



City of Cambridge

CR # 2

IN CITY COUNCIL

June 15, 1992

COUNCILLOR WOLF

ORDERED: That the City Manager be and hereby is requested to appoint to the Bicycle Committee someone from the senior citizen community to represent the concerns of that community on the Bicycle Committee; and be it further

ORDERED: That the City Manager be and hereby is requested to assign a member of the Police Department to work with the Bicycle Committee and the Council on Aging to develop a public service message for cable television to focus on the bicycle safety, particularly, in relation to senior citizens.

In City Council June 15, 1992.

Adopted by the affirmative vote of nine members.

Attest:- D. Margaret Drury, Temporary City Clerk.

A true copy;

ATTEST:-

D. Margaret Drury

D. Margaret Drury
Temporary City Clerk



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The Elder Affairs Committee conducted a public hearing on Wednesday, June 3, 1992 beginning at 1:12 in the Ackerman Room, City Hall.

Councillor Sheila T. Russell, Chair of the Elder Affairs Committee, convened the hearing and stated that the purpose of the hearing was to discuss issues of elder safety in relation to bicyclists on the public way. Present at the hearing were Councillor Russell, Councillor Alice K. Wolf and Temporary City Clerk Margaret Drury.

Councillor Russell introduced two members of the Cambridge Bicycle Committee, Cara Seiderman, Community Development Department, and Simon Shapiro. Councillor Wolf described the background to the Bicycle Committee. During the last term she worked with a Task Force on Bicycling, which submitted recommendations to the City Council. The first recommendation was that the City Manager appoint a permanent Bicycle Committee with some staff support. The Bicycle Committee has been appointed by the City Manager, and Cara Seiderman is staff to that committee.

Councillor Russell invited members of the public present to discuss the safety concerns of elder citizens in relation to bicycles.

Donna Johnson, Cambridge Council on Aging, stated that, although she herself cycles and supports the encouragement of bicycling as part of a goal of fewer cars on the streets, she and many of the elderly participants in her program are concerned about cyclists on the sidewalks. Motorists are not kind to cyclists, and, particularly now that sidewalks are accessible to handicapped persons, and therefore more easily travelled by bicycles, there is increased danger to elderly persons walking on sidewalks. She has observed cyclists come up behind a whole group of elders on the sidewalk with no warning. She has seen some dangerous near misses, and many elderly participants have also related stories of near accidents.

Virginia Jay, Massachusetts Avenue, stated that there is a major issue of enforcement of safety rules that must be addressed.

Cara Seiderman noted that the issue of bicyclists following safety laws and being considerate is a very important issue for the Bicycle Committee. The committee wants to talk to representatives of different groups throughout the City about what happens in their neighborhood relative to bicycle safety issues and problems. They feel that bicyclists and pedestrians have some similar issues because they are both more vulnerable groups in the public way. Ms. Seiderman distributed a copy of M.G.L. c85 sec. 11B, the state law regulating safe bicycle operation. (Attachment A).

Councillor Russell asked whether there was a representative from Harvard on the Bicycle Committee. Ms. Seiderman said there is not. Councillor Russell said she thought that there

should be some representation of elders and their point of view.

Donna Johnson noted that the public and the cyclists need to know what is legal and what is not. She gave an example of a cyclist who consistently rides past a school bus with flashing lights discharging children at the Longfellow School. She would like to know whether the crossing guard can give that cyclist a ticket or whether she can make a citizen's arrest.

Simon Shapiro said that enforcement of existing safety laws is extremely important because the proliferation of unsafe bicycling hurts proposals to extend bicycle activity.

Councillor Wolf agreed that enforcement is important, but noted that education is also essential. An education and public awareness campaign should precede an all-out enforcement effort. She added that another point that deserved careful investigation was whether some bicycle safety violations could be decriminalized. The problem with criminal enforcement is that it requires large investment of police time in going to court, and other such follow up. There are not enough police to make bicycle safety a priority in light of other demands on police time. When the violation is decriminalized, enforcement works more like traffic tickets or rubbish violations. Traffic control officers can cite violations.

There was further discussion of the problems of bicycling on sidewalks. Councillor Russell asked whether the offenders tended to be children or adults. Virginia Jay and Donna Johnson both said that the problems were caused by adults. Cara Seiderman noted that state law that state law allows cycling on sidewalks outside of business districts when necessary in the interest of safety, unless otherwise directed by local ordinance. A person operating a bicycle on the sidewalk shall yield the right of way to pedestrians and give an audible signal before overtaking and passing any pedestrian. Donna Johnson believes that bicycles should not be allowed on sidewalks at all. Simon Shapiro gave the example of Palo Alto, where separate space for bicycles has been integrated in the system of public ways.

Councillor Wolf noted that the Task Force report suggests creating a bicycle route through the City which uses the streets which are safest for bicycles. Edna Sullivan, 700 Huron Avenue, said that Mass Ave is very dangerous for pedestrian when it is being used by cyclists. She was hit by a bicycle when the traffic stopped so she tried to cross the street but the cyclist didn't stop with the traffic.

Ms. Seiderman agreed that education was important. She stated that Commissioner Anderson also took this position and felt that police officers should be educated about bicycle safety laws as well. The Bicycle Committee is beginning to discuss an education campaign and would welcome suggestions.

Councillor Russell suggested working through the universities. She also suggested an education campaign utilizing cable television and noted that this piece could start right away.

Cara Seiderman added that bike shops can also be used in educating cyclists. A pamphlet could be distributed to bike shops to hand out to customers.

Simon Shapiro said that the Bicycle Committee would be meeting the next day and that he and Ms. Seiderman will report on this hearing and will discuss the issues raised at this hearing.

