

Bicycle Advisory Council (BAC) Recommendation: Proposed Micro-Mobility Ordinance

WHEREAS, the purpose of the BAC is to advise the City of Austin and other jurisdictions on all matters relating to the use of the bicycle, bicycle infrastructure, and individuals of all ages and abilities who utilize bicycles;

WHEREAS, the City of Austin has committed in the Austin Bicycle Master Plan to achieve 5% of journey-to-work trips citywide by 2020 and to achieve the League of American Bicyclists Platinum Level Bicycle Friendly Community designation by 2021;

WHEREAS, the City of Austin's Vision Zero goals commit to safety for all road users and 100 people have lost their lives in auto-related crashes using Austin's roads since April 2018;

WHEREAS, in the 2018 Dockless Mobility Community Survey Report, the most-mentioned issues were regarding sidewalks and supportive infrastructure for scooters such as bike lanes, bike racks, scooter-designated parking areas;

WHEREAS, departments under the purview of the City Manager and City Council are responsible for providing safe and equitable access to all methods of transportation and creating an all ages and abilities mobility network;

WHEREAS, over 17,000 micro-mobility devices have entered the transportation market through dockless services, and provided over 3 million trips to users in Austin since April 2018, which has created a significant demand on public space by this new transportation mode and impacted people walking, using wheelchairs, bicycling, driving, and those using other transportation modes;

WHEREAS, the influx of additional mobility devices warrants revisiting all of the City Traffic Regulations concerning bicycles;

WHEREAS, according to the 2019 Austin Strategic Mobility Plan, decisions regarding safety strategies should be evidence-based whenever possible, and safety information should be shared openly with key partners and the public;

WHEREAS, the BAC recommended in July 2014 the removal of bicyclists from the distracted driving ordinance because the inclusion of bicyclists in the distracted driving ordinance creates a false equivalency of the dangers of driving a motor vehicle versus a bicycle, distracted or not;

WHEREAS, Austin's Complete Streets policy requires support for all transportation modes and their inclusion within the street cross-section from building-to-building;

WHEREAS, shared mobility services provide an important transportation option to help achieve Austin's goals to increase mobility for people, reduce the risks associated with driving, and reduce total vehicles miles traveled per capita;

WHEREAS, Chapter 12-1 does not define "toy vehicle," and the proposed amendment of paragraph (B) of § 12-1-32 is a very broad, unwarranted, and potentially harmful expansion of provisions that currently apply to

only a few places.

NOW, THEREFORE BE IT RESOLVED that the Bicycle Advisory Council (BAC) supports amendments to city ordinance to address micro-mobility devices, and recommends the following ordinance language and revisions based on city staff's draft proposal of March 2019 (where the Part number below refers to that draft) :

PART 1, Subsection (3) of City Code Section 12-1-1 (Definitions):

Bicycles and electric bicycles should be defined separately from micro-mobility devices.

PART 2 Section 12-1-32 The BAC recommends removing the entirety of City Code section 12-1-32 (Use of Skateboards, Bicycle Motocross Bicycles, and Toy Vehicles on Public Right-of-Way or Property).

PART 3 Section 12-1-34 Remove bicyclist from this section. The BAC recommended in July 2014 not including bicyclists in this ordinance, especially since there was no demonstrated or evidence-based reasoning presented that this ordinance addressed an existing or future safety problem.

PART 4 Section 12-1-35 (3) and (4) Add passenger language to these categories.

PART 6 Section 12-2-1 Definitions:

- Delete "Dismount Zone" term and replace it with "Pedestrian Only Zone".
- Delete the definition of child.
- MICRO-MOBILITY DEVICE OPERATOR means a person operating a scooter or other micro-mobility device. NOTE: Bicyclist is already defined under this section in existing code.
- SHARED MOBILITY SERVICE means a publicly offered transportation service that enables a person to obtain short term access to micro-mobility devices and bicycles on an as-needed basis.

