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 adoption of the accompanying bill:

An Act relative to active streets and healthy communities.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Jason M. Lewis	*Fifth Middlesex*	*1/17/2013*
Denise Provost	*27th Middlesex*	*1/17/2013*
Ruth B. Balser	*12th Middlesex*	*1/17/2013*
Paul McMurtry	*11th Norfolk*	*1/17/2013*
Tom Sannicandro	*7th Middlesex*	*1/17/2013*
Carl M. Sciortino, Jr.	*34th Middlesex*	*1/17/2013*
Thomas M. Stanley	*9th Middlesex*	*1/17/2013*
Kay Khan	*11th Middlesex*	*1/17/2013*
Mary S. Keefe	*15th Worcester*	*1/17/2013*
Lori A. Ehrlich	*8th Essex*	*1/17/2013*
Jay R. Kaufman	*15th Middlesex*	*1/17/2013*
Jonathan Hecht	*29th Middlesex*	*1/17/2013*
John J. Lawn, Jr.	*10th Middlesex*	*1/17/2013*
Alan Silvia	*7th Bristol*	*1/17/2013*
John W. Scibak	*2nd Hampshire*	*1/17/2013*
Dennis A. Rosa	*4th Worcester*	*1/17/2013*
Benjamin Swan	*11th Hampden*	*1/17/2013*
Chris Walsh	*6th Middlesex*	*1/17/2013*

Gloria L. Fox	*7th Suffolk*	*1/17/2013*
Aaron Vega	*5th Hampden*	*1/17/2013*
Cheryl A. Coakley-Rivera	*10th Hampden*	*1/17/2013*
James B. Eldridge	*Middlesex and Worcester*	*1/17/2013*
Frank I. Smizik	*15th Norfolk*	*1/17/2013*
Paul A. Schmid, III	*8th Bristol*	*1/17/2013*
Carlos Henriquez	*5th Suffolk*	*1/17/2013*
Cory Atkins	*14th Middlesex*	*1/17/2013*
Kenneth I. Gordon	*21st Middlesex*	*1/17/2013*
Martha M. Walz	*8th Suffolk*	*1/17/2013*
Kate Hogan	*3rd Middlesex*	*1/17/2013*

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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

In the Year Two Thousand Thirteen

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

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

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

Section 6. Capital Funding

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

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

Section 7. The department shall annually, not later than April 1, submit a report detailing the program's progress during the previous calendar year to the clerks of the senate and the

house of representatives, the joint committee on transportation, the joint committee on public health, the senate committee on ways and means, and the house committee on ways and means.