Office of the City Clerk

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Legislation Text

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Committee on Pedestrian and Traffic Safety

ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. Section 9-40-060 of the Municipal Code of the City of Chicago is hereby amended by deleting the language stricken, and by inserting the language underscored, as follows:

9-40-060 Driving, standing or parking on bicycle paths or lanes prohibited.

a) Prohibition. The driver of a vehicle shall not drive, unless entering or exiting a legal parking space, or stand, or park the vehicle upon any on-street path or lane designated by official signs or markings for the use of bicycles, or otherwise drive or place the vehicle in such a manner as to impede bicycle traffic on such path or lane. The driver of a vehicle shall not stand or park the vehicle upon any lane designated by pavement markings for the shared use of motor vehicles and bicycles, or place the vehicle in such a manner as to impede bicycle traffic on such lane; provided, however, the driver of a bus may stop the bus in any such lane (i) at a designated bus stop for the purpose of loading or unloading of passengers, (ii) in case of an emergency; or (iii) as permitted in Section 9-48-050(d) of this Code. In addition to the fine provided in Section 9-4-025 of this Code, any vehicle parked in violation of this section shall be subject to an immediate tow and removal to a city vehicle pound or authorized garage.

b) Exception. Notwithstanding any provision of this code to the contrary, an electric personal assistive mobility device, as that term is defined in Section 9-80-205, may enter and drive upon the Randolph Protected Bike Lane located on Upper East Randolph Street, between North Michigan Avenue and North Harbor Drive.

c) Class 3 electric bicycles. The rider of a Class 3 electric bicycle shall not ride in a bike lane.

d) _Enforcement._

1) Enforcing Departments. Any police officer, traffic control aide, or other designated member of the Police Department, or any parking enforcement aide or other person designated by the City's Traffic Compliance Administrator, Commissioner of Transportation, the Commissioner of Buildings, or the Commissioner of Streets and Sanitation shall have authority to enforce the provisions of this section.

2) Public Complaint. Any individual may submit a complaint alleging a violation of this section on a form provided by the Department of Transportation (the "Department"). The complaint form shall be made publicly accessible and available through the City's 3-1-1 system, including any applicable internet-enabled applications or digital platforms. The Department shall promulgate and publish on its website rules governing the content and submission of complaints pursuant to this subsection (d)(2). All complaints filed pursuant to this section shall include: (i) the complainant's name, telephone number, and e-mail address; (ii) a statement describing what the complainant observed; (iii) the date and time the complainant observed the alleged violation; (iv) a time and date stamped video or photograph capturing a readable view of the license plate and any other identifying numbers, words or other marks affixed or otherwise present on the subject vehicle, and the duration in which the alleged violation occurred; (v) the location of the alleged violation; (vi) a sworn

statement initialed and dated by the complainant stating the complaint form

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and video recording or photograph, as applicable, are accurate; and (vii) anv other information the Commissioner of Transportation mav reguire. The Department mav reguest complainants under this section to be available in person or by telephone to testify at anv hearing or legal proceeding that mav ensue in response to a complaint having been filed under this subsection(d)(2). A complaint submitted under this subsection (d)(2) and reviewed and determined by the Commissioner of Transportation or their designee to depict a violation of this section shall be prima facie evidence of a violation of this section. Anv person who knowingly submits a complaint under this subsection (d)(2) with incorrect or false information mav be fined not less than $50.00 and not more than $100.00 per violation.

(3) Violation Notice. For each complaint filed pursuant to subsection (d)(2) that is determined to depict a violation of this section, the Department shall notify the Traffic Compliance Administrator who shall mail a violation notice, within 30 davs after receiving information about the registered owner of the vehicle from the Secretary of State, to the registered owner of record of the vehicle used in the commission of the violation. The violation notice shall include: (i) the name and address of the registered owner of the vehicle; (ii) the vehicle make, if available and readily discernible, and registration number; (iii) the offense charged; (iv) the time, date and location of the alleged violation; (v) the applicable fine and monetary penalty which shall be automatically assessed for late payment; (vi) information as to the availability of an administrative hearing in which the notice mav be contested on its merits and the time and manner in which such hearing mav be had; (vii) that the basis ofthe notice is a video recording obtained bv an individual not employed bv the City and determined bv the Commissioner of Transportation or their designee to depict a violation; and (viii) that the payment of the fine, and anv applicable penalty for late payment shall operate as a final disposition ofthe violation.

SECTION 2. The Office of Emergency Management and Communication shall, in consultation with the Department of Transportation, update the City's 3-1-1 system, including any applicable internet-enabled applications or digital platforms, as may be necessary to accept public complaints made in accordance with this ordinance.

SECTION 3. This ordinance shall take effect upon passage and publication.

BRENDAN   REILLY'
Alderman, 42nd Ward

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