extensive community engagement. I want to thank many of you here who have supported these efforts in your neighborhoods – this is how we make New York City a safer, more bike-friendly city.

Every month, DOT is engaging with community boards, elected officials and other community leaders throughout the City on bike network projects. Our recent Jamaica Bay Greenway project is just one example of the many bicycle network expansion projects that shows our extensive planning and community engagement process.

For this project, DOT conducted 12 workshops with six different Community Boards over the course of a year reaching Canarsie, Spring Creek, Howard Beach, Ozone Park, Broad Channel, Marine Park and Sheepshead Bay. We are currently engaged in similar community outreach efforts for bike network expansion projects on Amsterdam Avenue, Queens Boulevard, the Harlem River Bridges, and many other streets in the City.

Next, on our bike share expansion, DOT has been conducting an extensive community engagement process with elected officials, community boards and local

groups to site new bike share stations. We hold community planning workshops with residents and community board members throughout the expansion zones, and encourage New Yorkers to use our “Suggest a Station” portal online. For example, DOT hosted our Manhattan CB 11 workshop in June with Speaker Mark-Viverito and other local elected officials, and just released our draft site plan yesterday. We will also host our upcoming Manhattan CB 9 workshop in two weeks.

Additionally, DOT takes every opportunity to promote bicycling safety and we have partnered with many of you in the Council for our safety events. To date, over 145,000 New Yorkers have been fitted for free bicycle helmets. We have distributed thousands of bells and bicycle lights along paths and bridges. In the last ten years, we have also given out three million bicycle maps to inform New Yorkers of the safest streets for cycling. We have also distributed over 600,000 Bike Smart Guides, in three languages, outlining the rules of the road and giving cyclists critical safety information.

We are also proud to say that we have produced three public awareness campaigns focused on rules of the road for bicyclists and safe interactions between motor vehicles, bicyclists and pedestrians.

DOT is also working to expand convenient bicycle parking for New Yorkers. Just recently, we testified at a Housing and Buildings Committee hearing on several bills to expand bicycle parking options, and we look forward to working with the Council on these bills.

Again, while we deeply appreciate the Council’s support of our efforts and respect the intent of this bill, DOT is already dedicated to working closely with

communities to achieve the goals set forth in Intro 219. We believe focusing our resources on the bike network and bike share expansion, as well as safety and public education campaigns, is the most effective way to make cycling a real transportation option for more New Yorkers. If Intro 219 were to pass, resources and staff would be diverted from the crucial work previously discussed to focus on the mandates of the task force.

Next, Intro 696 would require DOT to include information about the location of bicycle crashes in our annual Bicycle Crash Data Reports. As required by Local Law 13 of 2011, we have been publishing the reports on our website. These reports include information on crashes involving only bicycles, crashes between bicycles and motorized vehicles, and crashes between bicycles and pedestrians. This data, which is collected by the NYPD, includes the number of injuries resulting from such crashes and groups information by borough and police precincts.

Currently, not all of the data requested under Intro 696 is available to include in this report. Given this concern, DOT would be willing to further discuss with the Council the challenges of the data sources needed to achieve the goals of Intro 696.

Lastly, Intro 863 requires commercial cyclists to wear apparel with identification information in two-inch, reflective lettering, rather than the currently mandated one-inch lettering. Businesses using commercial bicyclists are already subject to many regulations. Currently, commercial bicyclists must complete a safety course, and the business must provide the commercial bicyclists with a unique three-digit identification number that is displayed on their vests. The business must also

provide safety equipment including retro-reflective upper-body apparel with the business' name on the back, a helmet, bell, and lights.

DOT has partnered with Community Boards and many of you in the Council on our 40 delivery bicyclists forums serving over 4000 businesses. These forums allow us to educate small businesses on the requirements of the law. We are thankful for your partnership on three recent forums which were co-sponsored by Council Members Rosenthal, Kallos, and Mendez.

When the original law went into effect, DOT provided thousands of businesses with free sample retro-reflective vests. These vests are equipped with a clear pocket on the back where the company's name and bicyclists' identification number can be inserted on a template provided by DOT. This is an easy way for small businesses to comply with the law.

The requirements in Intro 863 would not allow businesses to continue using the vests that DOT provided and would require businesses to purchase new vests or alter the ones that they currently have, or be subject to fines. We are interested in hearing input from small businesses and cyclists participating in the program who will be responsible for complying with these new regulations.

Thank you, Chairman Rodriguez and members of the Committee. We would be happy to answer questions.

