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

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

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

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

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

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

43 **WHEREAS**, the City of Houston also created a Bicycle Friendly Driver
44 Training program to allow first-time violators of the new law to have their ticket
45 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.

69 **BE IT FURTHER RESOLVED:**

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

76 **BE IT FURTHER RESOLVED:**

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

84 **BE IT FURTHER RESOLVED:**

85 The City Manager is further directed to develop and implement a Volunteer
86 Bike Lane Enforcement Program, and to consider modeling it after the existing
87 Accessible Parking Enforcement Program, such that TPWD, in partnership with
88 APD, would train volunteers to issue citations and warnings for illegally parked
89 motor vehicles in bike lanes and off-street bikeways.

90 **BE IT FURTHER RESOLVED:**

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

98 **BE IT FURTHER RESOLVED:**

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

106 **BE IT FURTHER RESOLVED:**

107 The City Manager is further directed to bring to Council:

- 108 • A memo on (a) recommended visual cues for unprotected bike lanes with
109 cost information and (b) progress on TMSO e-bike fleet acquisition, with, if
110 necessary, the cost estimate and recommended funding source, by May 28,
111 2024; and
- 112 • A Mobility Committee update on the Code amendments, TMSO goal
113 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:_____, 2024 **ATTEST:**_____

Myrna Rios
City Clerk