

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,

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

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

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

57 **WHEREAS**, Bicycle Advisory Council Recommendation No. 20230620-
58 005 and Urban Transportation Commission Recommendation No. 20230711-004
59 provide multiple recommended measures to improve the safety of bicyclists by
60 ensuring bike lane parking regulations are enforced; **NOW, THEREFORE,**

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

62 The City Manager is directed to initiate amendments to City Code Title 12
63 (*Traffic Regulations*) and any other necessary Code or Transportation Criteria
64 Manual (TCM) sections to prohibit motor vehicle parking in bicycle lanes and off-
65 street bikeways, by default; this parking prohibition shall apply to all bikeway
66 types listed in TCM Section 5.1.4 (*Bikeway Types*) except for neighborhood
67 bikeways, which are low-speed and low-volume streets where vehicles are not
68 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 pursue a community-driven
86 Volunteer Bike Lane Enforcement Program, and to consider modeling it after the
87 existing Accessible Parking Enforcement Program, such that TPWD, in partnership
88 with APD, would train volunteers to issue citations and warnings for illegally
89 parked motor vehicles in bike lanes and off-street bikeways; this volunteer
90 program shall be implemented if and when allowed under state law and only
91 following sufficient public outreach and education to ensure residents understand
92 the need and purpose of the program; otherwise, the City Manager shall suggest

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

95 **BE IT FURTHER RESOLVED:**

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

103 **BE IT FURTHER RESOLVED:**

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

111 **BE IT FURTHER RESOLVED:**

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

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

118 **BE IT FURTHER RESOLVED:**

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

- 120 • A memo on (a) recommended visual cues for unprotected bike lanes with
121 cost information and (b) progress on TMSO e-bike fleet acquisition, with, if
122 necessary, the cost estimate and recommended funding source, by May 28,
123 2024; and
- 124 • A Mobility Committee update on the Code amendments, TMSO goal
125 setting, the Volunteer Bike Lane Enforcement Program, the Bicycle Friendly
126 Driver Training Program, and public education campaign plans by October
127 17, 2024; and
- 128 • Code amendments for full Council consideration by October 24, 2024.

129
130
131
132 **ADOPTED:** _____, 2024 **ATTEST:** _____

133 Myrna Rios
134 City Clerk