

COMPLETE STREETS WORK GROUP
Louisiana Department of Transportation and Development



**Final Report for Secretary of the Department of Transportation and
Development**

Prepared by Burk-Kleinpeter, Inc.

7/30/2010

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Table of Contents

Acknowledgements.....	iii
Project Management	iii
Work Group Members	iii
Louisiana Department of Transportation and Development Participants	iv
Senate Concurrent Resolution 110 Sponsors	iv
Louisiana Department of Transportation and Development Complete Streets Policy	v
Definitions	vii
Executive Summary.....	ES-1
Introduction	1
What are Complete Streets?.....	1
What Does a Complete Street Look Like?.....	1
Defining Complete Streets	1
Costs and Benefits of Complete Streets	3
Benefits of Complete Streets	3
Costs of Complete Streets and Funding Considerations.....	6
Common Concerns Related to Complete Streets	9
Completing the Streets in Louisiana	11
Louisiana’s Efforts to Complete their Streets	11
Louisiana Statewide Bicycle and Pedestrian Plan, 2009	11
Senate Concurrent Resolution 110	11
How do the Bicycle and Pedestrian Plan and SCR 110 fit together?	11
Louisiana’s Complete Streets Policy Statement.....	12
Implementing Complete Streets in Louisiana – A Very Long Road.....	14
Responsibility for Implementation	14

COMPLETE STREETS WORK GROUP
LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

Actions for Implementation	15
Other Tools for Advancing Complete Streets in Louisiana	21
Appendix A: Legislative Strategies to Support Complete Streets	A-1
Appendix B: Resources for Local Governments	B-1
Appendix C: Coordination with Metropolitan Planning Organizations (MPOs)	C-1
Appendix D: 2010 Legislation related to Bicycles and Pedestrians	D-1

Acknowledgements

This is the final report for the Complete Streets Work Group, prepared by Burk-Kleinpeter, Inc. The Department of Transportation and Development convened this Work Group in response to the request of Senate Concurrent Resolution 110. The development of the final report was based on a series of four Work Group meetings which occurred between August 1, 2009 and December 31, 2009. An interim report was prepared for the Secretary of Transportation to submit to the Senate and House Committees on transportation, highways and public works in January 2010.

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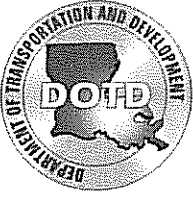
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LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT COMPLETE STREETS POLICY



This policy will create a comprehensive, integrated, connected transportation network for Louisiana that balances access, mobility, health and safety needs of motorists, transit users, bicyclists, and pedestrians of all ages and abilities, which includes users of wheelchairs and mobility aids. It ensures a fully integrated transportation system, by planning, funding, designing, constructing, managing, and maintaining a complete and multi-modal network that achieves and sustains mobility, while encouraging and safely accommodating pedestrians, bicyclists, and transit users.

The Louisiana Department of Transportation and Development (DOTD) will provide the leadership to implement this policy on all transportation projects that involve federal or state funding or approval. DOTD recognizes the need for interdisciplinary coordination to effectively develop, operate, and maintain bicycle and pedestrian networks. DOTD will work with Metropolitan Planning Organizations (MPOs), transit agencies, parishes, municipalities and other stakeholders to do the same. This includes early coordination to identify whether a reconstruction or new construction project will impact a route identified on a local plan. DOTD will offer internal and external training opportunities and other resource tools in the following areas: engineering, education, enforcement, encouragement, and evaluation.

Provisions for all users will be integrated into the project development process for the entirety of all projects through design features, using Context Sensitive Solutions (CSS).

- On all new and reconstruction roadway projects that serve adjacent areas with existing or reasonably foreseeable future development or transit service, DOTD will plan, fund, and design sidewalks and other pedestrian facilities. The appropriate facility type will be determined by the context of the roadway.
- On all new and reconstruction roadway projects, DOTD will provide bicycle accommodations appropriate to the context of the roadway - in urban and suburban areas, bicycle lanes are the preferred bikeway facility type on arterials and collectors. The provision of a paved shoulder of sufficient width, a shared use trail, or a marked shared lane may also suffice, depending on context.

All projects shall consider the impact that improvements will have on safety for all users and make all reasonable attempts to mitigate negative impacts on non-motorized modes. Restricting non-motorized access should not be considered as an appropriate strategy with the exception of those limited access facilities where pedestrians and bicyclists are prohibited. DOTD will strive to ensure projects do not become barriers to pedestrians, bicyclists, and transit users by providing appropriate safe crossings, providing corridor continuity, and ensuring transportation projects comply with the current accessibility guidelines.

There are conditions where it is generally inappropriate to provide bicycle and pedestrian facilities. These instances include:

1. Facilities, such as Interstates, where bicyclists and pedestrians are prohibited by law from using the roadway. In this instance, a greater effort may be necessary to accommodate bicyclists and pedestrians elsewhere within the same transportation corridor.
2. The cost of providing bicycle and pedestrian facilities would be excessively disproportionate to the need or probable use. Excessively disproportionate is defined as exceeding twenty percent (20%) of the cost of the project.

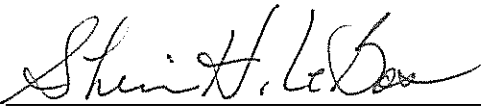
3. Other factors where there is a demonstrated absence of need or prudence. For example, in rural areas or undeveloped areas where future development is not anticipated, sidewalks and designated bikeways will generally not be provided.
4. On projects that are preservation only, DOTD will only consider improvements that do not require right-of-way acquisition, utility relocation, or major construction to provide bicycle or pedestrian accommodations, such as relocating or enclosing roadside drainage. Retrofits such as narrowing lanes, restriping and other means of providing improved bicycle and pedestrian access shall be considered on preservation projects. When an identified need or candidate requires right-of-way acquisition, utility relocation, or major construction, DOTD will work with local government to identify funding for the identified need as a separate project.
5. Maintenance for sidewalks and bicycle paths outside the limits of the curb or shoulder will be the responsibility of the local jurisdiction. Maintenance agreements will be required as a provision of the entire project.

Exceptions for not accommodating bicyclists, pedestrians and transit users in accordance with this policy will require the approval of the DOTD Chief Engineer. For exceptions on Federal-aid highway projects, concurrence from the Federal Highway Administration (FHWA) must also be obtained. For exceptions in an urbanized area, concurrence from the MPO must also be obtained.

When an MPO or local jurisdiction is not in agreement with DOTD's accommodation for bicyclists or pedestrians, they can introduce a formal appeal by means of a resolution adopted by the local governing body or board. The resolution must be submitted to the Chief Engineer for review and consideration prior to the final design approval.

Facilities will be designed and constructed in accordance with current applicable laws and regulations, using best practices and guidance from the following, but not limited to: DOTD guidelines and manuals, American Association of State Highway and Transportation Officials (AASHTO) publications, the Manual on Uniform Traffic Control Devices (MUTCD), the Americans with Disabilities Act Accessibility Guidelines (ADAAG) and the Public Rights-of-Ways Accessibility Guidelines (PROWAG).

DOTD recognizes that a well-planned and designed transportation system that is responsive to its context and meets the needs of its users is the result of thoughtful planning and engineering. DOTD further recognizes the need to provide a framework for evaluation and a targeted strategy for the implementation steps identified. To this end, DOTD will work with a diverse group of stakeholders, including transportation professionals, advocates, and others, as appropriate, to continue to support and steer the implementation efforts both internal and external to DOTD.



Sherri H. LeBas, P.E.

Secretary

Department of Transportation and Development
State of Louisiana

Date: 7/18/2010

Definitions

Access Management - The systematic control of the location, spacing, design and operation of driveways, median openings, and street connections of roadways.

Accessible - Describes a facility in the public right-of-way that complies with this part.

American with Disabilities Act of 1990 (ADA) - Federal law prohibiting discrimination against people with disabilities. Requires public entities and public accommodations to provide accessible accommodations for people with disabilities.

American with Disabilities Act Accessibility Guidelines (ADAAG) - provides scoping and technical specifications for new construction and alterations undertaken by entities covered by the ADA.

Bicycle - Typically defined as a human powered vehicle with two tandem wheels but this may be expanded to include vehicles with three wheels (tricycle), four wheels (quadricycle) or a single wheel (unicycle). Note, this definition should not be expanded to include motorized mobility aids or travel devices such as Segways.

Bicycle accommodation - Designing and managing the transportation network to expand travel opportunities for bicyclists by minimizing potential travel disruptions and maximizing safety. Bicycle accommodations may include facilities for the exclusive or semi exclusive use of bicycles, such as bicycle lanes, bicycle paths, shared use paths, marked shared lanes (sharrows); as well as other interventions to make a transportation network or facility safer or friendlier for bicycle users. Examples of accommodations include installing drainage grates in a bicycle-friendly direction or avoiding chip-sealed surfaces.

Bicycle facility - A physical facility provided for the exclusive or semi-exclusive use of bicycles. Examples of bicycle facilities include shared roadways (no bikeway designation), marked shared roadways, bikeways (bicycle lanes, bicycle paths, shared use paths), and end of trip facilities (bicycle parking and storage facilities).

Bicycle lane - Part of the roadway, adjacent to the travel lane, designated by striping, signing, and pavement markings for the preferential or exclusive use by bicycles. and usually electric mobility aid users.

Bicycle parking facility - Any facility for the storage of bicycles to protect against theft and damage. Short-term bicycle parking facilities allows the frame and both wheels of the bicycle to be locked, but do not provide accessory and component security or weather protection. Long-term bicycle parking facilities provide a high degree of security and protection from weather and are intended for situations where the bicycle is left unattended for longer periods of time, such as transit stops, places of employment, schools, apartments and condominium complexes.

Bicycle paths - A public way, separated by grade or other physical barrier from motor traffic, that is designated by official signs or markings for use by persons riding bicycles **Also see shared use path.**

Bicycle route system - A system of bikeways that provide continuous routing through a community or urban area.

Bicycle route - A roadway shared by both bicycles and other forms of transportation which has been designated as a preferred route for bicycle use by the means of signs or pavement markings.

Bicycle transportation system - A group of individual transportation accommodations implemented and designed for exclusive or shared use by cyclists which form a network or link between designated points within a community or region.

Bikeway - Any road, street, path or way which in some manner is specifically designated or intended for bicycle travel, regardless of whether such facilities are designated for the exclusive use of bicycles or are to be shared with other transportation modes. Examples include bicycle lanes, bicycle paths (or shared use paths), signed shared roadways, and bicycle routes.

Context Sensitive Solutions - A collaborative approach to decision making whereby transportation solutions are developed to fit within the character or constraints presented by their surroundings. These can address a wide range of identified community needs including cultural and historic preservation, community growth and sustainability, access, cohesion, aesthetics, safety, mobility, and cost effectiveness.

Cross walks - Any portion of a roadway at an intersection or elsewhere that is distinctly indicated for pedestrian crossing lines or other pavement markings applied to a roadway surface. Cross walks may vary based on context and potential designs include the ladder-style, traditional, diagonal, staggered continental styles.

Marked Shared Roadway - See sharrow.

Mobility aids - A device, usable in and outdoors, by individuals to allow them to ambulate independently. In most instances, these are prescribed by a physician for a medical condition that affects the user's ability to ambulate independently. Mobility aids include those powered by electricity (electric mobility aid or scooter) or by human power (wheelchair).

Pedestrian - Any person afoot or utilizing a mobility aid.

Pedestrian accommodation - Designing and managing the transportation network to expand travel opportunities for pedestrians by minimizing potential travel disruptions and maximizing safety. Accommodations may include dedicated pedestrian facilities, such as sidewalks and crosswalks; facilities for the semi-exclusive use of pedestrians, such as a shoulder; or other design features to increase the safety of a facility for a pedestrian, including signage, pedestrian signals (automatic or demand actuated), and other actions, such as retiming signals or reducing crossing width..

Right-of-way (1) - A general term denoting certain lands, properties or interest therein, usually in the form of a strip, acquired for or devoted to transportation purposes. This term usually applies to roadways, as well as adjacent areas devoted to pedestrian, bicycling, drainage or access control uses.

Right of way (2) - The right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed and proximity as to give rise to danger of collision unless one grants precedence to the other.

Roadway - The portion of the highway, including shoulders, intended for vehicular use.

Road diet - A technique whereby the cross section of an existing roadway is reduced to achieve systematic improvements. Typical measures applied in the road diet include a reduction in the number of travel lanes, travel lane width or introduction of space shared with or reserved for other non-vehicular uses. Intended goals may include a reduction in rear end collisions, a reduction in speeding, or to create space for additional uses, such as parking, bicycle lanes, wider sidewalks etc.

Routine accommodation - The policy of accommodating bicycling and walking as a routine part of planning, designing, constructing, operating, and maintaining highways.

School zone - A specific segment of roadway within a designated distance of a school site that is marked by signs indicating a reduced speed limit during certain hours, usually around student arrival and dismissal.

Sidewalk - The portion of a roadway right-of-way designed for preferential or exclusive use by pedestrians. Sidewalks may be located adjacent to the curb or separated from the travel way by landscaping or buffer to increase the safety or comfort of their use.

Shared Lane Pavement Marking - See sharrow.

Sharrow - Bicycle symbols that are placed in the travel lane indicating that motorists should expect to see and share the lane with bicycles. Unlike bicycle lanes, they do not demarcate space for the exclusive use of bicyclists. Motorists may drive on sharrows; whereas, motorists may not drive on bicycle lanes, except when necessary during turning movements.

Shared Roadway (Shared Lane) - A roadway which is open to both bicycle and motor vehicle travel, including those containing no bicycle designation.

Shared use path/trail - A facility physically separated from motorized vehicular traffic by an open space or barrier and either within the highway right-of-way or within an independent right-of-way. Shared use paths may also be used by pedestrians, mobility aid users, and other non-motorized users.

Shoulder - The portion of a highway, whether paved or unpaved, contiguous to the outside travel lane that is primarily used as an accommodation for stopped vehicles, emergency uses, as lateral support of base and surface courses of a roadway, or for use by pedestrians, mobility aid users, and bicyclists when other accommodations are not available.

Traveled way - The portion of the roadway for the movement of vehicles, exclusive of shoulders.

Unpaved path - Unfinished paths typically created using stone or sand and not surfaced with asphalt or finished with Portland cement concrete.

Walkways - Formal surface which supports the act of walking. Includes sidewalk, trails, paths, stairs, ramps, and passageways.

Executive Summary

Complete Streets are designed and operated to enable safe access for all users. Pedestrians, bicyclists, motorists and transit riders of all ages and abilities must be able to safely move along and across a Complete Street. They are designed to balance safety and convenience for everyone using the road. Complete Streets are not “one size fits all” design solutions. The components of a Complete Street will vary based on the context of the roadway, so a Complete Street in an urban area will look quite different from a Complete Street in a rural area.

During the 2009 Louisiana State Legislative Session, a resolution was passed requesting the Louisiana Department of Transportation and Development (LDOTD) convene a Work Group to study the development of a Complete Streets policy for Louisiana. This interim report summarizes the findings of that Work Group effort.

Having a Complete Streets policy is not something that is easily quantifiable. However, the benefits of a Complete Streets policy may include:

- Reduced pedestrian and bicycle injury and fatality rates.
- Increased mobility and safety for children.
- Improved mobility for people with disabilities.
- Increased mobility and independence for older Americans.
- Active transportation is increased, resulting in reductions in rates of obesity, type 2 Diabetes and heart disease.
- Reduced emissions, supporting environmental policies and goals.
- Support local economic development efforts.
- Lower household transportation costs.

During the course of the Work Group’s study, concerns about impediments to a Complete Streets policy were identified, including issues related to cost, maintenance and liability, to name a few. Overall, the findings of the Work Group are that despite these valid concerns, a Complete Streets policy for Louisiana is not only feasible, but if implemented properly, can improve the conditions that lead to these concerns.

The following policy statement was developed by the Complete Streets Work Group, with participation from a wide cross section of LDOTD representatives, for the Secretary of Transportation’s consideration for adoption as an administrative policy of the Department:

This policy will create a comprehensive, integrated, connected transportation network for Louisiana that balances access, mobility, health and safety needs of motorists, transit users, bicyclists, and pedestrians of all ages and abilities, which includes users of wheelchairs and mobility aids. It ensures a fully integrated transportation system, by planning, funding, designing, constructing, managing, and maintaining a complete and multi-modal network that achieves and sustains mobility, while encouraging and safely accommodating pedestrians, bicyclists, and transit users.

The Louisiana Department of Transportation and Development (LDOTD) will provide the leadership to implement this policy on all transportation projects that involve federal or state funding or approval. LDOTD recognizes the need for interdisciplinary coordination to effectively develop, operate, and maintain bicycle and pedestrian networks. LDOTD will work with Metropolitan Planning Organizations (MPOs), transit agencies, parishes, municipalities and other stakeholders to do the same. This includes early coordination to identify whether a reconstruction or new construction project will impact a route identified on a local plan. LDOTD will offer internal and external training opportunities and other resource tools in the following areas: engineering, education, enforcement, encouragement, and evaluation.

