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# **Opportunities to advance Vermont's Complete Streets Policy**

## Recommendations Memo

September 2022

## Overview & background

Vermont's Complete Streets legislation, passed in 2011, has helped the state make some progress on Complete Streets, but issues like a lack of reporting transparency and ownership have led to missed opportunities for implementing a strong, safe, accessible transportation system. Moreover, a lack of capacity and training for Complete Streets has hindered smaller communities' ability to implement Complete Streets at the local level.

AARP Vermont (AARP VT) engaged Smart Growth America to evaluate the Vermont Complete Streets policy and develop a memorandum of recommendations that AARP VT and its partners can use to inform their statewide Complete Streets advocacy effort.

This memo includes:

- An evaluation of the Vermont Complete Streets policy using the National Complete Streets Coalition's Complete Streets Policy Framework.
- Short- and long-term recommendations to strengthen Vermont's Complete Streets Policy.

## Policy evaluation

The National Complete Streets Coalition (NCSC) has identified 10 core elements that should be included in a comprehensive, strong Complete Streets policy. NCSC's 10 policy elements are based on decades of collective expertise in transportation planning and design and were created in consultation with NCSC's steering committee members and a group of national stakeholders consisting of engineers, planners, researchers, and advocates.

These ten elements below serve as a model of best practices to create a policy that can be implemented at any level of governance, in any type of place including state Complete Streets policies like Vermont's. The flexibility of the policy framework allows it to be a useful tool for rural, suburban, and urban areas, as well as local, regional, and state levels of government. The guidance is not prescriptive, as it not only allows, but encourages customization based on community needs and considerations.

NCSC's [policy evaluation](#) of Vermont's Complete Streets legislation identifies areas that could be strengthened in an agency-level Complete Streets policy.

## Recommendations

### Short-term: Improve Complete Streets Implementation

Below are four Complete Streets Implementation recommendations that can be achieved in the near future and do not require legislative action.

#### 1 | Adopt an internal VTrans Complete Streets policy

Using the legislative Complete Streets policy as a foundation, VTrans should adopt an internal policy to guide its statewide Complete Streets implementation. It is not uncommon for state-level Complete Streets legislation to be brief, especially to the point where the policy fails to lead to any real change at the state-level. Adopting an internal agency policy is a shorter-term opportunity to clarify how the Complete Streets statewide legislation should be implemented.

Other state departments of transportation have built on their state's legislation by implementing internal Complete Streets policies. For example, the Minnesota Department of Transportation recently released an updated [internal Complete Streets policy](#) which builds on the [Minnesota Complete Streets State Statute](#).

NCSC's [policy evaluation](#) of Vermont's Complete Streets legislation identifies areas that could be strengthened in an agency-level Complete Streets policy.

#### 2 | Make existing Complete Streets data public

Vermont's 2011 Complete Streets legislation directed its agency of transportation to track "all state and municipally managed projects that have [and have not] incorporated complete streets principles, accompanied by a description of each project and its location" and make this information available to the public *upon request*.

VTrans should publish the Complete Streets data it has collected over the years, instead of requiring the individuals to request it. The information should be easily and publicly available for anyone to access. Improving transparency on how many projects have and have not incorporated Complete Streets principles is crucial information to understanding to what degree the policy has been applied. Moreover, it will help stakeholders better understand gaps in the agency's policies and processes.

The frequency of performance measures will depend on the type of measure. However, many states will release, at a minimum, data on an annual basis. For example, Minnesota DOT maintains a [Performance Dashboard](#) where you can view their performance measures by topic, objective, or scorecard over time.

### 3 | Provide training and resources to localities

A lack of capacity and training for Complete Streets has hindered smaller Vermont communities' ability to implement Complete Streets at the local level. VTrans should supplement its technical assistance offerings to local communities in order to strengthen localities ability to implement Complete Streets.

For example, in Massachusetts' as part of the state's [Complete Streets Funding Program](#), MassDOT offers free training for municipal and transportation professionals on Complete Streets. This is the first tier of the state's three [tier approach](#) to Complete Streets which, in short, has communities first receive training and pass a policy, then develop a prioritization plan, and finally construct Complete Streets projects. According to a [2021 report](#), approximately ninety percent of MA municipalities have completed MassDOT Complete Streets training. This program was authorized for funding by the Massachusetts's legislature in [2014](#).

### 4 | Use *Revising the Vermont State Standards (VSS)* to inform the plan to update the Vermont State Standards

Complete Streets implementation relies on jurisdictions using the best and latest state-of-the-practice design standards and guidelines to maximize design flexibility. The design guidance, like the VSS, is one key component—of many—needed for jurisdictions to comprehensively integrate Complete Streets in their transportation approach.

