

118TH CONGRESS
2D SESSION

S. 3670

To require States to establish complete streets programs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 25, 2024

Mr. MARKEY (for himself, Mr. BLUMENTHAL, Mr. WARNOCK, and Mr. HEINRICH) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To require States to establish complete streets programs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Complete Streets Act
5 of 2024”.

6 **SEC. 2. COMPLETE STREETS PROGRAM.**

7 (a) DEFINITIONS.—In this section:

8 (1) COMPLETE STREET.—The term “complete
9 street” means a public road that provides safe and
10 accessible options for multiple travel modes for peo-

1 ple of all ages, abilities, and disabilities, including
2 modes such as walking, cycling, transit, mobility de-
3 vices, automobiles, and freight.

4 (2) COMPLETE STREETS POLICY.—The term
5 “complete streets policy” means a complete streets
6 policy adopted by an eligible entity under subsection
7 (d)(1).

8 (3) COMPLETE STREETS PRINCIPLE.—The term
9 “complete streets principle” means a principle at the
10 local, State, or regional level that ensures—

11 (A) the safe and adequate accommodation,
12 in all phases of project planning and develop-
13 ment, of all users of the transportation system,
14 including pedestrians, bicyclists, public transit
15 users, children, older individuals, individuals
16 with disabilities, motorists, and freight vehicles;
17 and

18 (B) the consideration of the safety and
19 convenience of all users of the transportation
20 system in all phases of project planning and de-
21 velopment.

22 (4) COMPLETE STREETS PRIORITIZATION
23 PLAN.—The term “complete streets prioritization
24 plan” means a complete streets prioritization plan

1 developed by an eligible entity under subsection
2 (f)(1).

3 (5) COMPLETE STREETS PROGRAM.—The term
4 “complete streets program” means a complete
5 streets program established by a State under sub-
6 section (b)(1).

7 (6) ELIGIBLE ENTITY.—The term “eligible enti-
8 ty” means—

- 9 (A) a unit of local government;
- 10 (B) a regional planning organization;
- 11 (C) a metropolitan planning organization;
- 12 (D) a transit agency;
- 13 (E) a natural resource or public land agen-
14 cy;
- 15 (F) a Tribal government;
- 16 (G) a nonprofit entity; or
- 17 (H) any other local or regional govern-
18 mental entity, other than a State agency, with
19 responsibility for or oversight of transportation
20 or recreational trails that the State in which the
21 project will occur determines to be eligible, con-
22 sistent with the goals of this section.

23 (7) METROPOLITAN PLANNING ORGANIZA-
24 TION.—The term “metropolitan planning organiza-

1 tion” means a metropolitan planning organization
2 designated under—

(A) section 134 of title 23, United States
Code; or

(B) section 5303 of title 49, United States
Code.

(8) SECRETARY.—The term “Secretary” means the Secretary of Transportation.

9 (9) STATE.—The term “State” means—

10 (A) any of the 50 States;

11 (B) the District of Columbia;

12 (C) Puerto Rico;

13 (D) American Samoa;

14 (E) the Commonwealth of the Northern
15 Mariana Islands;

16 (F) Guam; and

17 (G) the United States Virgin Islands.

18 (b) ESTABLISHMENT.—

24 (A) technical assistance for a project to de-
25 sign and construct a project included in the

1 complete streets prioritization plan of the eligi-
2 ble entity under subsection (f)(5); and

3 (B) grants for the design and construction
4 of complete streets under subsection (g).

5 (2) FUNDING.—Not later than October 1 of the
6 third full fiscal year that begins after the date of en-
7 actment of this Act, each State shall begin to pro-
8 vide grants for the design and construction of com-
9 plete streets under subsection (g)(1).

10 (3) GOALS.—The goals of a complete streets
11 program are—

12 (A) to provide technical assistance and in-
13 centives for the development and adoption of
14 complete streets policies;

15 (B) to encourage eligible entities to adopt
16 a strategic and comprehensive approach for the
17 development of complete streets;

18 (C) to facilitate better pedestrian, bicycle,
19 and public transit travel for users of all ages
20 and abilities by addressing critical gaps in pe-
21 destrian, bicycle, and public transit infrastruc-
22 ture;

23 (D) to distribute funding to reward eligible
24 entities that have committed to adopting com-

1 plete streets benchmarks developed by the Sec-
2 retary under subsection (c); and

3 (E) to ensure that underserved municipali-
4 ties, neighborhoods, rural areas, Tribal areas,
5 territorial communities, and people, including
6 low-income people and communities of color, are
7 served equitably by the complete streets pro-
8 gram.