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- On all new and reconstruction roadway projects that serve adjacent areas with existing or reasonably foreseeable future development or transit service, LDOTD will plan, fund and design sidewalks and other pedestrian facilities. The appropriate facility type will be determined by the context of the roadway.
- On all new and reconstruction roadway projects, LDOTD will provide bicycle accommodations appropriate to the context of the roadway - in urban and suburban areas, bicycle lanes are the preferred bikeway facility type on arterials and collectors. The provision of a paved shoulder of sufficient width, a shared use trail or a marked shared lane may also suffice, depending on context.

All projects shall consider the impact that improvements will have on safety for all users and make all reasonable attempts to mitigate negative impacts on non-motorized modes. Restricting non-motorized access should not be considered as an appropriate strategy with the exception of those limited access facilities where pedestrians and bicyclists are prohibited. LDOTD will strive to ensure projects do not become barriers to pedestrians, bicyclists, and transit users by providing appropriate safe crossings, providing corridor continuity, and ensuring transportation projects comply with the current accessibility guidelines.

There are conditions where it is generally inappropriate to provide bicycle and pedestrian facilities. These instances include:

1. Facilities, such as interstates, where bicyclists and pedestrians are prohibited by law from using the roadway. In this instance, a greater effort may be necessary to accommodate bicyclists and pedestrians elsewhere within the same transportation corridor.
2. The cost of providing bicycle and pedestrian facilities would be excessively disproportionate to the need or probable use. Excessively disproportionate is defined as exceeding twenty percent (20%) of the cost of the project.
3. Other factors where there is a demonstrated absence of need or prudence. For example, in rural areas or undeveloped areas where future development is not anticipated, sidewalks and designated bikeways will generally not be provided.
4. On projects that are preservation only, LDOTD will only consider improvements that do not require right-of-way acquisition, utility relocation, or major construction to provide bicycle or pedestrian accommodations, such as relocating or enclosing roadside drainage. Retrofits such as narrowing lanes, restriping and other means of providing improved bicycle and pedestrian access shall be considered on preservation projects. When an identified need or candidate requires right-of-way acquisition, utility relocation, or major construction, LDOTD will work with local government to identify funding for the identified need as a separate project.
5. Maintenance for sidewalks and bicycle paths outside the limits of the curb or shoulder will be the responsibility of the local jurisdiction. Maintenance agreements will be required as a provision of the entire project.

Exceptions for not accommodating bicyclists, pedestrians and transit users in accordance with this policy will require the approval of the LDOTD Chief Engineer. For exceptions on Federal-aid highway projects, concurrence from the Federal Highway Administration (FHWA) must also be obtained. For exceptions in an urbanized area, concurrence from the MPO must also be obtained.

When an MPO or local jurisdiction is not in agreement with LDOTD's accommodation for bicyclists or pedestrians, they can introduce a formal appeal by means of a resolution adopted by the local governing body or board. The resolution must be submitted to the Chief Engineer for review and consideration prior to the final design approval.

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Transportation Officials (AASHTO) publications, the Manual on Uniform Traffic Control Devices (MUTCD), the Americans with Disabilities Act Accessibility Guidelines (ADAAG) and the Public Rights-of-Ways Accessibility Guidelines (PROWAG).

LDOTD recognizes that a well-planned and designed transportation system that is responsive to its context and meets the needs of its users is the result of thoughtful planning and engineering. LDOTD further recognizes the need to provide a framework for evaluation and a targeted strategy for the implementation steps identified. To this end, LDOTD will work with a diverse group of stakeholders, including transportation professionals, advocates, and others, as appropriate, to continue to support and steer the implementation efforts both internal and external to LDOTD.

To implement this policy, the Work Group participants recommended the following priority actions:

- Establish procedure for adoption of policy, including signing, identifying date effective and effective phase of project development.
- Begin internal communication about the Complete Streets Policy, how it will be incorporated into the project development process, and begin internal training effort.
- Using the implementation actions identified in the body of this report, develop a detailed implementation strategy, including tasks to be completed within 1 year, 3 years and 5 years. Performance measures should be included in this strategy.
- Continue to foster the relationships between public health organizations, advocates and transportation professionals by convening a permanent Complete Streets Advisory Committee (CSAC) or Bicycle and Pedestrian Advisory Committee (BPAC), which meets quarterly, to support and steer the implementation process.

Introduction

What are Complete Streets?

Complete Streets are designed and operated to enable safe access for all users. Pedestrians, bicyclists, motorists and transit riders of all ages and abilities must be able to safely move along and across a complete street. Complete Streets does not necessarily mean, “All Modes, All Roads,” rather the goal is to develop a balanced transportation system that is inclusive of transportation users of all types, ages and abilities. Complete Streets are not revolutionary; the concept is based on the widely accepted principal that bicyclists and pedestrians of all types are present on all highways and transportation facilities where they are permitted.

What Does a Complete Street Look Like?

Complete Streets are not “one size fits all” design solutions. A Complete Street might include sidewalks, bike lanes (or wide paved shoulders), special bus lanes, comfortable and accessible transit stops, frequent and well-maintained crossing opportunities, median islands, accessible pedestrian signals, curb extensions, and more. Complete Streets are designed to balance safety and convenience for everyone using the road. The components of a Complete Street will vary based on the rural, suburban, or urban context of the roadway.



A Complete Street in an urban area will look quite different from a Complete Street in a rural area.

Defining Complete Streets

The term “Complete Streets” was first used by America Bikes in 2003 as part of their effort to amend the U.S. transportation law.¹ As of the writing of this report, The National Complete Streets Coalition had reported that 130 jurisdictions across the United States have adopted Complete Streets policies. Of these, there were nineteen state policies that were a combination of laws, resolutions and internal policies.²

¹ Transport Canada, Complete Streets: Making Canada’s Roads Safer for All.

<http://www.tc.gc.ca/programs/environment/utsp/casestudy/cs72e-completestreets.htm>.

² Six of the fifteen policies are internal policies according to AARP’s, “Planning Complete Streets for an Aging America” Report, May 2009 and the National Complete Streets Coalition’s website: <http://www.completestreets.org/>.

Of the fifteen state policies, only one uses the term “Complete Streets” within its text. Most policies adopted after 2004 go beyond strictly referencing only bicycle and pedestrian users, but specify, “All users” or “All users regardless of age and ability” or they specifically call out transit users or people with disabilities. It should be noted however, that many expert sources agree that there are a number of earlier policies, which reference only bicycling and pedestrians, that are also considered to be Complete Streets policies, as the accepted definition of pedestrian includes users of mobility aids and is not age-specific.³

The language of Complete Streets, though fundamentally rooted in what was initially referred to as “Routine Accommodation” is considered by some to be preferable as it conveys a more active message: ***that streets are not complete until they are safe for all users***. Though the language of Complete Streets continues to evolve through advocacy efforts, many experts agree that fundamental principals can be found in federal guidance issued in 2000 and 2008.⁴

The Federal Highway Administration (FHWA)’s **2000 Policy Statement on Integrating Bicycle and Walking into Transportation Infrastructure** established the following guidance:

- "Due consideration" of bicycle and pedestrian needs should include, at a minimum, a presumption that bicyclists and pedestrians will be accommodated in the design of new and improved transportation facilities.
- To varying extents, bicyclists and pedestrians will be present on all highways and transportation facilities where they are permitted and it is clearly the intent of TEA-21 that all new and improved transportation facilities be planned, designed and constructed with this fact in mind.
- The decision not to accommodate [bicyclists and pedestrians] should be the exception rather than the rule.

Even prior to the above mentioned policy, the Federal Highway Administrator had written that "We expect every transportation agency to make accommodation for bicycling and walking a ***routine part*** of their planning, design, construction, operations and maintenance activities."

The three exceptions that are commonly found in Complete Streets policies also originated in this FHWA policy statement, though in this instance the exceptions are specific to urbanized areas. The policy sets up different guidance for the use of shoulders in rural areas. This accounts for some of the variations to the exceptions seen in other state policies.

- Bicycle and pedestrian ways shall be established in ***new construction and reconstruction projects*** in all urbanized areas unless one or more of the following conditions are met:

³ Publications by AARP, the National Complete Streets Coalition, and the Alliance for Biking and Walking (formerly Thunderhead Alliance) all include model policies which fit this description.

⁴ On March 11, 2010, the US DOT reaffirmed the prior intentions with an additional policy statement on bicycle and pedestrian accommodations: http://www.fhwa.dot.gov/environment/bikeped/policy_accom.htm.

- o Bicyclists and pedestrians are prohibited by law from using the roadway. In this instance, a greater effort may be necessary to accommodate bicyclists and pedestrians elsewhere within the right of way or within the same transportation corridor.
- o The cost of establishing bikeways or walkways would be excessively disproportionate to the need or probable use. Excessively disproportionate is defined as exceeding twenty percent of the cost of the larger transportation project.
- o Where sparsity of population or other factors indicate an absence of need.

In 2008, FHWA issued **Guidance on Bicycle and Pedestrian Provisions of Federal Transportation Legislation**. This guidance reiterated earlier intentions, that “SAFETEA-LU confirmed and continued the principle in Federal surface transportation law that the safe accommodation of non-motorized users shall be considered during the planning, development, and construction of all Federal-aid transportation projects and programs. To varying extents, bicyclists and pedestrians will be present on all highways and transportation facilities where they are permitted and it is clearly the intent of Federal surface transportation law that all new and improved transportation facilities be planned, designed, and constructed with this fact in mind.”

Furthermore, it discussed the incorporation of bicycle and pedestrian facilities as ‘incidental’ costs to be part of all projects, and provided an explanation of the flexibility of federal funding, noting that, “Federal surface transportation law provides tremendous flexibility to States and MPOs to fund bicycle and pedestrian improvements from a wide variety of programs. Virtually all the major transportation funding programs can be used for bicycle and pedestrian-related projects.”⁵

Costs and Benefits of Complete Streets

Many of the benefits of Complete Streets are difficult to quantify, because they deal with issues related to quality of life, and project costs and benefits will vary tremendously on a project by project basis, as well as based on the level to which the transportation agency is already meeting the needs of these user groups. Research on the health and safety benefits of Complete Streets is becoming more widely available. The following section outlines basic discussion points for Complete Streets in terms of their costs, benefits, and funding issues.

Benefits of Complete Streets

Improve Safety

Dangerous by Design, a report by Transportation for America and the Surface Transportation Policy Partnership released in November, 2009, noted that the comprehensive cost for each traffic death at \$4.1 million.⁶ Multiplying that number by the 107 pedestrian fatalities that occurred on state highways in Louisiana in 2007 results in an approximately \$438.7 million cost. While a Complete Streets policy for Louisiana won’t reduce the number of pedestrian crashes to zero, designing for bicycles and pedestrians

⁵ FHWA, **Guidance on Bicycle and Pedestrian Provisions of Federal Transportation Legislation**.

⁶ Transportation for America, **Dangerous by Design**, November 2009.

has been found to reduce the risk of pedestrian crashes by as much as 28%, according to a 2003 Transportation Research Board Report.⁷ Even a modest 10% reduction in pedestrian crashes annually in Louisiana could result in a savings of \$45.1 million. Louisiana spent approximately 0.8% of \$2.63 billion of their federal transportation dollars on pedestrian projects from FY 2005 through FY2008, or approximately \$5.26 million per year.⁸ This would indicate that there is a cost savings, however subjective, that would be realized by designing and constructing roadways that are safer for pedestrians, thereby reducing the number of pedestrian fatalities and injuries on state roads.

Mobility and Safety for Children

Pedestrian injury is the third leading cause of death by unintentional injury for children under age 15, and as a result many children end up as automobile passengers, missing out on opportunities for independence and physical activity.⁹ The Centers for Disease Control and Prevention and other health organizations attribute the rising obesity rate in children, in large part, on their dependence on motorized transportation and missed opportunities for active transportation.¹⁰

Mobility for Disabled Americans

Rough or incomplete sidewalks, a lack of curb ramps, and WALK signs that only work for the sighted are several examples of barriers that people with disabilities experience when attempting to use the transportation system. Many paratransit trips are necessary not because of the severity of an individual's disability or their distance to a transit stop, but because of barriers between an individual's origin/destination and transit stop and inaccessible transit stops. A study of paratransit use in Houston found that 50% of paratransit users lived within 2 blocks of a transit stop.¹¹ In Louisiana, the weighted average operating expense for a paratransit trip was \$56.06 as compared to \$3.77 for a regular bus trip.¹² Shifting just a small portion of these trips as a result of improved access to transit stops would result in a substantial cost savings to transit providers across the state.

Mobility for Older Americans

Complete Streets enable older Americans to retain their independence and maintain an active lifestyle. The number of seniors will increase by 70%, and 18% of the population will be 65 or older by 2025. AARP reports that both men and women are likely to live beyond the time that they can drive safely, by

⁷ King, Michael, Pedestrian Safety through a Raised Median and Redesigned Intersections. TRB 2003 Paper 03-3135.

⁸ Transportation for America, [Dangerous by Design](#), November 2009

⁹ Transportation for America, [Dangerous by Design](#), November 2009.

¹⁰ Department of Health and Human Services, Centers for Disease Control and Prevention, Kids Walk to School.

http://www.cdc.gov/nccdphp/dnpa/kidswalk/fact_sheet.htm.

¹¹ No similar study was available for Louisiana or a city within Louisiana.

¹² 2007 National Transit Database results for Baton Rouge, New Orleans, Jefferson, Lafayette, Shreveport, Alexandria and Monroe. <http://www.ntdprogram.gov/ntdprogram/cs?action=profileSrch>. Weighted averages represent the above seven systems and do not include rural transit. Note that New Orleans Regional Transit Authority reports substantially higher costs per trip than other systems, and represents approximately 40% of all trips identified.

about seven years for men and ten years for women. Complete Streets can address barriers which contribute to a loss of independence, help decrease isolation and potential health decline.¹³

Promote Active Living

Active transportation, such as walking and bicycling, are a key component of combating the nation's obesity epidemic. According to the Centers for Disease Control and Prevention (CDC), more than two-thirds of U.S. adults are overweight and are at an increased risk for heart disease, stroke, type 2 Diabetes, and some types of cancers. The CDC estimates that if 10% of American adults began a regular walking program, it would result in a \$5.6 billion savings nationally in costs associated with battling heart disease.¹⁴

Support Environmental Policies Aimed at Reducing Emissions

The 2001 National Household Transportation Survey found that 28% of all metropolitan trips are one mile or less, yet 65% of trips less than one mile are made by automobile. Shifting a percentage of these shorter trips to transit, walking, or biking results in an emissions reduction which can have notable results for an urbanized area. The Baton Rouge Urbanized Area is currently designated by Environmental Protection Agency as an ozone non-attainment area; this designation triggers costly actions at both the state and regional level and hurdles for transportation planning, including suspension of road projects that increase capacity. Complete Streets can help the state and Metropolitan Planning Organizations (MPOs) meet their attainment goals.

Support Economic Development

Creating opportunities for transit, walking and biking has been shown to result in improved economic conditions for communities. Homeowners are often willing to pay more to live in walkable communities, where complete streets increase property values. Business owners have found both increased sales and increases in 'shopping locally' following improvements to walking and biking infrastructure. The following points illustrate some profound economic benefits that communities have seen as a result of these investments:

- A study of 15 metropolitan areas found that houses in communities with above average walkability command on average, \$4,000 to \$34,000 over similar areas with average levels of walkability.¹⁵
- Sixty-six percent of merchants located in the Mission District of San Francisco believed that bicycle lanes had a positive impact on their business or sales.¹⁶
- Results of Portland, OR surveys found that bike-friendliness was a factor in 62% of respondent's decision to move there and 78% of people's decision to visit there.¹⁷

¹³ AARP, Planning Complete Streets for an Aging America, May 2009.

¹⁴ Transportation for America, Dangerous by Design, November 2009.

¹⁵ CEO's for Cities, How Walkability Raises Home Values in U.S. Cities, August 2009.

¹⁶ Drennan, Emily, Economic Effects of Traffic Calming on Urban Small Businesses. December 2003.

