

**NEW YORK CITY DEPARTMENT OF TRANSPORTATION
TESTIMONY FOR HEARING BEFORE THE
CITY COUNCIL COMMITTEE ON HOUSING AND BUILDINGS
October 13, 2015**

Good morning Chairman Williams and members of the Housing and Buildings Committee. My name is Michelle Craven, and I am the Senior Executive Director of Cityscape and Franchises at the New York City Department of Transportation (DOT). I am joined by Jeff Lynch, DOT's Assistant Commissioner of Intergovernmental and Community Affairs and Bernice Yella, who runs our Bicycle in Buildings Program.

On behalf of Commissioner Trottenberg, thank you for having us here to discuss this package of legislation which addresses bicycling in New York City, including a significant barrier for those who choose to commute by bicycle—finding a secure place to park their bike. Mayor de Blasio has set a goal of doubling cycling in New York City by 2020. This hearing today will help us get closer to reaching that objective. We have a lot of work to do, as hitting this target would require more growth in cycling than was achieved in the previous Administration.

The City Council has been a tremendous partner in promoting cycling in our City by supporting the expansion of the bike lane network and the Citi Bike program. The time and energy the Council has devoted to the issue, through the leadership of Speaker Mark-Viverito has been invaluable to the work of the City in making New York a safer place for bicyclists and all road users.

Cycling is part of the fabric of City life. New Yorkers of all backgrounds are biking all over the city for all types of reasons—whether it's to commute, visit friends and family, for health or for recreation. As a result, in recent years, we have seen tremendous growth in cycling in New York City. Cycling has nearly tripled in the last 10 years and grew by four percent in just the last year. Over 340,000 trips per day are made by bike in New York City and as many as 50,000 of those trips are made using Citi Bikes.

New Yorkers today can ride on our 1,010 mile bike network, of which over 380 miles are protected from traffic and nearly another 380 miles are exclusive bike lanes. We are on track to build over 12 miles of protected lanes by the end of 2015, an unprecedented pace.

We continue to ramp up our efforts with Citi Bike as well. Just this year, Citi Bike has been expanded to Long Island City in Queens, farther to Brooklyn, and in the Upper West Side and Upper East Side in Manhattan. By the end of 2017, Citi Bike will expand to Astoria in Queens, Cobble Hill, Carroll Gardens, Boerum Hill, Gowanus,

Park Slope, Prospect Heights, and Crown Heights in Brooklyn as well as more of the Upper East and Upper West Sides and Harlem in Manhattan.

A year ago, Commissioner Trottenberg announced to the City Council that we would be working with the MTA to equip buses with external bike racks. Now it is a reality. The MTA began piloting external bike racks on buses over the Verrazano Narrows Bridge, enabling everyday cyclists to commute between Staten Island and Brooklyn for the first time traveling by a combination of bus and bike. After the pilot is reviewed, we hope to expand this initiative to cover additional bus routes.

On the subject of today's hearing, I would like to start with Chairman William's bill to expand our Bikes in Buildings program, Intro 795. For background, the original Bikes in Buildings law was implemented in 2009 to improve bike parking options in commercial buildings. This is an application-based program which enables a commercial tenant to provide employee bike parking in their office building. The tenant submits a request to the DOT in the form of an application and the building owner or manager, who must then submit a Bicycle Access Plan.

Under the program, bike commuters typically use the freight elevator to transport their bikes through the building. The law provides two exemptions. A building can secure an exemption to a tenant's request to set up a Bicycle Access Plan if they can provide a safe, secure bicycle parking option within 750 feet or three blocks from the building, whichever is closer. In addition, a building can be exempted from the law if the building does not have a freight elevator that is considered safe to transport a bike.

To date, close to 1,000 employers in 350 different buildings have secured Bike Access Plans. Additionally alternate plans for parking have been secured for another 129 buildings. In total, these Bike Access Plans and alternate plans enable approximately 7,000 bike commuters to securely park their bikes.