9 (c) COMPLETE STREETS BENCHMARKS AND GUID-
10 ANCE.—

11 (1) IN GENERAL.—Not later than 1 year after
12 the date of enactment of this Act, the Secretary
13 shall develop and make available to States and eligi-
14 ble entities benchmarks and guidance by which—

15 (A) States can carry out complete streets
16 programs;

17 (B) eligible entities can carry out complete
18 streets policies and complete streets principles;
19 and

20 (C) eligible entities can evaluate the effec-
21 tiveness of complete streets projects.

22 (2) FOCUS.—The benchmarks and guidance de-
23 veloped and made available under paragraph (1)
24 shall—

- 1 (A) be designed to result in the establish-
2 ment of methods of effectively carrying out a
3 complete streets policy, a complete streets pro-
4 gram, and complete streets principles, as appli-
5 cable;
- 6 (B) focus on modifying scoping, design,
7 and construction procedures to more effectively
8 combine modes of transportation into integrated
9 facilities that meet the needs of each of those
10 modes of transportation in an appropriate bal-
11 ance;
- 12 (C) indicate the expected operational and
13 safety performance of alternative approaches to
14 facility design; and
- 15 (D) suggest design options specific to road
16 classifications, land use, traffic volume, and
17 speed.
- 18 (3) TOPICS OF EMPHASIS.—In developing the
19 benchmarks and guidance under paragraph (1), the
20 Secretary shall—
- 21 (A) emphasize—
- 22 (i) procedures for identifying the
23 needs of users of all ages and abilities of
24 a particular roadway;

(ii) procedures for identifying the types and designs of facilities needed to serve each class of users;

(iii) safety and other benefits provided by carrying out complete streets principles;

(iv) common barriers to carrying out complete streets principles;

(v) procedures for overcoming the most common barriers to carrying out complete streets principles;

(vi) procedures for identifying the costs associated with carrying out complete streets principles;

(vii) procedures for maximizing local cooperation in the introduction of complete streets principles and carrying out those principles; and

(viii) procedures for assessing and modifying the facilities and operational characteristics of existing roadways to improve consistency with complete streets principles; and

(B) take into consideration findings of the National Complete Streets Assessment of the Federal Highway Administration.

5 (d) COMPLETE STREETS POLICIES.—

10 (A) the State of the eligible entity; or

16 (i) under which the State agrees—

(ii) that establishes guidelines for approval of a complete streets policy as required under subsection (e)(2).

12 (A) include a description of—

(iii) how the complete streets policy

will apply to all projects and phases of projects that affect the streets under the complete streets policy, including reconstruction, new construction, planning, design, maintenance, and operations, for the entire street;

(iv) how the development of complete streets infrastructure will improve safety for all road users in underserved neighborhoods, including any feedback from affected communities;

(v) any exceptions to the complete streets policy, including a clear procedure for the approval of those exceptions, as described in paragraph (4);

(vi) the jurisdiction in which the complete streets policy applies; and

(vii) the steps necessary for implementation of the complete streets policy;

(B) encourage a comprehensive, integrated, and connected network for all modes of transportation;

(C) benefit users of all abilities;

10 (F) recognize the need for flexibility in bal-
11 ancing user needs;

(G) be context sensitive and complement
the community, including consideration of—

14 (i) the urban, suburban, or rural loca-
15 tion in which a project is located;

16 (ii) land use; and

19 (H) establish performance standards with
20 measurable outcomes to ensure that the com-
21 plete streets infrastructure complies with com-
22 plete streets principles;

1 (J) comply with public right-of-way acces-
2 sibility guidelines; and

3 (K) except as provided in paragraph (4),
4 require the complete streets policy to apply to
5 new road construction and road modification
6 projects, including design, planning, construc-
7 tion, reconstruction, rehabilitation, mainte-
8 nance, and operations, for the entire right-of-
9 way under the jurisdiction of the complete
10 streets policy.

