

Regular Session, 2012

HOUSE BILL NO. 530

BY REPRESENTATIVE ORTEGO

TRANSPORTATION: Requires the implementation of a Complete Streets plan

1 AN ACT

2 To amend and reenact R.S. 48:21(B) and 163.1(A)(1)(introductory paragraph) and (2) and
3 (D), relative to bicycle facilities; to provide for a certain amount of funds to be used
4 on bicycle facilities; to provide for guidelines for when bicycle facilities are to be
5 constructed; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 48:21(B) and 163.1(A)(1)(introductory paragraph) and (2) and (D)
8 are hereby amended and reenacted to read as follows:

9 §21. Functions

10 * * *

11 B. The department ~~may~~ shall construct and maintain within the right-of-way
12 of any state highway or section thereof bicycle facilities appropriate to the context
13 of the roadway in accordance with R.S. 48:163.1. If such facilities are not included
14 in new construction projects, the department shall document the reasons for the
15 exclusion.

16 * * *

17 §163.1. Use of highway funds for bicycle facilities

18 A.(1) The department annually ~~may~~ shall expend a reasonable amount of the
19 transportation trust fund for the establishment, construction, and maintenance of
20 bicycle facilities. Bicycle facilities ~~may~~ shall be established wherever a highway,

1 road, or street is being constructed, reconstructed, relocated, or as separate projects,
2 unless the department determines the following:

3 * * *

4 (2) ~~Bicycle~~ Unless the department makes a determination that the
5 establishment of a bicycle facility meets any of the factors in Subparagraphs (1)(a),
6 (b), and (c) of this Subsection, bicycle facilities shall ~~not~~ be constructed in
7 conjunction with preservation projects ~~if the construction of the facility requires~~
8 ~~right-of-way acquisition, utility relocation, or major construction.~~ Retrofits,
9 including but not limited to narrowing lanes, restriping, and other general
10 improvements, shall be considered in conjunction with preservation projects.

11 * * *

12 D. The amount expended by the department as permitted by this Section ~~may~~
13 shall be at least one percent of the total funds appropriated to the transportation trust
14 fund in any given fiscal year.

15 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Ortego

HB No. 530

Abstract: Requires DOTD to construct bicycle facilities.

Present law provides that DOTD may construct and maintain within the right-of-way of any state highway or section thereof bicycle facilities appropriate to the context of the roadway.

Proposed law provides that DOTD shall construct and maintain within the right-of-way of any state highway or section thereof bicycle facilities appropriate to the context of the roadway.

Present law provides that DOTD annually may expend a reasonable amount of the transportation trust fund for the establishment, construction, and maintenance of bicycle facilities. Bicycle facilities may be established wherever a highway, road, or street is being constructed, reconstructed, relocated, or as separate projects, unless DOTD makes certain determinations regarding existing prohibitions, needs, and expenses.

Proposed law provides that DOTD annually shall expend a reasonable amount of the transportation trust fund for the establishment, construction, and maintenance of bicycle facilities. Bicycle facilities shall be established wherever a highway, road, or street is being

constructed, reconstructed, relocated, or as separate projects, unless DOTD makes certain determinations regarding needs and expenses.

Present law provides that bicycle facilities shall not be constructed in conjunction with preservation projects if the construction of the facility requires right-of-way acquisition, utility relocation, or major construction.

Proposed law provides that unless DOTD makes certain determinations regarding needs and expenses, bicycle facilities shall be constructed in conjunction with preservation projects.

(Amends R.S. 48:21(B) and 163.1(A)(1)(intro. para.) and (2) and (D))