

# City of Santa Fe, New Mexico

## LEGISLATIVE SUMMARY

Bill No. 2016-7

Stop As Yield

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**SPONSOR(S):** Councilor Bushee

**SUMMARY:** The proposed bill amends the Uniform Traffic Ordinance to permit bicyclists to treat stop signs as yield signs, provided the intersection is free of vehicle and pedestrian traffic.

**PREPARED BY:** Jesse Guillen, Legislative Liaison

**FISCAL IMPACT:** No

**DATE:** January 6, 2016

**ATTACHMENTS:** Bill  
FIR

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**CITY OF SANTA FE, NEW MEXICO**

**BILL NO. 2016-7**

**INTRODUCED BY:**

Councilor Patti J. Bushee

**AN ORDINANCE**

**AMENDING THE UNIFORM TRAFFIC ORDINANCE TO PERMIT BICYCLES TO TREAT STOP SIGNS AS YIELD SIGNS IF THE RIGHT-OF-WAY IS CLEAR OF OTHER VEHICLES OR PEDESTRIANS.**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:**

**Section 1. Subsection 12-8-2 of the Uniform Traffic Ordinance (being Ord. #2011-23 § 8) is amended to read:**

**12-8-2 TRAFFIC ORDINANCE APPLIES TO PERSONS RIDING 12-8-2 TRAFFIC ORDINANCE APPLIES TO PERSONS RIDING BICYCLES.**

A. Operators of bicycles have the same rights as operators of motor vehicles in the use of streets, highways and roadways within the city, except as otherwise specifically provided herein.

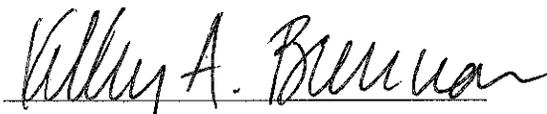
B. ~~[Every person riding a bicycle upon a roadway, street or highway shall be subject to all the duties applicable to the drivers of motor vehicles,]~~ A person operating a bicycle approaching a stop sign shall slow down and, if required for safety, stop before entering the

1 intersection. After slowing to a reasonable speed or stopping, the person shall yield the right-of-  
2 way to any vehicle or pedestrian in the intersection or approaching on another roadway or  
3 walkway so closely as to constitute an immediate hazard during the time the person is moving  
4 across or within the intersection, except that a person, after slowing to a reasonable speed and  
5 yielding the right-of-way if required, may cautiously proceed through the intersection or make a  
6 turn without stopping.

7 D. A signal of intention to turn right or left shall be given during not less than the  
8 last one hundred (100) feet traveled by the bicycle before turning, provided that a signal by hand  
9 and arm need not be given if the hand is need in the control or operation of the bicycle.

10 E. [e]Except as otherwise expressly provided in this Traffic Ordinance and except  
11 as to those provisions of laws and ordinances which by their nature can have no applications; and  
12 each such person shall be subject to the same provisions and sections of this Traffic Ordinance to  
13 which a motorist is subject within Sections 12-8-1 through 12-8-21.

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15 APPROVED AS TO FORM:

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17 \_\_\_\_\_  
18 KELLEY A. BRENNAN, CITY ATTORNEY

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**City of Santa Fe  
Fiscal Impact Report (FIR)**

This Fiscal Impact Report (FIR) shall be completed for each proposed bill or resolution as to its direct impact upon the City's operating budget and is intended for use by any of the standing committees of and the Governing Body of the City of Santa Fe. Bills or resolutions with no fiscal impact still require a completed FIR. Bills or resolutions with a fiscal impact must be reviewed by the Finance Committee. Bills or resolutions without a fiscal impact generally do not require review by the Finance Committee unless the subject of the bill or resolution is financial in nature.

**Section A. General Information**

(Check) Bill:  X  Resolution: \_\_\_\_\_

(A single FIR may be used for related bills and/or resolutions)

Short Title(s):  AN ORDINANCE AMENDING THE UNIFORM TRAFFIC ORDINANCE TO PERMIT BICYCLES TO TREAT STOP SIGNS AS YIELD SIGNS IF THE RIGHT-OF-WAY IS CLEAR OF OTHER VEHICLES OR PEDESTRIANS.

Sponsor(s):  Councilor Bushee

Reviewing Department(s):  Legislative Services

Persons Completing FIR:  Jesse Guillen  Date:  1/5/16  Phone:  x6518

Reviewed by City Attorney:  Kelly A. Brennan  Date:  1/7/16   
(Signature)

Reviewed by Finance Director: \_\_\_\_\_ Date:  1-7-2016   
(Signature)

**Section B. Summary**

Briefly explain the purpose and major provisions of the bill/resolution:

The purpose of this bill is to permit bicycles to treat stop signs as a yield sign, provided the right-of-way is clear of other vehicles and pedestrians. Implemented originally in Idaho, other municipalities have adopted similar ordinances. Analysis of crash statistics following implementation of the ordinance has shown a steady number of traffic incidents, and even a decline in some cases. This bill does not allow a bicyclist to treat a steady red traffic signal (a red light) as a yield sign or a stop sign.

