

RESOLUTION NO. 20240404-040

WHEREAS, the City has embraced the goal of the international Vision Zero movement to end traffic-related fatalities and serious injuries; and

WHEREAS, the City committed to be a Vision Zero city in October 2015 when Council amended the Imagine Austin Comprehensive Plan (Imagine Austin) to add the goal of zero traffic-related fatalities in our community; and

WHEREAS, people on bicycles have died and been seriously injured due to motor vehicles being parked in bike lanes; and

WHEREAS, Imagine Austin envisions the City as mobile and interconnected, with a "transportation network [that] provides a wide variety of options that are efficient, reliable, and cost-effective to serve the diverse needs and capabilities of our citizens"; and

WHEREAS, the Austin Strategic Mobility Plan (ASMP), the transportation element of Imagine Austin, sets a primary goal of a 50 percent non-single occupancy vehicle mode share by 2039; and

WHEREAS, the ASMP includes action items to "reduce the number of conflicts between parking and bicycle lanes," "prevent parking in bicycle facilities," and create a "program to allow community enforcement of accessible parking violations"; and

WHEREAS, last November, Council adopted the 2023 Bicycle Plan, one of three active transportation plans updated through the rigorous, multi-year ATX Walk Bike Roll initiative and, upon adoption, the 2023 Bicycle Plan was officially incorporated into the ASMP; and

WHEREAS, the 2023 Bicycle Plan speaks to the problem of vehicular parking in bike lanes, stating, “when a vehicle parks in a bicycle lane, it creates a dangerous situation requiring people on bicycles to merge into a traffic lane to get around the vehicle. Therefore, parking shall not be permitted in bicycle lanes”; and

WHEREAS, the 2023 Bicycle Plan recommends “a city-wide ordinance that prohibits parking in all bicycle lanes,” noting that it “will reduce parking signage needs and sign clutter and make educating the public easier, and behavior more consistent”; and

WHEREAS, vehicular parking in a bike lane or an off-street bikeway is currently illegal where marked by no-parking signage, but violations are frequent in occurrence and wide in geographic spread; and

WHEREAS, the current process of residents reporting vehicles parked in bike lanes to 3-1-1 and then 3-1-1 sending Transportation Mobility Service Officers (TMSO) to investigate results in poor enforcement outcomes due to the limited availability of mobility officers and the delay in response times; and

WHEREAS, the City may issue tickets for illegal parking in a bike lane, but driver training can also be an effective behavior modification strategy; and

WHEREAS, in October 2020, the City of Houston made vehicular parking in dedicated bike lanes illegal; and

WHEREAS, the City of Houston also created a Bicycle Friendly Driver Training program to allow first-time violators of the new law to have their ticket waived in exchange for successful completion of the driver training program,

thereby improving driver compliance, cyclist and driver safety, and affordability and equity outcomes; and

WHEREAS, on December 8, 2022, then-Interim Director of Austin Transportation Richard Mendoza and then-Austin Police Chief Joseph Chacon jointly authored a memo to Council which concluded that state law allows civilian enforcement of non-moving violations, such as parking enforcement; and

WHEREAS, to increase enforcement capacity, the City currently operates the Accessible Parking Enforcement Program, in which the Transportation and Public Works Department (TPWD), in partnership with the Austin Police Department (APD), trains civilian volunteers to issue citations and warnings for illegally parked vehicles in designated accessible parking spaces; and

WHEREAS, Bicycle Advisory Council Recommendation No. 20230620-005 and Urban Transportation Commission Recommendation No. 20230711-004 provide multiple recommended measures to improve the safety of bicyclists by ensuring bike lane parking regulations are enforced; **NOW, THEREFORE,**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The City Manager is directed to initiate amendments to City Code Title 12 (*Traffic Regulations*) and any other necessary Code or Transportation Criteria Manual (TCM) sections to prohibit motor vehicle parking in bicycle lanes and off-street bikeways, by default; this parking prohibition shall apply to all bikeway types listed in TCM Section 5.1.4 (*Bikeway Types*) except for neighborhood bikeways, which are low-speed and low-volume streets where vehicles are not separated from cyclists.

BE IT FURTHER RESOLVED:

The City Manager is further directed to evaluate and provide recommendations regarding providing visual cues notifying drivers of the parking prohibition along currently unprotected bike lanes, potentially including posting signage, improving painted markings, and/or installing physical bike lane protection; the recommendations should address cost estimates and cost-effectiveness.

BE IT FURTHER RESOLVED:

The City Manager is further directed to acquire a fleet of electric bicycles for TMSO use and to set ambitious, but appropriate, goals for the percentage of time the TMSO corps conducts their work via bicycle and the percentage of time the TMSO corps spends on bikeway parking enforcement; if the TMSO e-bike fleet cannot be acquired within the current Fiscal Year 2024 budget, the Manager is directed to provide a cost estimate and funding source recommendation for Council consideration in the Fiscal Year 2024-2025 budget adoption process.

BE IT FURTHER RESOLVED:

The City Manager is further directed to pursue a community-driven Volunteer Bike Lane Enforcement Program, and to consider modeling it after the existing Accessible Parking Enforcement Program, such that TPWD, in partnership with APD, would train volunteers to issue citations and warnings for illegally parked motor vehicles in bike lanes and off-street bikeways; this volunteer program should be implemented if and when allowed under state law and only following sufficient public outreach and education to ensure residents understand the need and purpose of the program; otherwise, the City Manager shall suggest

alternative method(s) of enforcement, potentially including enforcement by part-time City employees, similar to school crossing guards.

BE IT FURTHER RESOLVED:

The City Manager further is directed to develop and implement a Bicycle Friendly Driver Training Program and to consider modeling it after the City of Houston's Bicycle Friendly Driver Training program, which allows first-time violators of the bikeway parking prohibition to have their ticket waived in exchange for successful completion of the driver training program, thereby improving driver compliance, cyclist and driver safety, and affordability and equity outcomes.

BE IT FURTHER RESOLVED:

Given that the purpose of a bikeway parking prohibition is to prevent death and injury by changing dangerous driver behavior, the first six months after the adoption of a bikeway parking prohibition should be a grace period during which warnings with educational content would be issued instead of citations and during which the City Manager should conduct a public education and media outreach campaign regarding the regulatory changes and supportive programming initiated in this resolution.

BE IT FURTHER RESOLVED:

Special attention should be given to communities with a history of economic hardships and/or are traditionally hard to reach as the changes are rolled out, and during the six-month pilot period, the City Manager should evaluate where warnings are occurring and identify proactive strategies to enhance community

outreach and education, with the goal of eliminating social and geographic inequities in the outcomes.

BE IT FURTHER RESOLVED:

The City Manager is further directed to bring to Council:

- A memo on (a) recommended visual cues for unprotected bike lanes with cost information and (b) progress on TMSO e-bike fleet acquisition, with, if necessary, the cost estimate and recommended funding source, by May 28, 2024; and
- A Mobility Committee update on the Code amendments, TMSO goal setting, the Volunteer Bike Lane Enforcement Program, the Bicycle Friendly Driver Training Program, and public education campaign plans by October 17, 2024; and
- Code amendments for full Council consideration by October 24, 2024.

ADOPTED: April 4, 2024

ATTEST:

Stephanie Hall for
Myrna Rios
City Clerk