11 (4) EXEMPTION REQUIREMENTS AND PROCE-
12 DURES.—A complete streets policy shall allow for a
13 project-specific exemption from the complete streets
14 policy if—

15 (A) the roadway affected by the project
16 may not, under applicable law, be used by cer-
17 tain types of users, in which case the eligible
18 entity shall make a greater effort to accommo-
19 date the types of users elsewhere by providing
20 the most efficient routing and accessibility for
21 those road users;

22 (B) the cost of the project to comply with
23 the complete streets policy would be excessively
24 disproportionate (as defined in the document of
25 the Department of Transportation entitled “De-

1 sign Guidance Accommodating Bicycle and Pe-
2 destrian Travel: A Recommended Approach”
3 and required under section 1202(b) of the
4 Transportation Equity Act for the 21st Century
5 (23 U.S.C. 217 note; Public Law 105–178))
6 compared to the need, particular use of the af-
7 fected roadway, or prevalence of serious or fatal
8 crashes on that roadway;

9 (C) the existing and expected population,
10 employment density, or level of transit service
11 on and around the affected roadway is so low
12 that the expected users of the affected roadway
13 will not include pedestrians or other vulnerable
14 road users; or

15 (D) there are complete streets principles
16 fulfilled on a parallel corridor connected to an
17 area that is not more than 0.25 mile away for
18 pedestrians and not more than 1.5 miles away
19 for bicyclists, providing a complete streets net-
20 work.

21 (5) GUIDANCE.—The Secretary shall establish
22 guidance for a State or metropolitan planning orga-
23 nization to evaluate and approve a complete streets
24 policy of an eligible entity.

25 (6) REPORTS.—

19 (e) CERTIFICATION.—

1 portation submit a report to the Secretary that de-
2 scribes—

3 (A) the complete streets program of the
4 State;

5 (B) the plan to carry out the complete
6 streets program of the State; and

7 (C) the degree of involvement of eligible
8 entities within the State in developing and car-
9 rying out the complete streets program of the
10 State.

11 (2) MINIMUM STANDARDS FOR COMPLETE
12 STREETS POLICIES.—

13 (A) ESTABLISHMENT.—Not later than Oc-
14 tober 1 of the first full fiscal year that begins
15 after the date of enactment of this Act, the Sec-
16 retary shall establish minimum requirements
17 for the certification of an eligible entity by a
18 State or metropolitan planning organization
19 that describes—

20 (i) the minimum standards for a com-
21 plete streets policy that allows an eligible
22 entity to receive a grant under subsection
23 (g)(1); and

24 (ii) a method for a State or metropoli-
25 tan planning organization to certify that

1 the complete streets policy of an eligible
2 entity meets the minimum requirements
3 required by the Secretary under clause (i).

4 (B) LACK OF CERTIFICATION BY STATE OR

5 MPO.—If the State or metropolitan planning or-
6 ganization does not certify the complete streets
7 policy of an eligible entity, the eligible entity—

8 (i) may not participate in the grant
9 program under subsection (g)(1); but

10 (ii) may use the complete streets pol-
11 icy for local purposes.

12 (3) REPORT.—Not later than October 1 of the
13 fourth fiscal year that begins after the date of enact-
14 ment of this Act, the Secretary shall submit to Con-
15 gress a report that describes—

16 (A) the evaluation and certification method
17 established under paragraph (1);

18 (B) the status of activities for adopting
19 and carrying out complete streets programs by
20 States;

21 (C) the tools and resources provided by the
22 Secretary to States to assist with adopting and
23 carrying out complete streets programs by
24 States; and

(D) other measures carried out by the Secretary to encourage the adoption of complete streets policies by eligible entities.

4 (f) COMPLETE STREETS PRIORITIZATION PLAN.—

(A) to improve safety, mobility, or accessibility of a street;

14 (B) that identifies—

20 (C) that aligns with local infrastructure
21 plans and roadway maintenance schedules; and

1 (2) REQUIREMENTS.—In developing a complete
2 streets prioritization plan, an eligible entity shall
3 prioritize projects based on the extent to which
4 projects intended to be included in the complete
5 streets prioritization plan improve—
6 (A) safety;
7 (B) pedestrian mobility;
8 (C) bicycle mobility;
9 (D) public transit operations and access;
10 (E) micromobility service operations and
11 access, including shared bicycle and scooter
12 services;
13 (F) vehicular operations;
14 (G) freight operations;
15 (H) air quality;
16 (I) connections and access to jobs and
17 services for low-income people, communities of
18 color, and people who rely on public transit;
19 and
20 (J) any other factor the Secretary deter-
21 mines to be necessary.