**STATEMENT OF  
INSPECTOR DENNIS FULTON  
TRANSPORTATION BUREAU  
NEW YORK CITY POLICE DEPARTMENT**

**BEFORE THE NEW YORK CITY COUNCIL  
COMMITTEE ON TRANSPORTATION  
DECEMBER 2, 2015**

**Good morning Chair Rodriguez and Members of the Council. I am Inspector Dennis Fulton of the Transportation Bureau of the New York City Police Department (NYPD). On behalf of Commissioner William J. Bratton, I would like to thank you for this opportunity to speak to you about two of the bills before you today, Intros. 603 and 604.**

**As you know, as part of the Vision Zero initiative, there is an intense and comprehensive focus within the Administration and the Police Department on enhancing traffic safety and preventing vehicle collisions. Notably, there has been significant enforcement directed at speeding as well as failing to yield to pedestrians. The number of speeding summonses issued citywide has increased 13.8% from 2014, and the number of failure to yield summonses issued citywide has increased 15.1% from 2014.**

**Local Law 50 of 2014, which was passed by the Council and signed into law by Mayor de Blasio, created civil penalties for drivers who leave the scene of an incident without reporting. Drivers who violate the law may receive a notice of violation (NOV), which is returnable to the Environmental Control Board. The law encourages compliance with one of the most basic responsibilities of drivers – to stop and provide their identifying information, if they have cause to believe that they hit someone or something, causing personal injury, death, or property damage.**

**Intro. 603 would strengthen that law by increasing civil penalties for repeat offenders. The bill would hold the most irresponsible drivers accountable for the basic decency that one would expect from those operating motor vehicles on our crowded streets.**

**Intro. 604 would amend the Police Department's quarterly report to the Council capturing collisions involving critical injury where the driver left the scene without reporting. The bill would require that the Police Department provide the number of NOVs issued for leaving the scene of an incident as well as the amount of penalties that have been paid. While the Police Department is open to the goals of greater transparency that the bill seeks to achieve, we believe the bill as currently drafted poses significant operational challenges for the Department. The Department has the ability to track NOVs issued in connection with collisions involving critical injury where the driver left the scene without reporting. The Department does not have the ability to track NOVs issued citywide pursuant to Local Law 50, or the ability to disaggregate the data in the manner that the bill seeks. Furthermore, the Department does not maintain records related to NOVs, or track**

**whether NOVs have been paid or not. Notwithstanding these potential challenges, we welcome the opportunity to work together on this legislation.**

**Thank you for the opportunity to speak with you today, and I am pleased to answer your questions.**



# sanitation

Kathryn Garcia  
Commissioner

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**Testimony of Steven Costas, Director of Cleaning and Collection  
Before the New York City Council Committee on Transportation  
Regarding Intro. No. 787**

**Wednesday, December 2, 2015 10:00 A.M.  
City Hall- Committee Room**

Good morning Chair Rodriguez and members of the Committee on Transportation. I am Steven Costas, Director of the Bureau of Cleaning and Collection for the New York City Department of Sanitation. Thank you for the opportunity to comment on Intro Number 787 under consideration by the Committee this morning.

In 2010 the Department promulgated rules, which we revised in 2011, in direct response to the increased number of derelict bicycles affixed to public property including, but not limited to, traffic signs and bicycle racks installed by the Department of Transportation throughout the City.

The Department's rules established criteria that the agency uses in order to classify certain bicycles that are affixed to public property as derelict, and allows for their removal and disposal. Under the criteria, a bicycle will be deemed derelict only if

- (1) it is affixed to public property; and
- (2) the bicycle meets three or more of the following criteria:
  - (i) it appears to be crushed or not usable;
  - (ii) it is missing parts, other than the seat and front wheel (which are typically removed by a bicycle owner to prevent theft), including, but not limited to handlebars, pedal or pedals, rear wheel and chain;
  - (iii) it has flat or missing tires;
  - (iv) the handlebars or pedals are damaged, or the existing forks, frames or rims are bent; or
  - (v) seventy-five percent or more of the bicycle, which includes the handlebars, pedals and frames are rusted, along with any chain affixing such bicycle to public property.

The Department's rules specifically exclude ghost bikes from the derelict bicycle criteria.

Once the Department makes the determination that a bicycle is derelict, a notice is affixed to the bicycle advising the owner that such bicycle must be removed within seven days from the date of the notice. This notice also states that the failure to remove such bicycle within the designated time period will result in the Department removing and disposing of the derelict bicycle.



The rules do not authorize the Department to remove for disposal from public property any ghost bikes or bicycles that do not meet the derelict bicycle criteria. Additionally, nothing in the Department's rules precludes the immediate removal of any bicycle, including, but not limited to, a derelict bicycle or ghost bike, or the taking of any other action by any city agency if the presence of such bicycle creates a dangerous condition by restricting vehicular or pedestrian traffic or is otherwise in violation of the law.

Since the program's inception in October 2010, the Department has removed 975 derelict bicycles throughout the City. To date in this current Fiscal Year, the Department has removed 228 derelict bicycles. Based on our field observation and experience, two-thirds of all the derelict bicycles are concentrated in four Community Districts—Manhattan 2, Manhattan 3, Brooklyn 1 and Brooklyn 6, accounting for 67% of all derelict bicycles removed.

