

## Rules of the Road

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**Excerpted and adapted from a *shiur* by Dayan Yitzhak Grossman**

<https://baishavaad.org/wp-content/uploads/2024/02/terumah-kerashim-cubit-s-cars-20240207.mp3>

*You shall make the planks of the Mishkan...ten amos the length of each plank, and an amah and a half the width of each plank.*

Shmos 26:15-16

The *agalos* (wagons) that were used to carry the *Mishkan* traveled two abreast. Each *agalah* was five *amos* wide, and each pair traveled five *amos* apart. A levi ran alongside to ensure that the *krashim* (planks) didn't fall, occupying a space of one *amah*. All told, a path of 16 *amos* was required, from which the Gemara (Shabbos 99a) derives that this is the width of a *derech reshus harabim* (a public thoroughfare). Rashi, the Rambam, and the Shulchan Aruch say that this measurement is a necessary condition for a domain to be a *reshus harabim* for the purpose of *hotza'ah* (carrying) on Shabbos.[1] An implication of this status is that in such a place, the construction of a typical municipal eiruv would have no halachic effect. Many (perhaps most) American roads meet this standard, as they are generally about 50 feet wide. *Poskim* here have debated the question of whether eiruvim can be built in major US cities for over a century. R' Zechariah Rosenfeld, a prominent *rav* in St. Louis in the 1890s, claimed (in his *Tikvas Zechariah*) that American streets did not qualify as *reshus harabim*, because people avoided walking in them due to the danger of being struck by trolleys. Although they did walk on the sidewalks, those were not 16 *amos* wide. R' Avraham Yudelevitz (Bais Av) argued that because people *could* walk in the streets if they chose, they are indeed a *reshus harabim*. Moreover, because the sidewalks connect with very wide streets at the edge of the city with no trolleys, the entire area is a *reshus harabim*.

In the last century, R' Yekusiel Halberstam (*Divrei Yatziv*) and R' Menashe Klein (*Mishneh Halachos*) took the lenient position, arguing that even our major streets are not *reshus harabim*. In addition to the danger to pedestrians posed by automobile traffic, walking in such streets is also illegal, and to qualify as *reshus harabim*, a thoroughfare must be *nicha tashmishte* (convenient to use).[2] But R' Moshe Feinstein held that such roads are certainly a *reshus harabim*.

[1] Tosfos, the Rama, and others maintain that in addition to the width requirement, *reshus harabim* status requires that the place be traversed by 600,000 people per day.

[2] See Shabbos 7a.