- A North Carolina study has found that a \$6.7 million investment in bicycle infrastructure over a ten year period in the northern Outer Banks has resulted in substantial economic benefits of approximately \$60 million annually.¹⁸

Lower Household Transportation Costs

According to the 2000 Census, 12% of households in Louisiana did not have access to an automobile.¹⁹ In the same period, the state recorded the second highest rate of poverty (15.8%) nationally, and the fourth lowest median household income (\$32,566), nationally.²⁰ Many Louisianans simply can't afford to drive and others would benefit from transferring one one-mile trip a day to walking – a savings of \$200 per year. Americans spend an average of 18 cents of every dollar on transportation, with the poorest fifth of American families spending twice this amount.²¹

Costs of Complete Streets and Funding Considerations

A common concern that agencies encounter when considering a Complete Streets policy is the expectation that additional costs will be incurred. There are two arguments that are often made with regard to the cost issue:

- First, the idea of 'extra costs' being incurred with Complete Streets is synonymous with the idea that facilities for walking and biking are 'extra amenities' rather than integral components of the transportation system which are necessary to ensure safe and convenient access for bicyclists, transit users and pedestrians of all ages and abilities. Regardless of one's perspective, it is clear that these are legitimate users of the transportation system with the right to safe mobility and access.
- Second, if transportation agencies were already designing Complete Streets all of the time, there would be no demand for such policies. There will be instances where including certain types of pedestrian, transit or bicycle facilities will raise the overall cost of the project, however, there are also instances where costs savings can occur (more on this to follow). The degree to which additional costs will be incurred is directly related to the degree to which the transportation agency is already meeting the needs of these user groups - LDOTD already does design and include all of these types of facilities in many circumstances when they are needed. A Complete Streets policy would provide greater clarity and guidance as to what is appropriate from situation to situation, and would ensure consistent application.

Another issue which commonly arises during discussions of Complete Streets policies is the concept of a dedicated source of funding for these projects, as virtually all transportation agencies have more project

¹⁷ Bike Portland. <http://bikeportland.org/2009/01/28/60000-free-bike-maps-a-look-at-transportation-options-survey-results/>.

¹⁸ North Carolina Department of Transportation and Development, Pathways to Prosperity, The Economic Impact of Investing in Bicycle Facilities. July, 2004.

http://ncdot.org/transit/bicycle/safety/Economic_Impact_Study_PDFs/OBX%20EIS%20Tech%20Rprt%20Full.pdf.

¹⁹ U.S. Bureau of the Census, 2000. SF-3 sample data. Combined owner occupied and renter occupied units.

²⁰ U.S. Bureau of the Census, 2000. SF-3 sample data.

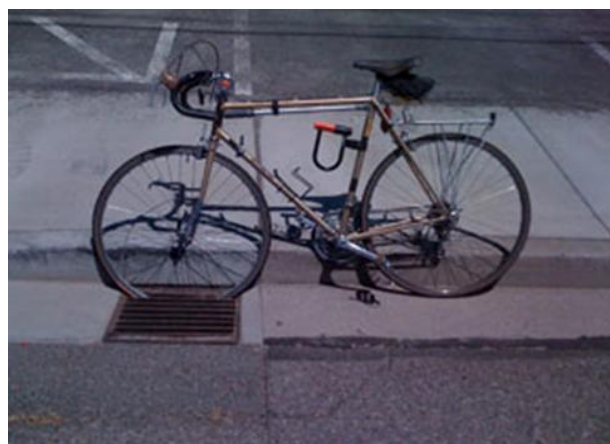
²¹ Transportation for America, Dangerous by Design, November 2009.

needs than available funding. Federal guidance following Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) provided direction that the incorporation of bicycle and pedestrian facilities as “incidental” costs to be part of all projects. This guidance provided an explanation of the tremendous flexibility of federal funding with regard to bicycle and pedestrian improvements. Virtually all major federal transportation funding programs can be used for bicycle and pedestrian facilities and projects.²² Since the passage of SAFETEA-LU in 2005, there has been a 30% increase in total transportation funds to states. At \$1.13 per person, Louisiana is currently under the national average of bicycle and pedestrian spending of \$1.46 per person. This equates to 0.8% of total federal funds spent on bicycle and pedestrian projects, despite the fact that 11.4% of traffic deaths were pedestrians.²³

Complete Streets can be low cost, no cost or provide a cost savings

Inevitably, there will be times when bicycle and pedestrian accommodations will increase the cost of a project, particularly when additional right-of-way will be required. FHWA established the following guidance for exceptions when, “the cost of establishing bikeways or walkways would be excessively disproportionate to the need or probable use. Excessively disproportionate is defined as exceeding twenty percent of the cost of the larger transportation project.”²⁴

As well as there are times when an increase in cost could occur, there are also times when Complete Streets can save money as well. Part of this savings is realized by taking a different approach to projects as a whole – shifting away from vehicle throughput and looking at how a proposed project will improve how the road functions as a whole, rather than strictly focusing on automobile throughput.



When replacing drainage grates, using bicycle-friendly grates, or grates with bars that are perpendicular to bicycle tires is one way to make a road safer for bicyclists.

²² FHWA Guidance on Bicycle and Pedestrian Provisions of Federal Transportation Legislation,
<http://www.fhwa.dot.gov/environment/bikeped/bp-guid.htm>

²³ Surface Transportation Policy Partnership and Transportation for America, Dangerous by Design (no date).

²⁴ FHWA Guidance on Bicycle and Pedestrian Provisions of Federal Transportation Legislation,
<http://www.fhwa.dot.gov/environment/bikeped/bp-guid.htm>

There are a number of no-cost solutions that taking a Complete Streets approach can identify. One example is installation of bicycle-friendly drainage grates, or simply installing drainage grates in a bicycle-friendly direction when replacing them. This no cost decision prevents bicyclists from being thrown from their bicycle when wheels become trapped, or from swerving into traffic to avoid the grate.

Another no-cost solution is retiming of traffic signals to give pedestrians enough time to cross. This comes as a trade off with the amount of time vehicular traffic waits, so combining this solution with bulb outs or median islands is another alternative. Providing count-down signals when upgrading signals is a low cost solution (approximately \$2,000 per intersection) which has been found to reduce pedestrian injury collisions by 52% at pilot locations.²⁵

The 'Road Diet' is an example of a low cost solution which has been employed across the US that has generated benefits for all modes of transportation, and resulted in reduced rear-end collision and reduced rates of driving over the speed limit. One road diet in Clear Lake, Iowa saw a reduction in crashes of 65% and aggressive speeding reduced by 52%. The classic road diet takes a four lane section and converts it to one lane in either direction with a median/turn lane and uses the extra space for on-street parking, bike lanes, or sidewalks. This strategy can be employed at the time of an overlay (preservation project), often requiring little additional capital costs other than striping.²⁶



The classic road diet converts a four lane section to three lanes. In this scenario, the bike lane provides a buffer to pedestrians walking on the sidewalk adjacent to the curb.

Complete Streets are not a mandate for retrofit – the intention is to avoid the excessive costs of going back and retrofitting sidewalks or paths after a roadway or bridge is constructed by doing it properly the first time. An often cited example is of a bridge near Cary, Illinois which was constructed without a safe way for bikes or pedestrians to cross. After several deaths occurred, the family of a teenager killed on the bridge successfully sued and the state department of transportation had to go back and retrofit the bridge by adding a side path to the span at a cost of \$800,000.²⁷

²⁵ Institute of Transportation Engineers, ITE Journal, 2006. [Pedestrian Countdown Signals: Experience with an Extensive Pilot Installation.](#)

²⁶ Rosales, Jennifer, [Road Diet Handbook.](#) September 2006.

²⁷ National Complete Streets Coalition, Complete Streets Introductory Presentation.
[http://www.slideshare.net/CompleteStreets/complete-streets-presentation.](http://www.slideshare.net/CompleteStreets/complete-streets-presentation)

Common Concerns Related to Complete Streets

Liability Exposure

Note: This is not a Legal Opinion. Please see Appendix 4 of Louisiana Statewide Bicycle and Pedestrian Master Plan for a more detailed explanation of Liability Exposure Issues.

One concern expressed is whether or not a Complete Streets policy would increase a transportation agency's exposure to liability. People regularly walk and bike along and across Louisiana's state roads wherever they are allowed, and various policy statements of AASHTO, the MUTCD, FHWA and the LDOTD make it clear that it is the responsibility of LDOTD to provide reasonably safe accommodations for these pedestrians and bicyclists. By providing well planned and well designed pedestrian and bicycle accommodations and facilities, transportation agencies **should not generally increase** their liability. In many cases, liability exposure should be reduced by demonstrating a systematic way to improve safety for these users. However, transportation agencies **may increase their exposure to liability** if they do not plan and design facilities using appropriate state and national guidelines, standards and directives.²⁸

Maintenance Concerns

A second concern raised in many places across the United States upon adoption of Complete Streets policies is the issue of maintenance burden. A number of states, like Louisiana, have existing policies in place which pass the responsibility of maintenance to local governments for various aspects of non-motorized transportation infrastructure.²⁹ There is variability in application, from states where local jurisdictions have very little maintenance responsibility for pedestrian or bicycle infrastructure to states where a great deal of responsibility is shifted to the local.

In Louisiana, existing policy suggests that sidewalk maintenance is the responsibility of the local jurisdiction, if they ask for the facility, or if federal aid monies are used for the project. Sidewalks may also be included in a project at the discretion of the Chief Engineer for 'safety reasons', though in this instance it is not made clear where the responsibility for maintenance lies.³⁰ The Complete Streets concept would suggest that safety is always a reason to include sidewalks and other facilities that make it safer for non-motorized transportation users, and thus, the appropriate facility type should always be an engineering decision. However, the policy recommendation of the Work Group allows for an opportunity for local governments and MPOs to appeal the decision of the Chief Engineer. This appeal process would apply if either the local government or MPO was of the opinion that the proposed facility is not needed, if they are unable to meet the maintenance burden, or if it does not go far enough to address the safety needs of the non-motorized transportation users.

Furthermore, in Louisiana, local jurisdictions have been known to pass the burden of maintenance for sidewalks along to the adjacent property owner, regardless of whether they are adjacent to state, parish

²⁸ Burk-Kleinpeter, Inc and Toole-Design Group, Louisiana Statewide Bicycle and Pedestrian Master Plan, 2009.

²⁹ Discussions with several state bicycle and pedestrian coordinators, September through October.

³⁰ EDSMII.2.1.10: Requirement for Construction of Pedestrian Sidewalk Facilities, Louisiana Department of Transportation and Development.

[http://webmail.dotd.la.gov/PPMemos.nsf/\(Table+of+Contents\)/18EC843D4AAA560F862567D6006C013D?OpenDocument](http://webmail.dotd.la.gov/PPMemos.nsf/(Table+of+Contents)/18EC843D4AAA560F862567D6006C013D?OpenDocument).

or city owned roadways. Jefferson Parish is an example of a parish government with very clear and specific development regulations related to sidewalk responsibility.³¹

³¹ Jefferson Parish Code of Ordinances, Article V, Construction of Sidewalks, Sections 29-142 through 29-154.
<http://www.municode.com>.

Completing the Streets in Louisiana

Louisiana's Efforts to Complete their Streets

Louisiana Statewide Bicycle and Pedestrian Plan, 2009

Throughout 2008 and 2009, the LDOTD was engaged in an update to their 1998 Bicycle and Pedestrian Plan. This planning process included extensive public participation, interviews with LDOTD staff, and worked with an advisory committee comprised of advocates, agencies, and MPOs. The plan is based on Complete Streets principals and establishes policy, planning, and implementation strategies to fully incorporate bicycling and walking into Louisiana's transportation network by planning and designing roadways that accommodate bicycling and walking.

Senate Concurrent Resolution 110

Senate Concurrent Resolution 110 was passed during the 2009 Legislative Session, requesting the formation of a Complete Streets Work Group to be convened by the LDOTD to develop a statewide policy on the design and construction of thoroughfares that maximize use by all Louisianans whether they choose to bike, walk, ride transit or drive a car. SCR 110 established the twenty-three member organizations of the Work Group and a timeline in which to develop their policy and associated undertakings.

How do the Bicycle and Pedestrian Plan and SCR 110 fit together?

While the State Bicycle and Pedestrian plan fundamentally develops policy, planning, and implementation strategies for Complete Streets at the state-level, the advocacy community expressed a desire for a clear mandate for Complete Streets and greater assurance at high levels within the Department that the policies developed would be implemented. Because the bicycle and pedestrian plan was in the process of review when the resolution was first being developed, the concept of the Work Group emerged. Fundamentally, there are few differences between the outcomes of the State Bicycle and Pedestrian Plan and the Complete Streets Policy document other than the following:

- The Complete Streets policy is intended for formal adoption by the Secretary of Transportation, whereas the Bicycle and Pedestrian plan used similar language within a planning document.
- The Complete Streets policy conveys a more active message, though in practice, most recommended changes to Department procedures are either the same or very similar.
- The exceptions criteria have been simplified and strengthened in the Complete Streets policy; they require approval by the Chief Engineer; and set up a formal appeals process for municipalities.
- The creation of the Complete Streets Work Group has created and built on a growing synergy between advocates engaged in a variety of related fields – public health, obesity prevention, advocacy for the elderly and for people with disabilities, and the education community, to

strengthen and support the on-going efforts of LDOTD through actions beyond those of the Department. The efforts of this “Complete Streets Work Group Advocacy Sub-committee” will continue beyond the life of the SCR Work Group to this end. (See Appendix D for 2010 state legislation related to Bicyclists and Pedestrians).

Louisiana’s Complete Streets Policy Statement

The following policy statement was developed by the Complete Streets Work Group, a multi-disciplinary committee convened by the LDOTD to develop a Complete Streets policy and implementation actions for Louisiana in fulfillment of Senate Concurrent Resolution 110 of the 2009 State Legislative Session. The Work Group developed the following policy language for the Secretary of Transportation’s consideration for adoption as an administrative Complete Streets policy for Louisiana.

This policy will create a comprehensive, integrated, connected transportation network for Louisiana that balances access, mobility, health and safety needs of motorists, transit users, bicyclists, and pedestrians of all ages and abilities, which includes users of wheelchairs and mobility aids. It ensures a fully integrated transportation system, by planning, funding, designing, constructing, managing, and maintaining a complete and multi-modal network that achieves and sustains mobility, while encouraging and safely accommodating pedestrians, bicyclists, and transit users.

The Louisiana Department of Transportation and Development (LDOTD) will provide the leadership to implement this policy on all transportation projects that involve federal or state funding or approval. LDOTD recognizes the need for interdisciplinary coordination to effectively develop, operate, and maintain bicycle and pedestrian networks. LDOTD will work with metropolitan planning organizations (MPOs), transit agencies, parishes, municipalities and other stakeholders to do the same. This includes early coordination to identify whether a reconstruction or new construction project will impact a route identified on a local plan. LDOTD will offer internal and external training opportunities and other resource tools in the following areas: engineering, education, enforcement, encouragement, and evaluation.

Provisions for all users will be integrated into the project development process for the entirety of all projects through design features, using Context Sensitive Solutions (CSS).

- On all new and reconstruction roadway projects that serve adjacent areas with existing or reasonably foreseeable future development or transit service, LDOTD will plan, fund and design sidewalks and other pedestrian facilities. The appropriate facility type will be determined by the context of the roadway.
- On all new and reconstruction roadway projects, LDOTD will provide bicycle accommodations appropriate to the context of the roadway - in urban and suburban areas, bicycle lanes are the preferred bikeway facility type on arterials

and collectors. The provision of a paved shoulder of sufficient width, a shared use trail or a marked shared lane may also suffice, depending on context.

All projects shall consider the impact that improvements will have on safety for all users and make all reasonable attempts to mitigate negative impacts on non-motorized modes. Restricting non-motorized access should not be considered as an appropriate strategy with the exception of those limited access facilities where pedestrians and bicyclists are prohibited. LDOTD will strive to ensure projects do not become barriers to pedestrians, bicyclists, and transit users by providing appropriate safe crossings, providing corridor continuity, and ensuring transportation projects comply with the current accessibility guidelines.

There are conditions where it is generally inappropriate to provide bicycle and pedestrian facilities. These instances include:

1. Facilities, such as interstates, where bicyclists and pedestrians are prohibited by law from using the roadway. In this instance, a greater effort may be necessary to accommodate bicyclists and pedestrians elsewhere within the same transportation corridor.
2. The cost of providing bicycle and pedestrian facilities would be excessively disproportionate to the need or probable use. Excessively disproportionate is defined as exceeding twenty percent (20%) of the cost of the project.
3. Other factors where there is a demonstrated absence of need or prudence. For example, in rural areas or undeveloped areas where future development is not anticipated, sidewalks and designated bikeways will generally not be provided.
4. On projects that are preservation only, LDOTD will only consider improvements that do not require right-of-way acquisition, utility relocation, or major construction to provide bicycle or pedestrian accommodations, such as relocating or enclosing roadside drainage. Retrofits such as narrowing lanes, restriping and other means of providing improved bicycle and pedestrian access shall be considered on preservation projects. When an identified need or candidate requires right-of-way acquisition, utility relocation, or major construction, LDOTD will work with local government to identify funding for the identified need as a separate project.
5. Maintenance for sidewalks and bicycle paths outside the limits of the curb or shoulder will be the responsibility of the local jurisdiction. Maintenance agreements will be required as a provision of the entire project.

Exceptions for not accommodating bicyclists, pedestrians and transit users in accordance with this policy will require the approval of the LDOTD Chief Engineer. For

exceptions on Federal-aid highway projects, concurrence from the Federal Highway Administration (FHWA) must also be obtained. For exceptions in an urbanized area, concurrence from the MPO must also be obtained.