### **Intro. No. 787**

Specifically as to Intro Number 787, this legislation would require the removal of any bicycle that is affixed to public property not less than 36 hours after a notice has been affixed to such bicycle. The impounded bicycle would then need to be stored, and an owner could only redeem the bicycle if he or she pays all costs of removal and storage as set forth by rules by the Police Department. An owner would also be required to pay any outstanding civil penalties associated with the abandonment of such bicycle before it can be released to him or her.

The Department has several concerns regarding this legislation. First, the 36 hour notice period is an unrealistic timeframe for the Department to administer operationally, as well as for bicycle owners. Additionally, the Department does not have the field personnel that would be necessary to administer a system that involves tagging the bicycle, monitoring the bicycle during the notice period, and subsequently removing the bicycle because our field officers change daily due to scheduling deployment and assignments. Lastly, the Department does not have the required space to store such abandoned bicycles necessitated by this legislation.

The Department understands and appreciates the intent of the bill sponsor in putting forth this legislation, especially the need to ensure that adequate bicycle parking is available at locations throughout the City, including Department of Transportation installed bicycle racks. We look forward to working collaboratively through an inter-agency effort with the City Council, to come up with an operationally feasible solution to deal with bicycles that remain in public areas for lengthy periods of time.

Thank you for the opportunity to testify today. I will now be happy to answer any questions you may have.



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Gale A. Brewer, Borough President

## **Manhattan Borough President Gale Brewer to the New York City Council Committee on Transportation, in favor of Intro 219 & the Creation of the Bicycle Safety Task Force December 2, 2015**

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I would like to extend my gratitude to Chair Rodriguez and the Committee on Transportation for allowing me to speak today in favor of Intro 219, which would create the Bicycle Safety Taskforce. I would also like to thank my co-sponsor, Council Member Mendez, for working with me on the creation of this taskforce, so that we can give the matter of bicycle safety the attention it deserves.

According to the Department of Transportation (DOT) surveys, bike ridership in New York City has steadily increased in recent years, from about 10,000 weekday riders in 2006, to over 15,000 riders counted in 2013. This increase, of course, has been the direct result of the efforts of two mayoral administrations, the City Council, bicycling advocates like Transportation Alternatives, and many others.

Working together, we have created more than 250 miles of new bike lanes in the five boroughs, many of those separated from traffic in dedicated or protected lanes. And with each new mile of bike lane, we've added more bikers to our roads—helping improve the environment and health of our residents while also reducing congestion on our overburdened roads, subways and buses.

Yet while bike ridership is at an all-time high, so too are fatalities caused by collisions; 20 bikers were killed in 2014, a disheartening increase from 12 who lost their lives a year earlier. When we include bike rider injuries due to traffic collisions, the grim total has fluctuated between 300 and 400 annually for the past decade. These numbers compel us to act, and as more people choose to bike as a primary mode of transportation, we as a city must do all we can to ensure their safety.

The increase in bike ridership also poses safety concerns for pedestrians, motorists, and other bicyclists. My office fields nearly daily complaints, many from seniors, who experience near misses with bikers, many of who are breaking the law in some fashion—by biking the wrong way, for instance, or operating a motorized “e-bike,” which is prohibited. While the safety threat posed by bikers pales in comparison to that posed by motorists, this type of reckless behavior by some bikers led to the death of four pedestrians last year. This is four deaths too many, and I believe these deaths are preventable.

With these factors in mind I have joined Council Member Rosie Mendez to call for the creation of the Bike Safety Task Force. It would consist of officials from DOT, the department of city planning, and the parks department, as well as 2 mayoral-appointed seats of a transportation expert and a bicycling advocate. This task force would hold no fewer than 10 public hearings in a two year period, to be hosted in every borough .

A full review of bicycle use across the city, including specific details about routes, pathways, and bike lanes will be completed by the task force, and lead to recommendations on how to best improve safety for bikers and pedestrians. In an era when we've been fighting to achieve a vision-zero city, this basic research is essential.

I would also like to speak in favor of intro 696, also before the committee today, which was put forward by Chair Rodriguez. The bill specifies that DOT compile and report information regarding bike-related fatalities in the city on roadways and parks. This bill is being proposed in the same spirit as the Bike Safety Task Force—to gather data on cycling which will help us better understand the safety needs of cyclists.

Thank you again for the opportunity to testify this morning. I look forward to working with the members of this committee to help support and implement these initiatives.

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**Statement of Steve Vaccaro, Law Office of Vaccaro & White, December 2, 2015**

**New York City Council Transportation Committee Hearing on Intros 787-2015, 604-2014**

I'm Steve Vaccaro, of the law office of Vaccaro and White. Our firm's lawyers have represented New York City cyclists for over 20 years. Personally, I've used a bike for transportation in New York City since high school.

