

**Brooklyn Civic Riders Bicycle Club
Century Road Club Association
Fast and Fabulous Cycling
Five Borough Bicycle Club
Free Wheels
New York Bicycle Messenger Association
New York Bicycling Coalition**

**New York Cycle Club
Recycle-A-Bicycle
Right Of Way
Time's Up!
Transportation Alternatives
The Weekday Cyclists
Veloprop**

December 23, 2005

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

RE: New York City Bike Safety Action Plan

Dear Mayor Bloomberg —

We are writing in response to Department of Transportation (DOT) Deputy Commissioner David Woloch's October 27 letter about bike safety issues outlined in the Bike Safety Action Plan we submitted to Commissioner Weinshall and Chief Scagnelli on August 12. We request a meeting with your office and/or with representatives from the relevant agencies to establish a multi-agency approach to implement the plans and proposals outlined below.

Since we first wrote, nine more cyclists have been killed by motor vehicle drivers in New York City, bringing the total of such fatalities in 2005 to date to 20, compared to 15 in all of 2004 and 13 in 2003. This sharp increase in fatalities not only underscores the City's failure to make streets safe for cyclists, it also threatens to reverse the surge in cycling that your administration has helped encourage.

Notwithstanding the breadth of our coalition—we run the gamut from messengers to weekend cyclists, from bike commuters to racers—we are united in our view that the climate for cyclists is unsafe and that the City's attitude must change from one that, at best, selectively accommodates cyclists, to one that actively supports cycling and encourages more New Yorkers to bike more often.

Efforts to make cycling safer will fail without public involvement to help City agencies develop effective solutions and inform the public about bicycle projects and policies. To this end, the City should hold regular meetings of a reinstated New York City Bicycle Advisory Council, which will have its genesis in our coalition of bike groups. In addition, next spring the City should convene a public meeting to review changes to its official Bicycle Master Plan and hear comments from the public. Regular public meetings and review will streamline implementation of new policies and encourage cycling.

While the action items in the DOT's letter are a good start, they must be coupled with the entire Bike Safety Action Plan and the attached recommendations in order to effectively improve bicycling safety and encourage more bike riding. The attached plans and programs both expound on the initiatives included in the Bike Safety Action Plan and respond to the items listed in Deputy Commissioner Woloch's letter. While we have assigned the initiatives to categories—Infrastructure, Enforcement, and Health and Safety—we wish to emphasize that materially improving cycling conditions requires an integrated, multi-agency approach that addresses all three issue areas simultaneously.

Over please.

Please contact Noah Budnick at 212-629-8080 to arrange a date and time for our meeting. We look forward to working with you 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.

Sincerely,

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cc: Commissioner Iris Weihshall
Commissioner Raymond Kelly
Commissioner Amanda Burden
Commissioner Thomas Frieden
Commissioner Adrian Benepe
Chief Michael Scagnelli
Deputy Commissioner David Woloch

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Recommendations to Improve Bike Safety and Encourage Cycling
December 2005

Improving Existing Infrastructure

Because improved street design is key to bike safety, it is imperative that the City address the problem of inadequate infrastructure as well as the symptom of collisions and fatalities. The current unsafe environment for cycling is limiting the use of bicycles for daily transportation and is holding back progress in improving air quality, reducing asthma and obesity rates, and decreasing congestion.

Expanded Bike Lane Network

The bike network must include more protected street space, visibly buffered and physically separated bike lanes, and increased time at intersections for cyclists.

As Deputy Commissioner Woloch noted in his letter, the pending approval of a Manhattan Eighth Avenue bike lane will mark the near-completion of a crucial missing link in Manhattan. However, this lane must continue past the Port Authority Bus Terminal and north of 57th Street and around Columbus Circle to provide a well-connected and safe cycling route to Central Park's heavily cycled loop road. Otherwise, the Eighth Avenue lane will be seriously compromised by these two dangerous segments.