22 (3) INCLUSION OF PROJECTS FROM EXISTING
23 PLANS.—In developing a complete streets
24 prioritization plan, an eligible entity may include a

1 project included in an existing local infrastructure
2 plan, including—

3 (A) a pedestrian or bicyclist safety plan;
4 (B) a complete streets plan in effect before
5 the date of enactment of this Act;

6 (C) a local roadway safety plan;
7 (D) a Vision Zero Action Plan;
8 (E) a transition plan described in section
9 35.150(d) of title 28, Code of Federal Regula-
10 tions (or successor regulations) (commonly
11 known as an ‘ADA Transition Plan’);

12 (F) a Tribal transportation safety plan;
13 (G) a comprehensive safety action plan (as
14 defined in section 24112(a) of the Infrastruc-
15 ture Investment and Jobs Act (23 U.S.C. 402
16 note; Public Law 117–58)); or
17 (H) any other safety plan, as determined
18 by the Secretary.

19 (4) APPROVAL.—A State or metropolitan plan-
20 ning organization shall approve of a complete streets
21 prioritization plan if the State or metropolitan plan-
22 ning organization determines that the complete
23 streets prioritization plan—

24 (A) meets the requirements of this section;
25 and

(B) meets the goals described in subsection (b)(3).

10 (g) GRANTS FOR COMPLETE STREETS INFRASTRUC-
11 TURE.—

19 (A) \$20,000,000; and

(B) 20 percent of the total amount of funding for the complete streets program of the State for the fiscal year.

23 (h) PRIORITY.—In selecting projects to receive grants
24 under this section, the State shall give priority to projects
25 on intersections and corridors in which nonmotorized

1 users are most vulnerable, based on the most recent data
2 and the evidence of risk.

3 (i) ACCESSIBILITY STANDARDS.—The Secretary and
4 the Attorney General shall update regulations of the De-
5 partment of Transportation and the Department of Jus-
6 tice, respectively—

7 (1) to adopt as accessibility standards the ac-
8 cessibility guidelines for pedestrian facilities in the
9 public right-of-way described in the final rule of the
10 Architectural and Transportation Barriers Compli-
11 ance Board entitled “Accessibility Guidelines for Pe-
12 destrian Facilities in the Public Right-of-Way” (88
13 Fed. Reg. 53604 (August 8, 2023)); and

14 (2) to include in those accessibility standards
15 provisions for vision, hearing, cognitive ability, and
16 language access.

17 (j) FUNDING.—For each fiscal year, each State shall
18 obligate to carry out the complete streets program of the
19 State—

20 (1) 5 percent of the funds apportioned to the
21 State under section 104(b) of title 23, United States
22 Code, in the case of a State described in subpara-
23 graph (A) or (B) of subsection (a)(9); or

24 (2) 5 percent of the funds apportioned to the
25 State under section 165 of title 23, United States

1 Code, in the case of a State described in subparagraph
2 (C) through (G) of subsection (a)(9).

3 **SEC. 3. SAFETY FOR USERS.**

4 Section 1442 of the FAST Act (23 U.S.C. 109 note;
5 Public Law 114–94) is amended by striking subsection (a)
6 and inserting the following:

7 “(a) IN GENERAL.—The Secretary shall require each
8 State and metropolitan planning organization to adopt
9 and implement standards for the design of Federal surface
10 transportation projects that provide for the safe and ade-
11 quate accommodation of all users of the surface transpor-
12 tation network, including motorized and nonmotorized
13 users, in all phases of project planning, development, and
14 operation.”.

15 **SEC. 4. COMPLETE STREETS DESIGN STANDARDS.**

16 Section 109 of title 23, United States Code, is
17 amended by adding at the end the following:

18 “(t) COMPLETE STREETS DESIGN STANDARDS.—

19 “(1) IN GENERAL.—Not later than 180 days
20 after the date of enactment of the Complete Streets
21 Act of 2024, the Secretary shall establish complete
22 streets design standards that include—

23 “(A) dedicated, protected bike lanes with
24 advancing levels of protective design, consistent

1 with the traffic speed, volume, and number of
2 lanes of the road;

3 “(B) requirements for sidewalks and cross-
4 walks consistent with public right-of-way acces-
5 sibility guidelines; and

6 “(C) guidelines for lighting and signaliza-
7 tion to promote safety.