Secure bicycle parking is the overriding concern for many--perhaps most--of the hundreds of thousands of daily cyclists in this city, and of the several hundred thousand more who ride bicycles monthly, according to Department of Health ridership statistics.

I applaud the motive of Intro 787, to remove abandoned bikes. Cyclists need the parking spots, and the blight of abandoned bikes creates ill will towards cyclists. If the city took years to clear away abandoned cars, the way it currently takes years to clear away abandoned bikes, the city's motorists would be massing at the door of City Hall with torches and pitchforks. So equalizing the city's treatment of abandoned cars and abandoned bikes is welcome.

But the problem with Intro 787 is that it creates a new kind of unequal treatment, discriminating against cyclists. The bills says it's directed at abandoned bikes, but it allows impoundment of a brand new bike after 37 hours. That's not how we treat cars. In many neighborhoods, cars can be parked for a week at a time, without fear of being towed, or longer when it snows. Why impose a harsher rule on bicycle owners--a group which as a matter of policy the city is trying to encourage because bikes create little or no noise, air pollution, traffic congestion, and traffic deaths compared to cars?

Intro 787 should be aimed at abandoned bicycles, not bicycles unmoved for 37 hours. Yes, for constitutional due process reasons there has to be a specific period of tagging and notice before impoundment. But we have to also specify that the bikes to be tagged for impoundment appear to be abandoned. Don't tell me the Department of Sanitation can't be trusted to use their discretion to identify an abandoned bike. They're the garbage experts.

As you may tell from my voice, I'm recovering from a cold. Today is the sixth day in a row I haven't bicycled. Why should the city offer thousands of free on-street parking spaces for motorists over the holiday weekend, but impound my bicycle that has been unmoved for six days? The period between tagging and removal should be a month, not a day and half.

Concerning Intro 604, the hit and run legislation, I strongly support the bill but please remember that the major problem with hit and run crashes is that except for a handful of the most serious cases investigated by the Collision Investigation Squad, most hit and run cases are ignored by precinct officers, especially outside Manhattan. There are numerous examples of hit-and-run crash victims in Brooklyn and Queens with multiple fractures and other serious injuries being told by precinct officers that there will be no investigation of their crash. I have attached a press account of one of them, Dulcie Canton, but there are many others. Even when the crash victim has the license plate of the hit and run vehicle, the police often will not contact the owner of the vehicle to investigate the identity of the driver. Until this problem is rectified, it will not matter what penalties are on the books for hit and run drivers.

## **Cyclist seriously injured in hit-and-run, but no arrests**

By Tom Wilson and Rebecca Harshbarger

The New York Post, September 8, 2014 | 4:06am

A hit-and-run driver seriously injured a woman riding her bike — but police have not even spoken to the car's owner in the month since the accident, saying they haven't had the time, according to the angry victim and her lawyer.

Shortly after the Aug. 7 crash in Brooklyn, witnesses not only gave cops the car's plate number but told them where it was parked, about two blocks away.

When she failed to hear from the cops, she called "and the detective told me he would contact the [car] owner if he had time," said victim Dulcie Canton, 38, who sells high-end Dutch bikes at a Tribeca shop.

"I was angry and disappointed. You get most evidence within the first 24 to 48 hours."

Canton was cycling in Bushwick on Bleecker Street about 11 p.m. when a 2013 Chevrolet smashed into her and took off, according to a civil lawsuit filed against the vehicle's owner, Richard Rivera Jr., 31, in Brooklyn Supreme Court.

Dulcie Canton was struck by a hit-and-run driver; when she asked the cops why they haven't gathered any information on the driver, they said they "haven't had time" yet. Photo: Chad Rachman

Canton was hospitalized at Wyckoff Heights Hospital for several days for bleeding on the brain and a fractured shoulder. The driver also nearly took out a skateboarder, according to surveillance video from a nearby home. "This guy could have killed us both," said Canton. "For a few weeks afterward, I was in excruciating pain. I had constant headaches. I still get dizzy even sitting down."

The witnesses who located the car said its fender was dented and the mirror was missing. A mirror was found at the scene.

"The guy didn't even slow down; he just kept going. There's no way he didn't realize he had hit a person," said a witness, Jay Galo, 39. "We got its license number. We know exactly who it is."

Canton's lawyer, Steve Vaccaro, said, "We think a criminal case is justified. Look at the video — it's just horrible."

Meanwhile, he said police haven't even contacted the owner of the surveillance video, adding that despite numerous letters to the precinct, he hasn't even been able to get cops to interview Rivera.

Police did not comment.

