

**CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**

DEPARTMENT: Engineering Traffic Division
AGENDA DATE: Intro March 9, 2010/ Public Hearing March 16, 2010
CONTACT PERSON NAME AND PHONE NUMBER: Ted Marquez, 541-4035
DISTRICT(S) AFFECTED: All Districts

SUBJECT:
AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.48 (LOADING ZONES, BUS AND TAXISTANDS), SECTION 12.48.040 (PUBLIC CARRIER STOPS, STANDS, AND ROUTES – AUTHORITY TO DESIGNATE) REQUIRING THE TRAFFIC ENGINEER TO DESIGNATE ROUTES AND STOPS FOR PASSENGER COMMON-CARRIER VEHICLES, AND REPEALING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.081 (SCHEDULE VIIIA – COMMON CARRIER PASSENGER ROUTE ESTABLISHED); THE PENALTY BEING AS PROVIDED IN CHAPTER 12.84 (VIOLATIONS – PENALTY) OF THE EL PASO CITY CODE.

BACKGROUND / DISCUSSION:

Engineering Department, Traffic Division has received requests to add additional routes to the Passenger common-carrier ordinance. This ordinance applies to those common-carrier vehicles that operate under Interstate Commerce Commission permits. As part of the review process, staff is recommending a change in the how these requests are handled. The current process requires city council pass an ordinance to amend the existing schedule 12.88.081 (Schedule VIIIA – Common Carrier Passenger Route established). The new process will only require city council approve a resolution, thus reducing the implementation period down to a few weeks instead of one to two months. Traffic Division recommends approval of this ordinance.

PRIOR COUNCIL ACTION: N/A

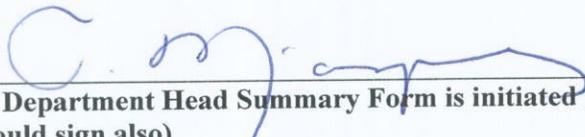
AMOUNT AND SOURCE OF FUNDING: N/A

BOARD / COMMISSION ACTION:

Enter appropriate comments or N/A

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD:


(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

Information copy to appropriate Deputy City Manager

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.48 (LOADING ZONES, BUS AND TAXISTANDS), SECTION 12.48.040 (PUBLIC CARRIER STOPS, STANDS, AND ROUTES – AUTHORITY TO DESIGNATE) REQUIRING THE TRAFFIC ENGINEER TO DESIGNATE ROUTES AND STOPS FOR PASSENGER COMMON-CARRIER VEHICLES, AND REPEALING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.081 (SCHEDULE VIIIA – COMMON CARRIER PASSENGER ROUTE ESTABLISHED); THE PENALTY BEING AS PROVIDED IN CHAPTER 12.84 (VIOLATIONS – PENALTY) OF THE EL PASO CITY CODE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

Section 1. That Title 12 (Vehicles and Traffic), Chapter 12.48 (Loading Zones, Bus and Taxistands), Section 12.48.040 (Public Carrier Stops, Stands and Routes – Authority to Designate) of the El Paso City Code shall be and hereby is amended to read:

12.48.040 Public carrier stops, stands and routes - Authority to designate.

A. The traffic engineer is authorized and required to establish bus stops, bus stands and stands for passenger common-carrier motor vehicles on such public streets in such places and in such number as may be determined to be of the greatest benefit and convenience to the public. Each such bus stop, bus stand or other stand shall be designated by appropriate signs or markings approved by the traffic engineer and installed by the city. When a passenger common-carrier company requests such designated stop areas for the loading and/or unloading of its passengers in the city right-of-way, such company shall pay the city for all costs related to the design and installation of the requested stop areas.

B. The traffic engineer is authorized and required to establish reasonably direct routes on city streets from State and Federal roadways to destinations within the city and back to such State and Federal roadways for those passenger common-carrier motor vehicles that operate under authority of permits issued by the Surface Transportation Board or its successor agency. To become effective, the

routes established by the traffic engineer and any amendments thereto shall require City Council approval by resolution. Common-carrier passenger motor vehicles operating under permits issued by the Surface Transportation Board or its successor agency shall not operate over city streets except on such routes as established by the traffic engineer and approved by the City Council. The description of the routes established pursuant to this section shall be available to the public from the office of the traffic engineer and made available to the public electronically. Any passenger common carrier company may make a request to the traffic engineer to amend the routes to accommodate its access to facilities used by such common-carrier or to load and/or unload its passengers. The traffic engineer shall follow the procedures of this section in developing a route and presenting an amendment to the City Council for its consideration.

Section 2. That Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88. 081 (Schedule VIIIA – Common Carrier Passenger Route Established) of the El Paso City Code shall be and hereby is repealed.

Section 3. Except as expressly herein amended, That Title 12 (Vehicles and Traffic), Chapter 12.48 (Loading Zones, Bus and Taxistands), and Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), of the El Paso City Code shall remain in full force and effect.

PASSED AND APPROVED THIS _____ DAY OF _____, 2010.

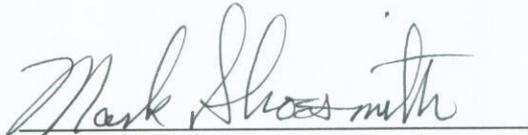
THE CITY OF EL PASO:

ATTEST:

John F. Cook, Mayor

Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:

A handwritten signature in cursive script, appearing to read "Mark Shosmith", written over a horizontal line.

Mark Shosmith
Assistant City Attorney

APPROVED AS TO CONTENT:

A handwritten signature in cursive script, appearing to read "Ted Marquez", written over a horizontal line.

Ted Marquez, P.E.,
Assistant City Engineer