

Report on Street Smarts Task Force

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This is an informal report on how things stand on the task force, which meets again on Oct. 25. For various documents outlining purpose and progress, see the city's Web site at:

<http://www.ci.austin.tx.us/council/streetsmarts.htm>

LOBV also will be posting the most recent, relevant documents at:

<http://www.lobv.org/streetsmarts.html>

Overall Work

Overall, the task force is working well together and seems to be on the path to getting something positive done. We have four LOBV members (at least) on the task force and many more who are certainly on the same page with our agenda. There are three subcommittees—Law Enforcement, Infrastructure, and Education and Promotion—with a fourth being developed (Policy) to frame more specific language from recommendations, if needed.

Sara Krause, who worked with Bruce Todd on the helmet law campaign, chairs the task force and has proven to be an effective leader and seems to be agreeable to pushing the envelope on bolder recommendations. Part of the early problem with the task force was that members seemed reticent to make recommendations that were “big ideas” because they feared they weren't getting the input needed from other constituencies, or because the recommendations might be shot down by the council or other city departments. On several occasions I had to insist on not “tabling” or “waiting” on recommendations. I stressed that our charge was to make effective recommendations improving bicycling safety, and that we shouldn't start with watered down ideas...other people would, I'm sure, do the watering down in the future as recommendations are vetted by various groups and the council.

Ongoing Work by a Bicycle Advisory Commission/Board

It's certain that recommendation at the top of the list will be for an ongoing, formal bicycling commission. (Indeed, a draft recommendation from one subcommittee recommends a nine-member body with seven members appointed by council members and two at large.) How this will play out with the city—which is revamping its boards and commissions and is hesitant to approve any more—is unknown. And it's unknown how this body would interact with other existing groups like the Bicycle Advisory Commission.

Helmet law implications

None at this point. I have only heard the term brought up once in passing, and I don't expect it to be an issue, so you won't find any more discussion of it here either!

Subcommittee

The subcommittees until now have done the bulk of the work developing specific recommendations for

inclusion in a final task force report due out before the end of the year. The report will then be presented to the City Council. However, we are now at the point when the entire task force will begin voting/approving recommendations for the final report. That will start happening on Oct. 25 with the law enforcement subcommittee recommendations, which are posted on both sites listed above.

I served on the law enforcement subcommittee and was quite pleased with the work. At one point, for whatever reason, there were several bad ideas that popped up on the agenda, but they all were rejected, usually unanimously. For example, anything that had to do with registering or licensing bicyclists or prohibitions of bicyclists on certain roadways was shot down. And an idea for registering/licensing messengers also failed. I encourage you to read the report, but here are some interesting details that I can provide for this subcommittee (remember that these recommendations still need to be approved by the full task force):

- 1) We recommended a city ordinance for a 3-foot passing law, similar to the statewide law pushed by Texas Bicycle Coalition that died in committee last legislative session. However, this may be stricken from the recommendations when it goes to the full task force. Robin Stallings at TBC is reluctant to have it included, because he feels it will actually be detrimental to passing a statewide law (in that the legislature will look at it as another crazy idea from weird Austin). A couple other task force members have similar concerns...but then there are those that say that we shouldn't refrain from acting out of fear for something that might happen, and that Austin bashing is on the decline. We'll see. Some possible compromises might be to recommend a city ordinance in June of 2009 if TBC doesn't pass one statewide in that session...or possibly to look at teaming up with another city so Austin doesn't stick out as the weird hippies with crazy ideas.

A note that there was only one person not in favor of the idea for the law, a rep from TxDOT who feared it could actually drive cars into the opposing lanes and cause collisions. But there's already a law on the books that says motorists have to pass at a safe distance...it just doesn't specify what is safe. We felt that if a police officer (or another witness) observed a car almost hitting or even brushing a bicyclist, it may be at least possible to say that the motorist was violating the law, since getting that close certainly would be within three feet...whereas with the existing law, a motorist could simply declare that they were passing within a safe distance. Three feet is nothing, by the way. Put an object three feet away from you on the ground and you'll see what I mean.

- 2) A city ordinance banning cell phone use and text messaging in various devices (without a provision for studying hands-free use) for all moving motor vehicle operators and bicyclists. This should be interesting. This was actually a recommendation from LOBV, although Scott Johnson was the driving force behind it. Scott wanted all use banned (since studies show it's the inattention that's the problem and so hands-free doesn't help). But several people thought that to be realistic, we should start with making hands-free use something to study.

FYI that APD gave us a list of all bicycle-auto crashes with injuries. A large number noted driver inattention due to cell phone use. And an astounding number of people surveyed report text messaging while driving (I think it was 17 percent.) Crazy!