When an MPO or local jurisdiction is not in agreement with LDOTD's accommodation for bicyclists or pedestrians, they can introduce a formal appeal by means of a resolution adopted by the local governing body or board. The resolution must be submitted to the Chief Engineer for review and consideration prior to the final design approval.

Facilities will be designed and constructed in accordance with current applicable laws and regulations, using best practices and guidance from the following, but not limited to: LDOTD guidelines and manuals, American Association of State Highway and Transportation Officials (AASHTO) publications, the Manual on Uniform Traffic Control Devices (MUTCD), the Americans with Disabilities Act Accessibility Guidelines (ADAAG) and the Public Rights-of-Ways Accessibility Guidelines (PROWAG).

LDOTD recognizes that a well-planned and designed transportation system that is responsive to its context and meets the needs of its users is the result of thoughtful planning and engineering. LDOTD further recognizes the need to provide a framework for evaluation and a targeted strategy for the implementation steps identified. To this end, LDOTD will work with a diverse group of stakeholders, including transportation professionals, advocates, and others, as appropriate, to continue to support and steer the implementation efforts both internal and external to LDOTD.

Implementing Complete Streets in Louisiana – A Very Long Road

For most transportation agencies, fully implementing Complete Streets means a fundamental shift in previous procedures and assumptions, as engineers have been trained to maximize automobile throughput. However it is important to consider the strides already taken to shift gears. Several relevant examples in Louisiana include work LDOTD is already undertaking with regard to Context Sensitive Solutions, Access Management, and ADA Accessibility. Additionally, LDOTD does currently include pedestrian and some bicycle facilities in many projects – despite not having a consistent policy for always doing so.

Responsibility for Implementation

Implementation of Complete Streets in Louisiana starts with the formal adoption of the policy statement by the Secretary of Transportation, signed on July 18, 2010. From that point forward, a comprehensive implementation strategy should be established and reviewed annually, using the actions identified by the Bicycle and Pedestrian Plan and the Work Group processes. The implementation of a Complete Streets policy will be the responsibility of many individuals and departments, and can involve others outside of LDOTD, as well.

Oftentimes, a Bicycle and Pedestrian Advisory Committee (BPAC) will be established to serve a variety of supportive roles to a transportation agency's implementation effort. It can serve in an advisory or steering capacity and do some or all of the following:

- To provide technical and political support for decisions made
- To coordinate with partner agencies
- To assist with implementation actions outside of the scope of the Department
- To advise on a strategic plan for implementation on an annual or quarterly basis, as well as to review performance measures to inform that ongoing steering process

The actual role of an advisory committee is determined by its enabling mechanism. A study for the Virginia Transportation Research Council identified that twenty-eight states have such committees, of which eleven were created by law. Of the twenty-two states without a BPAC, five maintained a formal ongoing relationship with a statewide bicycle or pedestrian advisory group and six maintained an informal relationship with some type of advocacy organization or individuals, leaving just eleven states with no relationship to advocacy organizations or individuals.³²

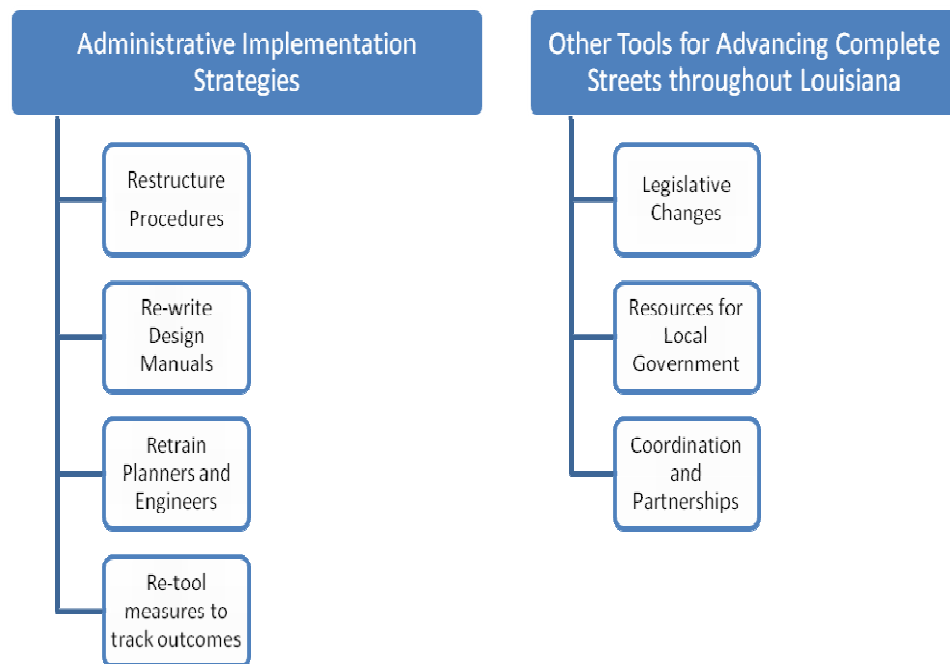
Actions for Implementation

The following are not intended as a comprehensive implementation strategy, but a list of actions for implementation to be incorporated into a comprehensive strategy following policy adoption. The actions necessary for implementation have been divided into two categories, Administrative Implementation Strategies, which are actions that the Department can put into practice and Other Tools for Furthering Complete Streets in Louisiana, which are actions which can be taken by other organizations or through collaborative efforts with outside partners.³³

³² **Getting Involved: A Study of Bicycle and Pedestrian Advisory Committees and Advocacy Organizations.** Technical Assistance Report for the Virginia Transportation Research Council, August 2001.

http://www.virginiadot.org/vtrc/main/online_reports/pdf/02-tar1.pdf

³³ Note: The strategies for implementation are based primarily on those identified in the Statewide Bicycle and Pedestrian Plan.



Restructure the Procedures

“Restructuring the Procedures” to ensure that all users are fully integrated into all stages of project development means either integrating or creating new processes by which projects are developed. The following are examples of Implementation Actions that involve ‘Restructuring the Procedures’:

- Include consideration of appropriate pedestrian and bicycle accommodations during project scoping.
- In reconstruction projects, upgrade existing sidewalks and ramps, and include crossing improvements as appropriate.
- In preservation projects, upgrade ramps and include crossing treatments, as appropriate.
- Develop a program to upgrade pedestrian infrastructure on transit routes to include accessible sidewalks and crossing treatments.
- Fund the analysis, planning and design of infrastructure improvements to address problem areas and reduce crashes and injuries.
- Adopt Bicycle, Transit, and Pedestrian Checklist for use during appropriate project development stages.
- Work with partner agencies to develop and implement targeted encouragement and education programs that seek to increase levels of walking and bicycling. Encourage the participation of non-governmental organizations in areas including health care, health insurance providers, and economic development.

COMPLETE STREETS WORK GROUP

LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

- Ensure all new pedestrian facilities installed by the Department will comply with the Americans with Disabilities Act Accessibility Guidelines, specifically the Public Rights-of-Way Accessibility Guidelines issued in 2005.
- Existing pedestrian facilities on roadways will be brought into ADA compliance during preservation and reconstruction projects.
- Develop and implement consistent policies for marking crosswalks and providing pedestrian signals.
- Develop Formal Procedure for Exceptions being approved by LDOTD Chief Engineer.
- Coordinate with Local Government and MPO for consistency with local planning efforts.
- Annually identify corridors and intersections with disproportionate number of pedestrian & bicycle crashes and injuries.
- Solicit the views of pedestrian and bicycle groups as part of Solicitation of Views during environmental processes.
- Utilize bicycle level-of-service analysis techniques to determine the appropriate level of bicycle accommodation on a roadway.
- Provide a pedestrian phase at all signalized intersections with high pedestrian volumes. Provide push button activation at all other signals.
- Stage 0 and Environmental Checklists to refer to pedestrian and bicycle accommodation checklist.
- Include LDOTD Bicycle and Pedestrian coordinator in project initiation meeting, and build staff accordingly. This includes having road design staff at headquarters and at every district office with an expertise in designing on-road bicycle facilities.
- On a project specific basis, when improvements are being considered to intersections or corridors, include bicycle and pedestrian counting as part of traffic counting requirements.
- When developing project alternatives, include conceptual development of walking, transit, and biking accommodations.
- Monitor maintenance needs and program repairs on an annual basis.
- Incorporate bicycle and pedestrian safety considerations into other safety projects and ensure that safety projects improve safety for all modes.

- Upgrade existing pedestrian and bicycle facilities to meet current standards as part of all reconstruction transportation projects.
- Design standards of bikeways and bicycle accommodations will be based on the most current available national guidelines and best practices.
- Design standards of sidewalks and pedestrian accommodations will be based on the most current available national guidelines and best practices.
- Require the collection and analysis of pedestrian and bicycle related data as a part of the Traffic Impact Analysis requirement in the LDOTD driveway permitting and access management program. Require the provision of appropriate pedestrian bicycle facilities as a condition of approval.

Rewrite the Manuals

“Rewriting the Design Manuals” means developing new guidance for the design of facilities. The USDOT encourages a re-write of the primary design manual for every transportation agency, with the creation of a separate bicycle/pedestrian manual as an interim step. Guidance for the development of such manuals should reflect best practices from, but not limited to:

When rewriting the design guidance, the following actions are recommended:

- New bridges and bridge reconstruction projects shall accommodate bicycles and pedestrians where walking and bicycling is not specifically prohibited. Note: The specific type of accommodation will be determined based on the type of roadway and type of bicycle and pedestrian accommodations provided on the bridge approaches, however the presence of bicycle and pedestrian facilities on the approaches will not be a prerequisite for the provisions of bicycle and pedestrian facilities on the bridge. Accommodations will typically include bike lanes or shoulders, and sidewalks on both sides of the bridge. Bicycle and pedestrian facilities may be separated from the adjacent traffic by a barrier on longer bridges that carry high speed traffic.
- Reduce travel speeds on urban and suburban collectors and select arterials that serve pedestrians and bicyclists through setting of appropriate design speed which take into account the needs of all users. Geometric design will be the primary tool to set appropriate speeds.
- Provide bike lanes or paved shoulders where adequate space exists, as they are the preferred facilities on major roadways. Bike lanes are preferred on urban and suburban roadways, and paved shoulders are preferred on rural roadways.
- Determine appropriate facilities for context (Rural, Suburban, Urban).
- Provide staggered continental marked crosswalks at all four legs of signalized intersections.

- Provide appropriate crossings at uncontrolled locations that utilize design measures to improve pedestrian safety, particularly those on roadways with three or more travel lanes. Note: In designing these locations, the Department will follow guidance issued by the Federal Highway Administration (*Safety of Marked and Unmarked Crosswalks at Uncontrolled Intersections*, FHWA 2003, and Memorandum regarding *Interim Approval for Rectangular Rapid Flashing Beacons* dated July 16, 2008).
- Provide bicycle detection at actuated traffic signals, where appropriate.
- Plans shall include provisions for the protection and maintenance of pedestrian and bicycle traffic during construction.
- Avoid using rumble strips on shoulders used by bicyclists unless there is a minimum clear path of 4 feet from the rumble strip to the outside edge of the paved shoulder, or 5 feet to the adjacent guardrail, curb or other obstacle. Gaps (12-foot gap every 40 to 60 feet) in the rumble strip should be provided to accommodate left turn and merging movements, and to enable bicyclists to avoid debris in the shoulder and to pass other bicyclists.
- Avoid chip-sealed surfaces where possible on roadways that are either designated as bicycle routes, or are frequently used by bicyclists.
- At T-intersections where a bypass lane is provided to facilitate left turns, provide a minimum 5-foot shoulder in order to facilitate safe bicycle passage.
- Provide appropriate pedestrian accommodations on all projects whether or not sidewalks are provided. Note: The absence of a sidewalk is not the determining factor as to whether pedestrians will be present and other pedestrian accommodations, including crossings, landings and accessible ramps, should be provided. Intersection improvement projects in areas with existing or planned development should include pedestrian accommodations whether or not sidewalks are present.
- Work with partner agencies to include the appropriate laws and principles for safely sharing the road with pedestrians and bicyclists as a part of driver education manuals, classes and license testing procedures.
- Require the provision of appropriate pedestrian bicycle facilities as a condition of approval.
- Update the Road Design Manual and English Design Standards to reflect current national guidelines and best practices and provide appropriate guidance to staff.
- Provide countdown pedestrian signal heads at signalized intersections. The minimum width of sidewalks installed by the Department is to be 5'. Wider sidewalks may be appropriate in areas with higher pedestrian volumes. The assumption is that a minimum of a 5' grass buffer will be

provided between the sidewalk and the adjacent roadway, however a wider buffer will be provided where possible on higher speed roadways such as urban arterials.

- Allow greater flexibility to design projects that better meet the needs of all travelers.
- Use the following methods to retrofit bike lanes (or paved shoulders) on urban and suburban roadways (road diet techniques):
 - Reducing travel lane widths – lane widths may be reduced per the flexibility defined in AASHTO’s Policy on the Geometric Design of Highways and Streets and based on engineering judgment.
 - Reducing the number of travel lanes – a traffic analysis may be done on roadways with excess capacity to determine if they are candidates for this treatment.
 - Reconfiguring or reducing on-street parking – this method is a last resort, as changes to parking are often opposed by adjacent landowners.
- Provide appropriate bicycle compatible features (i.e. bicycle safe drainage grates, placement of rumble strips, type of expansion joints, etc) on all projects whether or not officially designated as bikeways.
- Ensure crosswalks that are marked at uncontrolled locations be staggered continental crosswalk markings.

Retrain the Planners and Engineers

One LDOTD employee participating in the Work Group meetings noted that the Department doesn’t change directions like a speed boat; it changes direction like an Ocean Liner: a few degrees at a time. Retraining of staff is an essential component of changing the direction of the Department. Incremental steps such as making the staff aware of the new policy coming from high level officials within the organization should not be overlooked. Other actions associated with the “Retraining of the Planners and Engineers” are:

- Assign a pedestrian and bicycle liaison at each district office to help ensure that the recommendations of this plan are fully implemented in each district.
- Train staff and consultants to plan and design for walking and bicycling.
- Require training in Complete Streets as pre-requisite or requirement of design contracts.
- Provide training opportunities to MPO staff, parishes and municipalities in Complete Streets.

Retool Measures to Track Outcomes

Finally, performance measures are important in order to track outcomes and see how implementation is working. Examples of performance measures to collect include the following:

- Monitor pedestrian and bicycle crash data on an annual basis.
- Annually identify the following measures during routine inventory process:
 - Portion of streets dedicated to non-motorized traffic
 - Road crossing width
 - Functional width of sidewalk
 - Distance between travel lane and sidewalk
- The Department's bicycle and pedestrian coordinator will collect and disseminate an annual report of bicycle and pedestrian activities, including activities of the Department's District Offices and addressing progress toward the goals of this plan.
- Require the collection and analysis of pedestrian and bicycle related data as a part of the Traffic Impact Analysis (TIA) requirement in the LDOTD driveway permitting and access management program. Require the provision of appropriate pedestrian bicycle facilities as a condition of approval.
- Develop an action plan to that identifies deficiencies in current pedestrian and bicycle facilities and programs improvements.
- Annually report on the data to measure progress towards achieving the goals of the Complete Streets Policy. Note: Data should include walking and bicycling mode splits and crash and injury rates.
- Confirm evidence of Complete Streets application in all state and federally funded projects included in MPO TIPS and Plans for urbanized areas.
- Monitor the frequency and quality of non-motorized education and training programs.
- Include identification of walking and bicycling needs when developing statement of Purpose and Need.

Other Tools for Advancing Complete Streets in Louisiana

While the above mentioned items focused on actions that the Department can undertake to implement Complete Streets, there are other actions which are more appropriate to be conducted by partner agencies, advocates and others.

Legislative Strategies

The Complete Streets Work Group has discussed Legislative Strategies in two contexts. One context is the development of Complete Streets Legislation – or a Complete Streets Law. At the time of the Interim Draft Report, the LDOTD was planning on adopting the Complete Streets Policy developed by

the Work Group as an administrative policy. The second context for Legislation is updating the Revised Statutes to be more supportive of Complete Streets, by removing language that is a hindrance, by adding language that would provide for safer travel for all users of the transportation system. Below are a few examples of legislative changes to support Complete Streets: *Appendix A: Technical Memorandum entitled, "Louisiana Revised Statutes: Support and Hindrance for Complete Streets" was prepared to suggest changes for the Advocacy subcommittee's use for the 2010 Legislative session. Appendix D includes the resulting legislation passed during that legislative session.*

- Cease the requirement for the LDOTD to "find and declare construction is necessary in the public interest and will contribute to the safety of bicyclists and the motoring public" before constructing a bicycle path by revising Louisiana revised statute (RS) 48:21.
- Add a penalty for improper opening or leaving open of vehicle door that can interfere with other roadway users.
- Require lighting devices for mobility aids after dark rather than banning their use after dark by revising RS 32:197.
- Require questions about sharing the road with all modes of transportation, including transit and non-motorized modes (pedestrians and bicycles), on the drivers exam by revising RS 17:270.

