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**The City of New York  
Community Board 8 Manhattan  
Transportation Committee**  
Wednesday February 2, 2022, 6:30 PM  
*Conducted Remotely on Zoom*

*Please note: The resolutions contained in the committee minutes are recommendations submitted by the committee chair to the Community Board. At the monthly full board meeting, the resolutions are discussed and voted upon by all members of Community Board 8 Manhattan.*

**Minutes**

*Present:* Rit Aggarwala, Lowell Barton, Lori Bores, Michele Birnbaum, Lorraine Brown, Alida Camp, Sarah Chu, Rebecca Dangoor, Billy Freeland, Paul Krikler, Craig Lader, Rebecca Lamorte, Sharon Marshall-Pope, Valerie Mason, John Phillips, Rita Popper, Barry Schneider, Cos Spagnoletti, Elaine Walsh, Charles Warren, Peter Borock (public member)

*Absent (Excused):* None

**Resolutions for Approval:**

**Item 2 – Revocable Consent – ADA Ramp at the Frick Collection (south sidewalk of East 71st Street, east of Fifth Avenue, at 1 East 70th Street)**

The meeting was called to order at 6:31 PM.

**Item 1: Continuing Discussion - Bike Registration/License Plates**

In September and November 2021, the Transportation Committee held initial discussions regarding the topic of bike licensing and registration and a package of legislation proposed by New York State Senator Simcha Felder, who represents portions of Brooklyn and is a proponent of stricter regulation of bikes. The November discussion was tabled until this meeting to allow for the Committee Co-Chairs to bring in speakers with expertise and experience with such laws in other locales.

Bryan Best, Legislative Director for Sen. Felder, provided an overview of the package of proposed bills that Sen. Felder introduced related to bicycle safety and enforcement, with a specific focus on Senate Bill S7204, which would establish a bicycle and electric scooter operator's safety manual and licensing requirement, and Senate Bill S7206, which would require license plates for bicycles, bicycles with electric assist and electric scooters. The bills were modeled after motor vehicle license and registration laws, and are intended to raise the awareness of bike safety and increase knowledge of laws that cyclists must abide by; there would be nominal fees required to obtain the licenses, but the intent is not for these fees to raise revenue but to support the administrative costs. The law is specific to New York City, as it is the only city in the State which would meet the threshold of having more than 1 million residents for the language to be in effect. These laws would be applicable to Citi Bike and its users. There is no minimum age requirement indicated in the language of these bills. Mr. Best indicated that he did extensive research as he help develop these bills, and found that Honolulu was the only major city with a mandatory bike registration program; after reviewing the Honolulu law, the Senator set forward using a “one road one rule” approach to drafting language to these bills rather than trying to emulate other locales.

Representing the City of Honolulu’s bike registration program was Bike Program Coordinator Chris Sayers from Honolulu’s Department of Transportation Services, who provided the following details and perspective:

- Honolulu is the only major American city with a mandatory bike registration program.
- As of a few years ago, e-bikes are now included in the program; mopeds are considered motor vehicles and are covered by other laws.
- The bike registration program requires bikes be registered, but not the cyclist operating the bike.
- The bike registration program does not have a safety aspect and is not intended to be used as a tool for enforcement.
- Bike registration likely contributes to bikes being retrieved after being stolen; approximately 16% of bikes reported stolen in Honolulu are returned to their owners.
- For bureaucratic and administrative reasons, the program is run through the Honolulu Department of Consumer Services.
- When the program began, license plates were distributed to registered bikes, but many years ago they converted to a sticker-based system; stickers are placed on the frames of bikes.
- Registration for new bikes takes place at the point of purchase; for bikes purchased elsewhere, owners are supposed to complete their registration at a satellite city hall.
- The bike registration program currently only requires one-time registration per bicycle at a fee of \$15; a \$5 fee is in place for transfer of a registration sticker to a different bicycle. When the program began the early 1970s, annual renewals were required, and then for a time was required once every two years. Mr. Sayers explained that he would send out forms in the mail to those registered to alert them to their scheduled renewal, and he included a pamphlet describing the benefits of bike registration, but many people didn't return their renewal forms that were mailed to them.
- The program has consistently generated about \$400,000 per year, with all fees collected going into a special fund that can only be spent on bicycle-related programs projects, but Mr. Sayers noted that such limited annual revenues doesn't translate into much new bike infrastructure (as bike lanes cost over \$1 million per mile). About \$50,000 per year is used for administration of the registration program.
- There have been issues regarding enforcement and equity concerns, as the city of Honolulu has received complaints that cyclists are being targeted based on whether their bikes were registered; there was also a time that the Honolulu Police Department was using funds meant to be used for safety enforcement to target bicyclists that were riding unregistered bikes, which was not the intent of the program. This practice was suspended after the Department of Transportation Services objected.
- Reasons provided for the program not being safety/enforcement focused include the challenges of how to handle different age groups and especially children and concerns about bureaucracy.
- The only bike safety law in effect is a bike helmet law for persons under age 16.

