

Committee Rep- V # 3

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Order: CM facilitate a meeting
between the bicycles on sidewalk
committee and an appropriate
representative of the police dept
as designated by Commissioner
Wabon



City of Cambridge

Committee Report #3

IN CITY COUNCIL

November 25, 1996

COUNCILLOR DAVIS

ORDERED: That the City Manager be and hereby is requested to facilitate a meeting between the Bicycles on Sidewalk Committee and an appropriate representative of the Police Department as designated by Commissioner Watson.

In City Council November 25, 1996
Adopted by the affirmative vote of nine members.
Attest:- D. Margaret Drury, City Clerk.

A true copy; *D. Margaret Drury*

ATTEST:-

D. Margaret Drury
City Clerk

City of Cambridge

The Public Safety Committee held a public meeting on Wednesday, November 13, 1996 beginning at 3:05 p.m. at the Senior Center, 806 Massachusetts Avenue for the purpose of discussing enforcement of traffic regulations regarding bicycles, automobiles, pedestrian and all wheeled vehicles.

Present at the meeting were: Councillor Michael Sullivan, Chair of the Committee; Councillor Henrietta Davis; Donna Lopez, Deputy City Clerk; Ronnie Watson, Police Commissioner; Lieutenant Steve Williams; Sue Clippinger, Director of Traffic, Parking and Transportation; Arthur Goldberg, Legal Counsel, Law Department; Susan Rasmussen, Director of Environmental and Transportation Planning, Community Development Department; Cara Seiderman; and Rosalie Anders, Community Development Department.

Councillor Sullivan opened the meeting by stating that the committee would take public testimony, then hear from Commissioner Watson and Lieutenant Williams and then the Law Department on ways to tighten the law up.

The committee heard from Sally Lindover, resident of 872 Massachusetts Avenue and member of the Council on Aging, who stated that she was a spry senior who walked a lot. The sidewalks, she said, are used heavily by bicyclists. Generally, she stated, young cyclists ride on the sidewalk; and the more mature riders use the street. She told the committee that she feels in danger personally. She said the amount of traffic does not diminish between Harvard and Central Squares.

The committee heard from William Joyce who told the committee that most bicyclists do not have any regard for the law. He said the bicyclists go with the traffic, against the traffic, on the sidewalks and this is a deliberate disregard of the law.

The committee heard from Virginia Duffy who told the committee of an incident where she almost had an accident with a bicyclist near the Golden Donut. She asked if there was a law that bicyclists were not supposed to ride on the sidewalks. Commissioner Watson responded that the only prohibition for riding bicycles on the sidewalk was in Central and Harvard Squares. Ms. Duffy further stated that another area of concern was bricks sticking up on the sidewalks. This situation, she said, should be corrected.

The committee heard from Jan Ecker who stated that she was hit by a bicyclist and received a broken shoulder. The Police Department would not make a report on the incident. Commissioner Watson asked Ms. Ecker how long ago did this incident happen. Ms. Ecker replied that the incident happened three years ago.

The committee heard from Jim Shannon who asked if there was a law that required bicycles to be licensed. Commissioner Watson stated that the licensing of bicycles still is done. The bicycles now receive a sticker rather than the license plate as was the practice years ago, said Lieutenant Williams.

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The committee heard from LaVonne Davidson who questioned the definition of "business district" as it related to the prohibition of bicycles being ridden on the sidewalks in Harvard and Central Squares. Commissioner Watson stated that bicycles cannot be ridden on sidewalks in a business district. Ms. Davidson cited Chapter 85, Section 11B of the Massachusetts General Laws which is attached as **Appendix A**.

Councillor Sullivan stated that the city must designate sections of the city to be within the business districts. The city now has only two designated business districts, Central and Harvard Square, which are described in Article I of the Traffic Regulations in Sections 1.8 and 1.20.

Councillor Davis questioned the interpretation of "business district". Ms. Cara Seiderman from the Community Development Department said that the designation of business district is up to the city or town and has been followed in other cities and towns.

Councillor Sullivan stated that the business districts need to be extended. Councillor Davis stated that she has worked with the Bicycle Committee and the Pedestrian Committee and they have several proposals that include expanding the definition of the business district to include all of Massachusetts Avenue, Huron Avenue and Cambridge Street. Another alternative, she said, was to ban bicycles on sidewalks throughout the city.

Councillor Sullivan asked Commissioner Watson if the regulations were age appropriate for bicyclists. Commissioner Watson stated that the present ordinance does not define the age or the education to be given to the bicycle rider to allow them to ride on the street.

Commissioner Watson gave a breakdown to the committee of the number of bicycle enforcement violations issued by the Police Department since July, a copy is attached as **Appendix B**. He stated that the four areas of concern by the Police Department are education, enforcement, regulations and facilities. Education, he said, must be done for people who commute through the city, people who live in the city and the students from Harvard University and Massachusetts Institute of Technology. Commissioner Watson stated that the Police Department had 3 1/2 to 4 rooms filled with unclaimed bicycles. He wanted to try to get people to register their bicycles at the point of purchase. He said that this four tier approach will be reviewed at the next meeting scheduled for December 13th. He further stated that the city needed to establish a registration program to get people to register their bicycles. A pamphlet outlining the laws in the city together with education on what can and cannot be done in the city would be prepared, he said. Bicycles should be equipped with an audible signal and compliance should be voluntary. Better signage would help the education process, he stated.

