

# CITY of ALBUQUERQUE

## TWENTY THIRD COUNCIL

COUNCIL BILL NO. O-18-14 ENACTMENT NO. Q-2018-012

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 TRAVEL 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 bicycle lane should be prohibited. Bicycle lanes are travel lanes and it can  
16 potentially increase conflicts for cyclists using a lane to have to weave in and  
17 out of motor vehicle traffic to avoid cars parked in a bicycle lane.

18 (B) At the December 11<sup>th</sup>, 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 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 bicycle lane.

24 (D) This amendment to the traffic code shall take effect six months after  
25 publication. This extended effective period is to provide time for outreach for  
26 Councilors to consider any changes to bicycle lanes within their district that

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are older than 10 years, that have not been recently studied or recommended,  
and that may not be suitable as a bicycle lane under adopted City policies.

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

**(O) In a bicycle lane.**

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

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

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

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

**SECTION 6. EFFECTIVE DATE AND PUBLICATION. This ordinance shall  
take effect six months after publication by title and general summary.**

1 PASSED AND ADOPTED THIS 4<sup>th</sup> DAY OF June, 2018  
2 BY A VOTE OF: 8 FOR 0 AGAINST.  
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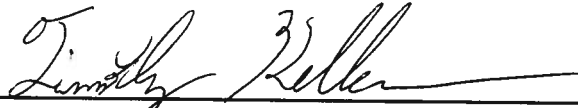
4 Excused: Harris

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8 Ken Sanchez, President  
9 City Council  
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12 APPROVED THIS 13 DAY OF June, 2018  
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17 Bill No. O-18-14  
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22 Timothy M. Keller, Mayor  
23 City of Albuquerque  
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25 ATTEST:

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28 Trina Gurule, Acting City Clerk  
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