

§ 2402. STATE POLICY

Except in the case of projects or project components involving unpaved highways, for all transportation projects and project phases managed by the Agency or a municipality, including planning, development, construction, or maintenance, it is the policy of this State for the Agency and municipalities, as applicable, to incorporate complete streets principles that:

(1) are both permanent and temporary, as necessary, for each project phase;

(2) prioritize underserved communities that have been historically harmed and segmented by the transportation network;

(3) serve individuals of all ages and abilities, including vulnerable users as defined in 23 V.S.A. § 4(81);

(4) follow best state-of-the-practice design guidance; and

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(a) Agency of Transportation funded, designed, or funded and designed projects shall seek to increase and encourage more pedestrian, bicycle, and public transit trips, with State goals to triple the distance traveled by walking, bicycling, and through taking public transit by 2030 and to promote intermodal access to the maximum extent feasible. These goals will help the State meet the transportation related recommendations outlined in the Comprehensive Energy Plan (CEP) issued under 30 V.S.A. § 202b and the recommendations of the Vermont Climate Action Plan (CAP) issued under 10 V.S.A. § 592.

(b) Except in the case of projects or project components involving unpaved highways, for all transportation projects and project phases managed by the Agency or a municipality, including planning, development, construction, or maintenance, it is the policy of this State for the Agency and municipalities, as applicable, to incorporate complete streets principles that:

(1) serve individuals of all ages and abilities, including vulnerable users as defined in 23 V.S.A. § 4(81);

(2) follow state-of-the-practice design guidance; and

<p><u>(5) are sensitive to the surrounding community, including current and planned buildings, parks, and trails and current and expected transportation needs.</u></p> <p><u>§ 2403. PROJECTS NOT INCORPORATING COMPLETE STREETS PRINCIPLES</u></p> <p><u>(a) State projects. A State-managed project shall incorporate complete streets principles unless the project manager makes a written determination, supported by documentation, that one or more of the following circumstances exist:</u></p> <p><u>(1) Use of the transportation facility by pedestrians, bicyclists, or other users is prohibited by law.</u></p> <p><u>(2) The cost of incorporating complete streets principles is grossly disproportionate to the need or probable use as determined by factors including land use, current and projected user volumes, population density, crash data, historic and natural resource constraints, and maintenance requirements. The Agency shall consult local and regional plans, as appropriate, in assessing these and any other relevant factors.</u></p> <p><u>(3) Incorporating complete streets principles is outside the limited scope of a maintenance project that does not involve the reconstruction of any infrastructure.</u></p> <p><u>(b) Municipal projects. A municipally managed project shall incorporate complete streets principles unless the municipality managing the project makes a written determination, supported by documentation, that one or more of the following circumstances exist:</u></p>	<p><u>(3) are sensitive to the surrounding community, including current and planned buildings, parks, and trails and current and expected transportation needs.</u></p> <p><u>§ 2403. PROJECTS NOT INCORPORATING COMPLETE STREETS PRINCIPLES</u></p> <p><u>(a) State projects. A State-managed project shall incorporate complete streets principles unless the project manager makes a written determination, supported by documentation, that one or more of the following circumstances exist:</u></p> <p><u>(1) Use of the transportation facility by pedestrians, bicyclists, or other users is prohibited by law.</u></p> <p><u>(2) The cost of incorporating complete streets principles is disproportionately to the need or probable use as determined by factors including land use, current and projected user volumes, population density, crash data, historic and natural resource constraints, and maintenance requirements. The Agency shall consult local and regional plans, as appropriate, in assessing these and any other relevant factors.</u></p> <p><u>(3) Incorporating complete streets principles is outside the limited scope of a project.</u></p> <p><u>(b) Municipal projects. A municipally managed project shall incorporate complete streets principles unless the municipality managing the project makes a written determination, supported by documentation, that one or more of the following circumstances exist:</u></p>	<p><u>(3) are sensitive to the surrounding community, including current and planned buildings, parks, and trails and current and expected transportation needs.</u></p> <p><u>§ 2403. PROJECTS NOT INCORPORATING COMPLETE STREETS PRINCIPLES</u></p> <p><u>(a) State projects. A State-managed project shall incorporate complete streets principles unless the project manager makes a written determination, supported by documentation, that one or more of the following circumstances exist:</u></p> <p><u>(1) Use of the transportation facility by pedestrians, bicyclists, or other users is prohibited by law.</u></p> <p><u>(2) The cost of incorporating complete streets principles is excessively disproportionate to the need or probable use as determined by factors including land use, current and projected user volumes, population density, crash data, historic and natural resource constraints, and maintenance requirements. The Agency shall consult local and regional plans, as appropriate, in assessing these and any other relevant factors. The project manager shall provide a written determination.</u></p> <p><u>(3) Incorporating complete streets principles is outside the limited scope of a project and there is a documented absence of a current and future need for enhanced access, as defined in the latest version of the Agency Complete Streets Guidance.</u></p> <p><u>(b) Municipal projects. A municipally managed project shall incorporate complete streets principles unless the municipality managing the project makes a written determination, supported by documentation, that one or more of the following circumstances exist:</u></p>
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(3) Incorporating complete streets principles is outside the limited scope of a maintenance project that does not involve the reconstruction of any infrastructure.

(c) Finality of determinations. The written determinations required by subsections (a) and (b) of this section shall be final and shall not be subject to appeal or further review.

(d) Posting of determinations. The written determinations required by subsections (a) and (b) of this section shall be posted to the municipality’s website, in the case of a municipally managed project, and a page on the Agency of Transportation’s website dedicated to complete streets, in the case of a State- or municipally managed project.

§ 2404. ANNUAL REPORT; PUBLIC DATABASE

(a) Annual report. Notwithstanding 2 V.S.A. § 20(d), the Agency shall annually, on or before September 1 starting in 2025, submit a report detailing the State’s efforts in following the complete streets policy established in section 2402 of this

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(3) Incorporating complete streets principles is outside the limited scope of a project and there is a documented absence of a current and future need for enhanced access as defined in the latest version of the Agency Complete Streets Guidance.

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