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www.chekpeds.com

September 6, 2012

Testimony related to

Int. No. 683-A - In relation to the apparel used by operators of bicycles used for commercial purposes.

Int. No. 896-A - In relation to the enforcement of commercial bicycle provisions.

Int. No. 783 - In relation to requiring commercial bicyclists to complete bicycle safety courses

Int. No. 910-A - In relation to the use of bicycles for commercial purposes.

CHEKPEDS is a coalition of over 1,500 businesses, individuals, and institutions dedicated to pedestrian safety in Clinton and Hell's Kitchen, on the West side of Manhattan.

In Hell's Kitchen some restaurants have more than 10 delivery bicyclists and their behavior is one of the top pedestrian complaints.

Concurrent with the extension of the bike lanes on 8th and 9th Avenues, we have implemented – with NYPD's help – an education program for all restaurants using bicycles for deliveries where we visit restaurant owners individually. I have enclosed the materials we leave behind.

Int. No. 783 : Bicycle Safety course

We applaud the initiative to require training for the commercial bicyclists. However we believe that to be effective there need to be two different trainings - for the commercial owner and for the operators – and, most importantly, the penalties for lack of workers training should be levied against the commercial owner.

Our experience shows that the owners themselves are often ignorant of the laws: we were asked: “ is it the same law on the upper east side?” “ you can go against the flow on side streets”; with a high turnover population which speaks a variety of languages, the owners have the authority and the wherewithal to mandate the training in a timely manner.

Owners are making the financial decisions, including the trade offs between safety costs, delivery time and fines. Thus the owner should be tasked with the continuous self-enforcement of the rules and be responsible for providing equipment. They should also be responsible for paying fines related to lack of equipment, Id and training.

The amount of these fines should be substantial since safety issues are at stake both for the cyclists and the pedestrians. Lack of training certificate should call for a \$ 500 fine payable by the owner and a confiscation of the bicycle until the operator is certified.

It will be a prerequisite to develop an infrastructure where courses and examination are affordable and given out in many different languages.

If appropriate this certificate should be combined with the Operator Id already required.

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Int. No. 910-A –

The definition of bicycle to include **Motor Assisted Devices** is of grave concern to the pedestrians in our neighborhood. Will it be construed as a de facto legalization of electrical or motorized bikes?

The motorize bicycles are illegal: they have not undergone product safety tests; they are parked on sidewalk – where no motorized vehicle is allowed - and consume a large proportion of the scarce pedestrian space. Giving to an untrained population a tool that is faster and more dangerous does not seem prudent.

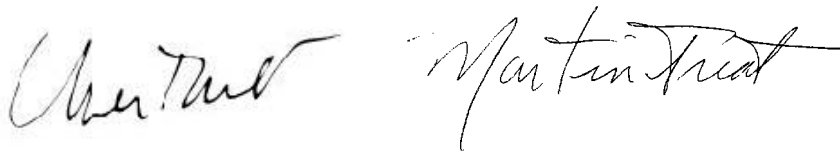
The bill should make it very clear that while bicyclists - no matter what device they use - are subject to the rules, illegal devices, like motorized bicycles remain illegal, will be seized and the owner of the business will receive a meaningful fine (\$ 1,000). In addition, it is important to clarify that it is illegal to park motorized devices on the sidewalks.

To streamline the administrative burdens on small businesses: the requirement for both an identification number on the back of the bicycle and the bicyclist seem redundant and impractical. The bicycle plates are very hard to read. Are both numbers to be in sync? Considering the fact that the numbers cannot be reused this is a lot of overhead for any given business for such a high turnover business and. We recommend removing this requirement from the law.

The commercial bicyclist log should be created on line in a city provided central database, this would remove the need for an annual submission.

We suggest the requirements to maintain a delivery log is removed from the existing law.

Int. No. 896-A –The addition of new personnel to enforce the laws is welcome. May we suggest that the **Health Department Inspectors** who already visit all the restaurants be educated and include the enforcement of commercial bicycles laws in their inspections.

The image shows two handwritten signatures in black ink. The signature on the left is 'C. Berthet' and the signature on the right is 'M. Treat'. Both are written in a cursive, flowing style.

C. Berthet, co-founder, M. Treat, co founder,