

# How to Advocate as an Individual



## About NYBC

New York Bicycling Coalition (NYBC) works to make New York a safer, more accessible, and enjoyable state for everyone to ride a bike and to walk. Since 1990, NYBC has been the only statewide voice advocating for a more bicycle-friendly New York and we continue to lead the way affecting important policy and legal issues, such as a 3 foot amendment to the existing safe passing law.

## Winning a 3 foot safe passing amendment

NYBC's voice is only as loud and as effective as the active participation and support of individuals like you. **Contacting legislators and sharing your story is essential** to helping them better understand why critical issues, like amending the safe passing law, are needed to make communities across the state into safer and more enjoyable places to ride a bike.



## How to effectively advocate

There are many ways to communicate with your legislator so your voice is heard; however, there's nothing more powerful and effective than meeting them in person and having a conversation.

Right now, in order to help win the passage of a 3 foot amendment, we need you to focus on the Assembly. To do so, identify your assembly member(s) so that you can schedule a local meeting. Click on this link (the words) to search for your **assembly member(s)**. Please **reference this document** to find out which legislators are supportive, and only meet with those who aren't listed. If there's anyone in support who is missing from our list, please let us know.

If you can't meet directly with your assembly member, please meet with a Chief of Staff or district manager. During your meeting, make sure to:

### 1. Review and use the 3 feet campaign ask

Go to <https://www.votervoice.net/NYBC/campaigns/44494/respond> and review the messaging we've created and please send an email if you haven't already. Make sure to bring the "Key Talking Points" on the next page with you to reference at your meeting and leave at least one copy with them.

### 2. Make it personal

Let your legislators know why you want and need the 3 foot amendment passed. Talking about why it's important and what it means to you, your family, your friends, and community is essential. We encourage you to write down a few bullet points with stories and facts that you can reference.

## Tips for helping you have even greater impact

- *Groups are great* – Small groups are a fantastic way to show that the issue has broad appeal – round up a couple of your friends and make it happen!
- *Credential yourself* – Introduce yourself at the beginning of the meeting, mention any group and community affiliations, and make sure to mention New York Bicycling Coalition.
- *Keep it short, focused, and positive* – Focus on the subject at hand and don't engage in arguments. Your goal is to share why this is important to you and what it means for your community and communities like yours across the state.
- *Ask for something* – Ask for a specific action by the legislator such as voting for or co-sponsoring the amendment which is A09189 and S06649 in the Senate.
- *Share your results* – Whether your legislator pledges to be a co-sponsor or says they won't vote for the amendment, please let us know who you met with, the date, and the outcome.

Thank you for all of your help – we greatly appreciate your support! If you have any questions, and to report your results, please contact us by emailing [nybc@nybc.net](mailto:nybc@nybc.net) or calling 518-436-0889.

## Key Talking Points:

- I'm/we're here to talk about the bi-partisan "3 foot safe passing" amendment - A09189 and S06649 which was sponsored by Senator Tom O'Mara and Assemblyman Phil Steck.
- While New York State currently has a safe passing law, it does not adequately help to protect people while they are riding a bike.
  - In its current form, the law is ambiguous and it is difficult to enforce. It's confusing to everyone because the phrase "a safe distance" is open to interpretation.
    - This leads to more "close calls", near misses, and crashes which can cause substantial stress, injury, and even death. The mental, emotional, and economic tolls and burdens can be long-lasting and life-altering.
    - Since at least 2005, New York State has the highest combined bicycle and pedestrian fatalities as a percentage of all traffic fatalities – that is 27 percent. New York State is the worst in the nation.
    - On average, four New Yorkers die every day due to a traffic-related crash. The combined hospitalization and emergency department charges alone average \$731.3 million, annually. This doesn't include loss of wages, etc.
- In order to help address these issues and make our roads safer, New York State needs to adopt a law that requires a minimum safe passing distance of at least 3 feet. This means that every person who is driving a motor-vehicle must pass people who are biking by giving them at least 3 feet of space.
  - There are currently more than 26 other states with at least a 3 feet passing law.
- There's no reason that this no-nonsense amendment, which will make roads safer for everyone across the state, shouldn't be part of the existing law and we need your support to make it a reality. It's essential for the well-being of our friends, families, and communities.

## The Ask:

- As your constituent, I'd like you to co-sponsor and vote in favor of A09189.
- Please reach out to Assemblyman Phil Steck or Senator Tom O'Mara today.
  - Assemblyman Steck's phone number is 518-455-5931 or email [steckp@assembly.state.ny.us](mailto:steckp@assembly.state.ny.us)
  - Tom O'Mara's email is [omara@nysenate.gov](mailto:omara@nysenate.gov) and his phone number is 518-455-2091.

## Details on the Amendment:

Currently, Vehicle & Traffic Law § 1122-a. entitled "Overtaking a bicycle" states that: "The operator of a vehicle overtaking, from behind, a bicycle proceeding on the same side of a roadway shall pass to the left of such bicycle at a safe distance until safely clear thereof."

The amendment would change the statute to read: "The operator of a vehicle overtaking, from behind, a bicycle proceeding on the same side of a roadway shall pass to the left of such bicycle at a distance **of not less than 3 feet** until safely clear thereof."

NYBC also recommends the addition of this clause to the existing statute: "The collision of a motor vehicle with a person operating a bicycle is prima facie evidence of a violation of this section".

## Thank you for your time, consideration, and hopefully your support

With your help we can make New York a safer and more enjoyable state for all road-users to travel!