8 “(2) INITIAL REQUIREMENT.—

9 “(A) IN GENERAL.—Beginning on the date
10 that is 2 years after the date of enactment of
11 the Complete Streets Act of 2024, any project
12 described in subparagraph (B) shall comply
13 with the complete streets design standards es-
14 tablished under paragraph (1).

15 “(B) PROJECTS DESCRIBED.—Except as
16 provided in paragraph (4), a project referred to
17 in subparagraph (A) is a new project—

18 “(i) on a Federal-aid highway that—

19 “(I) is within the boundaries of a
20 metropolitan planning area; and

21 “(II) has scheduled, fixed-route
22 transit service;

23 “(ii) that uses funds apportioned to a
24 State under section 104(b); and

1 “(iii)(I) for new construction or recon-
2 struction; or
3 “(II) with a total cost of more than
4 \$10,000,000.

5 “(3) SUBSEQUENT REQUIREMENT.—

6 “(A) IN GENERAL.—Beginning on the date
7 described in subparagraph (B), any project de-
8 scribed in subparagraph (C) shall comply with
9 the complete streets design standards estab-
10 lished under paragraph (1).

11 “(B) DATE DESCRIBED.—The date re-
12 ferred to in subparagraph (A) is, for each
13 State, the earlier of—

14 “(i) 5 years after the date of enact-
15 ment of the Complete Streets Act of 2024;

16 and

17 “(ii) the first statewide transportation
18 improvement program for the State that
19 begins after the deadline described in para-
20 graph (2)(A).

21 “(C) PROJECTS DESCRIBED.—Except as
22 provided in paragraph (4), a project referred to
23 in subparagraph (A) is a new project—

1 “(i) on a Federal-aid highway that is
2 within the boundaries of a metropolitan
3 planning area;

4 “(ii) that uses funds apportioned to a
5 State under section 104(b); and

6 “(iii)(I) for new construction or recon-
7 struction; or

8 “(II) with a total cost of more than
9 \$10,000,000.

10 “(4) EXEMPTIONS.—A project described in
11 paragraph (2)(B) or paragraph (3)(C) shall not in-
12 clude—

13 “(A) a limited access highway;

14 “(B) any portion of a signalized arterial
15 roadway adjacent to land that is zoned for
16 heavy industrial purposes, unless that portion
17 of the roadway has scheduled, fixed-route tran-
18 sit service;

19 “(C) a facility that has a documented ab-
20 sence of current and future need;

21 “(D) a facility for which a project that
22 complies with the complete streets design stand-
23 ards established under paragraph (1) is already
24 underway; or

1 “(E) a project for emergency repairs, ex-
2 cept that temporary accommodations for all
3 modes shall be made, to the extent practicable.

4 “(5) APPEALS.—

5 “(A) IN GENERAL.—If a State denies a
6 proposal by a metropolitan planning organiza-
7 tion to carry out a project to comply with the
8 complete streets design standards under para-
9 graph (1), the metropolitan planning organiza-
10 tion may submit to the applicable regional of-
11 fce of the Federal Highway Administration an
12 appeal.

13 “(B) SECONDARY REVIEW.—The metro-
14 politan planning organization may submit to
15 the headquarters office of the Federal Highway
16 Administration a request to review the deter-
17 mination of the regional office of the Federal
18 Highway Administration under subparagraph
19 (A).

20 “(6) REPORTING.—

21 “(A) IN GENERAL.—Not later than 2 years
22 after the date of enactment of the Complete
23 Streets Act of 2024 and every 2 years there-
24 after, each State shall submit to the Secretary
25 and make publicly available an inventory of the

1 highway system of the State that shows which
2 portions have ongoing and completed projects
3 that comply with the complete streets design
4 standards under paragraph (1).

5 “(B) Cost.—The Secretary shall make
6 publicly available, and update as appropriate, a
7 chart that shows the costs of complete streets
8 design elements in different contexts and for
9 different functional classifications.”.

○