In June 2022, the Governor approved [legislation](#) that directs VTrans to budget for and develop a plan to update the *Vermont State Standards for the Design of Transportation Construction, Reconstruction and Rehabilitation on Freeways, Roads, and Streets* to “create context sensitive, multimodal projects that support smart growth as recommended in the *Revising the Vermont State Standards (VSS) M2D2: Multimodal Development and Delivery Work Plan*, March 2015 (State Standards Work Plan).”

[Revising the Vermont State Standards: M2D2: Multimodal Development and Delivery](#), developed in partnership between VTrans and Smart Growth America, identifies specific modifications to the VSS, recommends changes to other related VTrans guidelines and policies, and presents an implementation plan and schedule for conducting the revisions. The new revisions were intended to help VTrans keep pace with the state of the practice in highway engineering and better meet and balance the diverse needs of Vermont residents and communities.

This extensive and detailed resource should be used by VTrans to inform the plan to update the Vermont State Standards.

## Long-term: Improve Complete Streets Legislative Policy

Vermont's Complete Streets legislation was enacted by the General Assembly of the State of Vermont in 2011. Below are recommendations for how Vermont's legislation could be strengthened using the framework of National Complete Streets Coalition's (NCSC's) 10 policy elements.

*Note: The following policy language suggestions are intended to guide statutory changes to Vermont's Complete Streets policy. However, these same changes could inform an internal agency Complete Streets policy in the short-term.*

### 1 | Vision and intent

A Complete Streets vision is an opportunity for a state to commit to integrating a Complete Streets approach into its transportation practices, policies, and decision-making processes. A strong vision will describe the state's motivation to pursue Complete Streets, such as improved economic, health, safety, access, resilience, or environmental sustainability outcomes. A strong vision will acknowledge the importance of how Complete Streets contribute to building a comprehensive transportation network. It will require decision-makers to consider the needs of diverse modes that use the transportation system, including but not limited to walking, biking, driving, wheeling/rolling, riding public transit, car sharing/carpooling, paratransit, taxis, delivering goods and services, and providing emergency response transportation.

Vermont's Complete Streets legislation meets most of the elements NCSC encourages in a vision statement. One area where it falls short is that it does not acknowledge equity as a motivation for pursuing Complete Streets. Below is example language from California Department of Transportation's internal policy. *The statement outlining the agency's commitment to equity is in bold.*

*"The California Department of Transportation (Caltrans) recognizes that walking, biking, transit, and passenger rail are integral to our vision of delivering a brighter future for all through a world-class transportation network. Additionally, Caltrans recognizes that streets are not only used for transportation but are also valuable community spaces. Accordingly, in locations with current and/or future pedestrian, bicycle, or transit needs, all transportation projects funded or overseen by Caltrans will provide comfortable, convenient, and connected complete streets facilities for people walking, biking, and taking transit or passenger rail unless an exception is documented and approved. When decisions are made not to include complete streets elements in capital and maintenance projects, the justification will be documented with final approval by the responsible District Director. Opportunities for complete streets exist in all phases of project development from planning and design to construction, operations, and maintenance. **Complete streets projects should prioritize***

***underserved communities that have been historically harmed and segmented by the transportation network and should serve people of all ages and abilities.*** Furthermore, Caltrans commits to removing unnecessary policy and procedural barriers and partnering with communities and agencies to ensure projects on local and state transportation systems improve the connectivity to existing and planned pedestrian, bicycle, and transit facilities, and accessibility to existing and planned destinations, where possible.” ([Caltrans Director's Policy, 2021](#))

This [data guide](#) identifies nearly 100 equity-related data sources and tools, including 19 health indicators, that can be used to measure equity.

## 2 | Diverse users

Complete Streets are intended to benefit all users equitably, particularly vulnerable users and the most underinvested and underserved communities. The best Complete Streets policies will specifically highlight communities of concern whom the policy will prioritize based on the jurisdiction's composition and objectives. Which communities of concern are disproportionately impacted by transportation policies and practices will vary depending on the context of the jurisdiction.

Vermont's Complete Streets legislation does not meet any of the elements NCSC encourages to address diverse users. Below is an example from the Massachusetts Department of Transportation which commits to prioritizing vulnerable road users.