Partnerships, Coordination and Resources for Local Governments

There are other activities which state agencies, advocacy groups, local governments and Metropolitan Planning Organizations can undertake to further Complete Streets.

- Promote Complete Streets Program as a means of helping MPOs meet regional Air Quality Conformity Objectives by allowing CMAQ funds to be used to fund non-motorized transportation projects.
- Work with legislature to create funding stream for local Complete Streets Policy/Plan development.
- Work with partner agencies and jurisdictions to actively promote land use and development principles that contribute to a safe and comfortable walking and bicycling environment.
- Work with Legislature to remove any language from state statutes that conflict with Complete Streets, and to develop language that is more supportive of Complete Streets.
- Work with Legislature to establish formal state bicycle and pedestrian advisory committee.
- Identify organization to develop comprehensive effort to fund and administer public education programs. Examples:
 - Donation on state tax form

- Share the Road License Plate
- Secure and program safety spending for pedestrians and bicyclists at a level recognizing the high percentage of fatalities and serious injuries that these modes comprise.
- Work with local governments and private developers to ensure that sidewalk and pedestrian accommodations are provided.
- Where appropriate, work with local governments to ensure future maintenance of sidewalk network.
- Encourage local and partner agencies and jurisdictions to use or adopt Complete Streets Policies.
- Work with partner agencies, including MPOs and local governments to support the use of innovative and state of the art bicycle facilities when appropriate.
- Identify Complete Streets Liaisons to walk projects through project development as examples while comprehensive training program commences.
- Work with Department of Public Safety and legislature to mandate vehicular responsibilities pertaining to interactions with bicyclists and pedestrians in Drivers Education and Drivers License training.
- Work with partners to identify common behavioral and environmental factors that contribute to crashes and injuries and educate the public on increasing bicycling and pedestrian safety.
- Develop comprehensive publicity campaign to heighten awareness of Complete Streets efforts by Department, both internally and externally. Examples of publicity strategies include: Website overhaul, Distribution of documents, Reports on progress.
- Convene a statewide pedestrian and bicycle advisory committee to provide advice and recommendations on an ongoing basis. Note: The committee should include individuals and/or organizations representing public health, persons with disabilities, transit providers and riders, children, senior citizens, parks and recreation, schools, the environment, tourism and the business community.
- Identify key transit locations which would benefit from Complete Streets improvements. Work with MPOs, transit agencies and local governments to develop and identify funding sources for the projects.

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Appendix A: Legislative Strategies to Support Complete Streets

COMPLETE STREETS WORK GROUP
LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

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COMPLETE STREETS WORK GROUP

LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

TECHNICAL MEMORANDUM

TO: **BRIAN PARSONS**

FROM: **BURK-KLEINPETER, INC.**

SUBJECT: **LOUISIANA REVISED STATUTES: SUPPORT AND HINDRANCE FOR COMPLETE STREETS**

DATE: **JULY 2010**

OVERVIEW

While the Louisiana Department of Transportation and Development (LDOTD) is committed to developing an internal Complete Streets policy, the responsibility for implementation is shared between various agencies and organizations. To foster the Complete Streets Work Group vision, “to create a comprehensive, integrated, connected transportation network for Louisiana that balances access, mobility, and safety needs of motorists, transit users, bicyclists, and pedestrians of all ages and abilities,” the State of Louisiana must overcome administrative, legislative, and cultural barriers. The LDOTD internal policy is the first step, not the total package. While the LDOTD can restructure procedures, rewrite design manuals, retrain planners and engineers, and retool measures to track outcomes, other tools are needed to advance Complete Streets throughout Louisiana.

This memo assesses how state laws can support Complete Streets. The Louisiana Revised Statutes (RS) are reviewed to identify how current state law can support and hinder Complete Streets policy implementation. In addition, potentially supportive language which can be added to statutes has been proposed that may assist with implementation of a Complete Streets policy.

LOUISIANA REVISED STATUTES

Support for Complete Streets

The existing revised statutes include language that supports Complete Streets principles. For example, the LDOTD, municipalities, and parishes may fund bicycle paths and the LDOTD shall recommend construction standards and provide a uniform system of marking bicycle paths (RS 48:163.1). Most of the supporting revised statutes relate to system users.

1. **Pedestrians** have the right-of-way in cross walks and on sidewalks (RS 32:212 and RS 32:219). When crossing at locations other than cross walks pedestrians must yield the right-of-way to all vehicles. Pedestrians must use marked cross walks when they are located between adjacent

intersections with operating traffic-control signals (RS 32:213). Pedestrians walking along a highway must walk on the left side of the highway or its shoulder, facing traffic (RS 32:211).

2. **Mobility aids operators** have the same rights as an able-bodied pedestrian to use streets, sidewalks, and walkways. During daylight hours they can also use road and streets with a posted speed limit of twenty-five miles per hour (mph) or less, marked bicycles paths or designated bicycle lanes, within residential subdivisions, and on any street or road necessary to cross because of physical barriers (RS 32:206).
3. **Bicyclists** are granted all of the rights and shall be subject to all the duties applicable to the driver of a vehicle (RS 32:194). The Department may also construct bicycle paths (RS 32:163.1, RS 48:21).
4. **Motorists.** Several revised statutes direct motorist interactions with pedestrians, mobility aid operators, and bicyclists. Drivers must exercise due caution to avoid collisions with pedestrians and exercise precaution upon observing confused or incapacitated persons upon the highway (RS 32:214). Drivers must take necessary precautions to avoid injuring or endangering pedestrians guided by a guide dog, carrying a white cane, or utilizing a wheelchair or motorized wheelchair for transportation who are crossing or attempting to cross a public street, highway, or near an intersection or crosswalk (RS 32:217). Vehicle doors must only be opened if it is reasonably safe to do so and must not be left open on a side of a vehicle available to moving traffic (RS 32:283). During the 2009 Regular Legislative Session, two additional laws were passed to guide motorists and protect bicyclists. The harassment of bicyclists is prohibited (RS 32:201) and, at least three feet of clearance must be provided when a driver is passing a bicyclist (RS 32:76.1).

Hindrances for Complete Streets

The Revised Statutes include language that may hinder the implementation of Complete Streets principles. Some language may be refined or added to the revised statutes to improve the implementation.

1. **Funding** While the LADOTD may fund bicycle paths, the Department is limited to using 1% of the funds appropriated to the transportation trust fund for bicycle paths (RS 48:163.1). *The term bicycle paths is not defined so it is not clear if this funding limitation applies only to separate bicycle paths or to bicycle facilities including bicycle paths, bicycle lanes and shared lanes. Depending on the definition of bicycle paths, whether or not it encompasses facilities in addition to bicycle paths, this funding limitation may be contrary to Complete Streets principles. Complete Streets principles call for bicycle facilities to be planned and funded as a part of every project rather than be treated as a separately funded transportation project.*
2. **Burden of Proof** The function of the LDOTD is defined in RS 48:21. The section indicates that the department may construct and maintain bicycle paths within the right of way of any state highway but requires the Department to “find and declare construction is necessary in the

public interest and will contribute to the safety of bicyclists and the motoring public.” *This language conflicts with Complete Streets principles. According to these Complete Streets principles, accommodating all users and providing bicycles facilities is the standard. If facilities are not provided the Department should demonstrate that the absence of bicycle facilities is in the public interest. In Complete Streets policies, exceptions are specific and typically require a high level of approval.*

3. **Definitions** As described in the above section on funding, some terms relating to pedestrian and bicycle infrastructure are not defined. Definitions are provided at the beginning of each Title. Title 32 Motor Vehicles and Traffic Regulations refers to but does not define wheelchairs (sections 217, 401), bicycle paths (sections 197, 199, 206, 300.2), and bicycle lanes (section 206). Electric mobility aids are defined in 32:206, Subpart G-1 rather than at the beginning of Title 32. Title 48 Roads, Bridges, and Ferries refers to but does not define bicycle paths (section 21, 163.1). *Definitions at the beginning of these titles for these vehicles and facilities may improve clarity and confirm that the state of Louisiana considers non-motorized users (bicycles and pedestrians) a part of the transportation system. Proposed terms for definition include: wheel chairs, electric mobility aids, bike lane, bike path, sharrows, bicycle parking, different types of cross walks (ladder-style, traditional, diagonal style), and any other terms that help explain provisions made for bicycles and pedestrians.*
4. **Rights and Responsibilities of Roadway Users** Language about operating bicycles and electric mobility aids may be improved. Currently, bicycle users are required to use paths, not roadways, when they are provided adjacent to a roadway (RS 32:197). *Exceptions might be added to this statute for situations in which the user may need to move out of a path. These situations may range from making a left turn to maneuvering around debris in a path. The operation of mobility aids is restricted to daylight hours in several locations (RS 32:206). Like the rest of the population, mobility aid operators may need to travel after dark. Concerns about sufficient visibility can be address by requiring lighting rather than banning use after sunset. This would treat electric mobility aid users similarly to bicyclists (RS 32: 329). Mobility aid users are also hindered by RS 32:3002 which allows parishes and municipal governing authorities to limit or prohibit the use of mobility devices without providing examples of situations when or reasoning for the limitation. There is conflict in the language about the streets on which electric mobility aids might be operated and the mobility aids maximum speed. RS 32:300.2 allows mobility aids to be operated on streets with a maximum posted speed limit up to thirty-five mph. while RS 206 allows the maximum posted speed limit up to twenty-five mph. RS 32:300.2 restricts the mobility aid to a speed of fifteen mph while RS 32:206 restricts mobility aids to twenty mph.*
5. **Drivers License and Training** Requirements for driver education and drivers license examination are found in the revised statutes, RS 32:408 and RS 17:270, respectively. Driver education for children includes specific training on railroad and highway grade crossing safety, on sharing the road with motorcycles and tractor-trailer trucks, as well as instruction on organ and tissue donation. Additional training on sharing the road with transit, pedestrians, and

bicycles or all modes, including non-motorized users. For the driver license examination, at least two of the thirty required questions must relate to railroad and highway grade crossing safety. The language also specifies that questions about sharing the road with motorcycles and tractor/trailer trucks be included. *To reinforce the Complete Streets principles that roadways and the transportation system should accommodate all modes, a specified number of questions could be added about properly sharing the road with pedestrians and bicycles. In Germany and the Netherlands, two countries well known for high rates of walking and bicycling with low rates of collisions, driver training emphasizes protecting against collisions with pedestrians and cyclists. This knowledge is tested during the driver license examination.*¹

ADDITIONAL LANGUAGE FOR CONSIDERATION

Additional language within the revised statutes may further the implementation of Complete Streets. The following is a list of proposals developed after reviewing and considering Oregon's Revised Statutes (ORS) related to pedestrians and bicycles.

Oregon is considered a leader in the adoption and implementation of Complete Streets policies. The first Complete Streets legislation was adopted by the state nearly forty years ago. In 1971, ORS 366.514 became law and directed that "footpaths and bicycle trails, including curb cuts or ramps shall be provided wherever a highway, road or street is being constructed, reconstructed or relocated." Many laws have subsequently been adopted that support bicycling and walking as modes of transportation.

Oregon's statutes were also considered in the 2005 New Orleans Metropolitan Bicycle and Pedestrian Plan.

Suggestions include:

1. **A Complete Streets Advisory Committee** This group would be as a liaison between the public and the Louisiana Department of Transportation for issues related to Complete Streets. *In 1973, the adoption of ORS 366.112 created the Oregon Bicycle Advisory Committee (OBAC). OBAC later became the Oregon Bicycle and Pedestrian Advisory Committee (OBPAC) when its role in pedestrian issues was officially recognized. The Committee solicits public input and advises ODOT regulation of bicycle and pedestrian traffic as well as infrastructure that supports these modes.*
2. **Additional Clarification of the Rights/Responsibilities of Roadway Users** **Adding** explicit language about the rights and responsibilities for different modes of transportation can offer protection to motorists and all other roadway users, as well.
 - a. **Penalty for improper opening or leaving open of vehicle door** Open automobile doors can interfere with other roadway users. While Louisiana has legislation directing that doors should not be opened longer than necessary for the loading and unloading of

¹ Pucher, John and Lewis Dijkstra. (2000). "Making Walking and Cycling Safer: Lessons from Europe" Transportation Quarterly, Vol. 54, No. 3. Retrieved 12 Nov 2009 from: www.vtpi.org/puchertq.pdf

passengers, additional clarity might be provided. *In Oregon, the legislation specifically prohibits opening doors in the path of bicycles. Those in violation are subject to a Class D infraction with a \$90 fine (ORS 811.490).*

- b. Clarify vehicle interface with bicycle lanes** Bicycle lanes are designed as a space separated from adjacent roadway by a white stripe for bicyclists and usually electric mobility aid users. Definition of this facility and laws protecting its use can ensure this space retains the intent of its original design, to be an area dedicated for the use of bicyclists and electric mobility aids. *Bicycle lanes are defined in Oregon's Revised Statutes. Further, in Oregon, by law, motor vehicles must yield to a bicycle, electric assisted bicycle, electric personal assistive mobility device, moped, motor assisted scooter, or motorized wheelchair using a bicycle lane (ORS 811.050). Instances when motor vehicles may operate on a bicycle lane are also specified. A motorized vehicle may operate on bicycle lanes to (1) make a turn, (2) enter or leave an alley, private road, or driveway, and (3) as required in the course of official duty (ORS 811.440).*
- c. Penalty for Vehicle assault of bicyclists or pedestrians** This may encourage driver awareness and deter reckless driving around bicyclists or pedestrians. *Oregon adopted a penalty for the vehicular assault of bicycles or pedestrians. Drivers are penalized if they recklessly operate a vehicle upon a highway which results in the contact with and injury a bicyclists or pedestrian (ORS 811.060).*

- 3. Share the Road License Plate** An option to obtain a share the road license plate would enable residents to express their support of Complete Streets principles on a daily basis. Like special prestige license plates, a royalty fee can be charged for the license plate. This funding could be used to further the implementation of Complete Streets Policies. *A "Share the Road" license plate was approved by the Oregon State Legislature in 2007.*

CONCLUSION

The Louisiana Revised Statutes can help further implementation of Complete Streets principals. While there is existing language that supports Complete Streets, some language may hinder implementation. A legislative effort to refine existing and propose additional laws can complement the LADOTD's internal Complete Streets policy.

Appendix B: Resources for Local Governments

COMPLETE STREETS WORK GROUP
LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

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COMPLETE STREETS WORK GROUP

LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

TECHNICAL MEMORANDUM

TO: **BRIAN PARSONS**

FROM: **BURK-KLEINPETER, INC.**

SUBJECT: **MODEL ORDINANCES**

DATE: **JULY 2010**

OVERVIEW

Louisiana's transportation network is planned, constructed, and maintained by cities, counties, metropolitan planning organizations, and the state of Louisiana. While the Louisiana Department of Transportation and Development (LDOTD) is responsible for approximately one third of the road network, the rest of the transportation network is under the jurisdiction of local municipalities. The participation of agencies and organizations across all levels of government is needed to attain a multi-modal transportation network that balances access, mobility, and safety needs of users of all ages and abilities. A first step for all parties is to adopt Complete Street policies.

This memo identifies and provides examples of model legislation that cities, counties, metropolitan planning organizations can adopt. Complete Streets policies influence decisions about individual projects and propel communities toward more multi-modal transportation networks. Neither transportation policy nor transportation networks are transformed over night; instead the incremental adoption of mutually reinforcing policies is a key part to attaining streets that are complete.¹

According to the Complete Streets National Coalition, Complete Streets policies should include ten elements. These elements include setting a vision, specifying 'all users', encouraging street connectivity, being adoptable by all agencies to cover all roads, applying to new and retrofit projects, making any exceptions specific, directing the use of the latest and best design standards, directing that complete street solutions will complement context, establishing performance standards with measurable outcomes, and including specific next steps for implementation. As of April 2010, 53 cities, twelve

¹ For example, in San Francisco, four tiers of Complete Streets Policies were adopted between 1995 and 2008: (1) San Francisco County Transit First Policy (1995), (2) Metropolitan Transportation Commission's Regional Policy for Accommodation of Non-Motorized Travelers (2006), (3) State of California Complete Streets Act (AB 1358) (2008), and the (4) State of California Department of Transportation Deputy Directive 64-R1. This has culminated in a planning, design, and maintenance that accommodate all modes of transportation: San Francisco recently received a gold level ranking from the League of American Cyclists' Bicycle Friendly Community Program.

counties, and five metropolitan planning organizations have adopted Complete Streets ordinances or resolutions.² The cities vary considerable, for example population ranges from slightly over two thousand to over five hundred thousand. A review of the existing resolutions and ordinances demonstrated how the ten complete streets elements can be tailored to each community. Four major types of legislation were found. The first type is a request for a department or other agency to develop policy language; this is similar to the state of Louisiana's 2009 Senate Concurrent Resolution that called for the Complete Streets Work Group (Miami, FL; St. Paul, MN; Pierce County, WA). The second variation offers guiding policies and principles for Complete Streets. Design guidelines may be set but duties are not necessarily delegated (Daphne, AL; Tupelo, MS; Louisville-Jefferson Metropolitan Planning Commission, KY). The third variation delegates responsibility for implementing Complete Streets (Lansing, MI; Roanoke, VA; Seattle, WA; Las Cruces Metropolitan Planning Organization, NM). Finally, some of the communities utilize legislation to correct existing language to support Complete Streets and refine design standards (North Myrtle Beach, SC; Columbia, MO; Sacramento, CA). While the choice of the type of policy depends on political context, Complete Street Policies should tie back to the ten elements recommended by the Complete Streets Coalition.

