



## Legislation Text

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File #: 22-2265, Version: 1

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**STRATEGIC PRIORITY:** Transportation & Infrastructure

**AGENDA DATE:** October 26, 2022

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Department of Transportation

**EXECUTIVE:** Dr. Robert Perez

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### **SUBJECT**

An ordinance amending Chapter 28, "Motor Vehicles and Traffic," of the Dallas City Code by adding Section 28-61.1. "Standing and Walking in Certain Areas Prohibited" **(1)** prohibiting standing and walking on medians measuring six feet or less in width, where no medians exist, or in an area designated as a clear zone; **(2)** providing a penalty not to exceed \$500.00; **(3)** providing a saving clause; **(4)** providing a severability clause; and **(5)** providing an effective date - Financing: This action has no cost consideration to the City (see Fiscal Information)

### **BACKGROUND**

On June 8, 2022, City Council approved the Vision Zero Plan by Resolution No. 22-0865. The plan showed that the vast majority of pedestrian fatalities occur when the pedestrian enters the roadway at a point that is not designated for crossing or standing. While only 2% of Dallas residents use walking as their mode of transportation, pedestrians account for 30% of traffic fatalities.

The U.S. Department of Transportation, American Association of State Highway Transportation Officials, National Association of City Transportation Officials, and Section 4.3.5 of the City of Dallas Street Design Manual recommend a minimum median width of six feet for a median to be used as a pedestrian refuge. Additionally, Section 4.3.5 of the City of Dallas Street Design Manual also states items typically found in the median area, including pedestrian refuge, should be located to provide at least 3-feet of clearance from the outermost edge of structure to back of curb. The Texas Department of Transportation recommends an area of four feet from the face of the curb for curbed roadways, or 10 feet from the edge of a travel lane for non-curbed roadways, to be free from obstructions to provide a way for recovery of errant vehicles.

Prohibiting pedestrians from standing in a roadway median measuring six feet or less in width, on a divided roadway where no median exists, or in a clear zone will contribute to the protection of the health and safety of both pedestrians and motorists. Exceptions include if the person:

- (1) is crossing a divided roadway in the most direct route possible inclusive of roadways that have provisions for dedicated bicycle lane facilities or curb bump outs;

- (2) is the victim of or rendering aid in an emergency situation or in compliance with the directions of a peace officer;
- (3) is performing work in the right-of-way in accordance with a permit issued under Chapter 43 of this code;
- (4) is erecting or dismantling a barricade in the right-of-way in accordance with a permit issued under Chapter 52 of this code;
- (5) has prior authorization from the city or is otherwise in compliance with applicable laws and regulations;
- (6) is standing in a raised splitter island that is not less than four feet in width while attempting to cross a divided roadway in the most direct route possible; or
- (7) is walking or standing on a paved sidewalk if the sidewalk is adjacent to the back of the curb on a curbed roadway which is within a clear zone area.

This action supports the City of Dallas' efforts towards achieving their "Vision Zero" goals.

### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

Information regarding this matter was presented to the Government Performance and Financial Management Committee on October 25, 2021.

[City Council was briefed by memorandum regarding this matter on December 3, 2021. <https://dallascityhall.com/government/citymanager/Documents/FY%2021-22%20Memos/12-3-21%20Friday%20Memo%20Ordinance%20Amending%20Chapter%2028%20Motor%20Vehicles%20and%20Traffic.pdf>](https://dallascityhall.com/government/citymanager/Documents/FY%2021-22%20Memos/12-3-21%20Friday%20Memo%20Ordinance%20Amending%20Chapter%2028%20Motor%20Vehicles%20and%20Traffic.pdf)

Information regarding this matter was presented to the Transportation and Infrastructure Committee on April 18, 2022.

[The Transportation and Infrastructure Committee was briefed by memorandum regarding this matter on September 19, 2022. <https://cityofdallas.legistar.com/View.ashx?M=F&ID=11243209&GUID=491311BC-C162-4972-8C23-F9ACE1FE24F0>](https://cityofdallas.legistar.com/View.ashx?M=F&ID=11243209&GUID=491311BC-C162-4972-8C23-F9ACE1FE24F0)

### **FISCAL INFORMATION**

This action has no cost consideration to the City. Ordinance enforcement of penalty up to \$500.00 may generate additional revenues to the City.