

Introduced September 8, 2020
Public Hearing September 21, 2020
Council Action October 5, 2020
Executive Action October 7, 2020
Effective Date December 7, 2020

County Council of Howard County, Maryland

2020 Legislative Session

Legislative Day No. 12

Bill No. 49 -2020

Introduced by the Chairperson at the request of the County Executive

AN ACT prohibiting parking in a bike lane; defining certain terms; and generally related to parking control in Howard County.

Introduced and read first time September 8, 2020. Ordered posted and hearing scheduled.

By order Diane Schwartz Jones
Diane Schwartz Jones, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on September 21, 2020.

By order Diane Schwartz Jones
Diane Schwartz Jones, Administrator

This Bill was read the third time on October 5, 2020 and Passed , Passed with amendments _____, Failed _____.

By order Diane Schwartz Jones
Diane Schwartz Jones, Administrator

Sealed with the County Seal and presented to the County Executive for approval this 6th day of October, 2020 at 2:45 a.m./p.m.

By order Diane Schwartz Jones
Diane Schwartz Jones, Administrator

Approved/Vetoed by the County Executive October 7, 2020

Calvin Ball
Calvin Ball, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment.

1 **Section 1. Be It Enacted** by the County Council of Howard County, Maryland, that the Howard
2 County Code is amended as follows:

3 *By adding:*

4 *Title 21 - Traffic Control and Transportation*

5 *Subtitle 1. - Definitions; General Provisions*

6 *Section 21.101. - Definitions.*

7 *Subsection (b-1)*

8
9 *By amending:*

10 *Title 21 - Traffic Control and Transportation*

11 *Subtitle 2. - Standing, Stopping, And Parking of Vehicles; Automated*

12 *Enforcement*

13 *Section 21.121 "Stopping, standing or parking prohibited in specified spaces"*

14
15 **Title 21 - Traffic Control and Transportation**

16 **Subtitle 1 - Definitions; General Provisions**

17
18 **Section. 21.101. - Definitions.**

19 (B-1) *BIKE LANE* SHALL MEAN ANY PORTION OF A ROADWAY OR SHOULDER DESIGNATED FOR
20 SINGLE DIRECTIONAL BICYCLE FLOW AND THAT HAS BEEN DESIGNATED FOR PREFERENTIAL
21 OR EXCLUSIVE USE BY BICYCLISTS BY A TRAFFIC CONTROL DEVICE.

22
23 **Title 21 - Traffic Control and Transportation**

24 **Subtitle 2 - Standing, Stopping, And Parking of Vehicles; Automated Enforcement**

25
26 **Section 21.221. - Stopping, standing or parking prohibited in specified places.**

27 (a) Except when necessary to avoid conflict with other traffic, or in compliance with law or
28 directions of a Police Officer or traffic control device, an individual may not stop, stand, or park a
29 vehicle:

- 1 (1) In front of or within five feet of a public driveway, or within a private driveway,
2 without the consent of the owner or occupant of the premises;
- 3 (2) Within an intersection;
- 4 (3) Within a tee or modified tee turnaround;
- 5 (4) On a sidewalk or pathway;
- 6 (5) On a pedestrian or school crosswalk;
- 7 (6) Between a safety zone and the adjacent curb;
- 8 (7) Alongside or opposite any street excavation or obstruction when such stopping,
9 standing or parking would obstruct traffic;
- 10 (8) Upon any bridge (or other elevated structure);
- 11 (9) Within a highway tunnel;
- 12 (10) On any ramp entering onto or exiting from any highway;
- 13 (11) On any property of the Howard County Board of Education where an official sign
14 or curb markings prohibit or restrict such parking;
- 15 (12) At any place where an official sign or curb markings prohibit stopping, standing or
16 parking;
- 17 (13) Within 30 feet to the approach to any official regulatory signal, sign or traffic-
18 control device located on the side of the roadway, with the exception of parking
19 signs;
- 20 (14) On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
- 21 (15) On the traveled portion of any roadway;
- 22 (16) Within 100 feet to the approach of an intersecting street, highway or commercial
23 private property driveway, except in any residentially zoned district;
- 24 (17) In any hazardous or congested parking area posted as a no-parking, tow-away zone;
- 25 (18) Adjacent to the center island of a cul-de-sac; [[or]]
- 26 (19) Except as specifically authorized by section 21.207 of this subtitle, in a space posted
27 for a plug-in vehicle[.]OR
- 28 (20) IN A BIKE LANE.

29 (b) The Police Department may impound a vehicle for a violation of subsection (a)(1), (2), (3),
30 (4), (5), (7), (8), (9), (10), (14), (15), (17), [[or (19)]](19), OR (20) of this section.

31

1 **Section 2. And Be It Further Enacted** by the County Council of Howard County, Maryland, that
2 *this Act shall become effective 61 days after its enactment.*

Office of the County Auditor
Auditor's Analysis

Council Bill No. 49-2020

Introduced: September 8, 2020

Auditor: Maya Cameron

Fiscal Impact:

There is no fiscal impact to the County as a result of this legislation.