"Vision Zero is supposedly to pay more attention to dangerous violators," said Vaccaro, referring to Mayor Bill de Blasio's traffic safety initiative. "A month is long enough. While all this is happening, the driver can just continue living large."

Canton said she wants to see Rivera arrested. "If he did it to me, he'll do it again," she said.

A woman answering the door at Rivera's home disputed the accusation, saying, "I bet the lady don't even know what color the car was."

*Additional reporting by Ben Feuerherd*

New York City Council Committee on Transportation Hearing  
December 2, 2015  
Testimony of Eric McClure, Executive Director, StreetsPAC

On behalf of my colleagues at StreetsPAC, I'd like to thank Chairman Rodriguez and the Committee on Transportation for the opportunity to testify today.

Int. No. 219 – Bicycle Safety Task Force (Oppose)

While on its surface, the creation of a Bicycle Safety Task Force seems like a good idea, and Intro 219's prime sponsor, Council Member Mendez, has been a strong supporter of safe streets, StreetsPAC opposes this measure.

We believe that, rather than create a separate entity to address issues affecting bicycling, the goals of the proposed task force should be pursued under and integrated into the existing framework of the Vision Zero Task Force. Improving bicycle safety is fundamental to achieving Vision Zero, and it's well documented that streets that are made safer for riding a bike are also appreciably safer for pedestrians and motorists.

Furthermore, we feel strongly that the success of Vision Zero and the goal of making New York City more bike-friendly are of one piece, and should be treated thusly. There's a tendency in some quarters to marginalize people who ride bikes – the New York Times in a story this weekend referred to victims of a recent Colorado shooting as “a bicyclist and two women” – and while we don't in any way believe that's the intent of Intro 219, we do believe these issues are best addressed under the current interagency Vision Zero umbrella.

And as our friends at T.A. mentioned, if it's deemed important to include experts from outside city government in Vision Zero Task Force discussions that will map out New York City's bike-friendly future, we know a couple with strong opinions and good ideas who would be up to the task.

Int. No. 787 – More Timely Removal of Abandoned Bicycles (Support)

As to Intro 787, which would facilitate the timely removal of abandoned bicycles, we support the intent of the legislation. Too many abandoned bikes litter the city – I have photos of quite a few of them right here on my phone – and it too often takes too long to get them removed. A bicycle that was abandoned for more than two years next to the Park Slope Food Coop – I was certain about how long it had been there because it had a StreetsPAC 2013 flyer in its spokes – was only recently cut loose, since it had been locked to a privately owned rack.

We do, however, urge that the definition of abandoned and derelict bicycles be refined to both protect people who may have locked up a bicycle for an extended period of time, while making it easier for truly derelict bikes – or more accurately, what remains of them – to be removed more quickly. As it stands now, the Department of Sanitation is too slow to act, and the threshold for what is “derelict” too limited. The final version of this legislation should more clearly compel Sanitation to remove derelict bikes in an accelerated manner.

Ints. No. 603, 604, 696 & 863 (Support)

Lastly, we want to express our support for Intros 603, 604, 696 and 863.

Increasing the civil penalties for the grievous act of fleeing a crash can only help to deter such behavior, and reducing the runs after the hits should, in theory, lead to faster emergency response to those injured in such crashes.

Intros 604 and 696 will increase the flow of data about crashes, which will help to shape and inform evidence-based approaches to Vision Zero policy. This is a good thing, and will help us focus on the behaviors that are most dangerous.

To the extent that Intro 863 should help to standardize and improve the identification of delivery cyclists’ employers, we support the legislation, though it’s critical that we keep in mind the extremely difficult conditions under which these cyclists toil, and ensure that the employers bear ultimate responsibility for compliance with this law.



## Committee on Transportation Hearing

Testimony by Paul Steely White, Executive Director, Transportation Alternatives

Wednesday, December 2, 2015

Thank you, Chair Rodriguez and the members of the Committee on Transportation, for convening this hearing.

I am Paul Steely White, the Executive Director of Transportation Alternatives. We are a 42-year old non-profit with more than 150,000 activists in our network, dedicated to improving the safety of New York City's streets. As the year draws to a close and we reflect upon the progress of Vision Zero, we thank the Council for helping New York City to move forward with policies that protect cyclists and pedestrians, and we look forward to even more progress in 2016.

### Int. No. 219 – Bicycle Safety Task Force - OPPOSED

The goal of elevating bike safety and infrastructure within Vision Zero is critical. For example, bike lanes typically reduce injury crashes for all road users (motorists, pedestrians, and cyclists) by over 40%. However, while we welcome input from experts into the city's plans for improving bicycle safety, we oppose the creation of a bicycle safety task force as stipulated in Intro No. 219 for a very practical reason: we already have a consulting body which is well-equipped for the matters at hand. It is the City's **Vision Zero Task Force**.