Councillor Wolf moved:

That the City Manager be requested to appoint to the Bicycle Committee someone from the senior citizen community to represent the concerns of that community on the Bicycle Committee. She further moved that the City Manager be asked to have a member of the Police Department work with the Bicycle Committee and the Council on Aging to develop a public service message for cable television to focus on the bicycle safety particularly in relation to senior citizens.

The motion carried on a voice vote.

Councillor Wolf moved to adjourn the hearing. Councillor Russell thanked those present for their participation and adjourned the hearing at 1:55 PM.

For the Committee,

A handwritten signature in black ink, reading "Sheila T. Russell". The signature is written in a cursive style with a large, stylized "S" and "R".

Councillor Sheila T. Russell, Chair

PUBLIC WAYS AND WORKS

85 § 11B

§ 11B. Bicycles; operation and equipment; regulations; federal product safety standards, effect; races; violations; penalties

Every person operating a bicycle upon a way, as defined in section one of chapter ninety, shall have the right to use all public ways in the commonwealth except limited access or express state highways where signs specifically prohibiting bicycles have been posted, and shall be subject to the traffic laws and regulations of the commonwealth and the special regulations contained in this section, except that: (1) the bicycle operator may keep to the right when passing a motor vehicle which is moving in the travel lane of the way, (2) the bicycle operator shall signal by either hand his intention to stop or turn, and (3) bicycles may be ridden on sidewalks outside business districts when necessary in the interest of safety, unless otherwise directed by local ordinance. A person operating a bicycle on the sidewalk shall yield the right of way to pedestrians and give an audible signal before overtaking and passing any pedestrian.

Operators of bicycles shall be subject to the following regulations:

- (1) The operator shall ride single file on any way except when passing.
- (2) The operator shall not ride other than upon or astride a permanent and regular seat attached to the bicycle. The operator shall not carry another person on said bicycle, except on a baby seat attached to the bicycle, provided that such seat is equipped with a harness to hold the person securely in the seat and that protection is provided against the feet of said person hitting the spokes of the wheel of the bicycle.
- (3) The operator shall give an audible warning whenever necessary to insure safe operation of the bicycle; provided, however, the use of a siren or whistle is prohibited.
- (4) The operator shall park his bicycle upon a way or a sidewalk in such a manner as not to obstruct vehicular or pedestrian traffic.
- (5) The operator shall not permit the bicycle to be drawn by any other moving vehicle. The operator shall not tow any other vehicle or person, except that bicycle trailers properly attached to the bicycle which allow for firm control and braking may be used.
- (6) The operator shall not carry any package, bundle or article except in or on a basket, rack, trailer or other device designed for such purposes. The operator shall keep at least one hand upon the handlebars at all times.
- (7) Every bicycle operated upon a way shall be equipped with a braking system to enable the operator to bring the bicycle traveling at a speed of fifteen miles per hour to a smooth, safe stop within thirty feet on a dry, clean, hard, level surface.
- (8) During the period from one-half hour after sunset to one-half hour before sunrise, the operator shall display to the front of his bicycle a lamp emitting a white light visible from a distance of at least five hundred feet, and to the rear of said bicycle either a lamp emitting a red light, or a red reflector visible for not less than six hundred feet when directly in front of lawful lower beams of headlamps on a motor vehicle. A generator powered lamp which emits light only when the bicycle is moving shall meet the requirements of this clause.
- (9) During the period from one-half hour after sunset to one-half hour before sunrise, the operator shall display on each pedal of his bicycle a reflector, or around each of his ankles reflective material visible from the front and rear for a distance of six hundred feet, and reflectors or reflective material, either on said bicycle or on the person of the operator, visible on each side for a distance of six hundred feet, when directly in front of lawful lower beams of headlamps of a motor vehicle. This clause shall not prohibit a bicycle or its operator to be equipped with lights or reflectors in addition to those required by clauses (8) and (9).

(10) No bicycle shall be operated upon a way with handlebars so raised that the operator's hands are above his shoulders while gripping them. Any alteration to extend the fork of a bicycle from the original design and construction of the bicycle manufacturer is prohibited.

(11) The operator of a bicycle shall report any accident involving either personal injury or property damage in excess of one hundred dollars, or both, to the police department in the city or town in which the accident occurred.

Any federal product safety standards relating to bicycles which are more stringent than the requirements of clauses (7) through (10), inclusive, shall supersede said requirements.

Competitive bicycle races may be held on public ways, provided that such races are sponsored by or in cooperation with recognized bicycle organizations and, provided further, that the sponsoring organization shall have obtained the approval of the appropriate police department or departments. Special regulations regarding the movement of bicycles during such races, or in training for races, including, but not limited to, permission to ride abreast, may be established by agreement between the police department and the sponsoring organization.

Violations of any provision of this section shall be punished by a fine of not more than twenty dollars. The parent or guardian of any person under age eighteen shall not authorize or knowingly permit any such person to violate any of the provisions of this section. A bicycle operated by a person under the age of eighteen in violation of this section may be impounded by the police department, or in a town which has no police department, by the selectmen, for a period not to exceed fifteen days. A violation of any provision of this section by a minor under the age of eighteen shall not affect any civil right or liability nor shall such violation be considered a criminal offense.

Added by St.1961, c. 518, § 4. Amended by St.1962, c. 346; St.1971, c. 484; St.1973, c. 806, § 2; St.1983, c. 274.

2.

COMMITTEE REPORT

S-500

Elder Affairs Committee report for a hearing held on Wed., June 3, 1992 relative to a discussion of the issues of elder safety in relation to bicyclists on the public way.

In city Council,

June 15, 1992

Report accepted
Order adopted