

# *Intro. 0038-2006 (Yassky)*

## The Bicycle Access Bill

### FACT & SUPPORT SHEET

#### PURPOSE

The Bicycle Access Bill will support a more sustainable urban transportation network and yield significant environmental, public health and quality of life benefits for New Yorkers and New York City by encouraging daily bicycle riding.

The lack of secure bike parking is the number one reason why more people don't choose to bike to work; it is an essential amenity for individuals who want to keep their bikes safe from theft and the weather. *Intro. 38* addresses these obstacles with a policy of reasonable building access, whereby individual building owners and managers determine the best way to accommodate employees who wish to ride to work and park inside.

#### SUMMARY

*Intro. 38* will amend the city's administrative code to require building owners and managers to (i) evaluate reasonable ways by which employees may access their building with a bicycle and (ii) determine possible locations within the building for bicycle storage.

Notwithstanding the directive of the second provision, no bicycle shall be stored in a

manner that violates New York State building or fire codes.

#### COMMENTS

As a city, we need to find creative solutions that promote bicycling, one of the most environmentally sound modes of transportation. According to the Department of City Planning, the number one barrier cited by potential bicycle commuters is the lack of safe, secure places to store their bike. Some 70,000 bikes are stolen every year and less than 2% are recovered. Bike access to buildings is a sensible, straightforward response to this problem, which will prevent theft from standing in the way of a more sustainable city and which will help achieve PlaNYC's goals of cutting emissions by 30%, while making NYC's air the cleanest of any big city in the United States by 2030.

With *Intro. 38*, City Council has the opportunity to help dramatically increase the number of New Yorkers who choose to bicycle to work, without placing undue burdens on building owners or managers. **In its current form, the bill does not mandate a "one size fits all" approach to bicycle access, but simply puts forth a standard requirement of reasonable review for how each individual building, commercial tenant and would-be cyclist employee can work together to find a suitable solution.**

Allowing bicycles in buildings presents the greatest cost-benefit ratio of any zero emissions urban transportation or green-building retrofitting initiative, and can be implemented immediately.

### **Supporting PlaNYC**

Among PlaNYC's many ambitious goals, it commits to pursuing "legislation to require that large commercial buildings make provision for bicycle storage either on site or reasonably nearby." With a goal of reducing traffic, improving air quality and lowering greenhouse gas levels, the Mayor realizes that cycling offers an emission-free, low-cost travel mode and that secure indoor bike parking is the easiest way to immediately increase cycling rates.

### **Supporting The Department of City Planning: Planning for the Future**

With a proposed Bicycle Parking Zoning Text Amendment, The Department of City Planning will help make sure that when *new* buildings are constructed, they automatically include appropriate indoor bicycle parking facilities.

However, by 2030, existing buildings will account for 85% of the city's inventory. These buildings will not be subject to the text amendment changes, highlighting the critical role that *Intro. 38* has to play. By addressing the vast majority of our city's building stock, *Intro. 38* is the perfect compliment to a Bicycle Parking Zoning Text Amendment and will help New York City significantly increase its number of daily cycling commuters.

### **Supporting The NYC Department of Transportation**

Doubling the number of bike commuters is a key goal of the DOT's strategic plan and cannot be achieved without safe, secure

storage. As the DOT rapidly builds out the city's on-street bicycle infrastructure—200 new miles of bike lanes by 2009—it is increasingly apparent that indoor bike parking is a critical element of any holistic plan. *Intro. 38* will help establish the secure bike parking necessary to support the desired increase.

### **Supporting Businesses and Their Employees**

*Intro. 38* offers clear benefits to employers, employees and the environment alike. Employees benefit from the improved health, alertness and quality of life that come with the ability to efficiently commute by bicycle. At the same time, employers reap the increases in productivity associated with a happier, healthier workforce, even as they improve the quality of the environment for all New Yorkers by supporting a zero-emission mode of transportation.

Despite clear demand, willing cyclists and their employers often encounter blanket building-wide policies prohibiting tenants from entering the premises with a bicycle. *Intro. 38* addresses this issue by putting in place a policy of reasonable building access, whereby individual building owners and managers determine the best way to accommodate tenants who wish to ride to work and park inside.

### **Current Buildings Leading the Way**

Adopting a wide array of building access and indoor parking options, the following buildings demonstrate existing successful models and *would satisfy the provisions of Intro. 38*.

**557 Broadway:** Access through back of building. Employees park bikes

underneath a stairwell in the mail room.

**333 Hudson Street:** Access through main entrance. Employees utilize main elevator bank and store their bikes in their respective offices.

**1 Madison Avenue:** Credit Suisse employees enter the building through the main entrance. Employees park bikes in a dedicated bike room located on the lobby floor.

**11 Penn Plaza:** Access through the back of the building. Employees utilize freight elevator and store their bikes in their respective offices. Post-freight elevator hours, employees exit building via main elevator banks.

**60 Broad/25 Beaver:** Access through the back of the building. Employees utilize freight elevator and store their bikes in common areas on individual floors or in their personal office space.

**New York City Municipal Buildings including 280 Broadway, 100 Gold Street and 125 Worth Street:** Access through either front or side of the buildings. Employees park bikes in dedicated bike rooms located on the first floor or basement level.

### **Insurance and Liability**

Bikes in buildings do not affect standard insurance policies for industrial, commercial, or office buildings.

Private building owners and or managers do not assume “possession” or “control” of individual bicycles, thereby negating

potential *loss of personal property* claims. Furthermore, it is common practice for building owners and or managers to post “At Your Own Risk” signs, establishing that the building owner or manager will not be held responsible for theft or damage to the bicycle.

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## **SUPPORT**

- Council Members: Yassky, Brewer, James, Koppell, Sanders Jr., Weprin, Foster, Monserrate, Liu, Vallone Jr., Palma, McMahon, Gonzalez, White Jr., Mark-Viverito, Nelson, Martinez, Mendez, Gioia, Garodnick, de Blasio, Jackson, Gentile, Recchia Jr., Felder, Seabrook, Gerson, Reyna and The Public Advocate (Ms. Gotbaum)
- Jonathan Rose Companies, Inc.
- National Resource Defense Council
- Tri-State Transportation Campaign
- American Lung Association of New York, Inc.
- Straphangers Campaign
- Environmental Defense Fund
- Local Development Corporation of West Bronx
- American Institute of Architects, New York Chapter
- The Film Society of Lincoln Center

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## **HISTORY**

Introduced on February 1, 2006, and referred to the Committee on Housing and Buildings.

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## **STATUS**

Pending hearing in Committee on Housing and Buildings.