- There is **no need to create another task force** to comprehensively review bicycle use in New York City.
- In fact, we believe doing so would send the **wrong message** about cycling and Vision Zero. The two are intertwined. The Vision Zero Task Force should already be considering bicycling infrastructure, and to separate them would detract from efforts to make streets safer for cyclists.
- We urge the City Council to **expand and solidify the role of the City's Vision Zero Task Force** by adopting key elements of Intro 219, including: Adopting a comprehensive and cohesive approach to safe streets infrastructure, making the frequency and general content of meetings available to the public, presenting Vision Zero goals and projects to community groups in each borough, including the Department of City Planning on the task force, and increasing the focus on traffic safety as a public health concern.
- If expertise from transportation experts and bicycle advocates who are outside city government is needed, as we strongly believe it is, then **these individuals should be invited onto the Vision Zero Task Force**.
- The renewed task force should focus its efforts on the most important aspects of bike safety within the context of Vision Zero - calling for **street redesign and building out the bicycle network**.

This proposed Bicycle Safety Task Force would be **redundant**, and not the best use of time and effort. Bicycle safety efforts must come about **efficiently and effectively**. An enhanced Vision Zero Task Force is best positioned to work towards this goal.

### Int. No. 603 & 604 – Increased Penalties for Leaving the Scene – SUPPORT

We welcome Intro 603 because it will lead to a **uniform, predictable application** of the existing penalty regime, which is **based on harm caused**. We also support Intro 604 as it will provide **comprehensive data** of the scale of the hit-and-run problem in New York City, which is essential for **evidence-based policies**.

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- Because these penalties for unsafe behavior will be payable to the Environmental Control Board, we would like to propose **earmarking this revenue stream for safety improvements as part of Vision Zero**.
- This adds an element of **restorative justice**, where a penalty paid for damaging, injurious, or deadly driver behavior is used to reduce the risk of further injuries or deaths on the road.
- There is a **federal precedent** for this kind of arrangement in the form of fines paid for driving under the influence of alcohol.

#### **Int. No. 696 – Reporting on Bicycling-Related Fatalities - SUPPORT**

We support the DOT expanding their reporting on bicycle-related fatalities as stipulated in Intro 696. **The best policies are based on evidence**, and thorough data makes for properly targeted legislation. We know that, on average, bicyclists kill less than one person annually in New York City, but popular opinion does not always listen to fact. With a city agency documenting these numbers, we can focus the conversation about road safety specifically on targeting the behaviors that kill pedestrians, and not waste time with unfounded distraction arguments.

With this in mind, we also would like the City Council to urge the Department of Health and Mental Hygiene, the Department of Transportation, the Department of Parks and Recreation, and the Police Department to **update the Bicyclist Fatalities and Injuries Report** that was released in 2005.

#### **Int. No. 787 – Seizure of Abandoned Bicycles - SUPPORT WITH AMENDMENT**

We support the motivation behind Intro 787 and encourage the speedy removal of genuinely abandoned bikes which create a nuisance and take up space that could be used by responsible cyclists. In October of this year alone, the City's 311 line received 180 complaints about unusable bicycles chained to public property. As far back as 2012, WNYC was drawing attention to the fact that hundreds of bikes that were clearly abandoned and in poor condition were rarely removed by the city's Department of Sanitation, which gained powers to remove derelict bikes chained to public property in 2010.

- We believe the reason for bikes not being removed is in large part due to the **extremely high degree of disrepair a bike must show before the Department of Sanitation will remove it**.
- At present, a bike can be unusable, but still not meet the criteria for removal. For example, a bike with a clearly bent frame and no handlebars is not considered derelict enough to be removed, nor is a bike with a completely rusted frame and two bent wheels.
- Therefore, **we welcome the standard for abandonment introduced in this bill, which relies on time after notice is given rather than condition of the bike**.
- However, we believe this bill can and should **go further**. It does not propose a change to the currently high threshold the Department of Sanitation has for considering a bike to be derelict.
- All derelict bikes are also abandoned bikes, and if a bike is beyond repair, then it is a waste of worker time to tag the bicycle on one trip and then return to remove it on another. **A bike condition standard should also be added**, giving workers the discretion to immediately remove a bike that is in completely unusable condition, and to give notice before removing a less-derelict bike.
- The present DSNY standard requires a bike to meet at least three conditions on a list of six before it can be removed.<sup>1</sup> **We propose that it be changed to two conditions and a waiting period of 72 hours before**

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<sup>1</sup> <http://www1.nyc.gov/nyc-resources/service/1191/bicycle-chained-to-public-property>



removal, or four conditions and immediate removal. This balances respect for personal property with the need to maintain a tidy streetscape.

Lowering the DSNY threshold would result in numerous benefits for the city:

- Removal of possible safety hazards on public streets
- Opening up of bicycle parking areas and freeing public property
- Increased recycling of scrap materials
- Removal of public “eye sores.”

