



Delores Rubin
Chair

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CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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July 7, 2017

James O'Neill
Commissioner
New York City Police Department
One Police Plaza
New York, NY 10007

Re: Two cyclists killed by bus drivers in Chelsea

Dear Commissioner O'Neill,

Over the years, Manhattan Community Board 4 (CB4) has worked in a close and effective partnership with all of its Precincts (Midtown North, Midtown South, 10th and 13th Precincts) as well as the Traffic Division.

In the last three weeks the deaths of two cyclists killed by bus drivers has saddened and shaken CB4 in general and the people who bicycle in particular. It has brought out intense emotions in our cycling and pedestrian community that were expressed in strong words at our last Transportation Committee Meeting.¹ This letter will be ratified at the next full board meeting on Wednesday, July 26th. However, due to the severity of the multiple fatalities occurring within weeks of each other, CB4 believes action must be taken as soon as possible.

We are asking you to meet with us in the next three weeks to discuss these issues and share the measures you will take to prevent such tragedies in the future. We also would like to invite you to our next Transportation Committee meeting to open the dialogue with the community.

Based on all available public information, the bicyclists were following the rules of the road: one a 36 year old father on a Citi bike who had just dropped off his child at school, the other an 80 year old retired cobbler who lived in the neighborhood. The bus drivers were not abiding by the laws: neither 26th nor 29th Streets are classified as truck routes.

¹ We regret that a misunderstanding caused us to assume the NYPD had been invited and did not show up. We welcome NYPD representatives at all of our meetings.

The buses were not permitted on these streets, as there was no evidence that they needed to be there to reach their destination.

As far as we can remember, buses and trucks travelling illegally on non-truck routes have been the object of a constant battle in Chelsea and Hell's Kitchen. We receive regular complaints from residents, we request signs from DOT and advise the residents to attend their Precinct Community Council to obtain enforcement. But the situation is deteriorating every day.

- We believe a systematic program of enforcement of bus routes and bus stops would be very effective, since the renewal of bus stops is contingent on a company record with violations.

A double-parked car seems to be a contributing factor in one of the fatalities. Enforcement of such illegal parking or loading especially when it is located in a bike lane is very important to the safe passage of bicyclists. This is a constant complaint of bicyclists in our neighborhood.

- Bike lane obstructions is another area where systematic enforcement would send the message to drivers that bicycling is an important mode of transportation that deserves the same attention and respect as driving. Having officers on bikes issuing these tickets would help propagating in the ranks the view from the handle bar, instead of the windshield.

Also, our community members complained loudly about the fact that when NYPD representatives make comments right after a crash, they often appear to be blaming the victim (bicyclist or pedestrian), even though the investigation is just starting. Recent examples include the deaths of 32-year-old Ronald Burke, and 36-year-old Dan Hanegby who was killed on West 26th Street in our district. In both cases the initial report by NYPD pointed at possible responsibility or culpability of the bicyclists only to be contradicted the following day by third-party video footage or photos.

- It seems that a better approach for everyone would be: no comments from anyone at all within the first two or three days after the crash, until the Collision Investigation Squad forms a general opinion and is in a position to communicate with reliable facts.

We believe that some changes in protocol and focus could address those issues, improve safety on no-truck routes and change the dynamic between cyclists, pedestrians and NYPD as it relates to the Mayor's Vision Zero plan. One potential enforcement mechanism mentioned at our meeting, was to use camera and sensor technology to enforce street safety and specific truck routes. While we understand the NYPD may have legal restraints, we look forward to discussing this among other strategies for keeping our streets safe for all our constituents.

We thank you again for the terrific job your units are doing in protecting our community.

Respectfully,



Delores Rubin
Chair



Christine Berthet
Co-Chair, Transportation
Planning Committee



Yoni Bokser
Co-Chair, Transportation
Planning Committee

Cc: Hon. Jerry Nadler, U.S. Congress
Hon. Gale Brewer, Manhattan Borough President
Hon. Brad Hoylman, New York State Senate
Hon. Linda Rosenthal, New York State Assembly
Hon. Richard Gottfried, New York State Assembly
Hon. Helen Rosenthal, City Council
Hon. Corey Johnson, City Council
Thomas Chan, Chief of Transportation, NYPD