

Legislative Analysis



TRANSPORTATION: COMPLETE STREETS POLICIES

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House Bill 6151

Sponsor: Rep. Jon Switalski

House Bill 6152

Sponsor: Rep. Pam Byrnes

Committee: Transportation

Complete to 6-4-10

A SUMMARY OF HOUSE BILLS 6151 AND 6152 AS INTRODUCED 5-6-10

House Bill 6151 would amend of 1951 PA 51, the act which governs the distribution of funding for most transportation programs in the state, by adding new Section 10p. The new section would require the Michigan Department of Transportation and local road agencies to adopt *Complete Streets* policies. A companion bill, House Bill 6152, would amend the Michigan Planning Enabling Act (2008 PA 33) to require consideration of utilities and transportation as part of a master plan adopted or amended by cities, villages, townships, or counties.

BACKGROUND INFORMATION:

Complete Streets is a design or planning principle. According to the National Complete Streets Coalition, *Complete Streets* are designed and operated to enable safe access for all users, including pedestrians, bicyclists, motorists and transit riders of all ages and abilities. The Coalition's website indicates that "Instituting a complete streets policy ensures that transportation agencies routinely design and operate the entire right of way to enable safe access for all users. Places with complete streets policies are making sure that their streets and roads work for drivers, transit users, pedestrians, and bicyclists, as well as for older people, children, and people with disabilities."

Legislation to require *Complete Streets* policy on federally funded streets and highways was introduced in Congress as H.R. 1443 and S. 583.

The current year State transportation budget act, 2009 PA 116, includes a boilerplate section, Section 399, indicating legislative intent that the Michigan Department of Transportation, and local road agencies that receive state appropriations, develop and adopt *Complete Streets* policies.

DETAILED ANALYSIS:

House Bill 6151

House Bill 6151 would amend 1951 PA 51, the act which governs the distribution of funding for most transportation programs in the state, by adding new Section 10p to require the adoption of *Complete Streets* policies.

The bill would require the Michigan Department of Transportation, local road agencies, and municipalities, that receive appropriations under Public Act 51 to adopt *Complete Streets* policies no later than two years after the effective date of the enacted bill. The bill defines a *Complete Streets* policy as a state or local law, ordinance, or policy that ensures both the adequate accommodation of all users of transportation systems, and the consideration of the safety and convenience of all users [of transportation systems] in all phases of project planning and development. The bill would provide for project-specific exemptions from applicable *Complete Streets* policies based on certain criteria.

The bill would establish a *Complete Streets Advisory Council*.

The bill would also allow local road agencies and municipalities to contract with each other for the maintenance of streets.

House Bill 6152

House Bill 6152, would amend the Michigan Planning Enabling Act (2008 PA 33) to require consideration of utilities and transportation as part of a master plan adopted or amended by cities, villages, townships, or counties. Specifically, the bill would require, beginning January 1, 2016, the transportation system element of a master plan to address the following:

- The level of service of all streets in the local unit of government, classified by type and function, and recommendations for any future changes to the street system and level of service.
- The mechanism for assessing, preventing, and mitigating the traffic and other impacts of large, traffic-generating land uses that may be developed along existing or proposed major street corridors.
- Major street corridor access management issues, proposed solutions to prevent traffic crashes and preserve street capacity, and proposed policies to prevent future traffic safety problems and remediate existing problems.
- Traffic noise along major street corridors, including proposed solutions and policies to limit noise.
- Pedestrian and bicycle access and service issues along all streets, the potential for new or expanded pedestrian facilities and bicycle lanes and pathways, and appropriate recommendations concerning a complete streets policy, context sensitive design, traffic calming techniques, and walkability and bikeability policies.

FISCAL IMPACT:

As noted above, House Bill 6151 would amend of 1951 PA 51 by adding new Section 10p to require the Michigan Department of Transportation and local road agencies to adopt *Complete Streets* policies. House Bill 6152, would amend the Michigan Planning Enabling Act (2008 PA 33) to require consideration of utilities and transportation as part of a master plan adopted or amended by cities, villages, townships, or counties.

To the extent that the bills impose new planning requirements, the bills could result in additional costs to the department and to local units of government. The amount of additional cost cannot readily be determined.

Local road agencies are already required to develop long-range plans. Section 14 of 1951 PA 51 mandates that county road commissions, cities, and villages develop biennial street programs based on long-range plans. Under federal law, the state is required to do long-range and statewide planning. To the extent that *Complete Streets* planning requirements can be incorporated into current planning processes, the additional costs may be marginal and potentially minimal.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.