Also, considering that recently introduced bills to strengthen bike access to buildings have not yet passed, it is important to remember that not all New Yorkers have a protected indoor space for their bikes. We propose a change to the bill text to ensure that as few as possible non-abandoned outdoor bikes are mistakenly impounded:

- The proposed 36-hour minimum notice period should be lengthened to **at least 72 hours**. With only 36 hours of notice, a bike owner could go out of town just for the weekend and come back to find his or her bike gone.

Also, we urge you to explicitly add language **exempting ghost bikes**, which must be allowed to remain where they are locked.

- These white-painted bikes are chained to structures at the site of fatal bicycle crashes.
- They provide a powerful memorial to the cyclist and a reminder of the dangers cyclists face in a street system that privileges the car. Ghost bikes remind drivers to share the road.
- Ghost bikes are an international movement, and past attempts to remove them have been widely opposed.

Therefore, we recommend adding a subsection to ADC 16-122:

*No provision in this subchapter shall apply to any Ghost Bike as defined under section 1-05.1 of the Rules of the City of New York.*

### **Int. 863 - Delivery Cyclist Garments - SUPPORT**

Delivery cyclists have an important place in the economy of New York City. By wearing reflective vests clearly labeled with their business name and phone number, these cyclists both protect themselves and help promote responsible behavior. By increasing font size and making the vest lettering reflective, this bill will further those goals. However, we must reiterate that this new regulation should be implemented in a way that will cause **no burden to delivery cyclists themselves**. It is business owners who must be held responsible for the supply and distribution of these vests.

Thank you for allowing us the opportunity to testify. We wish you a safe and happy holiday season.

111 John Street, Ste 260 New York, NY 10038

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[www.transportationalternatives.org](http://www.transportationalternatives.org)

December 2, 2015

**The NYC Department of Health and Mental Hygiene should play an active role in all efforts to reduce traffic related injuries and promote healthy transportation.**

Testimony by Julia Ehrman, MCP/ MPH, Former Vision Zero and Safe Routes to School representative for the San Francisco Unified School District.

Hello, my name is Julia Ehrman, and I have recently returned home to New York City from San Francisco, where I represented the San Francisco Unified School District and the San Francisco Safe Routes to School Partnership on the city's Vision Zero task force. I also completed my masters in city planning and public health at UC Berkeley, where I studied the deeply entwined relationship between public health and health equity and urban infrastructure. The NYC DOH is absent from the proposed bill to establish a bicycle safety task force, and I am here to express strong support for active participation by the Department of Health on all initiatives to improve traffic safety, including bicycle safety.

I would like to make three key points about traffic safety and health.

- **Traffic injuries are a preventable health hazard.** In San Francisco, the Department of Public Health has adopted traffic safety as a critical public health issue, and plays a leadership role in the City's Vision Zero Task Force activities, as well as citywide efforts to increase walking and biking by improving safety conditions. The NYC DOH has a central role to play in shaping New York City's Vision Zero initiative, and it's efforts there should include bicycle safety alongside any additional Task Force efforts.
- **Healthy behavior requires safe streets.** The council has recognized the health benefits of bicycling and other active transportation modes. Unsafe conditions can be a deterrent to health promoting physical activity like recreational and commuter cycling. Improving street safety is essential for the health department to realize its goal of promoting physical activity for all New Yorkers.
- **Health equity depends on better street design and transportation planning.** Data has shown that traffic injuries and fatalities vary by neighborhood, and disproportionately affect the city's low income communities and communities of color. Furthermore, bicycle infrastructure and street design can impact traffic congestion and localized pollution, making them important factors in the distribution of respiratory damage and other health consequences of exposure to particulate matter (PM). Active collaboration between DOT, DCP, and DOH is needed to align priorities and develop effective interventions to reduce health disparities, including traffic related deaths and injuries.

In conclusion, DOH could help build support for safety improvements by framing bicycle safety as a health issue to community boards and other groups. Health arguments are strong and relatable to diverse audiences. In order to garner maximum support for safe bicycle infrastructure, the Health Department should help to demonstrate the relationship between public health and safe cycling.



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December 2, 2015

Re: Delivery Bike Vests

Chair Rodriguez, Transportation Comm. of the NYC Council  
City Hall Committee Room  
City Hall  
New York, NY 10007

Chair Rodriguez and Members of the City Council,

I am Andrew Ogulnik, Project Associate at the Columbus Avenue Business Improvement District, testifying here today on behalf of the Board of Directors of the Columbus Avenue BID.

We fully support and applaud Intro 863, which will add another layer of safety to our streets and sidewalks. All pedestrians are put at risk by bicyclists who don't obey the laws, and being able to more easily see identifying information is not only a deterrent to their breaking laws to speed their trips, but also makes it easier for bystanders to report infractions to the police. This bill is a big win for everyone, and another step towards safer streets.

