



CHEKPEDS' Position on Sidewalk Bike Riding - May 10, 2023

CHEKPEDS has long been supportive of human-powered modes of transportation, principally walking but also biking, as means of getting around our city. Safety for both categories of vulnerable street users is at the core of our mission. Because of the large increase in biking, the use of electric bikes and mopeds, and the explosion of app-based bike deliveries, complaints have escalated after the waning of the COVID pandemic. Pedestrians are frightened by cyclists riding on the sidewalk; cyclists complain about other cyclists going the wrong way, speeding or hogging the bike lanes with illegal mopeds.

Certain behaviors that were tolerable during COVID, when there were very few people in the streets, need to be recalibrated for the return of congested sidewalks.

The official number of 77 injuries¹ inflicted by bicyclists on pedestrians in the last five years in Community District 4 is challenged by many residents who point to unreported crashes that result in injuries. Most importantly, more and more seniors are afraid of cyclists, as are other cyclists, especially because the electric ones cannot be heard in advance.

While it is critical that these issues do not distract from the high priority of focusing on the horrific human price both groups pay when hit by cars (19 fatalities and 1166 injuries in the last 5 years in Community District 4)², this situation must be addressed if we want to continue to grow walking and biking in the City. These modes of transportation are essential to reducing our carbon footprint.

Background: “We are the problem”

There are many cyclists, including Citibike cyclists, who ride on the sidewalk. In our district, however, the sheer volume of delivery workers makes them stand out. The rapid growth of delivery cyclists – also called “deliveristas” – is driven by the COVID-era behavior of ordering products instead of picking them up at the store.

In the US, the market of app-based delivery grew four times between 2018 and 2022³. In the last three months of 2021, zip code 10019 in Manhattan district 4, ranked second highest in

¹ NYC Open Data, Crashmapper

² NYC Open Data, Crashmapper

³ <https://www.mckinsey.com/industries/technology-media-and-telecommunications/our-insights/ordering-in-the-rapid-evolution-of-food-delivery>



CHEKPEDS' Position on Sidewalk Bike Riding - May 10, 2023

New York City with 627,808 orders; 487,034 orders were placed in zip code 10001, also in District 4.⁴ Grub Hub has the largest market share in New York City. Even though customers are paying a 40 percent premium on the cost of their actual meal, 59% of millennials' restaurant orders in the US are for delivery instead of eating on site⁵. Neither our infrastructure nor our institutions have been adjusted to this new reality. On the sidewalk, senior citizens who do not rely on ordering (or cannot afford it) are bearing the brunt of the negative effects of this new trend. And this practice also contributes to increased use of plastic containers and accumulation of garbage.

We propose the following strategy – called 3 Eyes – to address this very complex issue.

Information

- Today there is no quantification of the number of bicycles riding on the sidewalk, riding against the flow or the number of mopeds riding in the bike lane. DOT should collect such data at specific locations and publish them at least annually. The sampling locations would be selected where there is a concentration of complaints or a high volume of cyclists and deliveries.
- Create a web site where pedestrians can report hit-and-run crashes with bicyclists, which are not reported to NYPD and reflected in the Open Data portal.

Infrastructure

- Install bike corrals in the floating parking lanes on every short block and at multiple locations on long blocks along the parking-protected bike lanes; the principal reason bikes use the sidewalk is to reach their parking on the sidewalk. They enter at the pedestrian ramps and proceed on the sidewalk to the location. With bike parking in the street, we have seen significant reductions in sidewalk riding.
- Install 10 mph speed limits on bike lanes. This would reduce the speed differential between traditional bikes and electric bikes, and dissuade mopeds or high speed bikes from illegally using the bike lanes.
- On certain high-volume segments, DOT should widen the bike lanes and make them bidirectional. More space is needed to accommodate-various widths of cargo deliveries that are promoted by the City to resolve last-mile truck delivery.

⁴ <https://nyc.streetsblog.org/2023/05/08/thats-rich-some-neighborhoods-order-lots-of-deliveries-but-dont-want-to-help-the-workers/>

⁵ <https://www.fundera.com/resources/food-delivery-statistics>



CHEKPEDS' Position on Sidewalk Bike Riding - May 10, 2023

Incentives

- The City and delivery apps play a large role in giving incentives to delivery workers that result in unsafe driving: unreasonable guaranteed delivery times, excessive large catchment areas, and a lack of livable wages all contribute to a race to the bottom and bad behavior in order to survive.
 - The City must complete its rule-making and immediately enact the minimum wage law from 2021/114⁶. This law was supposed to be enacted in January 2023. It established a new minimum wage and gives the workers the option to limit their catchment area.
 - The City must expand its labor protection laws to address unsafe practices such as unachievable delivery deadlines.
 - The City should collect a fee from the app companies for each delivery, to help pay for increase in garbage collection, expansion of bike lanes and construction of hubs for cyclists.

- Deliveristas' organizations and the NYPD should partner with local groups for on-site training , distribution of educational leaflet and community building

- Enforce the existing provisions of the law that requires delivery workers to wear a vest with the name of their employers and identification numbers legible from a distance . With identification comes accountability.

- No matter how much education is provided, a small percentage of the population will continue to ignore the law. It is no different for cyclists. Implement an enforcement program to remove mopeds from bike lanes and to eliminate riding on sidewalks and/or against the flow. The fines do not need to be large in keeping with recent proposals to adjust fines based on recipient's revenue and recidivism. Alternatively, restorative justice with the Midtown Court, where the cyclist is given training, could be used instead of a fine. Such an approach should be used very carefully to avoid unintended consequences .

⁶ <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=4927215&GUID=68592300-6B1D-40DC-9995-33D16088F98C&Options=ID%7CText%7C&Search=delivery>