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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2011

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A N A C T

RELATING TO HIGHWAYS

Introduced By: Senators DiPalma, and Pichardo

Date Introduced: May 12, 2011

Referred To: Senate Housing & Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 24 of the General Laws entitled "HIGHWAYS" is hereby amended by
2 adding thereto the following chapter:

3 CHAPTER 16

4 SAFE ACCESS TO PUBLIC ROADS

5 **24-16-1. Legislative findings.** – It is hereby found and declared as follows:

6 (1) Rhode Island must provide for the consideration of safe travel by all users of the road
7 network, including motorists, pedestrians, bicyclists, and public transportation users, regardless of
8 age or ability, through the use of complete street design features for safe travel in the planning,
9 design, construction, reconstruction, and rehabilitation not including resurfacing, maintenance or
10 pavement recycling of all state, and local transportation facilities that are eligible for both federal
11 and state funding and are subject to department of transportation oversight.

12 **24-16-2. Complete street design.** – (a) When the State of Rhode Island constructs or
13 modifies roads and highways, the relative department must incorporate complete street design
14 features that facilitate safe travel by all users that expands upon currently accepted state and
15 federal design requirements to accommodate all users, including current and projected users,
16 particularly pedestrians, bicyclists and individuals of all ages and mobility capabilities. These
17 features of complete street design shall include, but not be limited to, sidewalks, paved shoulders
18 suitable for use by bicyclists, lane striping, bicycle lanes, share the road signage, crosswalks,
19 pedestrian control signalization, bus pull outs, curb cuts, raised crosswalks and ramps and traffic

1 calming measures.

2 (b) Exceptions to subsection (a) of this section shall be permissible only after the agency
3 with jurisdiction over the project, fully demonstrates, with supporting documentation which shall
4 be available to the public, that one of the following exists:

5 (1) Use by bicyclists and pedestrians is prohibited by law, such as within interstate
6 highway corridors; or

7 (2) The cost would be disproportionate to the need as determined by factors including,
8 but not limited to, the following: (i) Land use context; (ii) Current and projected traffic volumes
9 including non-motorized traffic; and (iii) population density; or

10 (3) Demonstrated lack of need as determined by factors, including, but not limited to: (i)
11 Land use; (ii) Current and projected traffic volumes including non-motorized traffic; and (iii)
12 population density.

13 **24-16-3. Reports.** – (a) No later than two (2) years after the effective date of this chapter,
14 the department of transportation shall publish a report showing how the department of
15 transportation agencies have complied with this section of highway law and changed their
16 procedures to institutionalize complete streets design features into planning, project scoping,
17 design and implementation of highway and road projects. The report shall include, but not be
18 limited to, a discussion of the review of and revisions to various guidance documents regarding
19 lane width, design speed, average daily traffic thresholds, level of service and roadway
20 classification. The report shall also show any best practices that the transportation agency utilized
21 in complying with section 24-16-2 of the highway law.

22 (b) In establishing such best practices, consideration shall be given to the procedures for
23 identifying the needs of the mix of users, including primary and secondary users and the
24 identification of barriers, and summary of the documentation required by subsection 24-16-2(b)
25 of the highway law regarding why the transportation agency could not comply with subsection
26 (a).

27 **24-16-4. Department of transportation consultation.** – (a) In the project development
28 process the department of transportation shall consult with transportation, land-use and
29 environmental officials, including representatives from:

30 (1) Counties, cities and towns;

31 (2) Metropolitan planning organizations;

32 (3) Public transit operators;

33 (4) Relevant state agencies; and

34 (5) Other relevant stakeholders, including, but not limited to, representatives from

1 [disability rights groups, aging groups, bicycle and pedestrian advocates, and developers.](#)

2 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO HIGHWAYS

1 This act would require the department of transportation to use complete street design
2 principles to accommodate the mobility needs of all users and would request the department of
3 transportation to publish a report showing how the agency has complied with the requirements.

4 This act would take effect upon passage.

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