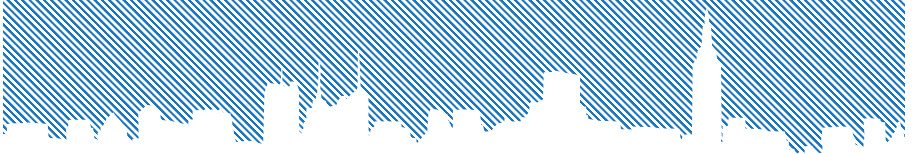


BRING IN THE BIKES

A GUIDE TO BICYCLE ACCESS TO
COMMERCIAL BUILDINGS IN NYC



On August 13, 2009, Mayor Michael R. Bloomberg signed into law Intro. 871-A, The Bicycle Access Bill, Local Law 52; the law takes effect on December 11, 2009. The purpose of this document is to provide you with detailed information about this significant step forward in supporting sustainable transportation and to walk you through the step-by-step process of bringing bicycle access to your workplace.

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OVERVIEW OF LOCAL LAW 52

Local Law 52 aims to increase bicycle commuting by providing cyclists with the opportunity to securely park their bikes in their workplace or other designated areas. If your building is primarily occupied by offices, has a freight elevator, and is in existence on December 11, 2009, then it is subject to the law. All that is required to set things in motion is for a tenant to request a Bicycle Access Plan.

BENEFITS OF LOCAL LAW 52

Local Law 52 benefits both individual cyclists and the city at large. On an individual level, the law facilitates a healthy and active lifestyle and supports a cost-free commuting option. On a citywide level, by encouraging everyday commuter cycling, the law supports a carbon-free mode of transportation and does much to help reduce overcrowding on our city's subways and buses.





7 World Trade Center,
Silverstein Properties

APPLICATION OF LOCAL LAW 52

Bicycle Access Plans Local Law 52, § 28-504.3

The responsibilities and rights of all the stakeholders involved in the application of this law are detailed below. This section describes the step-by-step process of securing bicycle access to a commercial building.

Step 1: Employee approaches employer (tenant/sub-tenant of building) and requests permission to bring his or her bicycle into the office.

Step 2: If the employer (tenant/sub-tenant of building) is in agreement, the process continues. Note: under the provisions of the law, an employer (tenant/sub-tenant of building) is not mandated to accept an employee's request.

Step 3: The employer (tenant/sub-tenant of building) requests in writing on a form provided by the Department of Transportation via the Department's website that the owner, lessee, manager or other person who controls the building complete a Bicycle Access Plan. Note: in order to officially initiate the request, the employer (tenant/sub-tenant of building) must also send a printed copy of the online request for access to the above mentioned parties by certified mail, return receipt requested.



Step 4: Within 30 days of receiving the employer's request, the owner, lessee, manager or other person who controls the building must complete and implement the Bicycle Access Plan (requests for exceptions to compliance are discussed in the next section).

The DOT Website and 311

All official information about the Bicycle Access Bill, Local Law 52, can be found on the Department of Transportation's website: nyc.gov/bikesinbuildings. In addition to the actual bicycle access plan request and exception forms there is general background information and various resources to help you understand and comply with the bill.

Along with the DOT's website, the city's existing 311 operator system is available to answer questions about the law and if required, your specific case. Finally, you can also reach out directly to the Bikes in Buildings program at the DOT by emailing bikesinbuildings@dot.nyc.gov



Step 5: The specific Bicycle Access Plan must be completed by the owner, lessee, or manager on a form provided by the Department of Transportation via the Department's website and must include, at a minimum: the location of entrances; route to freight elevators that accommodate bicycle access; the route to a designated area for bicycle parking on an accessible level if such bicycle parking is made available; and such other information as the Department of Transportation may require. The plan must provide bicycle access, at a minimum, to the requesting tenant or subtenant and its employees during the regular operating hours of the freight elevator, if the freight elevator is to be used as part of the Bicycle Access Plan.

Note: A building's existing Bicycle Access Plan may be amended in the future to accommodate requests from additional building tenants or subtenants.

Step 6: Every owner, lessee, manager or other person in control of a building who has not applied for an exception must, within 35 days of receipt of the request for bicycle access, either (i) post each bicycle access plan that is in effect in the building lobby or (ii) post a notice in the building lobby indicating that such plan is available in the office of the building manager upon request.

An Index Number

Upon submitting a tenant request form for bicycle access plan via the Department of Transportation's website a tenant or subtenant will receive an index number tied to your specific Bicycle Access Plan request. You may use this index number on any future correspondence regarding your request.

BICYCLE ACCESS EXCEPTIONS

Local Law 52, §28-504.4

Under the law, an owner, lessee, manager or other person in control of a building—after receiving a request by a tenant or subtenant for bicycle access—is permitted to pursue one of the two exceptions to the law.



