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104TH CONGRESS
1ST SESSION

H. R. 1539

To amend title 23, United States Code, to provide a minimum level of funding for bicycle transportation facilities and pedestrian walkways, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 2, 1995

Mr. KENNEDY of Massachusetts (for himself, Mr. FROST, Mr. DELLUMS, Mr. MOAKLEY, Mr. KENNEDY of Rhode Island, Mr. BEILENSON, Mr. FATTAH, Mr. SABO, Mr. LIPINSKI, Mr. SKAGGS, Mr. GEJDENSON, and Mr. SERRANO) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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A BILL

To amend title 23, United States Code, to provide a minimum level of funding for bicycle transportation facilities and pedestrian walkways, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Bicycle and Pedestrian Transportation Improvement Act of 1995''.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds the following:

(1) The United States transportation system requires greater diversification in order for the country to retain and improve its economic competitiveness in relation with other nations.

(2) Bicycling and walking have been overlooked as modes of transportation by policymakers.

(3) It is possible and desirable to dramatically increase the number of persons who commute by bicycle or foot; since 54 percent of Americans live within 5 miles of their workplace and 75 percent live within 10 miles of their workplace and, of the over 100,000,000 bicycles owned by Americans, only 1 in 40 is used to commute to and from the workplace.

(4) A transportation system that includes facilities for bicycle and pedestrian transportation provides numerous advantages for commuters and the Nation as a whole, including reduced traffic congestion, reduced air pollution, reduced dependence on imported oil, increased conservation of nonrenewable resources of energy, reduced deaths and injuries due to accidents between pedestrians and cyclists on the one hand and motorized travelers on the other, increased health for those who travel by bicycle or foot, and improved preservation of natural habitats,

particularly environmentally sensitive areas such as wetlands.

(5) Traffic congestion is a serious threat to our Nation's economic well-being. In 1994, traffic in the 10 largest urban areas of the United States cost motorists $28,000,000,000 in wasted time and motor fuel. Traffic congestion currently causes over 2,000,000,000 hours in delays per year. Over the next 14 years, congestion will rise on highways by 400 percent and on urban thoroughfares by 120 percent.

(6) The transportation needs of many parts of the country cannot be met simply by expanding the size and number of roadways. In urban areas, one-half of all urban space is devoted to roads, parking spaces, and other motor vehicle facilities. Throughout the country, it is infeasible to meet increased travel demands by expanding existing roadways. For example, Interstate Route 95 between Miami and Orlando, Florida, would have to be expanded to a 40-lane highway to meet expected traffic flows by the year 2005.

(7) Motor vehicles contribute significantly to air pollution. Cars and trucks generate 80 percent of carbon dioxide emissions. The average automobile

emits 9 pounds of hydrocarbons and 62.5 pounds of carbon dioxide each year. Accordingly, reduced reliance on cars and trucks can contribute significantly to meeting the goals of the Clean Air Act.

(8) Diminished reliance on motor vehicles reduces America's reliance on foreign oil. Currently, approximately one-half of all oil used in the country is imported. Of that amount, 63 percent is used for transportation.

(9) Nationwide, 20 percent of fatalities on roadways involve pedestrians or bicyclists, and in cities, the figure is 50 percent.

(10) Constructing bicycle and pedestrian facilities is far less expensive than building new roadways. A one-mile stretch of bicycle and pedestrian path costs approximately $46,000. One mile of a 4-lane highway costs approximately $1,000,000.

(b) PURPOSES.—The purposes of this Act are as follows:

(1) To diversify the Nation's transportation system to enable it to remain efficient into the next century and to improve our Nation's ability to compete economically with other nations.

(2) To reduce deaths of and injuries to bicycle and pedestrian commuters.

(3) To reduce traffic congestion, air pollution, dependence on foreign oil, and development of natural environments.

SEC. 3. MINIMUM FUNDING LEVEL.

Section 217 of title 23, United States Code, is amended by redesignating subsection (j) as subsection (k) and by inserting after subsection (i) the following:

''(j) MINIMUM OBLIGATION REQUIREMENT.—Each State shall obligate in a fiscal year—

''(1) not less than 3 percent of the funds apportioned to the State in such fiscal year under sections 104(b)(2) and 104(b)(3) of this title for projects authorized by subsection (a);

''(2) not less than 3 percent of the funds apportioned to the State in such fiscal year under section 104(b)(1) of this title for projects authorized by subsection (b); and

''(3) not less than 3 percent of the funds made available to the State in such fiscal year for forest highways, forest development roads and trails, public lands development roads and trails, park roads, parkways, Indian reservation roads, and public lands highways for projects authorized by subsection (c).''.

SEC. 4. RIGHT-OF-WAY ACQUISITION.

Section 109(f) of title 23, United States Code, is amended by striking ''bikeways'' and inserting ''bicycle and pedestrian facilities''.

SEC. 5. PROTECTION OF EXISTING BICYCLE AND PEDESTRIAN TRAFFIC.

Section 109(n) of title 23, United States Code, is amended—

(1) by inserting '', including bridge projects,'' after ''title'';

(2) by inserting '', reduction,'' after ''severance''; and

(3) by striking ''major'' and inserting ''or potential''.

SEC. 6. HAZARD ELIMINATION.

Section 152(a) of title 23, United States Code, is amended by inserting after ''motorists'' the following: '', bicyclists,''.

SEC. 7. OTHER USES.

Section 217(h)(3) of title 23, United States Code, is amended by inserting ''and electric golf carts'' after ''motorized wheelchairs''.

SEC. 8. NATIONAL HIGHWAY SAFETY ADVISORY COMMITTEE.

The third sentence of section 404(a)(1) of title 23, United States Code, is amended by inserting ''of bicyclists and pedestrians,'' after ''owners,''.

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