*“In order to ensure that healthy transportation modes are considered equally as potential solutions within project design, this Healthy Transportation Policy Directive requires the following:*

*“1A. All MassDOT funded and or designed projects shall seek to increase and encourage more pedestrian, bicycle and transit trips. MassDOT has established a statewide mode shift goal that seeks to triple the distance traveled by walking, bicycling and transit by 2030, promoting intermodal access to the maximum extent feasible will help the agency meet this goal.”* ([MassDOT Healthy Transportation Policy Directive, 2013](#))

Below is an example of a vulnerable user definition from the Minnesota Department of Transportation.

*“Vulnerable users Road users who are most at risk for serious injury or death when involved in a motor-vehicle related collision, including but not limited to people bicycling and pedestrians of all ages, types, and abilities”* ([MnDOT Complete Streets Policy, 2022](#)).

### 3 | Commitment in all projects and phases

The strongest Complete Streets policies will commit accounting for the needs of all modes of transportation and all users of the road network in all transportation projects and phases: new construction, reconstruction, operations, and maintenance. It will also specify the need to provide accommodations for all modes of transportation to continue to use the road safely and efficiently during any construction or repair work that infringes on the right of way and/or sidewalk.

Vermont's Complete Streets legislation does not require all project phases to account for all modes and users. Nor does it specify the need to provide accommodations for all modes during construction work. Below is some strong example language from the MnDOT Complete Streets policy.

*"The Minnesota Department of Transportation (MnDOT) must follow a Complete Streets approach in all phases of planning, scoping, project development, construction, operations, permitting, and maintenance activities.*

...

*"Compliance is required by all MnDOT employees and MnDOT partners working on trunk highway projects, such as local agency representatives, consultants, and contractors. This includes planning, scoping, project development, construction, operations, permitting, and maintenance for all non-exempt projects.*

...

*"Resident Construction Engineers and Project Engineers [are responsible for coordinating] with project managers and maintenance engineers to provide safe and accessible alternative routes for people walking and biking among other forms of travel when closing roads, bridges, shared use paths, or sidewalks. Coordinate with the Office of Freight and Commercial Vehicle Operations to ensure oversize/overweight permitted loads are appropriately detoured." ([MnDOT Complete Streets Policy, 2022](#))*

### 4 | Clear, accountable exceptions

A strong Complete Streets policy will require a process for exceptions. The exception process must also be transparent by providing public notice with opportunity for comment and clear, supportive documentation justifying the exception. The Coalition believes [these exceptions](#) (listed on page 6) are appropriate with limited potential to weaken the policy. In addition to defining exceptions through good policy language, there must be a clear process for granting them, preferably with approval from senior management. Establishing this within a policy provides clarity to staff charged with implementing the policy and improves transparency and accountability to other agencies and residents.

Vermont's Complete Streets legislation does not meet the requirements NCSC stipulates for clear, accountable executions. Below is language from Delaware Department of Transportation's (DelDOT's) Complete Streets Policy on which exceptions are permitted.

*“Justification and documentation exists for a roadway project to be exempt from the requirements of this policy based upon one of the following circumstances:*

- 1. Alteration and maintenance projects on an affected roadway that prohibits by law use of the roadway by specific users. (Example I-95). New construction would be exempt for facilities within the right-of-way.*
- 2. If it is determined that a reasonable and equivalent alternative already exists for certain users or is programmed in the CTP/TIP as a separate project as determined by representatives of appropriate modes. (Example: transit planner representing bus service identifies project for new bus stop already programmed).*
- 3. Ordinary maintenance activities designed to keep transportation facilities in serviceable condition that does not interfere with existing facilities for longer than the time needed to perform maintenance.*
- 4. As of the effective date of this policy, projects that have been submitted by the applicant as Semi-Final or more advanced plans are exempt.”* ([DelDOT's Complete Streets Policy, 2009](#))

## 5 | Jurisdiction

The strongest state-level Complete Streets policies will clearly state that projects that address how they will account for the needs of all modes and users are prioritized or awarded extra weight for funding and/or inclusion in transportation plans and programs. The strongest policies will also specify a requirement for interagency coordination between various agencies such as public health, housing, planning, engineering, transportation, public works, city council, and/or mayor or executive office.

Vermont's Complete Streets legislation does not give extra weight to projects that clearly address how they will benefit all modes and all users within their plans. The policy states that projects are given priority only when they "preserve the functionality of the existing transportation infrastructure" and "whether they adhere to "credible project delivery schedules" (Sec. 2. 19 V.S.A. § 10b (a) (4)). The policy does state that "the safety and accommodation of all transportation system users" will be considered "in all state and municipally managed transportation projects and project phases" (Sec. 2. 19 V.S.A. § 10b (2)(A)).



