

CITY OF AUSTIN  
BICYCLE ADVISORY COUNCIL (BAC)  
MEETING SUMMARY

City Hall, Staff Bull Pen, Room 1029  
301 W 2<sup>nd</sup> Street  
August 18<sup>th</sup>, 2015  
6:00 p.m.

**PARTICIPANTS:**

Tom Thayer – BAC Vice Chair  
David Orr – BAC  
Tomasita Louviere-Ligons - BAC

Kathryn Flowers – Alt BAC  
Tom Wald – Alt BAC  
Sam Day-Woodruff, Alt BAC

Rebecca Brenneman – Alt BAC  
Chris LeBlanc – Alt BAC

**GUESTS:**

John Woodley  
Gonzalo Camacho  
Thomas Butler  
Becky Moriarty  
Matthew Cramer  
Rich Hollenbeck

Patricia Schaub  
Bradley Sloan  
Hillary Andersen  
Rod Russell  
Mike Melanson  
Audrey Sze-To

Mercedes Feris  
Preston Tyree  
Robert Anderson  
Tim Starry  
Jesse Adler  
Mark Sze-To

**STAFF PRESENT:**

Laura Dierenfield, ATD

Aleksiina Chapman, ATD  
Christian Malanka, APD

Nadia Barrera, PWD  
Alan De Anda, PWD

**1. Citizen Communications**

*Lt. Christian Malanka is the co-chair of the APD bicycle safety work group. He introduces an incident which happened earlier this year, described as a failure to yield situation. There is a transcript of the responding officers' conversation that was published online. In the transcript an officer questions how to interpret the law and makes a call to their corporal for further guidance. Lt. Malanka stresses that, in the end (and what doesn't show in the transcript) is that the officer correctly enforced the law. Lt. Malanka says that he got four different phone calls regarding this transcript, including one from Bike Austin and appreciates being able to share the full story with the BAC. Lt. Malanka encourages people in the bicycle community to ask questions to get the facts before making conclusions.*

**2. Review and Approval of April Minutes** – The minutes are approved with amendments.

**3. Items from BAC –**

**Discussion and Possible Action:** Review of Updates to Title Code 4311 – Presenter: Lt. Christian Malanka, APD

Lt. Malanka presents a new title code to the BAC: 4311. The BAC and other groups have identified that there is no title code for a bicycle accident that doesn't involve a motor vehicle. In the past, if there was a crash with no serious injuries, a CAD report would be filed but this is not a police report. APD has created a new title code for when there is a collision that does not involve a moving vehicle. This can include people opening their car doors into people bicycling. Lt. Malanka will be working to create a laminated card for fellow officers which gives the information of what title code 4311 is and how to use it. There are very few bicycle accidents and sometimes officers need to be reminded which scenarios require a written report. It is important for liability and insurance purposes. Mr. Anderson asks if a situation with a bicycle failing to yield to a pedestrian would be captured under the CRB3 form. Lt. Malanka says that it would not be captured. CRB3 would only apply for a car failing to yield. Mr. Woodruff asks if the title code is available online. Mr. Malanka says that it is part of APD policy and it's publicly available on APD's website. Ms. Hilary Andersen asks if there's a plan to get this information out to the general public. Mr. Malanka is hoping that Bike Austin will help distribute this information. Ms. Feris is happy to help distribute this information.

Lt. Malanka says that on a side note APD has finally gotten approval for Bike Austin to purchase and donate the 3' measuring device. Lt. Malanka points out that the year before last there were 109,000 hazardous violation tickets issued. There were 934 citations to bicyclists. Last year there were 117,000 for hazardous citations, there were a little over 700 written for bicyclists. Lt. Malanka encourages BAC members to go to the citizen police academy. Lt. Malanka says that he would like to set up a Thursday night coffee round table between APD and the bicycling community. Mr. Orr appreciates that Lt. Malanka responds on the BAC listserv. Ms. Schaub asks if a police officer has to tell the citizen what they did wrong when they write a citizen a ticket. Lt. Malanka says yes. Ms. Schaub has had an experience when the officer did not tell her what she did wrong. Lt. Malanka encouraged Ms. Schaub and others to get the officer's badge number and report this to APD.