Representing the City of New Orleans was Policy & Program Manager for the City of New Orleans Mayor's Office of Transportation Dan Jatres, who provided the following information and perspective regarding New Orleans' bike registration practices:

- The City of New Orleans bike registration program was mandatory until 2018, when it transitioned to a voluntary program.
- The prior mandatory program did not include e-bikes, as they hadn't gained the mainstream popularity that they now have. The current voluntary program does include e-bikes.
- Like Honolulu, the bike registration program doesn't have a role in traffic enforcement, as the registration stickers placed on bikes are small and not visible unless a cyclist was stopped by an enforcement officer. Traffic cameras are not used to target bicycles or cyclists, since the bikes are not identifiable by cameras.
- In the years prior to 2018 when it was a mandatory program, the program was operated by the city's police department; for a \$3 fee, cyclists would register their bikes either at the point of purchase or at a police department precinct.
- The City of New Orleans decided to make the registration program voluntary for numerous reasons:
  - It was not user friendly, as it required people to physically visit a police precinct if a change to registration was needed, including changes to mailing addresses and contact information;
  - Registration data was often out of date as those who were registered often didn't update their contact information;
  - It was difficult to transfer registration if a bike owner didn't purchase it from a retail vendor or if a bike owner sold their bike;

- The local registration database wasn't linked to any national database, reducing the impact of the registration and ability for bikes to be tracked and recovered if stolen;
- There were concerns that bikes stopped for lacking registration stickers were providing an opportunity for probable cause for traffic stops that could be considered harassment of people that weren't violating any traffic laws
- The cost of registration fell far short of covering the costs of administering the program, and the cost of enforcing mandatory registration further contributed to the budgetary shortfalls of the program;
- It wasn't strictly enforced.
- The current voluntary program is operated by the City's Safety and Permit Department, which made it more accessible for residents than when it was operated by the Police Department when people had to make in-person changes to their registration;
- The voluntary program is linked to national bike registration databases, where registration info can be updated at any time and transferred to new owners if a used bike is sold;
- The primary purpose of the current bike registration program is to assist with bike theft recovery;
- New Orleans has other non-registration programs in place to promote safe and legal biking practices;
- There are no policies in place regarding bike licensing. Any potential policies related to licensing of bike users would be handled at the State level, not by the City of New Orleans;
- Based on census data, about 3.5% of New Orleans residents commute to work via bike, which amounts to a few thousand people;
- There is a state helmet law for youths.