Thank you.

Andrew Ogulnik

Columbus Avenue BID

**New York City Council  
Committee on Transportation  
The Honorable Ydanis A. Rodriguez, Chair  
Hearing on Intro. 863-2015  
December 2, 2015**

LiveOn NY thanks Council Member Ydanis A. Rodriguez, Chair, Committee on Transportation, for holding a hearing on this important bill.

LiveOn NY also thanks Council Member Helen Rosenthal and cosponsors of Intro. 863-2015 for their leadership and addressing this important issue that affects public safety as well as the health and welfare of our city's older adults.

LiveOn NY is dedicated to making New York a better place to age. At the core of our mission is to allow all New Yorkers age with confidence, grace and vitality. LiveOn NY also advocates for meaningful policy that promotes livable communities and allows older adults to safely age in place.

LiveOn NY supports Intro. 863-2015 because pedestrian protection, particularly for older New Yorkers, has to be a top priority so older adults can feel safe, remain active in their communities and walk around and without fear. Intro. 863-2015 offers common sense proposed changes to the existing law to make the bike rider's ID much more visible to all people at all hours of the day.

Intro. 863-2015 also supports the goals of Age Friendly New York City, which aims to create opportunities for older New Yorkers to live richer, fuller lives and make New York City a great place to grow old. This bill is one way the city can help create a city more inclusive of older adults and be more sensitive to their needs.

LiveOn NY thanks the Committee on Transportation, Council Member Rosenthal and City Council for this opportunity to provide testimony on Intro. 863-2015

*About LiveOn NY:* LiveOn NY is dedicated to making New York a better place to age. Founded in 1979, with a membership base of more than 100 organizations ranging from individual community-based centers to large multi-service organizations, LiveOn NY is recognized as a leader in aging. LiveOn NY's membership serves over 300,000 older New Yorkers annually and is comprised of organizations providing an array of community based services including elder abuse prevention and victims' services, case management for homebound seniors, multi-service senior centers, congregate and home-delivered meals, affordable senior housing with services, transportation, NORCs and other services intended to support older New Yorkers. LiveOn NY connects resources, advocates for positive change, and builds, supports and fosters innovation. Our goal is to help all New Yorkers age with confidence, grace and vitality.

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 219 Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Gale A Brewer

Address: 1 Centre St #19 floor

I represent: Manhattan Borough President Office

Address: 1 Centre St #19 floor

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. All Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Julia Elrman

Address: 285 Riverside Dr #1419

I represent: myself

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Sharon Pope

Address: \_\_\_\_\_

I represent: Bike New York

Address: 475 Riverside Drive #1300

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 219 et al Res. No. \_\_\_\_\_

in favor

in opposition

Date: 12-2-15

(PLEASE PRINT)

Name: ERIC McCURK

Address: 423 4<sup>th</sup> St. Brooklyn 11215

I represent: Streets PAC

Address: 17 Battery Place Suite 204 NY 10004

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 787 Res. No. \_\_\_\_\_

in favor

in opposition

↳ with conditions Date: 12/2/15

(PLEASE PRINT)

Name: JOANNA SMITH

Address: 829 President

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor

in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Chief Steven Costas

Address: Director, Bureau of Cleaning and

I represent: DSNY Collection

Address: 125 Worth St - 7<sup>th</sup> Floor

NY, NY 10013

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 487, 604 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 12/2/2015

Name: Steve Vaccaro (PLEASE PRINT)

Address: new office Vaccaro/white #204, NY, NY 10004

I represent: Cyclists

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. ALL Res. No. \_\_\_\_\_

in favor  in opposition

Date: 12/02/15

Name: Paul Steedy White (PLEASE PRINT)

Address: \_\_\_\_\_

I represent: Transportation Alternatives

Address: 111 John St. Suite 260, NY, NY 10038

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

Name: Ryan Russo + Jeff Lynch (PLEASE PRINT)

Address: \_\_\_\_\_

I represent: DOT

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms



**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: DEC 2, 2015

(PLEASE PRINT)

Name: Jack Brown

Address: 335 E. 6<sup>th</sup> St. NYC 10003

I represent: Coalition Against Rogue Riding

Address: Same

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 12/2/15

(PLEASE PRINT)

Name: Inspector Dennis Fulton

Address: Apt

I represent: NYPD Transportation Bureau

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 863 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 12/2/15

(PLEASE PRINT)

Name: Andrew Ogulnik

Address: 46-06 Skillman Ave. #2R Sunnyside, NY 11104

I represent: Columbus Avenue Business Improvement District

Address: 180 W. 80<sup>th</sup> St. Suite 210 New York, NY 10024

◆ Please complete this card and return to the Sergeant-at-Arms ◆