



Legislation Text

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**CITY of ALBUQUERQUE**  
**TWENTY THIRD COUNCIL**

COUNCIL BILL NO. O-18-14 ENACTMENT NO. \_\_\_\_\_

SPONSORED BY: Isaac Benton

ORDINANCE

Amending The Traffic Code Section §8-5-1-1 Stopping, Standing Or Parking Prohibited No Signs Required, To Add Bicycle Lanes To The List Of Places Where No Person Shall Stop, Stand Or Park A Vehicle Except When Necessary To Avoid Conflict With Other Traffic Or In Compliance With Law Or The Directions Of A Police Officer Or Traffic Control Device. Amending The Traffic Code Section §8-5-1-15 Parking Not To Obstruct Traffic, To Clarify That Bicycle Lanes Are Traffic Lanes (Benton)

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

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

SECTION 1. FINDINGS AND INTENT.

(A) The Bikeways & Trails Facility Plan (2015), Chapter 6, Implementation Strategies recommends that the Traffic Code be revised to clarify that parking in a bicycle lane should be prohibited. Bicycle lanes are travel lanes and it can potentially increase conflicts for cyclists using

a lane to have to weave in and out of motor vehicle traffic to avoid cars parked in a bicycle lane.

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

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

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

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