



**Substitute Senate Bill No. 735**

**Public Act No. 09-154**

**AN ACT IMPROVING BICYCLE AND PEDESTRIAN ACCESS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. (NEW) (*Effective July 1, 2009*) (a) For the purposes of this section:

(1) "Department" means the Department of Transportation;

(2) "Funds" means any funds from the Special Transportation Fund, bond allocations and any other source that is available for the construction, maintenance and repair of roads in this state;

(3) "User" means a motorist, transit user, pedestrian or bicyclist;

(4) "Bikeway" means any road, street, path or way which in some manner is specifically designated for bicycle travel, including the provision of a bicycle lane, regardless of whether such facility is designated for the exclusive use of bicycles or is to be shared with other modes of transportation; and

(5) "Total project cost" means the cost of the entire corridor plan project.

(b) Accommodations for all users shall be a routine part of the

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planning, design, construction and operating activities of all highways, as defined in section 14-1 of the general statutes, in this state.

(c) From funds received by the department or any municipality for the construction, restoration, rehabilitation or relocation of highways, roads or streets, a reasonable amount shall be expended to provide facilities for all users, including, but not limited to, bikeways and sidewalks with appropriate curb cuts and ramps. On and after October 1, 2010, not less than one per cent of the total amount of any such funds received in any fiscal year shall be so expended. The department or municipality shall take future transit expansion plans into account where appropriate. Notwithstanding the provisions of this subsection, such provisions shall not apply in the event of a state or municipal transportation emergency.

(d) The provision of facilities pursuant to subsection (c) of this section shall not be required if the Commissioner of Transportation or a municipal legislative body determines, with respect to a highway, road or street that: (1) Nonmotorized usage is prohibited; (2) there is a demonstrated absence of need; (3) the accommodation of all users would be an excessively expensive component of the total project cost; or (4) the accommodation of all users is not consistent with the state's or such municipality's, respectively, program of construction, maintenance and repair.

Sec. 2. (NEW) (*Effective July 1, 2009*) (a) There is established a Connecticut Bicycle and Pedestrian Advisory Board which shall be within the Department of Transportation for administrative purposes only.

(b) The board shall consist of eleven members appointed as follows: The Governor shall appoint five members and the speaker of the House of Representatives, the president pro tempore of the Senate, the majority leader of the House of Representatives, the majority leader of

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the Senate, the minority leader of the House of Representatives and the minority leader of the Senate shall each appoint one member. The members shall be electors of the state and have a background and interest in issues pertaining to walking and bicycling, one of whom shall be a representative of an organization interested in the promotion of bicycling, one of whom shall be a representative of an organization interested in the promotion of walking, one of whom shall be an owner or manager of a business engaged in the sale or repair of bicycles, one of whom shall be a representative of visually-impaired persons, one of whom shall be a representative of mobility-impaired persons, one of whom shall be a representative of transit workers and one of whom shall be a person sixty years of age or older.

(c) All members shall serve for a term of four years, except that of the members first appointed by the Governor, three members shall serve for an initial term of two years and two members shall serve for an initial term of three years. Any vacancy in the membership of the board shall be filled by the appointing authority for the unexpired term. Members shall receive no compensation for their services.

(d) The board shall, at its first meeting and annually thereafter, select a chairperson, vice-chairperson and secretary from among its members. The board shall meet at least once during each calendar quarter and at such other times as the chairperson deems necessary or upon the request of a majority of the members.

(e) The duties of the board shall include, but not be limited to, examining the need for bicycle and pedestrian transportation, promoting programs and facilities for bicycles and pedestrians in this state, and advising appropriate agencies of the state on policies, programs and facilities for bicycles and pedestrians.

(f) The board may apply for and accept grants, gifts and bequests of funds from other states, federal and interstate agencies, independent

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authorities and private firms, individuals and foundations, for the purpose of carrying out its responsibilities.

(g) The Department of Transportation shall assist the board in carrying out its responsibilities by making available department reports and records related to the board's responsibilities and, within available appropriations, printing the board's annual report, distributing copies of such report and mailing notices of the board's meetings.

(h) Not later than January 15, 2010, and annually thereafter, the board shall submit a report, in accordance with section 11-4a of the general statutes, to the Governor, the Commissioner of Transportation and the joint standing committee of the General Assembly having cognizance of matters relating to transportation on (1) the progress made by state agencies in improving the environment for bicycling and walking in this state, (2) recommendations for improvements to state policies and procedures related to bicycling and walking, and (3) specific actions taken by the Department of Transportation in the preceding year that affect the bicycle and pedestrian environment.

Sec. 3. (*Effective July 1, 2009*) On or before October 1, 2009, and on or before October 1, 2010, the Commissioner of Transportation shall submit (1) to the joint standing committee of the General Assembly having cognizance of matters relating to transportation, and (2) to the Connecticut Bicycle and Pedestrian Advisory Board established by section 2 of this act, a list of transportation projects funded by the Special Transportation Fund established by section 13b-68 of the general statutes or Title 23 of the United States Code, including, but not limited to, the Interstate Maintenance Program, the National Highway Safety Program, the Congestion Mitigation and Air Quality Program and the Transportation Enhancement Program, which contain bicycle and pedestrian access. Such list shall include the project title, project scope, funding source, description and cost of the bicycle

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or pedestrian component of the project, and estimated time frame for completion of the project.

Approved June 30, 2009