



NEW YORK STATE SENATOR

Liz Krueger

Testimony Before the New York City Council Committee on Transportation Regarding Intro 624 on the Use of Bicycles for Commercial Purposes on October 8, 2009

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My name is Liz Krueger and I am the State Senator representing New York's 26th Senate district, which includes the East Side and Midtown neighborhoods of Manhattan. I am here to express my strong support for Intro 624 by Councilmember Jessica Lappin which works to increase necessary safety protections for pedestrians, bicyclists, and drivers.

Some people mistakenly argue that trying to rationalize and enforce safe biking laws means you are somehow opposed to bike riding in our City. This is, of course, untrue. In our densely-populated City, we need common sense laws, which are enforceable, which recognize the oft-competing needs of pedestrians, bike riders,

and motor vehicle operators (buses, cabs, autos, trucks and emergency vehicles) for limited sidewalk and street space. A very real dilemma throughout my district is that of delivery bikes operating in violation of New York City bicycle laws; this puts pedestrians, other bike riders and even swerving motorists into harm's way.

In 2002, I introduced similar legislation in the Senate to address the significant concerns voiced by large numbers of residents in my district regarding the practices and conduct of many delivery bicyclists. Over the years I have received countless reports from residents of all ages, senior advocacy groups, neighborhood associations, and police officers, of delivery bicyclists going against the flow of traffic, illegally utilizing the sidewalks as a roadway, and knocking over slow walkers. Sidewalks were created for use by pedestrians, not for speeding delivery bicycles attempting to shave minutes from their delivery times. The safety of pedestrians utilizing sidewalks must be ensured and protected, and in like, so must be protected the safety of other, non-commercial bicyclists in the streets.

The inherent problem with regulating the practices of commercial bicyclists lies in the practicalities of enforcement. Additionally, the inequity of placing fines solely upon the bicyclists, and not upon the operators of the businesses by whom the bicyclists are employed, must be addressed. The truth is that the current system does not work. Penalizing bicycle delivery persons through ticketing has not changed behavior. Their employers rarely even learn that their delivery people are being ticketed. Under this bill, the business will face the penalty, and hence have economic incentive to require their bicycle-operating employees to follow that law.

Placing fines and strict regulatory practices upon businesses, which Councilmember Lappin's bill will do, provides an alternative conduit to enforcement of proper bicycle safety. Without monetarily placing responsibility on businesses which fail to enforce proper bicycling safety protocol, there is little which can be done to put a stop to the race-to-the-finish-line mentality of delivering food and goods.

While there have been great strides forward in securing bicyclists' safety by the City Department of Transportation's creation of 200 miles of new bike lanes along city streets, many of these lanes do not reach the East Side of Manhattan, creating an environment rife with hazards for non-commercial bicyclists. The current scarcity of these lanes forces non-commercial bicyclists into perilous situations with delivery persons who do not heed proper safety.

The proposed regulations in Intro 624 would create a safer environment for all bicyclists as well the millions of pedestrians on sidewalks and entering crosswalks each day. By clarifying who is responsible for violations, and enabling pedestrians to identify a reckless cyclist and associate the cyclist with the business with which they are affiliated, the City Council will facilitate enforcement by the authorities, and improve safety for pedestrians, bicyclists, and motorists, and our communities across New York City.

Thank you for your consideration of my views.