

1 H.741

2 Introduced by Representatives Masland of Thetford, Burke of Brattleboro,
3 Deen of Westminster, Donovan of Burlington, Edwards of
4 Brattleboro, Klein of East Montpelier, Lorber of Burlington,
5 McFaun of Barre Town, Obuchowski of Rockingham, Shand of
6 Weathersfield and Zuckerman of Burlington

7 Referred to Committee on

8 Date:

9 Subject: Highways; planning; development; bicycles; pedestrians; public
10 transit; access

11 Statement of purpose: This bill proposes to require the agency of
12 transportation, in its transportation project planning, development, and
13 implementation activities, to adhere to “complete streets principles” assuring
14 adequate accommodation of and consideration of the safety of all users of the
15 transportation system, regardless of age or ability, and to submit a report
16 detailing its implementation of complete street principles during its project
17 planning, development, and implementation activities. The bill also proposes
18 to require the agency of transportation or municipalities with jurisdiction over
19 highway projects to document circumstances justifying an exception from the
20 requirement that any new construction or reconstruction of highways provide

1 for the construction, maintenance, or improvement of shoulders for bicycles or
2 pedestrians unless otherwise exempted.

3 An act relating to adhering to complete streets principles in transportation
4 project planning, development, and implementation

5 It is hereby enacted by the General Assembly of the State of Vermont:

6 Sec. 1. 19 V.S.A. § 2310 is amended to read:

7 § 2310. PAVEMENT OF HIGHWAY SHOULDERS

8 (a) Notwithstanding the provisions of section 10c of this title, it is the
9 policy of the state to provide paved shoulders on ~~major state~~ highways with the
10 intent to develop an integrated bicycle route system and make the shoulders
11 safer for pedestrian traffic. This shall not apply to the interstate highway and
12 certain other limited access highways.

13 (b) Any new construction or reconstruction, including upgrading and
14 resurfacing projects, on these highways, shall provide for the construction of
15 shoulders or shall maintain or improve existing access and road surface
16 conditions ~~for bicycles and pedestrians along~~ on the shoulders ~~of~~ along these
17 highways for bicycles and pedestrians, unless the area is adequately served by
18 bicycle and pedestrian paths that are not located along the shoulders of these
19 highways, or unless the ~~agency deems it to be cost prohibitive~~ cost of such

1 construction, maintenance, or improvement exceeds 20 percent of the total cost
2 of the project.

3 (c) A project shall not be subject to the requirements of subsection (b) of
4 this section if the secretary of the agency of transportation or the legislative
5 body of the municipality with jurisdiction over the project makes a written
6 determination supported by documentation and which is available for public
7 inspection at the agency of transportation that one of the following exists:

8 (1) use by bicyclists or pedestrians is prohibited by law;

9 (2) establishment of such shoulders would be contrary to public safety;

10 (3) the cost would be excessively disproportionate to the need or
11 probable use; or

12 (4) scarcity of population or other available means or factors indicate an
13 absence of future need.

14 Sec. 2. 19 V.S.A. § 10b is amended to read:

15 § 10b. STATEMENT OF POLICY; GENERAL

16 (a) The agency shall be the responsible agency of the state for the
17 development of transportation policy. It shall develop a mission statement to
18 reflect state transportation policy encompassing, coordinating, and integrating
19 all modes of transportation, the need for transportation projects that will
20 improve the state's economic infrastructure, as well as the use of resources in
21 efficient, coordinated, integrated, cost-effective, and environmentally sound

1 ways. The agency shall coordinate planning and education efforts with those
2 of the Vermont climate change oversight committee and those of local and
3 regional planning entities:

4 (1) to assure that the transportation system as a whole is integrated, that
5 access to the transportation system as a whole is integrated, and that statewide,
6 local, and regional conservation and efficiency opportunities and practices are
7 integrated; ~~and~~

8 (2) to support employer or local or regional government-led
9 conservation, efficiency, rideshare, and bicycle programs and other innovative
10 transportation advances, especially employer-based incentives; and

11 (3) to assure in all phases of project planning, development, and
12 implementation adherence to “complete streets principles,” which include:

13 (A) the adequate accommodation of all users of the transportation
14 system, including pedestrians, bicyclists, motorists, public transit users,
15 children, elderly individuals, and individuals with disabilities; and

16 (B) the consideration of the safety and convenience of all users,
17 regardless of age or ability.

18 (b) In developing the state’s annual transportation program, the agency
19 shall, consistent with the planning goals listed in 24 V.S.A. § 4302 as amended
20 by No. 200 of the Acts of the 1987 Adj. Sess. (1988) and with appropriate
21 consideration to local, regional, and state agency plans:

- 1 (4) common barriers to the implementation of complete streets
2 principles;
- 3 (5) procedures for overcoming the common barriers to the
4 implementation of complete streets principles;
- 5 (6) procedures for identifying the costs associated with the
6 implementation of complete streets principles;
- 7 (7) procedures for maximizing local cooperation in the introduction and
8 implementation of complete streets principles; and
- 9 (8) procedures for assessing and modifying the facilities and operational
10 characteristics of existing roadways to improve consistency with complete
11 streets principles.