Council Bill 49-2020 establishes the violation related to the fine proposed in Council Resolution 138-2020.

Purpose:

The purpose of this legislation is to define a bike lane and add parking in a bike lane as a violation in the County Code (in Section 21.221 - Stopping, standing or parking prohibited in specified places).

Other Comments:

None.



Howard County Office of Transportation

3430 Court House Drive ■ Ellicott City, Maryland 21043 ■ 410-313-0702

Bruce Gartner, Administrator

bgartner@howardcountymd.gov

FAX 410-313-1655

TDD 410-313-2323

August 27, 2020

DATE: August 27, 2020

FROM: Bruce Gartner, Administrator, Howard County Office of Transportation

TO: Lonnie Robbins, Chief Administrative Officer

SUBJECT: Prohibiting Parking - Marked Bike Lanes

The Howard County Office of Transportation supports the Council Bill prohibiting parking in a designated and marked bike lane as an important step to make bicycling in Howard County safer for all users of the transportation system.

As a result of recent information from the Howard County Police and the State's Attorney's Office for Howard County, the Administration has determined that the most efficient way to keep bike lanes clear for their intended use is to amend Title 21 of the Howard County Code to add an additional prohibition to the existing language to clarify that an individual may not stop, stand, or park a vehicle in a designated or marked bike lane. The legislation also defines "bike lane" in County Code using the same terms as the definition in Section 21-101 of the Transportation Article of the Annotated Code of Maryland and adding some clarification for how a bike lane is designated.

Designated and marked bike lanes are intended for the conveyance of people on bicycles. Vehicles parked in a bike lane present a danger by forcing cyclists to quickly move into the general-purpose travel lane. This is a difficult maneuver since a cyclist must first look over their shoulder to assess traffic coming from behind, judge if the gap is sufficient to merge into, signal their move, then make the lane shift to ride in the general-purpose travel lane. This challenging sequence is even more difficult and dangerous for a senior, a parent riding with children, or a cyclist with a baby trailer. Prohibiting parking in a bike lane reduces this danger.

Bike lanes are becoming more common on Howard County streets. The Howard County Bicycle Master Plan, known as "BikeHoward," was adopted by the County Council in 2016 recommending a network of bike lanes, pathways and shared streets. Currently, there are over 43 miles of bike lanes in Howard County. BikeHoward outlines a process for adding bike lanes, including community outreach and engagement. Safety and parking, particularly on roads near schools, are carefully considered and discussed with the community. In these discussions it has always stated to the community that vehicles should not be parked in bike lanes and in some instances, bike lane implementation has been halted or modified due to the effects on parking. This conscientious community engagement should be coupled with clarity in the law regarding parking in bike lanes.

The Howard County Complete Streets Policy, adopted by County Council in 2019, states:

“...public and private roadways in Howard County shall be safe and convenient for residents of all ages and abilities who travel by foot, bicycle, public transportation or automobile...” and “...safety shall be the highest priority; particularly safety for the most vulnerable street users (pedestrians, bicyclists, children, seniors, and people with additional accessibility needs).”

Clarifying the law regarding parking in bike lanes is fitting with this Complete Streets Policy and will improve the safety of people on bicycles in Howard County. Please support and approve the Council Bill prohibiting parking in bike lanes.

cc: Chief Lisa Myers, Howard County Police Department
Rich H. Gibson, Jr. State's Attorney for Howard County

CALVIN BALL
County Executive



LISA D. MYERS
Chief of Police

HOWARD COUNTY DEPARTMENT OF POLICE

DATE: August 25, 2020

FROM: Lisa Myers, Chief of Police *AM*

TO: Lonnie Robbins, Chief Administrative Officer

SUBJECT: Prohibiting Parking - Marked Bike Lanes

This memorandum expresses my support of the Council Bill addressing parking in marked bike lanes. The Howard County Police Department (HCPD) recognizes the need to prohibit vehicle parking in clearly designated and marked bike lanes to enhance the safety of residents of all ages and abilities who travel by foot, bicycle, public transportation or automobile.

Field research, officer observations, citizen complaints and statistical data have helped determine this legislation is the most efficient way to keep bike lanes clear for their intended use. The proposed amendment to Title 21 of the Howard County Code will help clarify that an individual may not stop, stand, or park a vehicle in a designated or marked bike lane. The proposed adjustment also defines the term "bike lane".

The HCPD knows the importance of clearly designating marked bike lanes for the conveyance of people on bicycles and recognizes that vehicles parked in a bike lane create an unnecessary and dangerous situation. This legislation provides the necessary clarity for citizens and police officers that parking in a bike lane is illegal, allowing the HCPD to enforce the law and improve safety. This legislation will reduce the likelihood of forcing cyclists to abruptly look over their shoulder to assess if adequate space exists to shift into a traffic lane. This is never ideal, and even more challenging for children, seniors, and those pulling a baby trailer. Our County has embraced cycling and is working to increase bike lanes as part of the 2016 Bicycle Master Plan and the 2019 Howard County Complete Streets Policy, both approved by County Council.