- 3) A pamphlet outlining laws, rights, responsibilities related to bicycling that would be handed out at bike shops, courts, etc.
- 4) A diversion course that lets bicyclists take safety courses in lieu of citations. (We've heard reports that this already exists, but this would formalize it and promote it.)
- 5) Reviewing APD's tolerance policies for bicycle-related issues. In case you didn't know it, APD has a uniform tolerance policy that outlines when and why police should enforce certain traffic laws. For example, everyone knows that it's technically against the law not to signal when you make a lane change...but policies outline when an officer should actually stop and cite you for it. We recommended an APD/Bike Ped Program review to ensure that bicycle infractions would be included. For example, it may be against the law for a bike to ride between cars, but why or why not should that law be enforced in certain circumstances. Signaling is another example, since it's not always safe on a bike. And see below for the note on sidewalk prohibitions, but the document would also look at when riding on a prohibited sidewalk should be tolerated (e.g. to avoid hazards, dismounting up a curb ramp, starting someplace safe to enter a roadway, etc.)
- 6) As you may or may not know, it used to be illegal to ride on MoPac (north of the River), U.S. 183 elevated sections and possibly I-35 (everyone thought that was illegal, but no one could find out where it said it!). However, the city failed to vote on extending this law, so the restrictions lapsed. You may recall the recent Ben Wear column where the TxDOT official said they refuse to take down the signs showing bicycling is prohibited, even though it's lapsed.

A TxDOT rep wanted us to recommend reinstating restrictions. But the subcommittee made a decision to do nothing, since this doesn't seem to be a safety problem. The TxDOT rep noted that the Texas Transportation Commission could put the restrictions in place on its own. We were of the mindset that we wouldn't be out campaigning against these restrictions, but we certainly wouldn't recommend them, because we didn't want to send a message that could appear like we were OK with restrictions, that could then spread to other roads.

- 7) The City of Austin shall require the Austin Police Department to compile an annual report outlining data for bicycle-related citations, crashes, injuries and other enforcement/safety issues. The report would be submitted to the city's ongoing committee/commission for review. This was a no brainer. If we had this now, we could be even more effective with our task force work...although APD has been very helpful.
- 8) We recommended a slightly expanded area of sidewalk prohibitions downtown and the enactment of a new "Bicycle Pedestrian Zone" for that area. The area would be: The north curb of Cesar Chavez Street to the south curb of 15th Street, and the east curb of Lavaca Street to the west sidewalk edge of the I-35 southbound access road.

OK, we had good intentions on this one, but we may have screwed it up, so it may need some modification before the full task force to fix it. The idea was that many people—including police officers—don't know where bicycles are actually prohibited from riding on sidewalks. FYI, here's the way it is now:

(B) A person may not ride a bicycle on a sidewalk on the following streets:

- (1) 100 to 1100 blocks of Congress Avenue;
- (2) 1900 to 2500 blocks of Guadalupe Street;
- (3) 100 to 1100 blocks of Brazos Street;
- (4) 200 to 1100 blocks of Colorado Street;
- (5) from the 200 block of Second Street (West) to the 300 block of Second Street (East);
- (6) from the 900 block of Fifth Street (West) to the 800 block of Fifth Street (East);
- (7) from the 700 block of Sixth Street (East) to the 1000 block of Sixth Street (West);
- (8) from the 100 block of Eighth Street (West) to the 200 block of Eighth Street (East);
- (9) from the 100 block of Ninth Street (West) to the 200 block of Ninth Street (East);
- (10) from the 200 block of 11th Street (West) to the 200 block of 11th Street (East); and
- (11) from the 200 block of 15th Street (West) to the 200 block of 15th Street (East).

Source: 1992 Code Section 16-8-22; Ord. 031204-13; Ord. 031211-11; Ord. 20060727-016.

This was actually an amended part of the code that Tommy Eden tried to clarify at one point, since the original code just said "business district."

First of all, most of us were for just getting rid of the prohibitions all together. However, input from the Downtown Alliance noted that this wouldn't be received favorably. Now as I mentioned before, I am all for being bold with recommendations, but I also don't want to be perceived as nutty bicyclists trying to take back the downtown sidewalks...especially since I personally believe that in most cases it's a bad idea, both from a safety perspective and because of pedestrian use.

We also felt that if there were prohibitions, there should be accompanying efforts to make the streets there safer and more welcoming to bicyclists. So the idea of a zone would be to put signage around it informing motorists that bicycles are expected to ride in traffic in the lanes. (We also made recommendations for additional infrastructure.)

However, in trying to make a square, I think we went too far in expanding the prohibitions...maybe not. But this will need to be worked out.

- 9) A final note on a big problem area. We recommended various means to preserve bicycle lanes. But we didn't weigh in on parking in bike lanes, which is an extremely complicated issue. (We passed the buck and said the ongoing bicycle commission recommended should handle it.)

(Someone feel free to weigh in here on this, since I may be getting some of the facts mixed up.) The problem is that the city's Bike/Ped Program has a working draft on how to address new bike lanes and what circumstances might lead to the removal of bike lanes. Here's where the lovely unintended consequences come in. To try and address the absurdity of allowing parking in bike lanes, the city passed a policy stating that parking would be prohibited on any new bike lanes or those restriped from maintenance. So restriping would thus create no parking, and there's a proposed process for residents on the street to deny the no-parking requirement. Since you can't have the "new" lane with parking, it would be removed.

This is something that will need a lot of thought and work, and I know the Bike/Ped program is struggling with it. The task force's infrastructure subcommittee may be addressing the problem more substantially. (Lane Wimberley chairs that subcommittee.)