While we recognize that temporary closures of designated bike routes may be necessary from time to time to accommodate construction and/or special events, we request that alternate routes for cyclists be designated and advertised in advance

Green Bike Lanes

We are pleased to learn that the DOT will begin installing green bike lanes in 2006. However, the value of this program will be sorely limited if it is implemented only in curbside lanes. The program could be significantly strengthened by displacing parking and relocating bike lanes adjacent to the curb, by including bike lanes that traverse heavily cycled intersections, and by converting existing bike lanes to green lanes, which would include a painted buffer.

Bike Parking

The City's recent practice of haphazardly and peremptorily confiscating parked bicycles is inhibiting cycling. Because of stonewalling by the Police Department, as well as the high incidence of bike theft, it is difficult to ascertain how many bikes have been confiscated. Nevertheless, all of our organizations frequently talk with fellow New Yorkers who have left their bike at home rather than risk having it taken by the police. Moreover, this practice sends the chilling 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.

Chevrons on Class 3 Routes

Properly installed and enforced pavement bike symbols and chevrons can greatly enhance safety and increase cycling in the City. We suggest you 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 motorists cyclists' right to the road and encourage safer driving around bicyclists.

Enforcement

Deputy Commissioner Woloch's October 27 letter discusses some promising proposals for improving the City's cycling infrastructure. However, to fully encourage cycling, strict and active NYPD enforcement of traffic laws intended to protect bicyclists from motorists must go hand-in-hand with infrastructure improvements. Thus, it is imperative that NYPD and DOT coordinate closely to deter drivers from illegal behaviors that put cyclists in peril.

For example, new bicycle treatments, like the above-mentioned green bike lanes, bike symbols and chevrons, will be useless if motorized vehicles are allowed to park, drive or stand in parts of the street designated for cyclists.

Routine Violations

Motor vehicle infractions such as speeding, reckless driving, opening doors into moving traffic, driving and parking in bike lanes, unsafe passing, tailgating, and failure to exercise due care are routine in New York City. In light of the heavy volumes of vehicular traffic, the high rate of such infractions constitutes a significant threat to cycling safety.

We believe it is essential that the NYPD commit to actively enforce the many provisions of State and City motor vehicle law that prohibit such behaviors. While we encourage the police to include bicycle units in their enforcement activities, the method of enforcement is secondary to the need to drastically step up enforcement by whatever means are deemed available and effective.

In addition, statistics for summonses issued for these cyclist- and pedestrian-threatening behaviors should be recorded and published in the Mayor's Management Report on an ongoing basis.

Equitable Enforcement

NYPD enforcement procedures must be normalized so that bicyclists and motorists are treated equitably. At the very least, offenses that lead to a mere summons or warning when committed by a motorist must result in no greater penalty if committed by a cyclist, and certainly not in arrest or vehicle (i.e. bicycle) impoundment. Unequal enforcement of the law discourages cycling, which is contrary to the City's stated objective. It also leaves pedestrians at the mercy of motor vehicle drivers who are under-targeted by the NYPD.

Accident Reporting

It should be a matter of course for the NYPD to file reports for all crashes involving cyclists. NYPD officers have been reluctant to file reports on collisions involving bikes unless they witness the crash. In order to ensure accurate data collection, equal enforcement and the

opportunity for no-fault insurance coverage, the NYPD must file police reports for all crashes involving cyclists and pedestrians, and issue summonses and appropriate criminal charges.

In addition, a procedure must be established for handling an injured cyclist's bicycle. Without a set process, injured cyclists frequently must make their own provisions for their bikes, which can result in delayed medical attention or in the loss of their bike, if they are unable make arrangements for its safekeeping.

Signage

As both the DOT and NYPD are aware, given the plethora of signs in New York City, signage without proper enforcement has limited value. It's important that initiatives involving signage be integrated with the overall public awareness campaign and with increased enforcement of traffic laws governing driver behavior, including prohibitions on opening a door into moving traffic and parking in designated bike lanes.