Below, resources are offered for communities considering Complete Streets policies. First, three summary tables (one each for cities, counties, and metropolitan planning organizations) listing existing legislation are provided. Next, ordinances and resolution are attached to demonstrate the four major types of legislative described above.

² In addition, other municipal governments have issued or adopted executive orders, internal policies, plans, and manuals/standards. The scope of this memo is limited to legislative actions.

Table 1 City Resolutions and Ordinances

	Agency	State	Policy	Adoption Year	Population	
1	Cascade	IA	Complete Streets Policy Statement	2006	2,118	b
2	Mesilla	NM	Resolution 2008-25	2008	2,200	b
3	Chickasaw	AL	Complete Streets Resolution	2009	5,948	b
4	DeSoto	MO	Complete Streets Policy Bill No. 45-08 (Amending Municipal Code Section 410.020)	2008	6,375	a
5	DeSoto	MO		2008	6,375	a
6	Fairfax	CA	Resolution No. 2527	2008	7,066	b
7	San Anselmo	CA	Bicycle Master Plan Appendix B: Complete Streets Resolution	2008	11,986	b
8	Hernando	MS	Resolution	2010	12,318	b
9	North Myrtle Beach	SC	Complete Streets Ordinance	2009	15,816	b
10	Fairhope	AL	Complete Streets Resolution	2009	17,147	b
11	Daphne	AL	Complete Streets Resolution Bill Amending Article 1 of Chapter 40 of the Municipal Code	2009	19,093	b
12	Ferguson	MO		2008	20,964	b
13	Issaquah	WA	Municipal Code Chapter 12.10: Complete Streets (Ordinance No. 2514)	2007	24,057	b
14	Anderson	SC	Complete Streets Resolution	2009	27,027	c
15	University Place	WA	Pedestrian Sidewalks and Bicycle Lanes	2004	30,345	b
16	Jackson	MI	Complete Streets Resolution	2006	33,518	b
17	Tupelo	MS	Complete Streets Resolution	2010	36,233	b
18	Montclair	NJ	Resolution 233-09	2009	36,966	b
19	Bozeman	MT	Resolution No. 4244	2010	39,442	b
20	Spartanburg	SC	Complete Streets Resolution	2006	39,584	b
21	Spartanburg	SC	Resolution No. 07-30	2006	39,584	b
22	Coeur d'Alene	ID	Complete Streets Policy	2009	43,360	b
23	Binghamton	NY	Resolution Adopting Complete the Streets / Initiative for Healthy Infrastructure Policies City Ordinance (Ordinance No. 4061)	2007	44,729	c
24	Kirkland	WA		2006	47,303	b
25	Redmond	WA	Municipal Code Chapter 12.06: Complete the Streets	2007	49,548	b
26	Novato	CA	Complete Streets Resolution	2007	52,785	b
27	North Little Rock	AR	Resolution No. 74-25	2009	59,430	b
28	Greenville	SC	Complete Streets Resolution	2008	59,988	c
29	Iowa City	IA	Resolution Adopting a Complete Streets Policy	2007	67,831	b

Table 1, Cont.

	Agency	State	Policy	Adoption Year	Population	
30	Missoula	MT	Resolution # 7473		68,202	^b
31	Roswell	GA	Complete Streets Policy	2009	87,657	^b
32	Las Cruces	NM	Resolution Adopting Complete Streets Guiding Principles	2008	91,865	^b
33	Roanoke	VA	Complete Streets Policy	2008	94,482	^b
34	Rochester	MN	Complete Streets Policy	2009	100,413	^b
35	Columbia	MO	Model Street Standards	2004	100,733	^b
36	Flint	MI	Complete Streets Ordinance	2009	112,900	^b
37	Lansing	MI	Complete Streets Ordinance	2009	113,968	^b
38	Topeka	KS	Complete Streets Resolution	2009	123,446	^b
39	New Haven	CT	Complete Streets Order	2008	123,669	^c
40	Franklin	PA	Resolution No. 18 of 2010	2010	144,994	^c
41	Dayton	OH	Livable Streets Policy	2010	154,200	^c
42	Knoxville	TN	Resolution No. R-287-09	2009	184,802	^b
43	Des Moines	IA	Complete Streets Policy	2008	197,052	^b
44	Spokane	WA	Resolution	2009	202,319	^b
45	Madison	WI	Resolution No. 09-997 Complete Streets Ordinance Amending Chapter 413 of the	2009	231,916	^b
46	Buffalo	NY	Code	2008	270,919	^b
47	Saint Paul	MN	Resolution No. 09-213	2009	279,590	^b
48	Honolulu	HI	Charter Amendment 8	2006	374,676	^b
49	Miami	FL	Complete Streets Resolution Pedestrian Friendly Street	2009	413,201	^b
50	Sacramento	CA	Standards	2004	463,794	^b
51	Seattle	WA	Complete Streets Ordinance	2007	598,541	^b
52	Seattle	WA	Ordinance No. 122386	2007	598,541	^b
53	Columbus	OH	Complete Streets Resolution	2008	754,885	^b

^a. Population Year = 2007

^b. Population Year = 2008

^c. Population Year = 2009

Table 2 County Resolutions and Ordinances

	Agency	State	Policy	Year	Population	
1	La Plata County	CO	Resolution No. 2007-33	2007	51,464	^c
2	Jackson County	MI	Complete Streets Resolution	2006	159,828	^c
3	Dona Ana County	NM	Resolution 09-114	2009	206,419	^c
4	Richland County	SC	Complete Streets Resolution	2009	372,023	^c
5	Ada County	ID	Complete Streets Policy, adopted by Resolution No. 895	2009	384,656	^b
6	Lee County	FL	Complete Streets Resolution	2009	586,908	^c
7	Pierce County	WA	Resolution 2008-86s	2008	796,836	^b
8	San Francisco	CA	Transit First Policy	1995	808,906	^b
9	Erie County	NY	Complete Streets Resolution	2008	909,247	^c
10	Dupage County	IL	Healthy Roads Initiative	2004	932,541	^c
11	Montgomery County	MD	County Code Chapter 49, Streets and Roads (Bill 4806)	2007	971,600	^c
12	Hennepin County	MN	Resolution No. 09-0058R1	2009	1,156,212	^c

^a. Population Year = 2007^b. Population Year = 2008^c. Population Year = 2009

Table 3 Metropolitan Planning Organization Resolutions and Ordinances

	Agency	State	Policy	Year	Population	
1	Las Cruces Metropolitan Planning Organization	NM	Resolution 08-10	2008	165,000	^b
2	Jackson, MI area - Region 2 Planning Commission	MI	Complete Streets Resolution	2006	305,315	^c
3	Louisville-Jefferson Metro Planning Commission	KY	Comprehensive Plan Complete Streets Ordinance	2008	1,244,696	^b
4	San Antonio-Bexar County Metropolitan Planning Organization	TX	Resolution Supporting a Complete Streets Policy	2009	2,031,445	^b
5	Metropolitan Transportation Commission (San Francisco)	CA	Resolution No. 3765: Regional Policy for the Accommodation of Non-Motorized Travelers	2006	7,375,678	^c

^a. Population Year = 2007^b. Population Year = 2008^c. Population Year = 2009

Legislative Examples

1. Request for development of Complete Streets Policy Language (Miami, Florida)
2. Guiding Policies and Principles (Daphne, Alabama)
3. Implementing Complete Streets / Assign Responsibilities (Las Cruces Metropolitan Planning Organization, New Mexico)
4. Refining Design Standards (Columbia, Missouri)

COMPLETE STREETS RESOLUTION
Miami City Commission (FL), adopted 3/12/09
(File # 09-00274)

..Title

A RESOLUTION OF THE MIAMI CITY COMMISSION DIRECTING THE CITY MANAGER TO DEVELOP GUIDELINES ESTABLISHING A "COMPLETE STREETS PROGRAM," TO INCLUDE BICYCLING AS AN INTEGRATED PART OF THE CITY OF MIAMI'S ("CITY'S") TRANSPORTATION, CLIMATE AND ENERGY POLICY INITIATIVES, WITH SAID GUIDELINES TO BE DEVELOPED BY CITY STAFF WITHIN SIXTY (60 DAYS); FURTHER URGING FEDERAL, STATE AND LOCAL ADOPTION OF THE "COMPLETE STREETS" GUIDELINES; DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE PRESIDENT OF THE UNITED STATES, THE UNITED STATES SENATE MAJORITY LEADER, THE SPEAKER OF THE UNITED STATES HOUSE OF REPRESENTATIVES, THE SECRETARIES OF THE UNITED STATES AND FLORIDA DEPARTMENTS OF TRANSPORTATION, THE MAYOR AND COUNTY MANAGER OF MIAMI-DADE COUNTY, AND THE DIRECTOR OF THE METROPOLITAN PLANNING ORGANIZATION.

..Body

WHEREAS, the United States now has 300 million people, and that number is expected to grow to 365 million by 2030 and to 420 million by 2050, with the vast majority of that growth to be in congested urban areas where significant limitations exist on accommodating increased motor vehicle travel; and

WHEREAS, since 1980, the number of miles Americans have driven has grown three times faster than the United States population; and

WHEREAS, a local and national transportation system that invests in, and is conducive to, bicycling reduces traffic congestion in the most heavily congested urban areas while promoting an overall improved quality of life that is valuable for the nation; and

WHEREAS, more than 200 cities throughout the United States, representing more than 35 million people, have committed to implementing bicycle friendly action plans to make those cities more bicycle friendly; and

WHEREAS, the greatest potential for increased bicycle usage is in major urban areas where 40 percent of trips are two miles or less and 28 percent are less than one mile; and

WHEREAS, the transportation sector contributes one-third of the greenhouse gas emissions in the United States and passenger automobiles and light trucks alone contribute 21 percent; and

WHEREAS, ten percent of global oil production goes solely toward fueling America's cars and trucks and the United States could save 462 millions of gallons of gasoline a year by increasing cycling from one percent to one and a half percent of all trips; and

WHEREAS, the Center for Disease Control estimates that if all physically inactive Americans became active, \$77 billion in medical costs would be saved; and

WHEREAS, the United States is challenged by an obesity epidemic, demonstrated by 65 percent of United States adults being either overweight or obese, and 13 percent of children and adolescents are overweight, due, in large part, to a lack of regular activity; and

WHEREAS, the percentage of United States children who walk or bike to school has dropped by 70 percent since 1969, such that only 15 percent of students either walk or bike to school in 2001 and the rate of childhood obesity has tripled in recent years; and

WHEREAS, the City of Miami adopted the Miami Climate Protection Agreement on April 12, 2007, calling for the enactment of policies and programs designed to reduce our greenhouse gas emissions, a key component of which is to implement climate-friendly land-use policies and invest in public transportation and bicycle and pedestrian infrastructure; and

WHEREAS, the City of Miami adopted the Bicycle Action Plan on October 16, 2008, calling for, among other things, the promotion of policies intended to create a "Complete Streets" policy; and

WHEREAS, more than 80 jurisdictions, including cities, counties, Metropolitan Planning Organizations and states spanning all regions of the country, have adopted "Complete Streets" policies that direct transportation planners to consider the needs of all users when transportation investment decisions are made; and

WHEREAS, Complete Streets policies benefit communities in numerous ways, by making streets designed for all users safer, easing congestion, and costing less in the long run, while encouraging economic development; and

WHEREAS, Complete Streets policies also make important contributions toward alleviating the serious national challenges of energy security, climate change and obesity, and promoting clean air, reduces greenhouse gas emissions, and helps children and adults get more physical activity by providing safe, convenient alternatives to driving; and

WHEREAS, the streets within the City of Miami are owned, maintained and under the jurisdiction of the State of Florida, Department of Transportation, and Miami-Dade County; and

WHEREAS, last year Senator Harkin introduced the Complete Streets Act of 2008 (S. 2686), a landmark bill to ensure that streets truly work for people of all ages and abilities, and it is an important piece of legislation that would ensure that future transportation investments made by the State Departments of Transportation and Metropolitan Planning Organizations create appropriate and safe transportation facilities for all those using the

road-motorists, transit vehicles and riders, bicyclists, and pedestrians of all ages and abilities;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF MIAMI, FLORIDA:

Section 1. The recitals and findings contained in the Preamble to this Resolution are adopted by reference and incorporated as if fully set forth in this Section.

Section 2. The City Manager is directed to work with City Staff to develop guidelines intended to create a "Complete Streets Program" that provide appropriate and safe transportation facilities for all who use our roads- motorists, transit vehicles and riders, bicyclists and pedestrians of all ages and abilities.

Section 3. The City Manager shall present the guidelines for the Complete Streets Program to the Commission within sixty (60) days of the approval of this Resolution.

Section 4. The City Commission urges the State of Florida, the Florida Department of Transportation, Miami-Dade County and the Metropolitan Planning Organization to embrace and adopt Complete Streets guidelines and policies that acknowledge the contributions of bicycles as a means to reduce vehicle miles by integrating bicycle use into standard street design; and

Section 5. The City Commission urges the President and the members of the United States Congress to support the Complete Streets Act when it is introduced in the 111th Congress and throughout the development of the next transportation authorization bill.

Section 6. The City Clerk is instructed to transmit a copy of this Resolution to the President of the United States, the United States Senate Majority Leader, the Speaker of the United States House of Representatives, the Secretaries of the United States and Florida Departments of Transportation, the Mayor and County Manager of Miami-Dade County, and the Director of the Metropolitan Planning Organization.

Section 7. This Resolution shall become effective immediately upon adoption and signature of the Mayor. {1}

..Footnote

{1} If the mayor does not sign this Resolution, it shall become effective at the end of ten calendar days from the date it was passed and adopted. If the Mayor vetoes this Resolution, it shall become effective immediately upon override of the veto by the City Commission.

[Note: Mayor signed Resolution on March 17, 2009.]

RESOLUTION NO. 2009-111

City of Daphne Supports Smart Streets Sidewalks Project

WHEREAS, the City Council of the City of Daphne supports construction of streets to enable safe access for all users, including motorists, pedestrians, bicyclists, and public transportation; and

WHEREAS, the City Council of City of Daphne will consider these practices with Smart Streets Sidewalks Project when undertaking construction, reconstruction and repair of our roadways.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Daphne support and adopt as a policy **“The Smart Streets Sidewalks Project.”**

APPROVED AND ADOPTED ON THE ____ DAY OF _____, 2009.

August A. Palumbo
Council President

Fred Small
Mayor

ATTEST:

David L. Cohen
City Clerk, MMC

LAS CRUCES METROPOLITAN PLANNING ORGANIZATION

RESOLUTION NO. 08-10

A RESOLUTION ADOPTING A COMPLETE STREETS POLICY, STATING GUIDING PRINCIPLES AND PRACTICES SO THAT TRANSPORTATION IMPROVEMENTS ARE PLANNED, DESIGNED, CONSTRUCTED AND MAINTAINED TO INTEGRATE WALKING, BICYCLING AND TRANSIT USE WHILE PROMOTING SAFE AND EFFICIENT OPERATIONS FOR ALL USERS. THIS RESOLUTION ALSO ENCOURAGES THE CITY OF LAS CRUCES, TOWN OF MESILLA, DOÑA ANA COUNTY, NEW MEXICO STATE UNIVERSITY, AND THE NEW MEXICO DEPARTMENT OF TRANSPORTATION TO ADOPT A COMPLETE STREETS POLICY.

