

House File 59

HOUSE FILE
BY ISENHART

A BILL FOR

1 An Act providing for the adoption and implementation of
2 complete streets policies applicable to certain highway
3 projects.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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1 1 Section 1. NEW SECTION. 306E.1 Short title.
1 2 This chapter shall be known and may be cited as the "Iowa
1 3 Complete Streets Act".
1 4 Sec. 2. NEW SECTION. 306E.2 Definitions.
1 5 As used in this chapter, unless the context otherwise
1 6 requires:
1 7 1. "Agency" means the department, a regional or metropolitan
1 8 planning commission formed pursuant to chapter 28I, a county,
1 9 or a city.
1 10 2. "Complete street" means a roadway that accommodates all
1 11 users of the road including motorists, public transit users,
1 12 bicyclists, and pedestrians of all ages and abilities.
1 13 3. "Complete streets policy" means a resolution, ordinance,
1 14 statute, administrative rule, or statement of policy relating
1 15 to roads at the state, regional, or local level that ensures,
1 16 in all phases of highway project planning and development,
1 17 the adequate accommodation of all users of the road including
1 18 motorists, public transit users, bicyclists, and pedestrians of
1 19 all ages and abilities.
1 20 4. "Department" means the state department of
1 21 transportation.
1 22 5. "Director" means the director of transportation.
1 23 6. "Highway project" includes the planning, design, funding,
1 24 construction, reconstruction, resurfacing, maintenance, or
1 25 retrofitting of a highway or roadway.
1 26 Sec. 3. NEW SECTION. 306E.3 Complete streets policy ==
1 27 intent.
1 28 1. It is the intent of the general assembly that on or
1 29 before October 1, 2013, every agency having jurisdiction over
1 30 roads in the state or involved in planning for roads shall
1 31 develop and adopt a complete streets policy.
1 32 a. The policy of the department shall explicitly state
1 33 that all highway projects on primary roads shall ensure, in

1 34 all phases of project planning and development, the adequate
1 35 accommodation, safety, and convenience of all users of the road
2 1 in accordance with complete streets principles.

2 2 b. The policy of an agency other than the state shall
2 3 explicitly state that, beginning on the effective date of
2 4 the policy, all highway projects on roads under the agency's
2 5 jurisdiction in urban areas or within one mile of the corporate
2 6 limits of a city shall ensure, in all phases of project
2 7 planning and development, the adequate accommodation, safety,
2 8 and convenience of all users of the road in accordance with
2 9 complete streets principles.

2 10 2. A complete streets policy shall delineate a clear
2 11 procedure by which an agency may exempt a highway project from
2 12 the requirements of a policy adopted under subsection 1 for any
2 13 of the following reasons:

2 14 a. The project is on a road where nonmotorized travel is
2 15 prohibited by law.

2 16 b. The cost to achieve compliance with complete streets
2 17 policy would be excessively disproportionate to the need for or
2 18 probable use of the particular road as a complete street.

2 19 c. The director or the governing body recognizes that due
2 20 to very low population density or remote location, there is
2 21 an absence of present or future need for the development of a
2 22 complete street.

2 23 d. The purposes of the agency's complete streets policy
2 24 are adequately met by a network of complete streets already in
2 25 place in proximity to the road on which the highway project
2 26 will take place, provided that the existing network includes a
2 27 route for all users of the road that reasonably substitutes for
2 28 the route followed by the exempt road.

2 29 Sec. 4. NEW SECTION. 306E.4 Research, technical guidance,
2 30 and implementation assistance.

2 31 1. The department shall conduct ongoing research regarding
2 32 complete streets to assist regional and metropolitan planning
2 33 commissions, counties, and cities to develop, adopt, and
2 34 implement complete streets policies. On or before October 1,
2 35 2012, the director shall prepare and make available to all
3 1 regional and metropolitan planning commissions, counties, and
3 2 cities a report that describes the best practices by which
3 3 transportation agencies throughout the United States have
3 4 implemented complete streets principles. The director shall
3 5 update the report periodically as new, relevant information
3 6 becomes available, as determined by the department.

3 7 2. The department shall provide guidance to regional
3 8 or metropolitan planning commissions, counties, and cities
3 9 requesting assistance with the development or implementation
3 10 of a complete streets policy or the incorporation of complete
3 11 streets principles in community development and transportation
3 12 planning and highway projects.

3 13 Sec. 5. NEW SECTION. 306E.5 Complete streets fund.

3 14 A complete streets fund is created in the state treasury
3 15 under the control of the department. The fund shall consist of
3 16 any moneys appropriated by the general assembly and any other
3 17 moneys available to and obtained or accepted by the department
3 18 from the federal government or private sources for placement in
3 19 the fund. Section 8.33 does not apply to moneys in the fund.
3 20 Notwithstanding section 12C.7, interest or earnings on moneys

3 21 in the fund shall be credited to the fund. Moneys deposited
3 22 in the fund are appropriated to the department to be used to
3 23 facilitate complete streets projects on secondary roads and
3 24 municipal streets throughout the state.

3 25 EXPLANATION

3 26 This bill provides a mechanism for the implementation of
3 27 "complete streets" principles in highway projects undertaken
3 28 on Iowa roads.

3 29 The bill defines "complete street" as a roadway that
3 30 accommodates all users of the road including motorists, public
3 31 transit users, bicyclists, and pedestrians of all ages and
3 32 abilities.

3 33 The bill expresses the general assembly's intent that every
3 34 agency having jurisdiction over roads or involved in planning
3 35 for roads shall develop and adopt a complete streets policy
4 1 on or before October 1, 2013. Affected agencies include
4 2 the department of transportation, regional and metropolitan
4 3 planning commissions, counties, and cities. The complete
4 4 streets policy for the state shall apply to all highway
4 5 projects on primary roads, and the policies of other agencies
4 6 shall focus on roads in urban areas or within one mile of the
4 7 corporate limits of a city. All complete streets policies
4 8 shall contain a procedure by which an agency may exempt a
4 9 highway project from the agency's complete streets policy for
4 10 specific reasons stated in the bill.

4 11 The department of transportation is directed to provide
4 12 guidance to local agencies and conduct ongoing research
4 13 regarding complete streets to assist agencies formulating
4 14 complete streets policies. The director of transportation
4 15 is required to issue by October 1, 2012, and periodically
4 16 update, a report describing best practices of transportation
4 17 agencies in other states that have implemented complete streets
4 18 principles.

4 19 The bill creates a complete streets fund for deposit of
4 20 any federal, state, or private moneys available for purposes
4 21 of complete streets. Moneys deposited in the fund are
4 22 appropriated to the department of transportation to be used to
4 23 facilitate complete streets projects on secondary roads and
4 24 municipal streets.