

TESTIMONY ON REVISIONS TO CONNECTICUT RECREATIONAL USE STATUTE, PROPOSED
BILLS SB43, SB 90, AND HB5254

For presentation MON 14 FEB 2011, by Betty Boukus, Representative, 22nd District

I'm here to make a connection between railroads and cycling. They are wildly different modes of transportation, but they each have their place in America today. I'm here to ask you to help them coexist so that each can continue to thrive. Railroads have long been a part of what has made America great. Even with their greatly reduced presence, they will continue to play an important role in the balanced transportation system that will help this country remain great.

First, let me speak about cycling. It's a big thing with 50 million cyclists riding for fun, to get to work or to school, or to get healthy. They ride mostly on roads, but for the past 40 years, there has been a successful effort to develop multi-use trails separate from roads, making them safer and more enjoyable to use. To date, some 1,600 trails have been built along 20,000 miles of mostly abandoned rail lines. Today, these trails, along with backroads, are being built into a national bicycle route network that will one day result in every American living within 3 miles of such a route (that's about a 15 minute bike ride).

Second, let me tell you about the dream for such a trail in my town of Plainville. There are folks I represent there who have been working to build this trail, but who have been told it can never be done because there is active rail there. Make no mistake, they want the rail to remain active because it serves businesses who are their neighbors, and because they believe in the cost effectiveness of rail freight transportation. But, as one of them says, it is his dream to ride his bike from his home into the center of town, where the rail line is located, turn left and bike to Florida or right and bike to Maine. It won't happen soon enough for him, but there are over 200 such trails where the trail runs alongside active rail; they are called rails-with-trails. It's not necessary to describe here how that is done, but it is important to point out that the rails next to those trails are protected from legal liability occurring from misuse of the trail by an effective recreational use statute. (It may be helpful to note that historically, the presence of a trail alongside rails actually makes the RR right-of-way safer for RR operators than it is without the trail).

So, please, act to include railroads as one of the "landowners" who will be protected under any revised statute and to include cycling as one of the "recreational uses" permitted on the property of such landowners.

Thank you.