To better understand the current state of the Bikes in Buildings program, DOT conducted a survey of applicants. Of the 1,729 applicants, we received response from 209 applicants—a healthy response rate of a 12 percent. The survey highlighted several issues with the program.

The most significant issue is that freight elevator hours in many buildings are limited, making it impractical for most employees to store their bikes. For example, some buildings shut down their freight elevators at three or four o'clock in the afternoon, far too early for bike commuters who work standard office hours. We also heard a few examples of owners or managers of commercial buildings attempting to force tenants to buy extra insurance to

bring their bikes into the building or charging cyclists to use the freight elevator, neither of which is allowed under the law.

Chairman Williams' Intro 795 addresses the first problem directly by allowing bike commuters to exit with their bikes using the passenger elevators during hours that the freight elevator is not in operation. This would be an important step to bolster the program, but can be further strengthened by extending this provision to employees who enter the building with their bikes during hours the freight elevator is not available.

The survey also taught us that the application process is overly complicated. For instance, once one tenant applies for a Bicycle Access Plan and such a plan is in place, every additional tenant in the same building still needs to apply for their own Bicycle Access Plan even if they are using the same path and plan as the previous tenant who secured the plan. This process should be streamlined and simplified.

Intro 405, sponsored by Council Member Rosenthal, is another straightforward step to help bike commuters. DOT supports allowing folding bikes in passenger elevators and we look forward to working with Council Member Rosenthal and this Committee to make that a reality. Many of these bikes fold into the size of a carry-on luggage or backpack, which are regularly transported in passenger elevators now.

Intro 695, sponsored by Council Member Rodriguez, would ease the restrictions on bringing bicycles into residential buildings. DOT is supportive of measures to make the choice of commuting by bicycle more practical, and for bike commuting to truly take hold, bicyclists need secure bike parking both at work and at home. DOT welcomes the opportunity to participate in conversations with all relevant stakeholders to pursue this laudable goal of ensuring that cyclists can easily bring their bikes in and out of their residential buildings.

These sensible measures would expand the ability of New Yorkers to safely store their bicycles at home and at work. More barriers to the use of bicycles in New York City will need to be removed if we are to double bicycle use by 2020. Right now, New Yorkers are able to bring strollers and rolling luggage into buildings and their elevators. We would encourage the Council to adopt a similar principle that bicycles should, with sensible exceptions, be granted access to buildings and to elevators.

Thank you again for allowing me to comment on these important initiatives. I am now happy to answer any questions you may have.



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Gale A. Brewer, Borough President

**Testimony of Gale A. Brewer, Manhattan Borough President, In Relation to
Bicycle Access in Passenger Elevators.
October 13, 2015 Committee on Housing and Buildings, New York City
Council**

My name is Gale Brewer, and I am the Manhattan Borough President. I would like to thank Chair Williams and the members of the Committee on Housing and Buildings for giving me the opportunity to testify in favor of intros no 405, 695, and 795. I am proud to have introduced intro No 405 with my friend and colleague Council Member Helen Rosenthal, which would permit bike commuters to bring foldable bicycles into passenger elevators

Under current New York City law, bicycle riders are permitted to bring their bikes on freight elevators in company buildings, or alternatively, are to be provided with safe, convenient parking options. The legislation that has been proposed today will take this action a few steps further.

The amendments discussed at this hearing would allow bicycle access in all residential building elevators, fold up bicycle access in all office building elevators, as well as continue to enforce implementation of regular bicycle access on office building freight elevators.

The presented legislation would promote and enhance the steady, and tremendously positive, increase in New York City bike ridership that has taken place between the years of 2006 and 2014.

By granting people these opportunities, current bicycle riders would no longer be faced with the question of where to safely store their bikes every day, both in the workplace and at



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home. Additionally, if and when this legislation is passed and implemented, more New Yorkers would have the ability to bike as their main mode of transportation.

