



# Austin Police Department

City of Austin: Founded by Congress, Republic of Texas, 1839  
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[www.cityofaustin.org/police](http://www.cityofaustin.org/police)

Mr. Robin Stallings  
Executive Director  
BikeTexas  
P.O. Box 1121  
Austin, TX 78767

May 20, 2010

Dear Robin,

This is in response to your letter requesting our position on the Safe Passing Ordinance approved by the Austin City Council on October 22, 2009.

The action was to approve an ordinance adding a new section titled "Vulnerable Road Users" to the City Code, requiring a three-foot safe passing distance between vehicles and vulnerable road users. This ordinance protects the rights of vulnerable road users from being intimidated, threatened, or harassed by maneuvers of a motor vehicle. Operators of motor vehicles will have to exercise due care to avoid colliding with any vulnerable road users on a roadway or intersection.

In addition, the ordinance states that a six-foot passing distance is required if the operator's vehicle is a truck (other than a light truck) or a commercial motor vehicle as defined by Texas Transportation Code Section 522.003.

As you know, this ordinance is modeled from the language of the statewide Safe Passing Act (SB 488) which was passed by the 2009 Texas Legislature. The highest value of the safe passing law is educational, which we believe directly translates into lives being saved. In order for us to achieve that goal, we as a community have taken the first step by initiating and passing the City ordinance.

With the push for a more healthy and active lifestyle by all levels of government in Texas, we are seeing more pedestrians, bicyclists and other motor-assisted vehicles on our roadways, including our very own police officers. The Austin Police Department and the City of Austin strongly support laws that promote the interest of overall public and transportation safety. At the end of the day, it is our responsibility to look at ways we can educate everyone about saving lives.

Please do not hesitate to contact me directly if more information is needed. I look forward to working on this initiative with you.

Sincerely,



ART ACEVEDO  
Chief of Police



*Keeping you, your family and our community safe.*