**Section C. Fiscal Impact**

Note: Financial information on this FIR does not directly translate into a City of Santa Fe budget increase. For a budget increase, the following are required:

- a. The item must be on the agenda at the Finance Committee and City Council as a "Request for Approval of a City of Santa Fe Budget Increase" with a definitive funding source (could be same item and same time as bill/resolution)
- b. Detailed budget information must be attached as to fund, business units, and line item, amounts, and explanations (similar to annual requests for budget)
- c. Detailed personnel forms must be attached as to range, salary, and benefit allocation and signed by Human Resource Department for each new position(s) requested (prorated for period to be employed by fiscal year)\*

**1. Projected Expenditures:**

- a. Indicate Fiscal Year(s) affected – usually current fiscal year and following fiscal year (i.e., FY 03/04 and FY 04/05)
- b. Indicate: "A" if current budget and level of staffing will absorb the costs  
"N" if new, additional, or increased budget or staffing will be required
- c. Indicate: "R" – if recurring annual costs  
"NR" if one-time, non-recurring costs, such as start-up, contract or equipment costs
- d. Attach additional projection schedules if two years does not adequately project revenue and cost patterns
- e. Costs may be netted or shown as an offset if some cost savings are projected (explain in Section 3 Narrative)

Finance Director:  JR

X   Check here if no fiscal impact

Column #:	1	2	3	4	5	6	7	8
	Expenditure Classification	FY _____	"A" Costs Absorbed or "N" New Budget Required	"R" Costs Recurring or "NR" Non-recurring	FY _____	"A" Costs Absorbed or "N" New Budget Required	"R" Costs – Recurring or "NR" Non-recurring	Fund Affected

Personnel*	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Fringe**	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Capital Outlay	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Land/ Building	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Professional Services	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
All Other Operating Costs	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Total:	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____

\* Any indication that additional staffing would be required must be reviewed and approved in advance by the City Manager by attached memo before release of FIR to committees. \*\*For fringe benefits contact the Finance Dept.

**2. Revenue Sources:**

- a. To indicate new revenues and/or
- b. Required for costs for which new expenditure budget is proposed above in item 1.

Column #:	1	2	3	4	5	6
	Type of Revenue	FY _____	"R" Costs Recurring or "NR" Non-recurring	FY _____	"R" Costs – Recurring or "NR" Non-recurring	Fund Affected

_____	\$ _____	_____	\$ _____	_____	_____	_____
_____	\$ _____	_____	\$ _____	_____	_____	_____
_____	\$ _____	_____	\$ _____	_____	_____	_____
Total:	\$ _____	_____	\$ _____	_____	_____	_____

**3. Expenditure/Revenue Narrative:**

Explain revenue source(s). Include revenue calculations, grant(s) available, anticipated date of receipt of revenues/grants, etc. Explain expenditures, grant match(s), justify personnel increase(s), detail capital and operating uses, etc. (Attach supplemental page, if necessary.)

None.

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**Section D. General Narrative**

**1. Conflicts:** Does this proposed bill/resolution duplicate/conflict with/companion to/relate to any City code, approved ordinance or resolution, other adopted policies or proposed legislation? Include details of city adopted laws/ordinance/resolutions and dates. Summarize the relationships, conflicts or overlaps.

None identified.

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**2. Consequences of Not Enacting This Bill/Resolution:**

Are there consequences of not enacting this bill/resolution? If so, describe.

Status quo.

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**3. Technical Issues:**

Are there incorrect citations of law, drafting errors or other problems? Are there any amendments that should be considered? Are there any other alternatives which should be considered? If so, describe.

None identified.

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**4. Community Impact:**

Briefly describe the major positive or negative effects the Bill/Resolution might have on the community including, but not limited to, businesses, neighborhoods, families, children and youth, social service providers and other institutions such as schools, churches, etc.

First introduced in Idaho, several cities have now implemented the "Idaho stop" for bicyclists, allowing them to treat stop signs as yield signs provided the intersection is clear of vehicle and pedestrian traffic. While safety concerns abound, several studies have shown no change, or even a decrease in incidents involving bicyclists when a stop-as-yield ordinance is approved. The bill does not permit bicyclists to treat red lights the same way, they must continue to adhere to current traffic laws in that regard. This bill is part of Santa Fe's move towards a bicycle friendly atmosphere.

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