Too often, our officers are called to respond to collisions, complaints and incidents involving cyclists just trying to "share the road". Prohibiting parking in designated bike lanes will help reduce roadway danger and improve the safety of all citizens.

Many local Maryland jurisdictions that have passed similar legislation, including Baltimore City, Rockville, Greenbelt, Caroline County (Recreation and Parks) and Wicomico County.

We ask that the Council support and approve this bill.



CB49-2020

Sayers, Margery

From: James Lubitz <jimlub@gmail.com>
Sent: Saturday, September 19, 2020 7:47 PM
To: CouncilMail
Subject: support for CB49-2020

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Please support CB49-2020 to make parking in a bike lane a ticket-able offense. I've had too many close calls going downhill fast in a bike lane, only to encounter a parked car in front of me, while traffic speeds by on my left side.

thank you,

James Lubitz
10978 Millbank Row, Columbia, MD 21044

443-253-7016



HOWARD COUNTY MULTIMODAL TRANSPORTATION BOARD
3430 Court House Drive ■ Ellicott City, Maryland 21043 ■ 410-313-4312

Larry Schoen, Chair
Ted Cochran, Vice Chair

www.howardcountymd.gov

FAX 410-313-1655

TDD 410-313-2323

September 18, 2020

To the Members of the Howard County Council:

On behalf of the Howard County Multimodal Transportation Board (MTB), I wish to offer our support for Council Bill 49-2020 that will clearly prohibit parking in designated and marked bike lanes and Council Resolution 138-2020 which will establish the fine of \$33.

A fundamental role of the MTB is to make recommendations concerning transportation services in Howard County. The MTB is greatly concerned with matters of safety, access, and connectivity for individual and multimodal transportation. We wholeheartedly support clearer designation and enforcement of laws that will protect the safety of bicycle users on our roads.

Bicyclists are already vulnerable when sharing the roads with motor vehicles. Bike lanes should be an area reserved solely for bicycle use to promote ease of access and safety. When motor vehicles are permitted to use bike lanes for parking, it requires cyclists to move unexpectedly into traffic lanes when cars, trucks, and buses on those roads are not expecting them. It increases the chance of a collision with and collisions between cyclists and motor vehicles inevitably result in injury or even death for the cyclist. By prohibiting parking in bike lanes, our crash rates will be lower, and our cycling population will be safer.

The MTB supports this clarification in Howard County law and requests the County Council support the passage of Council Bill 49-2020 and Council Resolution 138-2020. Thank you for your consideration of this important legislation.

Sincerely,

Lawrence J. Schoen

Lawrence J. Schoen, P.E., Chairperson
Howard County Multimodal Transportation Board

cc: Bruce Gartner, Administrator
Howard County Office of Transportation

Sayers, Margery

From: warren wortman <wortmanwj@yahoo.com>
Sent: Thursday, September 17, 2020 3:56 PM
To: CouncilMail
Cc: Jones, Opel
Subject: CB49-2020 Support

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

I strongly support CB49-2020.

Allowing cars to park in a bike lane forces a bicyclist to enter the street, risking life and limb riding amongst 1,000+ pound automobiles. In my village of Oakland Mills, parking in the bike lane was so prevalent that the bike lane was unusable. Adding a no parking sign was an immediate and effective solution. CB49-2020 makes no parking signs unnecessary.

Sincerely,

Warren Wortman
Oakland Mills Resident
5215 Patriot Lane
Columbia, MD 21045

Sayers, Margery

From: Denis Manneville <denisgm14@gmail.com>
Sent: Wednesday, September 16, 2020 7:10 PM
To: CouncilMail
Subject: CB 49-2020

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Could parking on a bike lane be tickable

Sent from my iPhone

Sayers, Margery

From: Varad Kandadai <vkandadai@gmail.com>
Sent: Wednesday, September 16, 2020 11:39 AM
To: CouncilMail
Subject: Yes to CB49-2020

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Please accept my support/vote for Bill CB49-2020 to ticket vehicles parked in bike lanes. I find the callous attitude detrimental to safety of bicyclists with all the more cycling due to covid!

Varad Kandadai
10319 Cromwell Ct, Ellicott City, MD 21042

Regards,
Varad

Sayers, Margery

From: Stuart Berlin <stuberlin@gmail.com>
Sent: Wednesday, September 16, 2020 10:53 AM
To: CouncilMail
Subject: Bill #CB49-2020

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Please register me as for this bill. As an avid bicyclist, I, like others, at times, endanger myself due to a vehicle being parked in a bike lane. I know that this is a nuisance to enforce. But it happens with all to great regularity. I am a bicyclist who rarely goes on busy roads, so the parking in bike lanes has become a nuisance.

Stuart D. Berlin
9561 Fallen Stone
Columbia, MD 21045