PART 10 Section 12-2-13 (B) Change "marked as a 'dismount zone' to "officially marked by the City of Austin as a 'pedestrian-only zone'".

PART 10 Section 12-2-13 (C) Clarify that riders shall yield to pedestrians in crosswalks, but only when the pedestrian has the right of way. (The concern is that the proposed language could mistakenly be applied to people riding in the street as a vehicle approaching a green traffic light.)

PART 10 Section 12-2-13 (D) The BAC supports a sidewalk speed limit in principle, however the details would need to be discussed further.

PART 10 Section 12-2-15 (C) (1) The BAC recommends leaving the ability to park a bicycle or micro-mobility device against a street curb. The BAC supports the city staff draft language to add that parking is also allowed in designated spaces marked for such use.

PART 10 Section 12-2-15 (C) (3) It is not clear what is meant by "against a building". It appears to be

an editing error.

PART 10 Section 12-2-15 (C) (5) This language can be problematic in practice. For example, if the city is assuming that a destination shall provide bike parking for that destination's visitors, then it should also be required to allow visitors to park at that parking. Also, if a destination is required to provide car parking, then presumably it should not be able to restrict bicycles or micro-mobility devices to park on the premises.

PART 12 Section 12-2-16 The BAC recommends removing 12-2-16 (A) and (B) for bicyclists, since they are already required by state law to generally follow motor vehicle traffic regulations. The BAC recommends micro-mobility device riders should be required to follow traffic law as bicyclists are. (Especially troublesome is the "reasonable and prudent manner" language which is arbitrary and open to interpretation).

PART 12 Section 12-2-17 The BAC recommends removing Section 12-2-17. The BAC supports freedom of movement for people bicycling and riding micro-mobility devices.

PART 13 Section 12-2-18 The BAC recommends not spelling out specific requirements here, but rather stating that bicyclists and micro-mobility device users are required to follow the same duties required by state law for motor vehicle operators. (For example, the BAC does not support an additional requirement to leave information that may endanger the rider's privacy.)

PART 14 Article 3 The BAC recommends removing the entirety of Article 3, which regards helmets because of the lack of demonstrated or data-supported reasoning that this ordinance is an effective solution for an existing or future safety problem.

BE IT FURTHER RESOLVED that the BAC recommends that a pedestrian-only zone can be recommended by the city engineer, but the approval process should include a public process and be subject to approval by City Council. Pedestrian-only zones should be used only as a tool of last resort.

BE IT FURTHER RESOLVED that the PAC supports City staff's draft Sidewalk Mobility Management Process, as presented at the April 2019 BAC meeting, that includes a hierarchy of solutions ranging from signage, education, enforcement, fleet management, to pedestrian-only zones;

BE IT FURTHER RESOLVED that the BAC recommends the immediate funding and rapid buildout of the Bicycle Master Plan and the Sidewalk Master Plan / ADA Transition Plan to provide more space for people walking, bicycling, scooting, and other low-speed modes;

BE IT FURTHER RESOLVED that the BAC recommends immediate conversion of on-street motor vehicle parking spaces to dedicated bicycle and micro-mobility parking;

BE IT FURTHER RESOLVED that the BAC recommends a study on best practices for micro-mobility parking options and their implementation;

BE IT FURTHER RESOLVED that the BAC supports lowering the speed limit for all vehicles (including bicycles,

micro-mobility devices, automobiles, trucks, buses, etc.) in downtown (Central Business District) to 20 mph.

BE IT FURTHER RESOLVED that the BAC recommends that all City policies governing street and site design include pedestrian safety and comfort as the most principal considerations, as stated in the Austin Pedestrian Safety Action Plan.

Date approved: May 21, 2019

Vote: 6-0 with Nguyen, Heinen, and Alcorn absent.

Attest:

A handwritten signature in dark ink, appearing to be 'K. Flowers', written over a light blue rectangular stamp.

Kathryn Flowers, BAC Chair