WHEREAS, the Las Cruces Metropolitan Planning Organization 2005 Transportation Plan encourages walking, bicycling and transit use as safe, convenient, energy efficient, and widely available well connected modes of transportation for all people; and

WHEREAS, Las Cruces MPO Complete Streets guiding principle is to plan, design, operate and maintain the transportation network to promote safe and convenient access and travel for all users - pedestrians, bicyclists, transit riders, and motor vehicle drivers - as well as people of all abilities; and

WHEREAS, streets constitute a large, increasingly valuable portion of public space. They should be corridors for all modes of transportation, with a particular emphasis on pedestrian safety, and useable public open space corridors with generous landscaping and lighting; and

WHEREAS, streets should be designed as a whole, cognizant of the adjoining land uses, facing buildings, and all users; such that the resulting street environment is of appropriate scale and character; and

WHEREAS, streets that support and invite multiple uses - including safe, active, and ample space for pedestrians, bicycles, and public transit - are more conducive to the public life of an urban community and efficient movement of people and goods than streets designed primarily to move automobiles. Decisions regarding the design and use of the limited public street space should integrate facilities for pedestrians, bicycles, public transit, and automobiles; and

WHEREAS, encouraging non-motorized transportation can have considerable positive health impacts for our community during a time when obesity, diabetes, and heart diseases are at epidemic proportions; and

WHEREAS, transportation improvements should include an array of facilities and amenities that are recognized as contributing to Complete Streets, including but not limited to: street and sidewalk lighting, street trees, landscaping, street furniture, pedestrian and bicycle safety improvements, access improvements in compliance with the Americans with Disabilities Act, and pedestrian access improvements to public transit facilities; and

WHEREAS, other jurisdictions and agencies nationwide have adopted Complete Streets legislation, including the United States Department of Transportation, numerous state transportation agencies, San Francisco, Sacramento, San Diego, Boulder, Chicago, Seattle and Portland; and

WHEREAS, the Policy Committee approved resolutions in September and November 2005 encouraging their member jurisdictions to adopt policies and design standards supporting the full integration of all travel modes within the transportation network; and

WHEREAS, the Policy Committee has determined that it is in the best interest of the MPO for this resolution to be APPROVED.

NOW, THEREFORE, be it resolved by the Policy Committee of the Las Cruces Metropolitan Planning Organization:

(I)

MPO staff will consult and cooperate with all member and contributing agencies to implement this Complete Streets policy by planning the transportation network and adjoining land uses to improve travel conditions for bicyclists, pedestrians, transit and motorists in a manner consistent with, and supportive of, the surrounding community. This may include consulting on policies and procedures addressing the planning, design, construction, reconstruction or other changes of transportation facilities on arterial streets to support the creation of Complete Streets, including capital improvements, major maintenance, and roadway re-striping, recognizing that all streets must balance user needs.

(II)

THE Las Cruces Metropolitan Planning Organization (MPO) will incorporate Complete Streets principles into: the Long Range Transportation Plan, Major Thoroughfare Plan, Pedestrian and Bicycle Facilities Plans, Intelligent Transportation System Regional Architecture, Transportation Improvement Program, and other MPO plans, manuals, rules, regulations and programs as appropriate.

(III)

THE Las Cruces MPO will work with City, County, and Town community development and public works departments, other transportation planning organizations, and related advisory committees to collaboratively designate common Complete Streets specifications that are consistent across jurisdictions for thoroughfares.

(IV)

EXCEPT in unusual or extraordinary circumstances, Complete Streets principles will not apply to maintenance activities designed to keep assets in serviceable condition (e.g., mowing, cleaning, sweeping, and spot repair, or interim measures on detour or haul routes).

(V)

COMPLETE Streets may be achieved through single projects or incrementally through a series of smaller improvements or maintenance activities over time. It is the Policy Committee's intent that all available sources of transportation funding be drawn upon to implement Complete Streets.

(VI)

THAT MPO staff are hereby authorized to take appropriate and legal actions to implement this Resolution.

DONE and **APPROVED** this 14th day of May, 2008.

APPROVED:

Chair Evans

ATTEST:

Recording Secretary

VOTE:

Moved by: _____

Seconded by: _____

Chair Evans:	_____
Vice-Chair Cadena:	_____
Councilor Archuleta:	_____
Councilor Jones:	_____
Councilor Thomas	_____
Commissioner McCamley:	_____
Commissioner Perez:	_____
Trustee Bernal:	_____
Trustee Arzabal	_____

APPROVED AS TO FORM:

City Attorney

Section 105-247; Ord. 018097; Amending Chapter 25 of the City Code relating to subdivisions; adopting design standards for streets, sidewalks and bikeways

Ordinance No. 018097 Council Bill No. B 92-04 (A)

AN ORDINANCE

amending Chapter 25 of the City Code relating to subdivisions; adopting design standards for streets, sidewalks and bikeways; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. Chapter 25 of the Code of Ordinances of the City of Columbia, Missouri, is hereby amended as follows:

Material to be deleted in ~~strikeout~~; material to be added underlined.

Sec. 25-3. Definitions; rules of construction.

For the purposes of this chapter, the following words, phrases, terms and their derivations shall have the meaning given herein and if not defined herein, shall have the definition as set forth in the zoning ordinance of the city.

...

Owner. Any person or other entity having legal title to or a sufficient proprietary interest to legally effectuate transfer of the property sought to be subdivided. Proprietary interest shall include but not be limited to estate administration, trusteeship, guardianship, and actions under a valid power of attorney. Proprietary interest shall not include an agency or a bare employment relation.

Pedway. A path that is physically separated from the roadway and intended for shared use by pedestrians, joggers, skaters and bicyclists.

...

Private drive. A nondedicated entrance to a lot, or an interior circulation driveway within a lot, not itself a public right-of-way.

Private Street. A thoroughfare designed to provide vehicular access to two or more lots or parcels which is not dedicated for public use.

...

Sec. 25-35. Conformance with applicable laws, rules and regulations.

The subdivider shall adhere to design standards as established in these regulations. In addition, all subdivisions shall comply with the following laws, rules and regulations:

...

(4) *City of Columbia regulations.* The standards and regulations promulgated by the city including street and storm sewer specifications and design standards; the sanitary sewer specifications, the specification for water main construction, extensions and alterations; design standards for streets, sidewalks and bikeways; and specifications for all other public improvements and utilities which are hereafter promulgated by the city. The director of public works and the director of the water and light department are hereby authorized to promulgate and establish design standards and specifications for the construction of public improvements and utilities in subdivisions in the city, which shall ensure a high quality construction of such public improvements and utilities such that these public improvements and utilities will serve the public need and be suitable for acceptance and maintenance by the city. The design standards and specifications shall be in substantial conformance with design standards and specifications for construction of similar public improvements and utilities by the city. All promulgated design standards and specifications shall be on file in the office of the city clerk.

...

Sec. 25-42. Street improvements generally.

Streets and curbs and gutters shall be improved to comply with the standards contained herein, and in the city street and storm sewer specifications and design standards, and all design standards and specifications now or hereafter promulgated by the director of public works or adopted by the council, in accordance with the final construction plans required to be approved prior to final plat approval.

...

(2) *Arrangement.* All streets shall be located properly with respect to extending existing and platted streets, to traffic generators, to population densities, and to the pattern of existing and proposed land uses.

a. Local streets shall be designed to provide convenient and safe access to all properties and to permit efficient drainage and utility systems. The use of through streets shall be encouraged to connect adjoining areas and to facilitate the delivery of public and emergency services; however, straight streets more than eight hundred (800) feet long shall be avoided to discourage speeding. Individual local residential street segments should serve no more than fifty (50) dwelling units without additional street connections. Local streets with

connections to arterial and collector streets shall be designed to avoid cut-through traffic. Curvilinear streets are encouraged to minimize speeding and the amount of grading. Cul-de-sacs and loop (U-shaped) streets should be short in length, less prevalent than through streets, and may be especially appropriate to avoid steep slopes, major creeks, floodplains, wetlands and other sensitive environmental areas. A street connectivity index (consisting of the number of intersections divided by the combined number of intersections and cul-de-sacs) shall be calculated for proposed new subdivisions.

...

Sec. 25-43. Street widths.

The right-of-way width required to be dedicated and the pavement width required to be constructed for streets, according to street classification, shall be:

Type of Street	Minimum Feet Right-of-Way	Pavement Width (back to back of curb)	
		Maximum (Feet)	Minimum (Feet)
Freeway	Variable	96*	48*
Expressway	Variable	72*	48*
Arterial, urban major**	80-106 110	68	49 60
Arterial, rural minor**	80-106 84-100	68 52	24* 40
Collectors, major**	66-76	44	38 32
Collectors, neighborhood**	60	34	30
Local, nonresidential, central traffic zone	70 66		44
Local, nonresidential, all other**	60-66	38	38 30
Local, residential**	40-50	32	20 -32
Cul-de-sacs, residential (stem portion)**	44-50	32	24 -28
Alleys	18		16
Estate lanes	50		28
Frontage roads	30		20

*In addition to road pavement, two (2) paved, ten-foot shoulders are required.

**See Appendix A - "Design Standards for Streets, Sidewalks and Bikeways," which is filed in the office of planning and development and in the office of the city clerk, for additional standards and criteria for the application of these requirements.

- (1) Proposed subdivisions that include existing street rights-of-way narrower than required herein shall provide for dedication of appropriate additional width along one (1) or both sides of the street. Proposed subdivisions abutting only one

(1) side of such streets shall provide for dedication of additional width to constitute one-half of the right-of-way required.

(2) ~~In commercial areas where heavy vehicular traffic will be produced, the commission may require dedication of additional street right-of-way width and construction of additional pavement to serve as access to the intended commercial area and to ensure the free flow of through traffic on the street involved. This requirement shall be at the expense of the subdivider and shall be so indicated on the preliminary plat prior to its endorsement by the commission.~~

(32) In low density, single-family residential subdivisions, the width of local residential streets may be reduced from thirty-two (32) feet to twenty-eight (28) feet (estate lanes) if the subdivision complies with all of the following criteria:

...

Sec. 25-47. Terminal streets.

(a) Permanent terminal streets shall not be longer than seven hundred fifty (750) feet, measured from the center of any cul-de-sac to the right-of-way line of the nearest through street from which it derives.

(b) Terminal streets shall also have a turnaround at the closed end with an outside roadway diameter of at least seventy-six (76) feet and right-of-way diameter of at least ninety-four (94) feet.

(c) Residential alleys shall ~~not~~ be permitted in ~~single-family~~ all residential areas.

(d) Nonresidential alleys shall be provided in commercial and industrial districts when off-street loading and parking are not otherwise provided.

(1) The right-of-way width of an alley shall be twenty (20) feet and the pavement width shall be sixteen (16) feet.

(2) When alleys intersect, the intersection right-of-way lines shall be rounded by a curve with a radius of five (5) feet in length.

...

Sec. 25-48.1. Sidewalks generally (plats approved after January 1, 2001).

(a) Sidewalks shall be constructed within all pedestrian easements and on both sides of all internal streets and on the abutting side of any adjacent street unless otherwise specified in this chapter. ~~Sidewalks shall be a minimum of five (5) feet in width or they may be four (4) feet in width when located along a local residential street that does not adjoin an existing or proposed park, school, church or other high pedestrian traffic generating use. A sidewalk shall not be required along a residential access street which is less than two hundred fifty (250) feet in length and terminates in a cul-de-sac.~~ Sidewalks shall be a minimum of five (5) feet in width along all other streets.

...

Sec. 25-52. ~~Reserved~~ Bike lanes and pedways.

Bicycle lanes and pedways shall be designed and constructed in accordance with Appendix A - “Design Standards for Streets, Sidewalks and Bikeways” and all applicable design standards and specifications now or hereafter promulgated by the director of public works or adopted by the council.

...

Sec. 25-55. Drainage and storm sewers.

(a) *Flood-prone areas.* Any portion of land being subdivided which is located within the limits of maximum flooding of the 100-year flood, as determined by December 1, 1981, flood insurance rate maps and amendments thereto on file with the director of public works, shall be developed so as not to endanger the health, safety and general welfare of the inhabitants thereof, and in compliance with the provisions of the zoning ordinance related thereto.

(b) *Storm sewers.* Storm sewers with curbs and gutters shall be provided for lots; however, open channels may be allowed where deemed appropriate and when design features, such as vegetated swales and check dams, are used to reduce runoff velocity and allow infiltration. Sidewalks and pedways shall not be located between the street and open channel. Improvements ~~and~~ shall conform to standards contained in the city street and storm sewer specifications and design standards, and the city storm drainage standards, and all applicable design standards and specifications now or hereafter promulgated by the director of public works or adopted by the council.

(c) *Driveways across drainage features.* Driveways that cross drainageways or ditches to connect to public streets shall be constructed in a manner and method approved by the director of public works consistent with the public health, safety and welfare.

(d) Streets crossing streams. Streets that cross streams shall be designed and constructed in a manner that minimizes the disruption to the stream channel and buffer zone. Streams should be crossed only when necessary to connect the street network.

Sec. 25-56. Utilities.

Utilities, including but not limited to water, sewer, natural gas, electric and telephone lines, and fire hydrants, shall be provided to lots in accordance with standards and specifications governing the construction and installation of such utilities which have been or are hereafter adopted by the council or promulgated by the city departments or utility companies responsible therefor. Easements for public and private utilities shall be provided adjacent to all street right-of-way and in other locations in accordance with facility requirements and design standards. To the maximum extent feasible, utilities shall be located in designated easements and not in street right-of-way.

...

SECTION 2. The City Council hereby adopts "Appendix A, Design Standards for Streets, Sidewalks and Bikeways" a copy of which is attached to and made a part of this ordinance. A copy of Appendix A shall be on file in the office of planning and development and in the office of the city clerk.

SECTION 3. Preliminary plats filed with the department of planning and development within two months following passage of this ordinance may follow either the street standards adopted by this ordinance or the street standards in effect immediately before passage of this ordinance.

SECTION 4. This ordinance shall be in full force and effect from and after its passage.

PASSED this 7th day of June, 2004.

Appendix C: Coordination with Metropolitan Planning Organizations (MPOs)

COMPLETE STREETS WORK GROUP
LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

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LOUISIANA PLANNING COUNCIL
An Association of Louisiana Metropolitan Planning Organizations (MPOs)

RESOLUTION NO. 2009-10

**APPROVING AND RECOMMENDING THE INTERIM REPORT BY THE
COMPLETE STREETS WORK GROUP FOR THE LOUISIANA DEPARTMENT OF
TRANSPORTATION AND DEVELOPMENT FOR THE STATE OF LOUISIANA.**

WHEREAS, the Louisiana Planning Council met in Lafayette, Louisiana on Wednesday, December 9 and Thursday, December 10, 2009 for a regular quarterly business meeting; **AND**

WHEREAS, the members of the Louisiana Planning Council were presented with a briefing on the Interim Report for Complete Streets by a representative of the New Orleans MPO staff; **AND**

WHEREAS, members of the Louisiana Planning Council were provided with copies of the Interim Report on Complete Streets prepared by the Complete Streets Work Group for the Louisiana Department of Transportation and Development; **AND**

WHEREAS, the Louisiana Planning Council, in regular business session, discussed and debated the recommendations in the Interim Report on Complete Streets; **AND**

WHEREAS, the members determined that this Interim Report on Complete Streets was a beginning in identified need for improving land use and transportation compatibility in the urban setting, both for new streets and roadways as well as for retrofitting many existing roads and streets; **AND**

WHEREAS, the majority members of the Louisiana Planning Council have determined that the Interim Report on Complete Streets prepared by the Complete Streets Work Group for the Louisiana Department of Transportation and Development is a step in the right direction both for the state and for urban areas within the state.

NOW THEREFORE BE IT RESOLVED, that the Louisiana Planning Council, as an association of Louisiana Metropolitan Planning Organizations, does hereby approve and endorse the Interim Report on Complete Streets, a copy of which is hereby attached and made a part of this resolution.

BE IT FURTHER RESOLVED, that the Louisiana Planning Council does recommend and request further discussion and detailing of strategies in consultation with the Louisiana Planning Council should be undertaken prior to submission and adoption of any final Complete Streets Report to the Louisiana Department of Transportation and Development.

**THIS RESOLUTION BEING VOTED ON AND ADOPTED ON THE TENTH DAY OF
DECEMBER, IN THE YEAR TWO THOUSAND AND NINE.**



Michael Hollier, President



ATTEST: _____
Matt Johns, Secretary

Appendix D: 2010 Legislation related to Bicycles and Pedestrians

COMPLETE STREETS WORK GROUP
LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

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Regular Session, 2010

ACT No. 840

HOUSE BILL NO. 1125

BY REPRESENTATIVES WILLIAMS AND LEGER

1 AN ACT

2 To enact R.S. 32:202 and R.S. 47:463.141, relative to special prestige license plates; to
3 provide for the creation and issuance of the "Share the Road" license plate; to
4 provide for fees and distribution of fees; to provide for the promulgation of rules and
5 regulations; to create the Louisiana Bicycle and Pedestrian Safety Fund; and to
6 provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 32:202 is hereby enacted to read as follows:

9 §202. Louisiana Bicycle and Pedestrian Safety Fund

10 A. There is hereby created, as a special fund in the state treasury, the
11 Louisiana Bicycle and Pedestrian Safety Fund, hereinafter referred to as the "fund".
12 The source of monies for the fund shall be that portion of the monies derived from
13 fees imposed and dedicated to the fund pursuant to the provisions of R.S.
14 47:463.141, and grants, gifts, and donations and any other monies received by the
15 state for the purposes of bicycle and pedestrian safety and which are appropriated to
16 the fund.

