

CITY of ALBUQUERQUE

TWENTY THIRD COUNCIL

COUNCIL BILL NO. O-18-14 ENACTMENT NO. _____

SPONSORED BY: Isaac Benton

1 ORDINANCE

2 AMENDING THE TRAFFIC CODE SECTION §8-5-1-1 STOPPING, STANDING OR
3 PARKING PROHIBITED NO SIGNS REQUIRED, TO ADD BICYCLE LANES TO
4 THE LIST OF PLACES WHERE NO PERSON SHALL STOP, STAND OR PARK A
5 VEHICLE EXCEPT WHEN NECESSARY TO AVOID CONFLICT WITH OTHER
6 TRAFFIC OR IN COMPLIANCE WITH LAW OR THE DIRECTIONS OF A POLICE
7 OFFICER OR TRAFFIC CONTROL DEVICE. AMENDING THE TRAFFIC CODE
8 SECTION §8-5-1-15 PARKING NOT TO OBSTRUCT TRAFFIC, TO CLARIFY
9 THAT BICYCLE LANES ARE TRAFFIC LANES.

10 BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
11 ALBUQUERQUE:

12 SECTION 1. FINDINGS AND INTENT.

13 (A) The Bikeways & Trails Facility Plan (2015), Chapter 6, Implementation
14 Strategies recommends that the Traffic Code be revised to clarify that parking
15 in a marked bicycle lane should be prohibited. Bicycle lanes are travel lanes
16 and it can potentially increase conflicts for cyclists using a lane to have to
17 weave in and out of motor vehicle traffic to avoid cars parked in a bicycle lane.

18 (B) At the December 11th, 2017 Greater Albuquerque Bicycling Advisory
19 Committee (GABAC) meeting the committee unanimously voted to recommend
20 that the City Council consider amending the Traffic Code to clarify that parking
21 within marked bicycle lanes is prohibited.

22 (C) It is the intent of the City Council to provide a clear and enforceable
23 prohibition on parking within a marked bicycle lane.

24 SECTION 2. §8-5-1-1 OF THE TRAFFIC CODE IS HEREBY AMENDED TO
25 ADD THE FOLLOWING:

26 [(O) In a bicycle lane.]

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1 SECTION 3. §8-5-1-15 OF THE TRAFFIC CODE IS HEREBY AMENDED AS
2 FOLLOWS:

3 No person shall park a vehicle upon a street, other than an alley, in such a
4 manner or under such conditions as to leave available less than ten feet of the
5 width of the roadway for free movement of vehicular traffic. Bicycle lanes are
6 traffic lanes, therefore, automobile parking or motor vehicle use of a bicycle
7 lane as a driving or passing lane is prohibited.]

8 SECTION 4. SEVERABILITY CLAUSE. If any section, paragraph, sentence,
9 clause, work or phrase of this ordinance is for any reason held to be invalid or
10 unenforceable by any court of competent jurisdiction, such decision shall not
11 affect the validity of the remaining provisions of this ordinance and each
12 section, paragraph, sentence, clause, word, or phrase thereof irrespective of
13 any provision being declared unconstitutional or otherwise invalid.

14 SECTION 5. COMPILATION. Sections 2 and 3 of this ordinance shall be
15 incorporated in and made part of the Revised Ordinance of Albuquerque, New
16 Mexico, 1994.

17 SECTION 6. EFFECTIVE DATE AND PUBLICATION. This ordinance shall
18 take effect five days after publication by title and general summary.

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