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Councillor Sullivan questioned Commissioner Watson on the likelihood that a person riding a bicycle having identification on their person. Commissioner Watson responded that if the bicycle was registered we could go back to the owner of record. He further stated that students are planning to use the same name and same address for every violation which will cause a problem with the Police Department.

The committee heard from Lloyd Smith, 5 Craigie Circle, who stated that lights on bicycles should be required. Commissioner Watson stated that there would have to be an ordinance amendment on this requirement.

The committee heard from Attorney Arthur Goldberg, Legal Counsel, Law Department, who stated that lights should be required equipment on bicycles. He stated that the city has accepted a state law, Chapter 85, Section 11A of the General Laws, which requires that bicycles be registered and more could be done to enforce the law.

Commissioner Watson stated that he and Cara Seiderman are working on a program to license bicycles; registration is for identification of the bicycle.

Commissioner Watson stated that enforcement of the law would be difficult to accomplish with people riding through the city.

Councillor Davis asked the Commissioner if enforcement was only being done by the bicycle patrol unit. Commissioner Watson stated that citations for violations were being given out by all shifts.

Ms. Lavonne Davidson asked Commissioner Watson if detail officers were required to direct automobiles while on detail duty. Commissioner Watson stated that detail officers are on specified duties for specific hours and are not on the city payroll, and therefore are not responsible for the day to day police operations.

Councillor Sullivan stated that the Bicycle and the Pedestrian Committees have been meeting regularly and there is nothing in place yet. He stated that come next Spring, something would be in place. It was a quality of life issue, he said. More and more complaints on this issue are being communicated to the City Council.

Councillor Davis asked Commissioner Watson about enforcement of bicycle infractions. Commissioner Watson said that citations issued call for fines. If the fines are not paid, the police officer who issued the ticket would have to go to court. Fines, he said, are usually \$20.00. Councillor Sullivan stated that the maximum fine a city could is was \$300.00. Councillor Sullivan stated a home rule petition would have to be passed to do community service in lieu of payment of the fine.

Councillor Davis asked why bicycle violations, which occur on roadways, are a different kind of ticket. Commissioner Watson responded that cars are regulated by state motor vehicle laws; bicycles are not required to have a license and tickets are written for bicycles under municipal non criminal disposition and enforcement activity. He said that cars and bicycles are different penalties. There is no report for bicycles, no where to file the report. We are in the process of creating out own report with the aid of the Law Department.

Councillor Davis asked whose responsibility it was if a pedestrian was hurt by a bicyclist. Lieutenant Williams responded that the bicyclist is required to report the accident.

Ms. Ecker asked if it was illegal to ride a bicycle on the sidewalk why aren't cyclist apprehended. Lieutenant Williams stated that when a pedestrian is struck by a bicyclist a report will now be taken by the Police Department.

Councillor Davis asked about the situation when a false name is given to a police officer. Lieutenant Williams stated that if an officer knows that a person gives a false name or refuses to give their name, the officer can arrest this person.

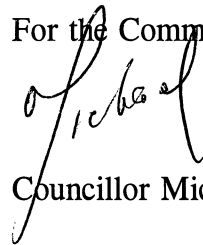
Councillor Sullivan suggested scheduling the next meeting in December to have enforcement ready to go forward by the Spring.

Councillor Davis requested that the meeting take place in the middle of January to give time to the bicycle and pedestrian committees on what is being expected of them. She further stated that she would like to schedule a Traffic and Transportation meeting on this issue.

Councillor Sullivan responded that if ordinance amendments are required, we need time to pass the ordinances. He stated that mid January for the next meeting would be fine.

The meeting adjourned at 3:55 p.m.

For the Committee,

A handwritten signature in black ink, appearing to read "Michael Sullivan", written over the printed name.

Councillor Michael Sullivan
Chair

APPENDIX A

Massachusetts General Laws,
Chapter 85, Section 11B:

Every person operating a bicycle . . . shall be subject to the traffic laws and regulations of the commonwealth . . . 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 shall yield the right of way to pedestrians and give an audible signal before overtaking and passing any pedestrian. . . .

APPENDIX B



CITY OF CAMBRIDGE POLICE DEPARTMENT

INTEROFFICE CORRESPONDENCE

TO: Ronnie Watson
Police Commissioner

DATE: November 7, 1996

FROM: Lieutenant Steven Williams

REF: #20

SUBJECT: Public Safety Committee meeting

Sir:

The following is a breakdown of the bicycle enforcement violations issued during the period beginning July 1 and ending October 31, 1996:

Total number of bicycle violations issued: 122

July	21	17%
August	5	4%
September	16	13%
October	80	66%

Violations issued: locations

Harvard Square area	59	48%
Central Square	54	44%
Other	9	8%

Violations issued: infraction

Sidewalk	95	78%
Red light	25	20%
Other	2	2%

Violations issued: fines/warnings

Fines	7	6%
Warnings	115	94%

Violations issued: assignment

Bicycle Patrol Unit	61	50%
Day Patrol	19	16%
Night Patrol	42	34%

Violations issued: address of bicyclists

Cambridge	77	63%
Boston	15	12%
Somerville	10	8%
Other	13	11%
Unknown	7	6%

Respectfully submitted,



Lieutenant Steven Williams
Community Relations Section

Committee Report #3

S-584

A report for a meeting held on November 13, 1996 for the purpose of discussing enforcement of traffic regulations regarding bicycles, automobiles, pedestrian and all wheeled vehicles.

In City Council November 25, 1996

Report Accepted,
Order Adopted,
Placed on file.