

1 HB342
2 127486-2
3 By Representatives Faust, Shiver, McMillan, Chesteen, Baker,
4 Jackson, McClammy, Greeson, Thomas, Davis, McCutcheon and
5 Brown
6 RFD: Transportation, Utilities and Infrastructure
7 First Read: 24-MAR-11

2
3
4
5
6
7
8 SYNOPSIS: This bill would require the Department of
9 Transportation to design more complete streets and
10 highways that enable safe access for all users,
11 including bicyclists, public transportation
12 vehicles, motorists, and pedestrians of all ages
13 and abilities except when certain uses may be
14 prohibited by law, the cost would be
15 disproportionate to the need, or there is a
16 demonstrated lack of need for the features.

17 This bill would also require the department
18 to publish a best-practice report two years after
19 the effective date of the act demonstrating how
20 procedures have been changed to improve the
21 effectiveness and safety of highways for the
22 benefit of all users.

23
24 A BILL
25 TO BE ENTITLED
26 AN ACT
27

1 To add Section 23-1-40.1 to the Code of Alabama
2 1975, to require the Department of Transportation to implement
3 complete street design features for safe travel in the
4 planning, design, construction, reconstruction, and
5 rehabilitation of highways, roads, and streets subject to
6 department oversight in this state; to provide for plans that
7 enable safe access for all users of highways, including
8 bicyclists, public transportation vehicles, motorists, and
9 pedestrians of all ages and abilities; to provide exceptions
10 to the design-plan requirements; to require the department to
11 publish a best-practice report demonstrating how the
12 department revised procedures and practices to improve the
13 effectiveness and safety of the roadways for the benefit of
14 all users.

15 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

16 Section 1. Section 23-1-40.1 is added to the Code of
17 Alabama 1975, to read as follows:

18 §23-1-40.1

19 (a) The Department of Transportation shall provide
20 for the consideration of safe travel by all users of the
21 public road network, including motorists, pedestrians,
22 bicyclists, and public transportation users, regardless of age
23 or ability, through the use of complete street design features
24 that facilitate safe travel by all users in the planning,
25 design, construction, reconstruction, resurfacing, and
26 rehabilitation, of all state, county, and local highways,

1 roads, and streets that are eligible for both federal and
2 state funding and are subject to department oversight.

3 (b) For the purposes of this section, "complete
4 street design features" mean features of a public road that
5 expand upon state and federal design requirements to
6 accommodate all users, including current and projected users,
7 particularly pedestrians, bicyclists, and individuals of all
8 ages and mobile capabilities. These features shall include,
9 but not be limited to, sidewalks, paved shoulders, suitable
10 for use by bicyclists, lane striping, bicycle lanes, share the
11 road signage, crosswalks, pedestrian control signalization,
12 bus pull outs, curb cuts and raised crosswalks, ramps,
13 roundabouts, and other traffic calming measures.

14 (c) To implement the requirements under this
15 section, the department may consult with transportation,
16 land-use, and environmental officials, in addition to
17 representatives from the following:

18 (1) Counties, cities, and other municipalities.

19 (2) Public transit organizations.

20 (3) Relevant state agencies.

21 (4) Other relevant stakeholders, including, but not
22 limited to, representatives from disability-rights groups,
23 senior citizens groups, bicycle and pedestrian advocates, and
24 developers.

25 (d) Exceptions to the requirements of this section
26 shall be permissible only after the department fully

1 demonstrates, with supporting documentation made available to
2 the public, any one of the following:

3 (1) Use by bicyclists and pedestrians is prohibited
4 by law, such as within interstate highway corridors.

5 (2) The cost would be disproportionate to the need
6 as determined by factors including, but not limited to, land
7 use, current and projected traffic volumes including
8 non-motorized traffic, and population density.

9 (3) A demonstrated lack of need as determined by
10 factors including, but not limited to, land use, current and
11 projected traffic volumes including non-motorized traffic, and
12 population density.

13 (e) No later than two years after the effective date
14 of the act adding this section, the department shall publish a
15 report summarizing how it has complied with this section by
16 changes to its procedures to institutionalize complete street
17 design features into planning, project scope, design, and
18 implementation of public road projects. The report shall
19 include, but not be limited to, a discussion and review of the
20 revisions to various guidance documents prepared by the
21 department regarding lane width, design speed, average daily
22 traffic thresholds, level of service, and roadway
23 classification. The report shall also include any best
24 practices the department utilized related to the development
25 of complete street design features.

1 Section 2. This act shall become effective on the
2 first day of the third month following its passage and
3 approval by the Governor, or its otherwise becoming law.