



Legislation Text

File #: Int 0412-2010, Version: A

Int. No. 412-A

By Council Members Fidler, Nelson, Cabrera, Chin, Foster, Greenfield, Halloran, Jackson, James, Koo, Koppell, Koslowitz, Lappin, Oddo, Recchia, Reyna, Rivera, Ulrich, Vallone, Weprin, Brewer, Mealy, Mendez, Rose, Williams, Rodriguez, Gonzalez, Levin, Garodnick, Vacca, Gentile, Arroyo, Mark-Viverito, Dickens, Eugene, Gennaro and Ignizio

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of transportation to hold hearings with affected community boards before a bicycle lane is constructed or removed.

Be it enacted by the Council as follows:

Section 1. Subchapter 3 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-187 to read as follows:

§19-187 Community board hearings on the construction or removal of bicycle lanes. a. Definitions.

For the purposes of this section, the following terms shall be defined as follows:

1. “Affected council member(s) and community board(s)” shall mean the council member(s) and community board(s) in whose districts a proposed bicycle lane is to be constructed or removed, in whole or in part.

2. “Bicycle lane” shall mean a portion of the roadway that has been marked off or separated for the preferential or exclusive use of bicycles.

b. 1. Except as provided below, at least ninety days before the construction or the removal of a bicycle lane is to begin, the department shall notify each affected council member and community board via electronic mail of the proposed plans for the bicycle lane within the affected community district and shall offer to make a presentation at a public hearing held by such affected community board.

2. If the affected community board accepts the offer made pursuant to paragraph one of this

subdivision and holds such hearing within forty-five days of the department sending the notice required under paragraph one of this subdivision, the department shall make a presentation of the proposed plans at such public hearing to receive input on such plans and shall not construct or remove such bicycle lane until forty-five days after such public hearing.

3. When notice is given under paragraph one of this subdivision between June 20 and August 6, the period for a public hearing under paragraph two of this subdivision shall conclude on September 20; provided that the department may construct or remove such bicycle lane at the conclusion of the ninety day notice period provided in paragraph one of this subdivision or ten days following such hearing, whichever is later.

c. The department shall consider comments from such public hearings and may incorporate changes, where appropriate, into its bicycle lane plan or cancel plans for construction or removal of such bicycle lane where it determines such bicycle lane would be inappropriate.

d. Section 19-101.2 of this title shall not apply to any bicycle lane that falls under the provisions of this section, except that subdivision j of section 19-101.2 shall apply where construction or removal of such bicycle lane would otherwise be defined as a major transportation project under paragraph 2 of subdivision a of section 19-101.2 of this title.

§2. This local law shall take effect ninety days after it shall have been enacted into law.

RC/lf
LS # 1408
10/6/11 8:16pm