Offered by:
SEN. DEFRONZO, 6th Dist.
SEN. LEBEAU, 3rd Dist.
REP. GUERRERA, 29th Dist.
REP. KEHOE, 31st Dist.

To: Subst. Senate Bill No. 735  
File No. 394  
Cal. No. 302

"AN ACT IMPROVING BICYCLE AND PEDESTRIAN ACCESS."

Strike everything after the enacting clause and insert in lieu thereof the following:

"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 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, provided in no event shall less than one per cent of the total amount of funds received in any fiscal year be so expended. The department or municipality shall take future transit expansion plans into account where appropriate.

(d) The provision of facilities pursuant to subsection (c) of this section shall not be required if the Commissioner of Transportation or the municipal chief executive demonstrates and documents with respect to a highway, road or street that: (1) Nonmotorized usage is prohibited; (2) there is a demonstrated absence of need; or (3) the accommodation of all users would be an excessively expensive component of the total project cost.

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
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 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
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, printing the board's annual report and 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. (NEW) (Effective July 1, 2009) On and after July 1, 2009, at least five per cent of any funds received by the state from the federal government under the highway safety improvement program shall be dedicated by the Commissioner of Transportation to projects eligible for such funds that address bicycle and pedestrian needs, including, but not limited to: (1) Safe routes to transit programs that improve pedestrian and bicycle access to transit, (2) safe routes to schools programs that improve safety on walking and bicycling routes to schools, (3) safe routes for seniors programs that improve pedestrian access to senior centers, senior housing and other locations frequented by elderly persons, and (4) safe streets and traffic calming programs that eliminate hazards and address safety deficiencies for bicyclists and pedestrians.

Sec. 4. (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 or pedestrian component of the project, and estimated time frame for completion of the project."

<table>
<thead>
<tr>
<th>Section</th>
<th>Effect Date</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sec. 1</td>
<td>July 1, 2009</td>
<td>New section</td>
</tr>
<tr>
<td>Sec. 2</td>
<td>July 1, 2009</td>
<td>New section</td>
</tr>
<tr>
<td>Sec. 3</td>
<td>July 1, 2009</td>
<td>New section</td>
</tr>
<tr>
<td>Sec. 4</td>
<td>July 1, 2009</td>
<td>New section</td>
</tr>
</tbody>
</table>