In response to questions from meeting participants and board members, Mr. Sayers and Mr. Jatres provided the following responses based on their extensive experience but that were not specifically related to Honolulu and New Orleans:

- Both Mr. Sayers and Mr. Jatres indicated that in regards to enforcement of traffic laws involving bikes, the bigger concern is a lack of enforcement of motor vehicle operator behaviors that have contributed to increase in injuries and crashes involving bicycles, and that enforcement of drivers should be prioritized. They also said enforcement of cyclists who, for example, are riding without operating lights or running traffic signals is also important.
- If a bike is involved in a crime, a serial number can be found on bikes.
- There has been no discernable evidence that bike registration deters bike usage. There is data to suggest bike usage declines when bike helmets are mandatory for adults; Seattle is the largest city with an adult bike helmet law and could be a source of further information on this topic.
- While bike license plates theoretically could improve enforcement abilities, both Mr. Sayers and Mr. Jatres suggested that the costs of developing and administering such programs would yield very little benefit relative to any improvements in safety likely to be generated.
- A concern raised by both Mr. Sayers and Mr. Jatres in regards to mandatory licensing programs and some enforcement practices is the manner in which disadvantaged populations would be potentially adversely impacted. Many people relying on bikes do not own cars, and they are most likely to be from low-income communities where such practices deter bike usage, and are viewed as barriers to mobility and discriminatory.

In general, the comments from meeting participants split into 3 groups – those who support efforts to install bike registration or licensing requirements in New York City, those who believe there are potential regulatory initiatives that can contribute to improved safety for cyclists and pedestrians but are also concerned that mandating programs or laws may not be the best answer or could weaponize enforcement practices, and those who feel that bike registration or licensing would not solve the safety concerns that surround biking in New York and would unfairly target marginalized populations. With so much information provided, it was agreed that it would not be appropriate to take any action at this juncture, and that the Committee would revisit these issues in the future and based on how policy discussions at both the state and city levels proceed.

**Item 2: PUBLIC HEARING: Application on behalf of The Frick Collection for a new revocable consent to construct, maintain and use ADA Ramp with stairs on the south sidewalk of East 71st Street, east of Fifth Avenue, at 1 East 70th Street**

Richard Southwick, Director of Historic Preservation for Beyer Blinder Belle, presented on behalf of the Frick Collection an application for a revocable consent to construct, maintain and use an ADA Ramp with stairs on the south sidewalk of East 71<sup>st</sup> Street to improve accessibility to the Art Reference Library of the Frick, which operates independently from the rest of the Frick Collection with different users and visitor hours.

In 2018, the Frick presented an expansion plan to CB8; one element was a ramp to make the entrance to the Art Reference Library accessible, (the full expansion plan was approved by the Landmarks Preservation Commission). At the time, Community Board 8 took no position for or against the expansion plan after the Landmarks Committee disapproved the full application. However, the Landmarks Committee resolution excluded the ramp from its disapproval. The Landmarks Preservation Commission ultimately approved the Frick expansion proposal.

The Frick has since modified the Art Reference Library ramp proposal to reverse the direction of the ramp, which descends to provide access to the cellar to start by the main Library entrance and head west; this allowed the ramp length to be reduced by about 6 feet. The cellar entrance will be lowered by nearly 2 feet, which will allow the doorway height to be increased as its current 6 feet is not high enough to be considered a legal entrance. There is a Con Edison Vault further west along the building that will now be left unchanged. The tree pits in front along the sidewalk will also remain unaffected. All blue stone panels that will be removed during construction will be reinstalled. When combined with internal improvements, this will allow all visitors to be able to access the main entrance hall without being impeded by stairs.

The ramp meets all ADA requirements – it is a 1 in 12 slope, about 26 feet to the landing. The railing is a picket rail with ornaments matching those on the 70<sup>th</sup> Street side, which will be painted in a black enamel finish. There will be an additional 5 feet of railing alongside a staircase at the opposite side of the ramp that also accesses the cellar entrance. The outside face of the railing comes out about 3' 10" from the wall (3' is needed to meet ADA guidelines). Limestone panels to match the finish of the wall above will be installed. The sidewalk is 15 feet wide, and there will be over 5 feet of clearance between the ramp and the adjacent tree pits which meets ADA requirements.

