

2010 -- H 7300

LC00891

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2010

A N A C T

RELATING TO HIGHWAYS-ACCESSIBLE CROSSWALKS

Introduced By: Representatives Kennedy, Naughton, Lima, Lally, and Martin

Date Introduced: January 28, 2010

Referred To: House Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 24-7-1 of the General Laws in Chapter 24-7 entitled "Sidewalks" is
2 hereby amended to read as follows:

3 **24-7-1. Power of towns to establish and regulate sidewalks. -- (a)** The town council of
4 any town shall have the power to order sidewalks, including curbing of stone or other material,
5 made and laid in and upon the streets and highways of the town, and may make ordinances and
6 regulations relative to the altering or repairing thereof, to the use, maintenance, care, and cleaning
7 of the sidewalks, to removing ice and snow therefrom, to the removal of posts, steps, and other
8 obstructions therein, and to the maintenance and removal of awnings, signs, and other structures
9 projecting over the sidewalks; provided, that the ordinances and regulations shall not be contrary
10 to the laws of this state.

11 (b) The construction and maintenance of sidewalks and curbs by all cities and towns shall
12 be in compliance with all state regulations promulgated by the director of transportation pursuant
13 to subsection 42-13-1(b).

14 SECTION 2. Section 42-13-1 of the General Laws in Chapter 42-13 entitled "Department
15 of Transportation" is hereby amended to read as follows:

16 **42-13-1. Establishment -- Head of departments -- Powers. --** (a) There shall be a
17 department of transportation. The head of the department shall be the director of transportation,
18 appointed by the governor with the advice and consent of the senate, who shall carry out the
19 provisions of this chapter and, except as otherwise provided by this title, the provisions of

1 chapters 2 and 4 of title 1; chapters 8 and 10 of title 24; chapter 13 of title 31; chapter 12 of title
2 37; and of all other general laws heretofore carried out by the director of public works and the
3 department of public works, the Rhode Island turnpike and bridge authority, and the council on
4 highway safety. The director shall also be responsible for preparation of short-range plans, project
5 plans, and implementation programs for transportation; for port and waterways facilities where
6 the principal purpose is transportation and management of port properties, warehouses, and state
7 piers which function primarily as transportation facilities; and for maintaining an adequate level
8 of rail passenger and freight services, including the administration of any financial or technical
9 assistance which may be made available to operators of railroad transportation facilities;
10 provided, however, that all contracts for the construction, reconstruction, maintenance, and
11 repairs of all public roads and bridges, public buildings and all other properties of the state
12 government, and the purchase of all equipment, materials, and supplies used in accordance
13 therewith shall be negotiated by the purchasing agent in the department of administration.

14 (b) The director shall adopt and promulgate state regulations which will set standards for
15 future state, city and town construction and maintenance of sidewalks and curbs, in a manner
16 which will make the use of the sidewalks more easily accessible to people who are disabled. Said
17 standards shall require the installation of curb cuts and/or ramps at both ends of any pedestrian
18 crosswalk. The director shall adopt and promulgate a procedure to process all claims pursuant to
19 section 24-8-35, for damages to motor vehicles caused by potholes on state highways and in all
20 instances have the final determination as to the merits of each claim.

21 (c) The director shall promulgate and adopt regulations which will prohibit any
22 contractors who have been convicted of fraud, bid-rigging, or a violation of any state or federal
23 antitrust law from bidding on any construction projects administered by the department for a
24 period of five (5) years from the date of any of the above convictions.

25 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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1 This act would require the installation of curb cuts and/or ramps at both ends of any
2 pedestrian crosswalk.

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