

**RESOLUTION NO.**

**WHEREAS**, the City has embraced the goal of the international Vision Zero movement to end traffic-related fatalities and serious injuries; and

**WHEREAS**, the City committed to be a Vision Zero city in October 2015 when Council amended the Imagine Austin Comprehensive Plan (Imagine Austin) to add the goal of zero traffic-related fatalities in our community; and

**WHEREAS**, people on bicycles have died and been seriously injured due to motor vehicles being parked in bike lanes; and

**WHEREAS**, Imagine Austin envisions the City as mobile and interconnected, with a "transportation network [that] provides a wide variety of options that are efficient, reliable, and cost-effective to serve the diverse needs and capabilities of our citizens"; and

**WHEREAS**, the Austin Strategic Mobility Plan (ASMP), the transportation element of Imagine Austin, sets a primary goal of a 50 percent non-single occupancy vehicle mode share by 2039; and

**WHEREAS**, the ASMP includes action items to "reduce the number of conflicts between parking and bicycle lanes," "prevent parking in bicycle facilities," and create a "program to allow community enforcement of accessible parking violations"; and

**WHEREAS**, last November, Council adopted the 2023 Bicycle Plan, one of three active transportation plans updated through the rigorous, multi-year ATX Walk Bike Roll initiative and, upon adoption, the 2023 Bicycle Plan was officially incorporated into the ASMP; and

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~~ pursue a  
86 community-driven Volunteer Bike Lane Enforcement Program, and to consider  
87 modeling it after the existing Accessible Parking Enforcement Program, such that  
88 TPWD, in partnership with APD, would train volunteers to issue citations and  
89 warnings for illegally parked motor vehicles in bike lanes and off-street bikeways;  
90 this volunteer program shall be implemented if and when allowed under state law  
91 and only following sufficient public outreach and education to ensure residents  
92 understand the need and purpose of the program; otherwise, the City Manager shall

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

**BE IT FURTHER RESOLVED:**

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

**BE IT FURTHER RESOLVED:**

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

**BE IT FURTHER RESOLVED:**

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

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

**BE IT FURTHER RESOLVED:**

The City Manager is further directed to bring to Council:

- A memo on (a) recommended visual cues for unprotected bike lanes with cost information and (b) progress on TMSO e-bike fleet acquisition, with, if necessary, the cost estimate and recommended funding source, by May 28, 2024; and
- A Mobility Committee update on the Code amendments, TMSO goal 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