Bicycle access to the requested building need not be provided if an owner, lessee, manager or other person who controls a building applies to the Commissioner of Transportation for one of the exceptions on a form provided by the Department of Transportation via the Department's website and is granted the exception. A copy of the completed request for exception must be sent to the Department of Transportation by certified mail, return receipt requested, within 15 days of receipt of a request for a bicycle access plan. In addition, the request for exception must also be sent to the tenant or subtenant within 30 days of the date of receipt of said tenant or subtenant's request for a bicycle access plan. Notification to the requesting tenant or subtenant must include copies of all supporting documentation provided to the Department of Transportation.

127 West 26th Street,
Justin Management

A request for exception can be based on either of the following two grounds:

Alternate Bicycle Parking Available

There is either sufficient secure alternate covered off-street no-cost or sufficient secure alternate indoor no-cost bicycle parking available on the premises or within three blocks or seven hundred fifty feet, whichever is less, of the building. This request for exception must contain documentation supporting the existence of alternate bicycle parking and that the parking is available to, or under the control of, the owner, lessee, manager or other person who controls the building.

Proof of availability or control of alternate parking may include, but is not limited to, a copy of a deed, lease, title, permit or contract indicating control.

The alternate parking options proscribed by a request for exception must be both “sufficient and secure.” Sufficiency will be measured by having enough spots to accommodate the number of cyclists that a specific tenant has requested access on behalf

of. In order to qualify as secure, entry and exit to the parking must be either locked, monitored or restricted from the general public. There must also be structures for cyclists to lock their bikes to.

Upon receipt of the request for exception, both the Departments of Transportation and Buildings will conduct an inspection of the suggested alternate bicycle parking.

Based upon the inspection, the Department of Transportation shall issue a final determination as to whether to grant a letter of exception, or denial of exception. The agency will so do by certified mail, return receipt requested, to the owner, lessee, manager, or other person in control of the building.

If the exception is denied, a Bicycle Access Plan facilitating access to the requesting tenant or subtenant’s space must be implemented within 20 days of receipt of the agency’s final determination.

If the exception—based on either sufficient secure alternate covered off-street no-cost or sufficient secure alternate indoor no-cost bicycle parking available on the premises or within three blocks or seven hundred fifty feet—is granted, the alternate parking option(s) must be made available for use within 5 days of receipt of the agency’s final determination approving the request for exception and the letter of exception detailing the terms of the alternate parking must be posted in the building lobby, or alternatively, a notice indicating that the letter of exception is available for review in the office of the building manager upon request must be posted in the building lobby.



Bike commuting increased 26% in 2008, according to the NYC Department of Transportation

Safety Risk in Freight Elevator

An exemption can be granted if the building's freight elevator is not available because unique circumstances exist involving substantial safety risks directly related to its use for bicycle access. A request for exception based on these grounds needs to include an engineer's certification in regard to unique and substantial safety risks.

Upon receipt of the request for exception, the Department of Buildings will conduct an inspection of the freight elevator(s). Based upon this inspection, the Department of Buildings will issue a final determination as to whether to grant the exception and a letter of exception, or denial of exception, will be sent by the Department of Transportation via certified mail, return receipt requested, to the owner, lessee, manager, or other person in control of the building.

If the exception is denied, a Bicycle Access Plan facilitating access to the requesting tenant or subtenant's space must be implemented within 20 days of receipt of the City's final determination.

If the exception is approved, the owner, lessee, manager or other person in control of the building is exempted from the provisions of this law. A copy of the letter of exception must be posted in the building lobby within 5 days of receipt of the agencies' final determination, or alternatively, a notice indicating that the letter of exception is available for review in the office of the building manager upon request must be posted in the building lobby.



EMERGENCIES AND FIRE CODES

Local Law 52, §28-504.5 and §28-504.8

In an emergency, whenever elevator use is prohibited, bicycles cannot be removed from the building via elevators, stairwells or fire escapes.

The New York City Fire Code prohibits building entrances and egresses from being blocked in any manner. This is a fairly straightforward rule and applies universally, i.e., it doesn't matter if you are dealing with a box of

office papers, your favorite office plant, a baby stroller, or a bicycle; there is the same requirement that whatever the object is, it cannot be placed in such a way as to block an entrance or egress to a building. Local Law 52 does not in anyway contravene this important element of the Fire Code and in fact specifically reinforces this point by stating that no bicycles brought into a building pursuant to the law shall be parked in any manner that violates the fire code, building code and/or any other applicable law, rule or code.





345 Hudson Street,
Trinity Real Estate



ADDITIONAL INFORMATION

How Employees, Employers and Building Owners Can Set Bicycle Access in Motion

Employees: Depending on the size of your office and existing corporate structure, there are different ways for employees to begin the process of requesting bicycle access. If you work in a relatively small office, you can probably speak with your employer/boss directly. If you work in a larger office, you will most likely need to speak with someone in Human Resources, Environmental Affairs or Corporate Responsibility.

Employers: If you are interested in the law and/or think you may have employees that would like to bike to work, reach out to your staff to begin to assess the level of interest. You should also start thinking about where you would accommodate bicycles in your office.