**Discussion and Possible Action:** Discussion on Electric Bicycles (E-Bikes) – Facilitator: Chris LeBlanc

Ms. Barrera gives a brief introduction about E-bike use on trails. Ms. Barrera says that this discussion came up again with the construction of the boardwalk. Ms. Barrera spoke with PARD and shared that PARD's policy is to not allow E-bikes on trails (Article 8-1-31). Ms. Barrera looked at the definition of a motor vehicle which says that a motor vehicle is not an electric bike. Ms. Barrera says that E-bikes need to be better defined. Ms. Barrera looked at how to amend the code. The current section of the code was written in 1992 when there were fewer E-bikes. Mr. LeBlanc says that there have been a few resolutions that the BAC has made in the past which have been worded to not include motorized vehicles on bicycle facilities and he thinks we need to be careful with these types of resolutions until there is a better understanding of what an E-bike is. Mr. LeBlanc says that more people on bikes improves safety for all people on bikes, and E-bikes provide more people with an option for riding a bike with some assistance on hills and over longer distances. Mr. LeBlanc says that there is a federal code which says that an E-bike is not a motorized vehicle. Mr. LeBlanc says that it is the same rule

that applies to segways and electric wheelchairs. Mr. LeBlanc thinks that what we need to focus on is speed, regardless of the type of bike they are on. Ms. Barrera said that speed was one of the concerns of PARD. The other is that if the bike is not electric and has a motor it could be noisy, which reduces the experience that people go to the trails for. Mr. LeBlanc says that it's a gray area. Mr. Orr says that it seems pretty clear, according to the code: E-bikes are not motor vehicles. Mr. Tyree says that the parks department has the authority to prohibit bikes off their trails.

**Mr. Wald moves that E-bikes (as defined under Texas state law) be allowed where bicycles are allowed, including on trails, in the City of Austin. Mr. LeBlanc seconds.**

Mr. Sloan says that people think of electric bikes as going 20 miles per hour at all times, but normally he rides at around 14 miles per hour. Mr. Sloan thinks that E-bikes should not be restricted because they allow a larger portion of the population to bicycle. Another attendee commutes daily by E-bike and uses it for multiple purposes. Some places, like at the pedestrian bridge, if E-bikes couldn't use these facilities he would have to drive. Many E-bikes only give assist for starting and for hill climbing and act as a regular bike the rest of the time. Mr. Wald asks if there are any concerns about the resolution. Ms. Louviere-Lignons comments that the presentation on this topic was more of a conversation between Ms. Barrera and Mr. LeBlanc and she does not feel educated on what an E-bike is. Mr. LeBlanc returns to his presentation and the definition of an E-bike. Mr. LeBlanc explains that there are multiple types of E-bikes which have different power sensors and limits. Ms. Louviere-Lignons asks if this would only apply to legal E-bikes. Ms. Louviere-Lignons says that obviously there is an issue about courtesy on the trails. She says that there are cyclists who give the rest of the community a bad rap. Mr. Thayer says that all cyclists, regardless of if they are on E-bikes could be disrespectful. Mr. Mark Sze-To from Electric Avenue Scooters makes a request to move to explore why the parks director would want to enforce a rule which precludes electric bikes and what the motivation for this would be when it could relieve congestion and provide another transportation option for many people. Mr. Sze-To thinks that it would be good to determine the motivation before this conversation escalates, potentially to preclude more strongly E-bikes on trails with signage. Mr. Wald asks if Active Transportation Staff would be comfortable submitting this request to PARD. Ms. Dierenfield says that we would be happy to forward it to the appropriate person. Mr. Thayer asks if it would be possible to find the reasoning behind this. Ms. Barrera says that it sounded like they were concerned about safety. Mr. Day-Woodruff says that the BAC can request that PARD come give a presentation. Ms. Brenneman asks if it would be helpful to reference the city's goal of people 8-80 be able to ride bicycles. Mr. Woodruff thinks that if we add this one reason, we could add all reasons and that adding this one reason could make it seem too focused. Mr. Wald says that one way to address this is to ask city staff to forward these comments with the resolution. Mr. Woodley understands that there is a speed limit on E-bikes to avoid being classified as a motorized vehicle and any regular bicycle is able to exceed that speed.

