



**Urban Transportation Commission  
Meeting Minutes**

**Regular Meeting  
8 December 2009**

The Urban Transportation Commission convened in a regular meeting on 8 December 2009 at the Boards and Commissions Room located at 303 West 2<sup>nd</sup> Street, Room 1101, Austin, Texas.

Chair MacKinnon called the Commission meeting to order at 6:08 p.m.

**Commission Members in Attendance:**

Richard MacKinnon – Chair  
Dustin Lanier – Vice Chair  
Boone Blocker  
Allen Demling  
Sheila Holbrook-White  
Dana Lockler  
Eileen Schaubert

**Commission Members Absent:**

None

**Staff in Attendance:**

Gordon Derr  
Steve Grassfield  
Scott Gross  
Gilda Powers

**1. CITIZENS COMMUNICATION: GENERAL**

None

**2. APPROVAL OF MINUTES**

The minutes from the meeting of 11/10/2009 were approved with the following amendments on Board Member Holbrook-White motion, Board member Lockler second on a 7/0 vote. The amendments were: Page 1, Commission Members in Attendance section, Board member Lockler was omitted from the list of members present; page 2, Item 4.A-b, correct the last sentence to say: “The Urban Transportation Commission recommends to the Director that the City Manager upholds the rules as posted, and that waivers may be posted online and *will be* reported to the Urban Transportation Commission as they occur”; page 2, Item 4.A-b., last paragraph to reflect “A motion to waive the rules and allow the Urban Transportation Commission to continue the meeting after 10:00 p.m. was approved on Board member *Demling* motion...”

**3. NEW BUSINESS**

**A. Special Events Issues**

**a. Austin Marathon Appeal – Discussion and Possible Action**

Mr. Gordon Derr, Assistant Director with the Austin Transportation Department explained that since the last UTC meeting, a decision was made by the Transportation Director not to

proceed forward with the rules, but to continue working with the task force members, promoters and staff to resolve some issues and objections presented by the community. On Board member Demling motion, Board member Lanier second, on a 7-0 vote, the Urban Transportation Commission made the following recommendation: “The Urban Transportation Commission recommends that the City Council approve the Transportation Director’s decision to issue a street closure permit for the Austin Marathon to be held on February 14, 2010, provided all other appropriate conditions be met.”

#### **4. OLD BUSINESS**

##### **A. Low Speed Vehicles (LSV) – Discussion and Possible Action**

Mr. Steve Grassfield, Acting Parking Enterprise Manager with the Austin Transportation Department, gave an update with staff recommendations regarding the Low Speed Vehicle category. On Board member Schaubert motion, Board member Holbrook-White second, on a 7-0 vote, the UTC made the following recommendation: “The Urban Transportation Commission recommends to the City Council to direct staff to initiate the creation of a Low Speed Vehicle (LSV) category under the Vehicle for Hire Classification of the Transportation Code.”

##### **B. Strategic Mobility Program and Urban Rail - Update**

Presentation and brief update was provided by Gordon Derr, Austin Transportation Department Assistant Director.

##### **C. Texting While Driving Ordinance – Discussion and Possible Action**

Chair MacKinnon reviewed the State of California ordinance and compared it with the ordinance recently passed by the City Council. On Board member MacKinnon motion, Board member Lanier second, on a 7-0 vote, the following recommendation was made: “The Urban Transportation Commission recommends that the City Council consider the following language as a replacement to the current Electronic Messaging while Driving ordinance. (See attached).”

#### **STAFF AND COMMITTEE REPORTS**

- Staff Briefings - None
- Downtown Commission – Board member Lanier attended the meeting where the Nueces Bicycle Boulevard and the reconstruction efforts of Brazos were presented.
- Bicycle and Pedestrian Subcommittee – Board member Lanier resigned the subcommittee and Chair MacKinnon asked Board members Holbrook-White and Schaubert to join Board member Demling as part of the subcommittee.
- CAMPO – Mr. Derr provided an update on the 2035 plan update that will need to be adopted by June 2010. Additionally CAMPO is considering the addition of Caldwell and Bastrop Counties for a total of five counties, with the City having four board members.
- CSAC – Chair MacKinnon gave an update on Capital Metro.
- SCIP – Board member Lockler said he has been invited to participate in the City’s Trail Working group. This group will take an inventory of the trails within the city, and will draft an ordinance to require designation of land for public trails.

## **6. FUTURE AGENDA ITEMS**

- Special Events Appeals
- Pedicabs permits
- New Pay Stations update and comparison of revenue between both systems
- Taxicabs Fare increase
- Review Special Events Affidavit system – Prepared by promoters
- Urban Rail presentation update
- Special Events Rules review and update

## **7. ADJOURNMENT**

Chair MacKinnon adjourned the meeting at 8:08 p.m. without objection.

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**ATTACHMENT 1**  
**UTC – Minutes 12-08-09**

§ 12-1-1 DEFINITIONS.

~~(2) ELECTRONIC MESSAGE means a self-contained piece of digital communication that is designed or intended to be transmitted between physical devices. An electronic message includes, but is not limited to, a text-based communication, a command or request to access an internet site, or other data that uses a commonly recognized electronic communications protocol.~~

(6) WIRELESS COMMUNICATION DEVICE has the meaning assigned in Section 545.425 (Use of Wireless Communication Device; Offense) of the Texas Transportation Code.

§ 12-1-34 ELECTRONIC MESSAGING WHILE DRIVING.

~~(A) A driver of a motor vehicle may not use a wireless communication device to view, send, or compose an electronic message while operating a motor vehicle.~~

(A) A driver of a motor vehicle may not manually operate the keypad of a wireless communication device to create or send a text-based communication, where a text-based communication refers to a text message, instant message, or electronic mail.

(B) A driver of a motor vehicle may not manually operate a wireless communication device in a manner that is unsafe or creates a hazard for other road users.

(C) Enforcement of subsection (B) may be accomplished only as a secondary action when a driver of a motor vehicle has been detained for a suspected violation of this title or an equivalent local ordinance or some other offense.

~~(B)~~(D) It is an affirmative defense to prosecution of an offense under this section if a wireless communications device is used:

(1) while the vehicle is stopped;

(2) for ~~making~~ the purpose of a telephone call;

~~(3) as a global positioning or navigation system that is affixed to the vehicle;~~

(3)<sup>‡</sup> for obtaining emergency assistance to report a traffic accident, medical emergency, or serious traffic hazard, or to prevent a crime about to be committed;

(4) in the reasonable belief that a person's life or safety is in immediate danger;

~~(5) if the device is permanently installed inside the vehicle; or~~

~~(6) solely in a voice-activated or other hands-free mode.~~

~~(C)~~(E) This section does not apply to an operator of an authorized emergency vehicle using a wireless

communication device while acting in an official capacity.

~~(D)~~(F) To the extent that this section conflicts with the Texas Transportation Code Section 545.424, regarding the use of wireless communication devices while operating a motor vehicle by minors, or Texas Transportation Code Section 545.425, regarding the use of wireless communication devices in school crossing zones, this section does not apply.

Last Updated: 2-Dec-09 6:23pm