Building Owners or Managers: Start talking to your tenants and think about whether you want to allow bicycle access or apply for an alternate bicycle parking exception. If you think you will apply for a parking exception, begin to look into alternatives like space on a ground floor, basement, or in a nearby building.

345 Hudson Street,
Trinity Real Estate





BIKE STORAGE 101

If you are a tenant and you decide that you want to install bike racks in your office space, or are a building owner and would like to install bike racks to comply with a request for exception, the following information covers some basics:

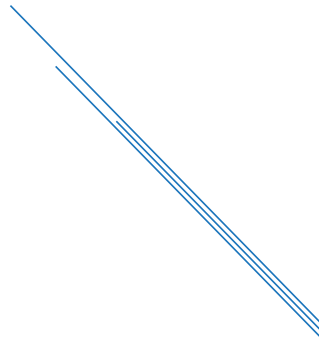
- a. Bicycle racks can be installed in almost any space.
- b. Generally speaking, a space of 14 feet by 6 feet can store up to a dozen bicycles.
- c. Each bicycle parking space should be accessible to the user without having to move another bicycle. Generally, horizontal parking will require 2 feet by 6 feet per bicycle parking space. For vertical parking, you will need 4 feet by 2 feet and a height of 6 feet for each space. Finally, you should provide for an aisle of at least 5 feet wide to allow room for maneuvering.

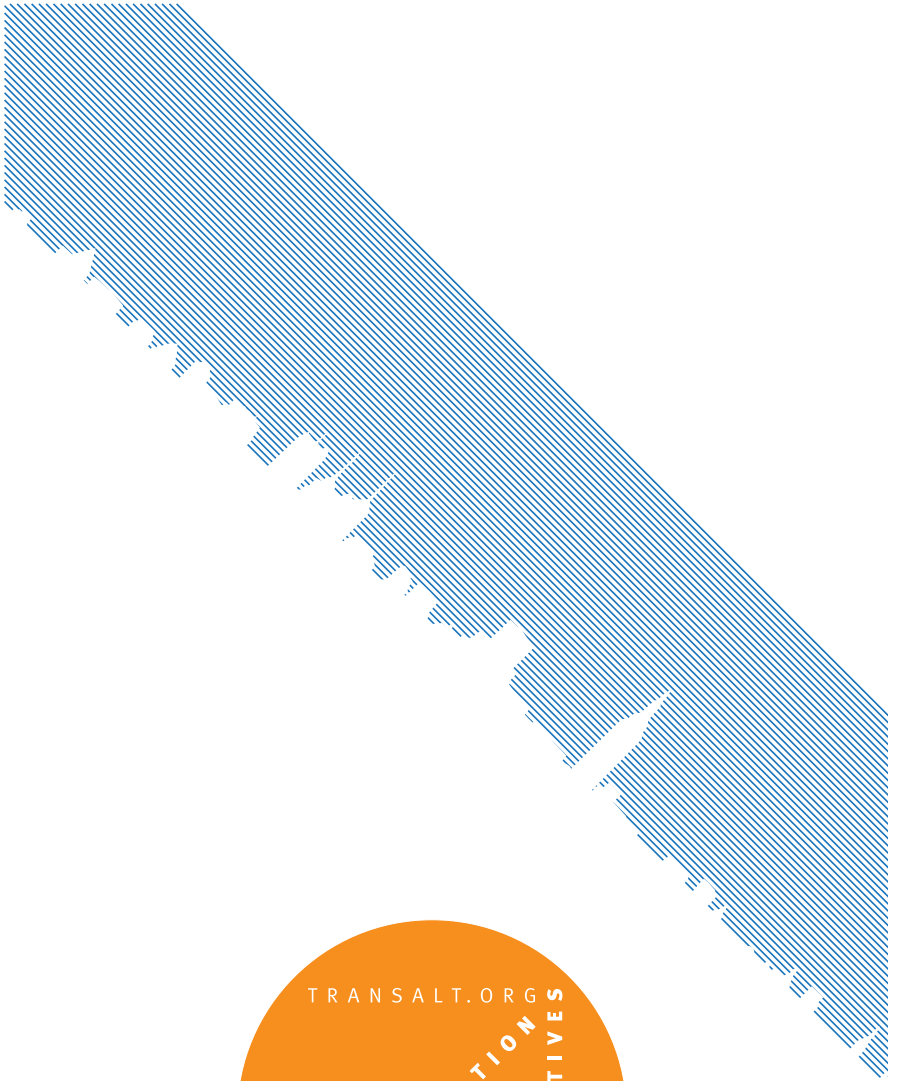
Additional bike parking resources can be found at:

transalt.org/campaigns/bike/indoor

BIKE ACCESS AND BIKE PARKING CONSULTANTS

Transportation Alternatives has assembled a list of designers, architects and consultants who can help create a bike access policy and designated bike parking facilities for the workplace. Full listings are available online at:
transalt.org/campaigns/bike/parking





TRANSPORTATION ALTERNATIVES

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212-629-8080 | info@transalt.org