Increasing bicycle ridership in New York City is a priority for me, due to its advantageous results for individual residents and for the city as a whole. It will significantly cut transportation costs, improve health, decrease traffic, reduce CO2 emissions and energy use, and boost our city's economy.

The Department of Transportation is aiming to triple bicycle commuting by the year 2017. Mayor de Blasio had set a goal to increase bike trips to six percent of total trips in the city by 2020. To meet these and other targets, this legislation and the legislation that may follow in regard to bicycle access is of the utmost importance.

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



**TRANSPORTATION
ALTERNATIVES**

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**** SUPPORT ****

Committee on Housing and Buildings Hearing

Testimony by Paul Steely White, Executive Director, Transportation Alternatives

Tuesday, October 13th, 2015

Thank you, Chair Williams and the members of the Committee on Housing and Buildings, 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 100,000 activists in our network, dedicated to improving the safety of New York City's streets. In 2009, we secured passage of the Bike Access to Office Buildings Law, which gives employees who work in buildings with a freight elevator a formal process for requesting bicycle access in their workplace. This was a victory, but it came with limitations. We want to go further to remove restrictions that stop cyclists being able to travel unimpeded. Therefore, we support all three of today's bills, which go further to expand and clarify the rights of New Yorkers to take their bicycles into their homes and workplaces. However, we feel some of the bills should be strengthened to make them even more powerful. By bolstering them now, we can avoid having to revise them again in the future.

Encouraging Cycling

Knowing that many New Yorkers are reluctant to become cyclists because they fear bicycle theft and lack secure bicycle parking options where they live or work, we believe these pieces of legislation will help expand cycling by making it easier and more inviting to own a bike. And the more people who cycle, the safer it will be for everybody on our streets. These bills also will help eliminate the confusion and inconvenience that we hear about all too often from our members who are arbitrarily denied bicycle access by landlords.

Security and Peace of Mind

The benefits of cycling are well-known and proven: improved health for the rider, less congested and polluted streets for the city. Thanks in large part to the expansion of the bike lane network and Vision Zero, more New Yorkers are cycling than ever before. A recent study we completed showed that 10% of traffic on 5th and 6th Avenues in Manhattan was made up of bicycles, and we expect that figure to increase. Unfortunately, bike thefts are also on the rise, according to NYPD statistics. Bikes are more than mere possessions. For many cyclists, they represent their sole means of commuting, or their way to earn a living. When a bicycle is stolen, the thief takes a vital tool for everyday living, and discourages cyclists from continuing to ride. Secure outdoor bike parking is not always available, and harsh New York City weather can take its toll on intricate mechanical parts. Being able to bring a bicycle into a building helps the owner protect this valuable asset with minimal inconvenience to others. Therefore, we are especially pleased with Intro 695's provisions to protect tenants' rights by making it unlawful for owners to restrict their access. **We strongly suggest adding enforcement mechanisms to Intros 405 and 795 to**

ensure compliance with the legislation, making it unlawful for an owner or building manager to restrict the rights provided to a tenant or subtenant.

Convenience

As you know, this is a city where space is always at a premium. Folding bikes have become popular in recent years because they easily assume a compact size for transporting in and out of buildings, buses, and trains. When fully folded, these bikes are often no bigger than a large backpack, and they pose no fire hazard or risk to other people. Therefore, it is simple common sense that, as stated in Intro 405, if a passenger elevator is available for carrying passengers, it is available for carrying folded bicycles. Similarly, standard bicycles, which typically take up not much more room than an average children's stroller, should always be allowed to travel in freight elevators, which are a completely safe place for items of that size and weight.