Mr. Thayer asks if there is any opposition to the motion. Ms. Louviere-Lignons opposes. Mr. Wald asks why there is opposition. Ms. Louviere doesn't think the resolution is well developed. Mr. Wald would prefer to withdraw the resolution then to not have consensus.

Since a vote has already occurred, the resolution passes 7-1 with Ms. Louviere-Lignons voting against.

**Report and Possible Action:** Mobility 35 Subcommittee Recommendations – Facilitator: Tom Wald

Mr. Wald introduces the topic. I-35 is a 65 mile long corridor. The subcommittee looked in detail on the Travis County section. The major components were the accommodations along the corridor and the accommodations crossing the corridor. They are starting with the big picture and they are asking for input along the way. This is one input point. There will also be further input opportunities with each individual project. The resolution only goes into so much detail. The subcommittee meeting had 5 citizens in attendance; from TxDOT there was Bonnie Lister, HNTB: Dustin Elliott and Summer Lawton and from ATD: Laura Dierenfield and Eric Bollich. The notes from the meeting will be distributed to the BAC listserv. Mr. Camacho asks if TxDOT had guiding principles for bicycle accommodations. Mr. Wald says that a 12' shared use path is the most desirable and 6' sidewalk is the least desirable and they are committed to having accommodations along the whole corridor. Where they are making changes to a crossing they are putting in a buffered bike lane or a shared use path. There are also some crossings where there are no changes being made. Mr. Wald says that there are about 11 points in his draft resolution. Mr. Wald reads the draft resolution. Mr. Tyree would like that diverging diamond intersections be looked at more closely and be included in this resolution. Mr. Wald says that they estimate completion by 2026. Mr. Camacho suggests going back and looking at the whole corridor. Mr. Camacho suggests looking for ideal conditions. Mr. Wald says that we could add a concept statement to this resolution. Mr. Camacho says that integrating the bicycle/pedestrian system is very difficult along the I-35 corridor and it could be better to have separate bicycle and pedestrian facilities elsewhere. Mr. Wald's draft resolution will be sent out to the BAC listserv and taken up at the next BAC meeting.

#### **4. Items from Staff –**

**Briefing and Possible Action:** Sendera Mesa Protected Bicycle Lanes – Presenter: Aleksina Chapman

Ms. Chapman presents the Sendera Mesa project. Sendera Mesa Drive is in Southwest Austin off of Slaughter Lane near MoPac and is part of the Violet Crown Trail (VCT) alignment. The VCT has been led by the Hill Country Conservancy and the trail is proposed to extend from Lady Bird Lake to the Veloway parking lot and eventually into Hays County. By the end of 2016, the majority of the trail will be built out. Sendera Mesa is currently a dead-end street but will connect through a section of the trail being built through the Neighborhood Partnering Project. Along Sendera Mesa, original trail alignment was proposed to go along the sidewalk. The current lane configuration has a center turn lane that is well below current warrants for vehicle volumes. Active Transportation looked at options for improving the trail connections in this

area along Sendera Mesa between Slaughter to Ramies Run. There is room in the street to have a protected bicycle lane on the west side.

Mr. Thayer: Why did you choose West side? It seemed preferable to only have to cross at the intersection of Slaughter once instead of twice – crossing from the west to the east side while still in the neighborhood and on a low volume street.

Parking is currently restricted on Sendera Mesa and there is a center turn lane. The center turn lane is proposed to be removed and the space will be converted to a two way bicycle facility.

**Announcements:**

- Membership applications now available. Deadline to apply to be a BAC Member is Wednesday, September 30<sup>th</sup> at 5PM

**Mr. LeBlanc moves to adjourn. Mr. Wald seconds.**