



**THE CITY OF NEW YORK
DEPARTMENT OF SANITATION
OPERATIONS ORDER 2012-10**

EFFECTIVE DATE:

April 1, 2012

SUBJECT:

**PROCEDURES FOR THE IDENTIFICATION AND
REMOVAL OF DERELICT BICYCLES ON PUBLIC
PROPERTY**

AFFECTED DIRECTIVES:

Operations Order 2010-07 is hereby rescinded.

REFERENCED DIRECTIVES:

General Order 2010-06

I. Introduction

This Order sets forth the procedures that shall be followed whenever a Department of Sanitation (DSNY) employee observes or receives a report of a bicycle that appears to be derelict affixed to public property.

II. Definitions

The terms used in this Order will be defined as follows:

- A. A derelict bicycle shall mean a bicycle that is not a Ghost Bike, which has three or more of the following characteristics:
1. The bicycle's appearance is crushed or not usable.
 2. There are parts missing from the bicycle other than the seats and front wheels which are both commonly removed by the owner to prevent theft of the bicycle.
 3. The bicycle has flat tires, or is missing its tires.
 4. The handlebars or pedals are damaged, or the forks, frames or rims that are present are bent.
 5. Seventy-five percent of the bicycle which includes the handlebars, pedals and frames are rusted, along with the chain affixing the bicycle to public property.

- B. Public property shall mean any bicycle rack, light pole, bus pole, parking meter, tree, tree pit, railing or similar structure on a New York City street or sidewalk. Public property shall include any bicycle rack installed by the Department of Transportation (NYCDOT), its contractors, permittees or other entity authorized by the NYCDOT. For purposes of this Order, public property shall not include those docks or stations installed under the authority of the NYCDOT's Bike Share Program. A listing of all eligible NYCDOT bicycle racks will be provided to the Department.
- C. A Ghost Bike shall mean a bicycle that has been left as a memorial for someone who has passed away, and may be painted white or have a sign posted on or near it, or flowers or other mementos in the basket.

III. Procedures

Upon receipt of a complaint that there is a derelict bicycle, an Officer will investigate the complaint. An Officer will also investigate whenever, during the course of performing his or her duties, the Officer observes a bicycle that appears to be derelict affixed to public property. When conducting such an investigation, the Officer shall take the following actions:

- A. If the derelict bicycle is observed to be affixed to a bicycle rack, the Officer will consult the list of bicycle racks provided by NYCDOT in order to ascertain whether it falls within the definition of public property. If such bicycle rack does, the Officer should follow the steps outlined in III.B below. If not, the Officer should report back to his or her Superintendent verifying that the Department does not have jurisdiction over the particular bicycle rack. This information should be documented in the District's Telephone Order Book.
- B. If the derelict bicycle is affixed to public property, the Officer will take the following actions:
 - 1. The Officer will complete the Derelict Bicycle Report (DS 463B) and determine whether the bicycle meets the criteria set forth in this Order for a derelict bicycle. If it does not meet the criteria, the Officer will close out the complaint. If the bicycle meets the established criteria, the Officer will follow the directions set forth in Section 2 of this paragraph.
 - 2. The Officer will tag the bicycle with the Derelict Bicycle Removal Program and Official Notice to Remove Derelict Bicycle (DS 34C) and affix the Notice to the bicycle frame informing the owner that the owner has 7 days from the date written on the Notice to remove the bicycle, or DSNY will remove the bicycle and recycle it.
 - 3. The Officer will enter the date, time and location at which the derelict bicycle was tagged in the SCAN system.
 - 4. Thereafter, an Officer will check the location on a daily basis to ascertain whether the bicycle has been removed. The Officer will update the status of the bicycle in the SCAN system on a daily basis.
 - 5. In the event that a derelict bicycle has not been removed within 7 days from the date on which it was tagged, the Officer shall arrange for the bicycle to be removed by DSNY.

6. Upon removal of the derelict bicycle the Officer will document this in the SCAN system and include the date and time of removal of the derelict bicycle and truck number that it was recycled in.
7. The Officer will notify the local Precinct of the New York City Police Department (NYPD) when DSNY removes any derelict bicycle. The Officer will provide NYPD with a complete description of the derelict bicycle including its tag number, location, and the date and time of removal, along with any other information that may be requested by NYPD. The Officer will obtain the name and badge number of the NYPD Police Officer and the log book page number on which the information is recorded, and enter this information along with the Precinct Number, and the date and time of the report into the Bicycle System.
8. If the bicycle is removed from a bicycle rack, the Officer should then forward such information to Borough Command who will notify NYCDOT of such removal. This will be documented in the Telephone Order Book.

Nothing in this Order will preclude NYPD from taking any action, or removing any bicycle including a derelict bicycle, if the presence of such bicycle presents a hazard to public safety or otherwise violates the law.

Employees must obey Department General Order 2010-06, Rule 3.17 that states that unauthorized sorting or taking of any refuse or recycling material for personal use is prohibited.

CANCELLATION: This Order shall remain in effect until cancelled.

ISSUING AUTHORITY:



Bernard J. Sullivan
First Deputy Commissioner

DISTRIBUTION: All Managers, General Superintendents, and Supervisors.