

Complete Streets Legislative Draft – 12/10/09

SECTION 1: DEFINITIONS

“Complete streets” defined: “Complete streets” mean highways, streets or roads that are designed and operated to enable safe, comfortable and convenient access along and across the traveled way for all users regardless of age or ability.

"Department" defined: "Department" refers to the Indiana department of transportation established under IC 8-23-2-1.

“Highway, street or road” defined: “Highway, street or road” means a public way for purposes of motor vehicle, transit, bicycle or pedestrian travel, including the entire area within the traveled way.

“Motor vehicle” defined: “Motor vehicle” means a car, truck, tractor, semi-trailer, bus, transit vehicle, motorcycle or another self-propelled or motor driven vehicle that is operated upon a highway, street or road.

“Motorist” defined: “Motorist” means an individual who operates a motor vehicle.

“Transit vehicle” defined: “Transit vehicle” means a motor vehicle used for the purpose of transporting passengers for hire.

“User” defined: “User” means a motorist, pedestrian, bicyclist or transit vehicle passenger.

SECTION 2: PLANNING, DESIGN, CONSTRUCTION AND OPERATION OF COMPLETE STREETS

Except as provided in subsection X , the department shall incorporate complete streets into the planning, design, construction and operation of any new highway, street or road construction or reconstruction project, facility, plan or program funded in whole or in part with any state or federal funds.

The department shall incorporate technical guidance for the planning, design, construction and operation of complete streets into:

- (1) any new; and
- (2) within one year from the effective date of this chapter, any existing; highway, street or road design guidelines and manuals.

The department may adopt rules under IC 4-22-2 necessary to implement this chapter.

SECTION 3: EXCEPTIONS

Incorporation of complete streets for one or more users shall not be required for highway, street or road construction or reconstruction projects, facilities, plans or programs in the following circumstances:

1. Where non-motorized usage is prohibited by law;
2. Where the cost would be excessively disproportionate to the need or probable use; or
3. Where there is a demonstrated absence of present or future need.

SECTION 4: IMPLEMENTATION REPORTING

Not later than November 1, 2011 the department shall prepare a report for review by the general assembly describing how the department and other transportation agencies under its jurisdiction have changed their policies, procedures, manuals and other technical guidance documents to routinely incorporate complete streets in the planning, design, construction and operation of highway, street or road construction or reconstruction projects, facilities, plans or programs funded in whole or in part with any state or federal funds.

Not later than November 1, 2012, and November 1 of each successive year through 2016, the department shall prepare a report for review by the general assembly:

- (1) listing all ongoing highway, street and road construction or reconstruction projects under the department's jurisdiction; and
- (2) describing how complete streets have been incorporated into the planning, design, construction and operation of all such construction or reconstruction projects.