Bikes do not affect standard wear and tear of high trafficked lobbies and bring in no more dirt than the occasional dirty shoes, baby carriage or wet umbrella. Furthermore, we are not aware of a single person being injured by somebody walking a bike through a building. These bicycles are neither a danger nor a nuisance. **So, while we support Intro 795, we would like it to be strengthened so that it is clear that if no freight elevator is present, standard bicycles should always be allowed in passenger elevators.** In addition, the text of Intro No. 795 currently states, "Bicycle access shall be granted to the requesting tenant or subtenant and its employees." **We believe this grant should be automatic, with no prior request needed, because bicycles pose no undue risks to other tenants or building owners.** There is no need for a formal request so long as the other conditions are satisfied.

On behalf of our members and our network of supporters, we thank you for taking these steps to protect bicycle access, which will make New York City a more inviting and safe place to ride.

FOR THE RECORD



**HEARING TESTIMONY FROM
THE BUILDING OWNERS AND MANAGERS ASSOCIATION OF GREATER NEW YORK:**

INT. NO. 405: A LOCAL LAW TO AMEND THE ADMINISTRATIVE CODE OF THE CITY OF NEW YORK, IN RELATION TO FOLDABLE BICYCLE ACCESS TO PASSENGER ELEVATORS; AND INT. NO. 795: A LOCAL LAW TO AMEND THE ADMINISTRATIVE CODE OF THE CITY OF NEW YORK, IN RELATION TO CLARIFYING BICYCLE ACCESS TO OFFICE BUILDINGS.

The Buildings Owners and Managers Association of Greater New York (BOMA/NY) represents more than 750 owners, property managers, and building professionals who either own or manage 400 million square feet of commercial space. We are responsible for the safety of over 3 million tenants, generate more than \$1.5 billion in annual tax revenue, and oversee annual budgets of more than \$4 billion. BOMA/NY is the largest Association in the BOMA International Federation, the world's largest trade organization. We thank you for the opportunity to testify on these bills.

BOMA/NY recognizes the important and growing role of bicycle transportation in getting New Yorkers around the City, including to and from their place of work, and we want to accommodate that change as much as possible. However, there are issues related to safety, property damage, costs, and liability regarding requiring buildings to allow bicycle access to freight and passenger elevators that need to be taken into consideration. BOMA/NY looks forward to working with the City to maximize bicycle accessibility without triggering these problems.

By their very definitions, passenger elevators are designed and operated to get people up and down in the building, while freight elevators are designed to carry equipment and other workpersons and materials not appropriate for passenger elevators. Passenger elevators are typically smaller, less protected from damage, and often crowded, especially at certain peak times of day, such as the morning rush hour, or lunchtimes. They are also often behind entry barriers such as turnstiles that do not facilitate easy bicycle access. Bicycles are large and can be unwieldy in tight places and could easily cause damage to passenger elevators, and things like oily chains and sharp pedals could impact other passengers negatively. Even fold up bikes, which are admittedly smaller, still pose some of these risks. These issues can and will lead to negative impacts upon passenger traffic handling, more elevator repairs, increased building liability, and limited space inside elevators, resulting in tenant complaints. For these reasons buildings typically ban hand trucks, construction materials, equipment, and everything else except people from passenger elevators.

In addition, the route that freight follows to reach freight elevators may not be safe or appropriate for bikers. For example, a major freight access point, loading docks, would expose bikers to many hazards, especially trucks backing up and otherwise moving into, around, and out of the loading dock, as well as coming into close proximity to large equipment and other materials being moved into and out of the building. Because of these hazards, pedestrians are generally banned from entering loading docks. As a

consequence, requiring buildings to allow bikes to follow the same route as freight may be inappropriate and dangerous.

Last there are other space considerations to take into account. For example, many tenants may not have proper storage areas for bicycles, and certainly many buildings do not have common areas for bike storage. In cases where both of these situations exist, allowing bicycles to access elevators would only lead to other problems related to bicycle placement in upper floor hallways and tenant space within the building.