Health and Safety

The potential health benefits from encouraging cycling cannot be overestimated, particularly if increased cycling rates result in reduced vehicular traffic and emissions. These gains and the resulting benefits will be maximized if new cyclists feel safe on the streets and continue to ride regularly.

Study of Bike Fatalities & Accident Reporting

We are pleased to learn that DOT will meet with representatives from the DOHMH and NYPD to implement a study of cycling fatalities. As noted in our previous correspondence, we urge you to follow the model of the comprehensive 1996-98 study of cycling casualties in Toronto carried out by the City Coroner there and the follow-up 2003 study by Toronto's transportation department, "City of Toronto Bicycle/Motor-Vehicle Collision Study." Like the latter study, New York City's study should be a comprehensive analysis of bicyclist crashes and should recommend both immediate and longer-term infrastructure, enforcement and promotional actions to improve cyclist safety. And, to reiterate, we would like to partner with you in developing and overseeing this study, which must not preclude the simultaneous implementation of infrastructure improvements.

The NYPD has stated on numerous occasions that "cyclist error" is the "primary contributing factor" in three-fourths of cyclist fatalities in New York City. The Police Department has never responded to repeated inquiries from groups in our coalition and from the press to substantiate this claim. The NYPD's stance in this matter is a sore point in the cycling community, not only because of the sensitivity surrounding cycling fatalities but because the department's claim is belied by painstaking analysis by cycling advocates identifying driver violations of cyclists' lawful right-of-way as the principal cause in a large majority of cycling fatalities. Accordingly, it is essential that future reports on fatalities and collisions accurately and rigorously assign responsibility to street design, drivers, cyclists, etc.

Moving forward, information on collisions and fatalities should be subject to ongoing review and made public on at least a quarterly basis so that any "spikes" in crash rates can be addressed in real time. Corrective measures to reduce cyclist injury and death rates should be reported on annually. All measures should be developed with input from the City Bicycle Advisory Council.

Bicycle Awareness Curriculum

The DOT's bicycle awareness curriculum should be expanded to include all drivers of government vehicles, as well as the Taxi & Limousine Commission, and the Metropolitan Transportation Authority. Ideally, the City will encourage other fleet operators such as express mail services and commercial carriers to adopt the bicycle awareness program.

The Bicycle Advisory Council would like to review this curriculum, including specific guidance to address routine concerns of cyclists, such as vehicles like garbage trucks and buses that make frequent stops.

Bike Safety Outreach Campaign

We look forward to working with the City in developing a broad outreach campaign. By encouraging respect for cyclists, a City-sponsored public awareness campaign will help reduce motorist antipathy toward cyclists and reduce the general level of conflict on our streets, thus encouraging more people to ride bikes on a regular basis.

Bike Safety and Fitness through Cycling

Cycling is universally recognized as an easy and effective way for people to integrate exercise into their daily routines—a need underscored in November by the DOHMH's finding that nearly 75% of New York City adults report no regular physical activity. The implementation of dedicated, physically-separated bike lanes will make cycling more inviting for new cyclists, as will improved motorist understanding of cyclists' right to the road.

Our organizations encourage helmet use and will work with the City to continue to encourage cyclists to wear helmets. However, it is important to note that helmets are not a panacea (they do not prevent collisions, after all) and cannot substitute for improved street design, heightened driver enforcement and the safety-in-numbers benefit of having more cyclists on the streets. Indeed, increasing the number of cyclists on the street is a more effective way to improve cyclist safety than mandating helmet use, which, studies have shown, would reduce cycling. Data from California, the Netherlands and the U.K. demonstrate that doubling the number of cyclists results in a one-third decrease in the rate of bicyclist crashes.

Legislation

We are pleased that the DOT supports truck cross-over mirrors legislation, and our coalition will continue to support it 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 sightlines and biker and walker "invisibility" to truck drivers.