



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 9/22/2020

ALL

Item Creation Date: 9/4/2020

ARA - Bicycle Lane Parking Violation

Agenda Item#: 24.

Background:

The Administration and Regulatory Affairs (ARA) Department recommends that City Council approve an ordinance amending Chapter 26 of the City's Code of Ordinances (by adding new section 26-100) to prohibit on-street parking of motor vehicles in dedicated bicycle lanes.

When the Houston Bike Plan was adopted in 2017, the City committed to making Houston a safer, more accessible, bike-friendly city by 2027. Approval of the ordinance will authorize ARA's ParkHouston division to issue citations to vehicles parked in and blocking a dedicated bicycle lane, defined as "a dedicated portion of the roadway separated from motor vehicle traffic with striping and/or physical delineation intended for the exclusive use of bicyclists." The prohibition will not apply to on-street bikeways where travel lanes are shared by vehicles and bicyclists and where the City permits on-street parking (e.g., Washington Avenue). Currently, ParkHouston officers can only issue citations to vehicles parked in bicycle lanes where signage such as "no parking" and "tow-away zone" is posted. The new violation code will not require signage for citation issuance when a vehicle is illegally parked in the dedicated bicycle lane. Vehicles parked illegally in a dedicated bicycle lane can only be towed if in conformity with section 2308.353 of the Texas Occupations Code, which requires signage stating the parking is prohibited in the right-of-way.

A specific bicycle lane parking violation is necessary to:

1. Protect the investment the City is making in the build-out of the bikeway network;
2. Provide safe travel lanes for bicyclists and the vehicles in adjacent traffic lanes;
3. Clarify the data and allow the City to accurately track enforcement of this violation;
4. Demonstrate to the public that parking in a protected bicycle lane is a serious infraction; and
5. Demonstrate the City's commitment to its Vision Zero goal to eliminate traffic deaths and serious injuries by 2030.

For mid to large cities, the average fine for parking in a bicycle lane is around \$100. Pursuant to section 26-10 of the City's Code of Ordinances, the proposed section 26-100 will be a civil offense within the fine range of \$1.00 - \$200.00. While the authority to set the parking violation fine lies with the Presiding Judge of Municipal Courts, ARA is suggesting a fine of \$100 with a delinquent fine of \$50.

The proposed ordinance was posted online for a public comment period from July 17 to August 17. During this time, 341 public comments were received, 94% of which were in support of the ordinance.

The City's Bicycle Advisory Committee, Planning & Development Department (PD), and the Municipal Courts Department have all reviewed and provided feedback for the ordinance. The ordinance will go into effect immediately. ARA and PD are collaborating on a campaign to educate the general public about parking in bicycle lanes. Vehicles that park in a dedicated bicycle lane in violation of new section 26-100 will receive a warning and a flyer on the first instance. Subsequent violations will be subject to citation.

Departmental Approval Authority:

DocuSigned by:

Tina Paez

606AE9EC66A94CC

Tina Paez, Director
Administration & Regulatory
Affairs Department

Other Authorization

Contact Information:

Lara Cottingham Phone: (832) 393-8503
Maria Irshad Phone: (832) 393-8643