17 B. After compliance with the requirements of Article VII, Section 9(B) of
18 the Constitution of Louisiana, relative to the Bond Security and Redemption Fund,
19 an amount equal to that deposited into the state treasury from the foregoing sources
20 shall be deposited in and credited to the fund. The monies in the fund shall be
21 invested by the treasurer in the same manner as the state general fund, and interest
22 earnings shall be deposited into the fund. All unexpended and unencumbered
23 monies remaining in the fund at the end of each fiscal year shall remain in the fund.

24 C. Monies in the fund shall be subject to annual appropriation by the
25 legislature for use by the Department of Transportation and Development. The

1 monies in the fund shall be allocated and disbursed by the secretary of the
2 Department of Transportation and Development and used solely for bicycle and
3 pedestrian safety.

4 Section 2. R.S. 47:463.141 is hereby enacted to read as follows:

5 §463.141. Special prestige license plate; "Share the Road"

6 A. The secretary of the Department of Public Safety and Corrections shall
7 establish a special prestige motor vehicle license plate to be known as the "Share the
8 Road" plate, provided there is a minimum of one thousand applicants for such plates.
9 These license plates shall be restricted to use on passenger cars, pickup trucks,
10 recreational vehicles, and vans.

11 B. The special prestige license plate shall be known as the "Share the Road"
12 license plate and shall bear the likeness of a person on a bicycle riding on the road
13 and a pedestrian walking centered on the left side of the licence plate. The
14 "Louisiana" name logo shall be at the top of the plate. The center of the plate shall
15 display a number, with the first issued plate displaying the number one and shall
16 continue in consecutive numerical order for each plate. Centered at the bottom of the
17 plate below the number shall be the words "Share the Road".

18 C. The prestige license plate shall be issued, upon application, to any citizen
19 of Louisiana.

20 D. The department shall collect the following fees for this license plate:

21 (1) An initial fee of twenty-five dollars, which shall be disbursed in
22 accordance with Subsection E of this Section.

23 (2) A handling fee of three dollars and fifty cents to be retained by the
24 department to offset a portion of administrative costs.

25 (3) The standard motor vehicle license tax imposed by Article VII, Section
26 5 of the Constitution of Louisiana.

27 E. The monies received from the additional twenty-five-dollar fee shall be
28 deposited into the Louisiana Bicycle and Pedestrian Safety Fund, R.S. 32:202, for
29 use by the Department of Transportation and Development for the sole purpose of
30 promoting bicycle and pedestrian safety.

1 F. The secretary shall adopt rules and regulations as are necessary to
2 implement the provisions of this Section.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

Regular Session, 2010

ACT No. 618

HOUSE BILL NO. 1137

BY REPRESENTATIVES WILLIAMS, AUSTIN BADON, BARROW, BURRELL, CARMODY, DIXON, GISCLAIR, GUINN, HINES, ROSALIND JONES, LAFONTA, NORTON, RICHMOND, SIMON, ST. GERMAIN, STIAES, AND WADDELL AND SENATORS ALARIO, CHABERT, CHEEK, CLAITOR, CROWE, DONAHUE, ERDEY, N. GAUTREAUX, GUILLORY, HEBERT, HEITMEIER, JACKSON, KOSTELKA, LAFLEUR, MCPHERSON, MICHOT, MORRELL, MURRAY, NEVERS, PETERSON, RISER, SHAW, SMITH, AND THOMPSON

1 AN ACT

2 To amend and reenact R.S. 17:270(A), R.S. 32:1(48) and (65), 76.1(B), 106, 197(A), 283,
3 296(A), and 300.2, and R.S. 48:21(B), 163.1(A), (B), (D), (E)(introductory
4 paragraph), (F), (G), and (H), to enact R.S. 32:1(95) through (100), 197(D) and (E),
5 and 203, and R.S. 48:1(24), and to repeal R.S. 32:197(C) and R.S. 48:163.1(C),
6 relative to bicycles; to revise provisions relative to bicyclists and traffic; to provide
7 for definitions; to provide for construction of bicycle facilities; and to provide for
8 related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 17:270(A) is hereby amended and reenacted to read as follows:

11 §270. Driver education and training program for children

12 A. The State Board of Elementary and Secondary Education and the state
13 Department of Education, in consultation with the Department of Public Safety and
14 Corrections, shall establish and operate a driver education and training program in
15 each parish of this state for children who are fifteen years of age and older. The
16 program shall consist of a course of not less than eight hours of actual driving
17 experience and thirty hours of classroom instruction. A child who is in at least the
18 ninth grade and is within ninety days of his fifteenth birthday may participate in the
19 classroom instruction component of the program. The State Board of Elementary
20 and Secondary Education shall provide written notice to each city, parish, and local

1 school board of the requirements of this Subsection. The aims and purposes of the
2 driver education and training program shall be to educate drivers to be competent
3 and to develop a knowledge of those provisions of the law of this state relating to the
4 operation of motor vehicles, a proper acceptance of personal responsibility in traffic,
5 a true appreciation of the causes, seriousness, and consequences of traffic accidents,
6 and the knowledge, attitudes, habits, and skills necessary for the safe operation of
7 motor vehicles. The course shall include training on railroad and highway grade
8 crossing safety and on sharing the road with motorcycles ~~and~~, tractor-trailer trucks
9 ~~and, pedestrians, bicyclists, and transit vehicles, and~~ at least thirty minutes of
10 instruction relative to organ and tissue donation. The State Board of Elementary and
11 Secondary Education and the state Department of Education shall develop the organ
12 and tissue portion of the driver education and training program in conjunction with
13 the federally designated organ procurement organization for the state of Louisiana.
14 However, no student shall be required to take the organ and tissue donation
15 instruction if his parent or tutor submits a written statement indicating that such
16 instruction conflicts with the religious beliefs of the student.

17 * * *

18 Section 2. R.S. 32:1(48) and (65), 76.1(B), 106, 197(A), 283, 296(A), and 300.2 are
19 hereby amended and reenacted and R.S. 32:1(95) through (100), 197(D) and (E), and 203
20 are hereby enacted to read as follows:

21 §1. Definitions

22 When used in this Chapter, the following words and phrases have the
23 ~~meaning~~ meanings ascribed to them in this Section, unless the context clearly
24 indicates a different meaning:

25 * * *

26 (48) "Pedestrian" means any person afoot or utilizing a mobility aid.

27 * * *

28 (65) "Shoulder" means the portion of the highway contiguous with the
29 roadway for accommodation of stopped vehicles, for emergency use, pedestrian use,

1 mobility aid use or bicyclists when other accommodations are not available, and for
2 lateral support of base and surface.

3 * * *

4 (95) "Bicycle facility" means any physical facility provided for the exclusive
5 or semi-exclusive use of bicycles. This includes but is not limited to unmarked
6 shared roadways, marked shared roadways, bicycle lanes, shared use trails, and end
7 of trip facilities.

8 (96) "Bicycle lane" means the part of the roadway adjacent to the travel lane,
9 designated by striping, signing, and pavement markers for the preferential or
10 exclusive use by bicycles and usually elective mobility aid users.

11 (97) "Bicycle parking" means any facility for the storage of bicycles to
12 protect against theft and damage.

13 (98) "Bicycle path or trail" means a public way separated by open space,
14 grade, or other physical barrier from motor traffic, either within the highway right-
15 of-way or within an independent right-of-way, that is designated for use by persons
16 riding bicycles.

17 (99) "Mobility aid" means a device used by individuals to ambulate
18 independently and that is human or electric powered and used in- or outdoors.

19 (100) "Shared use trail" means a public way separated by open space, grade,
20 or other physical barrier from motor traffic, either within the highway right-of-way
21 or within an independent right-of-way, that is designated for use by pedestrians,
22 mobility aid users, and persons riding bicycles.

23 * * *

24 §76.1. Limitations on passing bicycles

25 * * *

26 B. The operator of a motor vehicle, when overtaking and passing a bicycle
27 proceeding in the same direction on the roadway, shall exercise due care while the
28 motor vehicle is passing the bicycle and shall leave a safe distance between the
29 motor vehicle and the bicycle of not less than three feet and shall maintain such
30 clearance until safely past the overtaken bicycle. An operator of a motor vehicle

may pass a bicycle traveling in the same direction in a no-passing zone only when it is safe to do so.

* * *

§106. Methods of giving hand and arm signals

A. All signals herein required to be given by hand and arm shall be given from the left side of the vehicle in the following manner, and such signals shall indicate as follows:

(1) Left turn--hand and arm extended horizontally, with the hand open and the back of the hand to the rear.

(2) Right turn--hand and arm extended upward at an angle of forty-five degrees from shoulder or elbow, with the hand open and the back of the hand to the rear. A bicyclist may also extend the right hand and arm horizontally with the hand open and back of the hand to the rear.

(3) Stop or decrease speed--start--hand and arm extended downward at an angle of forty-five degrees from shoulder or elbow, with the hand open and the back of the hand to the rear.

(4) Pulling from curb or side of highway--same as for left turn.

B. A bicyclist is not required to continuously give the signals required by Subsection A of this Section if the hand or arm is needed to control the bicycle.

* * *

§197. Riding on roadways and bicycle paths

A. Every person operating a bicycle upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction: except under any of the following circumstances:

(1) When overtaking and passing another bicycle or vehicle proceeding in the same direction.

(2) When preparing for a left turn at an intersection or into a private road or driveway.

1 (3) When reasonably necessary to avoid fixed or moving objects, vehicles,
2 bicycles, pedestrians, animals, surface hazards, or substandard width lane or any
3 other conditions that make it unsafe to continue along the right-hand curb or edge of
4 the roadway. For purposes of this Paragraph, a "substandard width lane" is a lane
5 that is too narrow for a bicycle and a vehicle to travel safely side by side within the
6 lane.

7 (4) When approaching a place where a right turn is authorized.

8 * * *

9 D. Persons riding bicycles shall be allowed to operate on the shoulder of a
10 roadway.

11 E. Any person operating a bicycle upon a roadway or a highway, where there
12 are two or more marked traffic lanes and traffic travels in only one direction, may
13 ride as near the left-hand curb or shoulder of that roadway as practicable when
14 preparing for a left turn.

15 * * *

16 §203. Motor vehicles operating in bicycle lanes

17 A. No person shall operate a motor vehicle in a bicycle lane except as
18 follows:

19 (1) To prepare for a turn within a distance of two hundred feet from the
20 intersection.

21 (2) To enter or leave the roadway onto an alley, private road, or driveway.

22 (3) To enter or leave a parking space when parking is permitted adjacent to
23 the bicycle lane.

24 B. Any person operating a motor vehicle upon a bicycle lane in accordance
25 with Subsection A of this Section shall yield the right-of-way to all bicycles and
26 electric mobility aids within the bicycle lane.

27 C. This Section shall not prohibit the use of a motorized bicycle in a bicycle
28 lane when the operator travels at no speed greater than what is reasonable or prudent,
29 has due regard for visibility, traffic conditions, and the condition of the roadway

1 surface of the bicycle lane and in a manner which does not endanger the safety of
2 bicyclists.

3 D. In case of an emergency, the driver of a motor vehicle may lawfully
4 operate the vehicle in a bicycle lane in accordance with the normal standards of
5 prudent conduct to protect himself and others from harm. When the emergency
6 ends, the motor vehicle shall not be operated in the bicycle lane.

7 * * *

8 §283. ~~Opening and closing~~ Improper opening or leaving open of vehicle doors

9 A. No person shall open the any door of a motor vehicle on the side available
10 to moving traffic unless and until it is reasonably safe to do so, nor shall any person
11 leave a door open on the side of a vehicle available to moving traffic for a period of
12 time longer than necessary to load or unload passengers. located on a highway
13 without first taking due precaution to ensure that his act shall not interfere with the
14 movement of traffic or endanger any other person or vehicle.

15 B. No person shall leave open any door of a motor vehicle located on a
16 highway for a period of time longer than necessary to load or unload passengers.

17 * * *

18 §296. Stopping, parking, or standing upon the highway shoulder; driving upon the
19 highway shoulder

20 A. No person shall stop, park, or leave standing any unattended vehicle on
21 any state highway shoulder, unless such stopping, parking, or standing is made
22 necessary by an emergency, except:

23 (1) In those areas designated as parking areas by the Department of
24 Transportation and Development, or

25 (2) By any public utility personnel or public utility equipment engaged in the
26 operation of the utility business, public vehicles owned by public bodies which are
27 engaged in the conduct of official business, or ~~privately-owned~~ privately owned
28 vehicles which are engaged in services authorized by the local governing authority.

1 (3) Persons riding bicycles shall be allowed to operate on the shoulder of a
2 roadway.

3 * * *

4 §300.2. Electric personal assistive mobility devices; operation; exceptions

5 A. Electric personal assistive mobility devices shall be authorized to operate
6 on sidewalks, bicycle paths, and highways with posted speed limits of ~~thirty-five~~
7 twenty-five miles per hour or less, except that any parish or municipal governing
8 authority may limit or prohibit the operation of such devices on any sidewalk,
9 bicycle path, or highway under its jurisdiction if such a prohibition or regulation is
10 necessary and in the interest of safety.

11 B. For purposes of this Section, the term "electric personal assistive mobility
12 device" shall mean a self-balancing two-, non-tandem wheeled device designed to
13 transport only one person at a time, with an electric propulsion system which limits
14 the maximum speed of the device to not more than ~~fifteen~~ twenty miles per hour. An
15 electric personal assistive mobility device shall not be considered a motor scooter,
16 an electric scooter, a vehicle, or a motor vehicle.

17 * * *

18 Section 3. R.S. 48:21(B), 163.1(A), (B), (D), (E)(introductory paragraph), (F), (G),
19 and (H) are hereby amended and reenacted and R.S. 48:1(24) is hereby enacted to read as
20 follows:

21 §1. Terms defined

22 For purposes of this Chapter, the following terms have the meanings ascribed
23 to them by this Section, except where the context clearly indicates otherwise:

24 * * *

25 (24) "Bicycle facility" means any physical facility provided for the exclusive
26 or semi-exclusive use of bicycles. This includes but is not limited to unmarked
27 shared roadways, marked shared roadways, bicycle lanes, shared use trails, and end
28 of trip facilities.

29 * * *

§21. Functions

* * *

B. ~~The department may construct and maintain within the right-of-way right-of-way of any state highway or section thereof bicycle paths facilities appropriate to the context of the roadway.~~ Before the construction of any such facilities the department must find and declare that the construction thereof is necessary in the public interest and will contribute to the safety of bicyclists and the motoring public. If such facilities are not included in new construction projects, the department shall document the reasons for the exclusion.

* * *

§163.1. Use of highway funds for bicycle paths facilities

A.(1) The department annually may expend a reasonable amount of the transportation trust fund for the establishment, construction, and maintenance of bicycle ~~paths~~ facilities. Bicycle ~~paths~~ facilities may be established wherever a highway, road, or street is being constructed, reconstructed, ~~or~~ relocated, or as separate projects, unless the department determines the following:

(a) The roadway is one on which the presence of bicyclists and pedestrians is prohibited by law.

(b) The cost of providing bicycle facilities would be excessively disproportionate to the need or probable use. "Excessively disproportionate" is defined as exceeding twenty percent of the cost of the project.

(c) There is a sparsity of population which demonstrates absence of need or
prudence, or future development is not anticipated.

(2) 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. Retrofits, including but not limited to narrowing lanes, restriping, and other general improvements, shall be considered in conjunction with preservation projects.

(3) When population levels and development demonstrates that bicycle facilities would fill a need and construction of the facility would require right-of-way

acquisition, utility relocation, or major construction, the department shall work with a municipality or parish to identify funding for the facility as a separate project.

(4) Maintenance of sidewalks and bicycle facilities outside the limits of the curb or shoulder shall be the responsibility of the municipality or parish. Maintenance agreements shall be required.

B. Any municipality or parish may expend a reasonable amount of funds received from the parish transportation fund for the establishment, construction, and maintenance of bicycle ~~paths~~ facilities.

* * *

D. The amount expended by the department as permitted by this Section shall ~~may never in any one fiscal year be more than~~ at least one percent of the total funds appropriated to the transportation trust fund in any given fiscal year.

E. Any municipality or parish which receives funds from the parish transportation fund may expend at least one percent of those funds for the establishment of bicycle paths and facilities. However,

* * *

F. The department shall recommend construction standards for bicycle paths facilities.

G. The department shall provide a uniform system of marking bicycle ~~paths~~ facilities in accordance with the Manual on Uniform Traffic Control Devices, such system to be used on all ~~paths~~ facilities under the jurisdiction of the department and municipalities and parishes.

H. The department and municipalities and parishes shall restrict the use of bicycle ~~paths~~ facilities under their respective jurisdictions to pedestrians and nonmotorized vehicles, except for electric personal assistive mobility devices where such devices do not pose a hazard to the device users or other users of the facility.

1 Section 4. R.S. 32:197(C) and R.S. 48:163.1(C) are hereby repealed in their entirety.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____