There was a significant level of support for this proposal, as the importance of providing an ADA accessible entrance was viewed as a necessary and long overdue upgrade. The participants who expressed opposition did so on the grounds that the project would create construction disruption and would benefit a relatively small number of visitors, and questioned why a ramp was needed at the Art Library entrance in addition to two ramps that are in place on 70<sup>th</sup> Street. Some questioned whether the length of the ramp was excessive. There was concern raised that the ramp would be used for deliveries for food services and that such potential deliveries would increase street congestion from truck delivery activity; the applicants responded by saying that such activities take place on 70<sup>th</sup> Street as it is closer to the service elevator and café. Some were skeptical that the ramps would be used for other purposes other than to specifically provide library access. A few members were not satisfied by the design elements of the ramp railings.

The following resolution was then put forward by CB8:

**WHEREAS;** a revocable consent is requested by the Frick Collection to construct, maintain and use an ADA Ramp with stairs on the south sidewalk of East 71st Street; and

**WHEREAS;** the proposed ramp would provide access to the Art Reference Library, which operates separately from the rest of the Frick Collection Institution; and

**WHEREAS;** the proposed length of the ramp is approximately 26 feet, which is necessary to allow the height of the entrance to the cellar to be increased to meet ADA standards; and

**WHEREAS;** the ramp will be 3' 10" wide, exceeding the minimum 3' ADA requirement; and

**WHEREAS;** there will be an additional 5 feet of railing alongside a staircase at the opposite side of the ramp that also leads to the cellar entrance;

**WHEREAS;** there will be over 5 feet of minimum sidewalk clearance between the ramp railing and existing tree pits, which exceeds City of New York requirements; and

**WHEREAS;** the issue of ADA accessibility is of extreme importance to Community Board 8;

**THEREFORE BE IT RESOLVED,** that Community Board 8 approves, as presented, the request by the Frick Collection for a revocable consent to construct, maintain and use an ADA Ramp with stairs on the south sidewalk of East 71st Street to provide access to the Frick's Art Reference Library

*Yes (14):* Barton, Bores, Brown, Chu, Dangoor, Freeland, Krikler, Lader, Lamorte, Marshall-Pope, John, Popper, Schneider, Spagnoletti

*No (2):* Camp, Walsh

*Abstain (2):* Birnbaum, Mason

*Not Voting for Cause (1):* Warren

**Item 3: Discussion regarding how to support restaurants that wish to participate in the NYCDOT Open Restaurants Program, but are unable to due to conflicts with other uses or parking regulations**

Due to the meeting length, this item was not discussed, and will be on the March 2022 Transportation Committee agenda.

**Item 4: NYCDOT Updates**

Jackie Lazaro from NYCDOT provided an update on its barrier beautification initiative, which provides temporary mural and design treatments to concrete barriers that protect bike lanes and pedestrian walkways. There is a solicitation for artists and designers to apply; the deadline for applying is February 13<sup>th</sup>. A member of the public suggested that NYCDOT look at the barrier under the Queensboro Bridge under 1<sup>st</sup> Avenue, which needs repainting.

**Item 5: Old Business**

A member noted all of the new open restaurants sidewalk structures that have recently been fully enclosed, and asked whether NYCDOT is doing anything regarding enforcement and expressed concern that they will be grandfathered into the permanent Open Restaurants program.

**Item 6: New Business**

A member asked if an invite can be extended to new NYCDOT Commissioner Ydanis Rodriguez. A co-Chair indicated that such an invite has already been extended and that NYCDOT is aware of our interest.

A member asked about the timeframe for representatives from Extell and the Hospital for Special Surgery to come to the Transportation Committee to discuss community concerns regarding their proposed development along the east side of 1<sup>st</sup> Avenue between 79<sup>th</sup> and 80<sup>th</sup> Streets specifically related to parking-related issues. They were invited by one of the Transportation Committee Co-Chairs during the January Zoning and Development Committee.

A member noted the recent pedestrian and cyclist fatalities within Community District 8, and that newly installed Council Member Julie Menin will be holding a walkthrough with officials from NYCDOT in the field to highlight safety concerns.

There being no further business, the meeting was adjourned at 10:08PM.

Respectfully submitted, Charles Warren & Craig Lader, Co-Chairs