HOUSE DOCKET, NO. 1917 FILED ON: 1/17/2013

HOUSE . . . . . No. 3091

The Commonwealth of Massachusetts

PRESENTED BY:

Jason M. Lewis

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relative to active streets and healthy communities.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Jason M. Lewis	*31st Middlesex*
Denise Provost	*27th Middlesex*
Ruth B. Balser	*12th Middlesex*
Paul McMurtry	*11th Norfolk*
Tom Sannicandro	*7th Middlesex*
Carl M. Sciortino, Jr.	*34th Middlesex*
Thomas M. Stanley	*9th Middlesex*
Kay Khan	*11th Middlesex*
Mary S. Keefe	*15th Worcester*
Lori A. Ehrlich	*8th Essex*
Jay R. Kaufman	*15th Middlesex*
Jonathan Hecht	*29th Middlesex*
John J. Lawn, Jr.	*10th Middlesex*
Alan Silvia	*7th Bristol*
John W. Scibak	*2nd Hampshire*
Dennis A. Rosa	*4th Worcester*
Benjamin Swan	*11th Hampden*
Chris Walsh	*6th Middlesex*

Gloria L. Fox	*7th Suffolk*
Aaron Vega	*5th Hampden*
Cheryl A. Coakley-Rivera	*10th Hampden*
James B. Eldridge	*Middlesex and Worcester*
Frank I. Smizik	*15th Norfolk*
Paul A. Schmid, III	*8th Bristol*
Carlos Henriquez	*5th Suffolk*
Cory Atkins	*14th Middlesex*
Kenneth I. Gordon	*21st Middlesex*
Martha M. Walz	*8th Suffolk*
Kate Hogan	*3rd Middlesex*

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By Mr. Lewis of Winchester, a petition (accompanied by bill, House, No. 3091) of Jason M. Lewis and others relative to establishing an active streets certification program within the Department of Transportation to encourage walking, cycling, and the use of public transportation in municipalities. Transportation.

The Commonwealth of Massachusetts

An Act relative to active streets and healthy communities.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. The General Laws as they appear in the official 2010 version are hereby amended by adding the following chapter:-

Chapter 90-I

Section 1. For the purposes of this chapter the following words shall have the following meanings: -

"Department", the department of transportation.

"Program", the active streets certification program.

"Complete streets", streets that provide accommodations for users of all transportation modes, including but not limited to, walking, cycling, public transportation, automobiles, and freight.

"Certified municipality", a municipality that has been certified by the department as specified in Section 3 of this act.

Section 2. The department shall establish an active streets certification program. The purpose of the program shall be to encourage municipalities to regularly and routinely include complete streets design elements and infrastructure on locally funded roads.

Section 3. To be certified as an active streets community, a municipality, in a city, the mayor or the city manager, and in a town, the board of selectmen, shall: (1) file an application with the department in a form and manner to be prescribed by the department; (2) adopt a complete streets bylaw, ordinance, or administrative policy in a manner which shall be approved

20 by the department including at least one public hearing; such policy shall, at a minimum, identify
21 the body, individual, or entity responsible for carrying out such policies; (3) coordinate with the
22 department to confirm the accuracy of the baseline inventory of pedestrian and bicycle
23 accommodations in order to prioritize projects based on the inventory; (4) identify procedures to
24 follow when conducting municipal road repairs, upgrades, or expansion projects on public rights-
25 of-way to incorporate complete streets elements; (5) confirm the existence of a review process
26 for all private development proposals to ensure complete streets components are incorporated
27 into new construction; and (6) set a municipal goal for an increased mode share for walking,
28 cycling, and public transportation where applicable to be met within five years and develop a
29 program to reach that goal; and (7) submit an annual progress report to the department. Certified
30 municipalities shall be eligible to receive funding as specified in Section 6 of this act.

31 Section 4. The department shall adopt rules, regulations or guidelines for the
32 administration and enforcement of this chapter, including, but not limited to, establishing
33 applicant selection criteria, funding priority, application forms and procedures, and other
34 requirements.

35 Section 5. There shall be an advisory committee to assist the department in developing
36 the rules, regulations or guidelines for the program, including the development of a model
37 complete streets bylaw or ordinance. The advisory committee shall comprise representatives
38 appointed by the Metropolitan Area Planning Council, the Massachusetts Association of
39 Regional Planning Agencies, the Massachusetts Department of Public Health, the Massachusetts
40 Municipal Association, the Massachusetts Bicycle Coalition, WalkBoston, and the Livable
41 Streets Alliance, and the Massachusetts Association of Chambers of Commerce Executives.

42 Section 6. Capital Funding

43 To provide for an active streets certification program for municipalities subject to the
44 conditions specified in Section 3 of this act, funds are hereby made available subject to the laws
45 regulating the disbursement of public funds-

46 1595-xxxx For an active streets certification program as established pursuant to Chapter
47 90-I of the General Laws, to be disbursed in the form of grants to certified municipalities for
48 complete streets infrastructure and planning, provided that the grants shall be administered by the
49 department……$10,000,000.

50 Section 7. The department shall annually, not later than April 1, submit a report detailing
51 the program's progress during the previous calendar year to the clerks of the senate and the
52 house of representatives, the joint committee on transportation, the joint committee on public
53 health, the senate committee on ways and means, and the house committee on ways and means.