

1 **CITY OF SANTA FE, NEW MEXICO**

2 **RESOLUTION NO. 2009-10**

3 **INTRODUCED BY:**

4
5 **Councilor Bushee**

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10 **A RESOLUTION**

11 **CALLING UPON THE NEW MEXICO DEPARTMENT OF TRANSPORTATION TO**
12 **CEASE USING A CERTAIN METHOD OF PAVING STATE HIGHWAYS THAT HAS**
13 **PROVED TO BE DETRIMENTAL TO THE SAFETY OF BICYCLISTS.**

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15 **WHEREAS**, the City of Santa Fe and its governing body have long pursued a policy of
16 promoting bicycling and protecting the safety of bicyclists on the streets and roads of Santa Fe
17 and its environs; and

18 **WHEREAS**, the New Mexico Department of Transportation (“NMDOT”) has for many
19 years used a method of applying the final layer of asphalt to state highways in Santa Fe and other
20 parts of the state that is detrimental to the safety of bicyclists; and

21 **WHEREAS**, the method referred to consists of terminating the final layer of asphalt a
22 few inches outside the shoulder stripe instead of continuing the final layer to the outer edge of the
23 shoulder of the road; and

24 **WHEREAS**, the effect of this practice is to leave a “lip” or raised edge of pavement just
25 outside the shoulder stripe which, depending on its thickness and the type of bicycle wheels being

1 used, can have the same effect on a bicycle as a diagonal railroad track, deflecting the front wheel
2 and causing the bicycle to crash when the cyclist attempts to cross the raised edge of pavement to
3 merge from the shoulder into the traffic lane; and

4 **WHEREAS**, a bicyclist using the shoulder of the road will often find it necessary to
5 merge into the traffic lane to avoid debris and obstacles or to make turning maneuvers at
6 intersections; and

7 **WHEREAS**, the existence of the “lip” or raised edge of pavement near the shoulder
8 stripe caused by NMDOT’s paving method makes this sort of merging maneuver difficult and
9 dangerous for bicyclists; and

10 **WHEREAS**, most bicyclists, being aware of this problem, will simply avoid using the
11 shoulder and will ride continuously in the traffic lane when riding on a highway that has been
12 paved using this method; and

13 **WHEREAS**, the ultimate practical effect of this paving method is to deprive bicyclists of
14 the use of the shoulder on state highways, forcing them into the traffic lane to the detriment of
15 their own safety and the convenience of motorists; and

16 **WHEREAS**, the NMDOT has persisted in using this paving method for budgetary
17 reasons despite repeated criticism and admonitions from cycling groups and engineers regarding
18 its adverse impact on the safety of bicyclists.

19 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
20 **CITY OF SANTA FE THAT:**

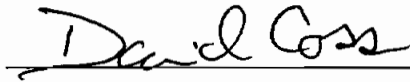
21 Section 1. The governing body urges the New Mexico Department of Transportation to
22 cease using the method of paving state highways whereby the final layer of pavement is
23 terminated just outside the shoulder stripe, leaving a raised edge of pavement at that point which
24 is dangerous to bicyclists.

25 Section 2. The governing body urges the New Mexico Department of Transportation to

1 extend the final layer of asphalt on state highways to the same width as the underlying layers -
2 that is, to the outside edge of the shoulder of the road - thereby producing a smooth surface on the
3 shoulder and between the shoulder and the traffic lane over which bicyclists can pass without
4 difficulty or danger of falling when merging from the shoulder to the traffic lane.

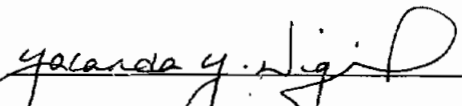
5 Section 3. The governing body directs city staff to take all steps necessary to
6 communicate the content of this resolution to the offices of the Governor and the Secretary of the
7 Transportation and to the officials of the Department of Transportation who are in the best
8 position to heed the concerns expressed in this resolution and to make the changes in paving
9 methods necessary to allay these concerns.

10 PASSED, APPROVED, and ADOPTED this 28th day of January, 2009.

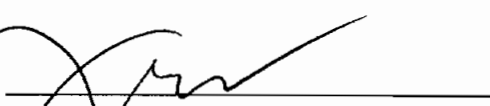
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14 DAVID COSS, MAYOR

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16 ATTEST:

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19 YOLANDA Y. VIGIL, CITY CLERK

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21 APPROVED AS TO FORM:

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24 FRANK D. KATZ, CITY ATTORNEY

25 [mdb/ca/jp&mdb/resolutions2009 NMDOT Paving](#)