Working together in the past, stakeholders have found workable solutions, supported by BOMA/NY among others, such as code changes to require some garages to maintain bike parking spaces and bike storage in new and substantially expanded buildings. Although allowing bicycles easy access to freight and passenger elevators may seem like a common sense way to help expand the use of non-motorized vehicles in the City, it is in fact not a simple matter, and we call on the City Council to take our concerns into consideration and work with all stakeholders to identify and pursue policies that are reasonable, safe, and effective.

Thank you once again for accepting our testimony.

FOR THE RECORD



Council of New York Cooperatives & Condominiums INFORMATION, EDUCATION AND ADVOCACY

250 West 57 Street • Suite 730 • New York, NY 10107-0700

Testimony Before the Committee on Housing & Buildings Suggesting modifications to Int. 695 : Elevator access for Bicycles in Residential Buildings

October 13, 2015

Good morning, Chairman Williams and members of the Committee. My name is Mary Ann Rothman and I am the executive director of the Council of New York Cooperatives & Condominiums, a membership organization of more than 2,300 housing cooperatives and condominiums located throughout the five boroughs of New York City and beyond, which are the homes of more than 175,000 New York families at every level of the economic spectrum. Cooperatives and condominiums are self-contained communities, governed by volunteer boards elected by the shareholders or unit owners, who share the cost of operating and maintaining their homes. CNYC members seek to operate their homes safely and affordably; they tend to be very supportive of green initiatives, of reducing the waste stream, and striving for cleaner air. For over 35 years, CNYC has provided education, information and advocacy to these members, and has tried to bring their needs to the attention of lawmakers and of government agencies.

The appearance of our homes is important. Our entranceways, lobbies and elevators give visitors their first impression of the building. Often, cooperatives and condominium will make considerable investment in the appearance of these public spaces, and want to be very careful about maintaining them. Elevators are often so small that it is a tight squeeze to get a bicycle in and out. Even the most careful cyclist may inadvertently scrape or scratch new wall décor or get mud or grease on the carpeting in the elevator. Many cooperatives and condominiums have reasonable rules regarding bicycles. They might provide secure bicycle storage in the basement or courtyard so that residents don't have to bring them into their apartments via the elevator. Or they may presently restrict bicycle transport to the service elevator. We therefore respectfully request that the sponsors of Int.695 reconsider the requirement that bicycle access be available in all elevators in residential buildings. Please allow cooperatives and condominiums to continue to set reasonable rules that encourage the use of bicycles without necessarily allowing them to be transported in passenger elevators.

Thank you for this opportunity to comment.

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Appearance Card

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I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: 10-13-15

(PLEASE PRINT)

Name: Patrick Wehle

Address: Assistant Commissioner for External

I represent: Affairs for the Dept. of Buildings

Address: _____

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(PLEASE PRINT)

Name: Michelle Kibben - DOT Director of

Address: Atty Director of Bicycle & Security Program

I represent: DOT

Address: _____

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(PLEASE PRINT)

Name: Bernice Yella - DOT

Address: Director - Bicycle in Buildings Program

I represent: _____

Address: _____

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(PLEASE PRINT)
Name: Jeff Lynch - DOT

Address: Assistant Commissioner for Intergovernmental

I represent: Community Affairs

Address: _____

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in favor in opposition

Date: 10/13/15

(PLEASE PRINT)
Name: Michelle Craven - Senior Director of

Address: Cityscape & Franchises at DOT

I represent: DOT

Address: _____

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I intend to appear and speak on Int. No. 405, 695, 795 Res. No. _____

in favor in opposition

Date: 10/13/15

(PLEASE PRINT)
Name: Paul Steely White

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I represent: Transportation Alternatives

Address: 111 John Street, Suite 206, NY, NY 10038

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Name: Dulcie Canton

Address: 329 Kosciuszko St # 2F Bklyn 11221

I represent: Transportation Alternative Families for Safe Streets

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Name: David Dodge

Address: _____

I represent: Gale Brewer Manhattan Borough President

Address: 1 Centre Street

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