Vermont's Complete Streets legislation does not have an overarching requirement for interagency coordination. Below is some example language from Michigan's Complete Streets legislation.

*“(3) Before a municipality approves any project in its multiyear capital program that affects a roadway or transportation facility under the jurisdiction of the state transportation department or within or under the jurisdiction of a county or another municipality, it shall consult with the affected agency and agree on how to address the respective complete streets policies, subject to each agency’s powers and duties. Before the department submits its multiyear capital plan to the commission or a county road agency approves its multiyear capital plan, for any project that affects a roadway or transportation facility within or under the jurisdiction of a municipality, the department or county road agency shall consult with the municipality and agree on how to address the respective complete streets policies, subject to each agency’s powers and duties. Failure to come to an agreement shall not prevent the department from submitting its multiyear capital plan to the commission. This subsection does not apply under any of the following circumstances: (a) If neither the agency proposing the project nor the affected agency has a complete streets policy. (b) If the project was included in a municipality’s multiyear capital program or the department’s or a county’s multiyear capital plan on July 1, 2010.”* ([Michigan Complete Streets legislation, 2010](#)).

## 6 | Design

Complete Streets implementation relies on using the best and latest state-of-the-practice design standards and guidelines to maximize design flexibility. The strongest Complete Streets policies will direct the adoption of specific, best state-of-the-practice design guidance and/or require the development/revision of internal design policies and guides.

Vermont's Complete Streets legislation does not reference any design guidelines. Below is example language from Maine Department of Transportation's Complete Streets policy.

### “Implementation

MaineDOT implements this policy by developing and updating relevant design manuals and guidance; by documenting the process for considering the needs of all users in project scoping and preliminary design reports, and by providing training necessary to ensure that individuals and entities involved in planning, scope development, design, project development, and construction of the improvements have the tools, knowledge, and direction necessary to successfully implement this policy.

## Amendments

MaineDOT will periodically review this and other related policies, design guidance, and training and, when warranted, may propose changes through the MaineDOT Engineering Council. As part of such review MaineDOT may provide appropriate opportunities for participation and input from stakeholders representing all users of Maine's transportation system including, but not limited to, users of passenger and commercial vehicles, transit riders and operators, bicyclists and pedestrians—for people of all ages and abilities that use any of these transportation modes. All policy changes shall be approved by the MaineDOT senior management.” ([Maine Complete Streets Policy, 2019](#)).

## 7 | Land use and context sensitivity

An effective Complete Streets policy must be sensitive to the surrounding community including its current and planned buildings, parks, and trails, as well as its current and expected transportation needs. The best Complete Streets policies will meaningfully engage with land use by integrating transportation and land use in plans, policies, and practices. NCSC also encourages more detailed discussion of adapting roads to fit the character of the surrounding neighborhood and development, as well as the consideration of unintended consequences such as displacement of residents due to rising costs of living.

Vermont's Complete Streets legislation does not meet any of the elements NCSC encourages to address land use and context sensitivity. Below is some example context sensitivity language from Nevada Department of Transportation.

“Solutions should be developed to fit within the context(s) of the community and those solutions should be flexible so that the needs of the existing and anticipated corridor users can be met. Flexibility must be retained when choosing design standards for various elements of a project, realizing that not all standards lend themselves to a “one-size-fits-all” approach. Innovative practices should be researched and considered where appropriate. Public input should be sought from residents and non-residents alike that will be directly affected by a proposed project through NDOT's public outreach process. A design that might be appropriate for one part of the state may not be acceptable in a different part of the state, as the underlying concept behind Complete Streets is to design for the needs of the existing and anticipated users of the roadway corridor.” ([Nevada Complete Streets Policy, 2017](#)).

## 8 | Performance measures

The best Complete Streets policies will establish performance measures in line with the goals stated in their visions. Performance measures should pay particular attention to

how Complete Streets implementation impacts the communities of concern identified in the policy. By embedding equity in performance measures, states can evaluate whether disparities are being exacerbated or mitigated. Policies should also set forth an accountable process to measure performance, including specifying who will be responsible for reporting on progress, how often these indicators will be tracked, and how they will be shared with the public.

Vermont's Complete Streets legislation directs its agency of transportation to track "all state and municipally managed projects that have [and have not] incorporated complete streets principles, accompanied by a description of each project and its location" and make this information available to the public *upon request*. The list of performance measures should be expanded and the data should be made public. Below is some example language from West Virginia's Complete Streets legislation.

*"(e) On December 1, 2013, and on December 1 every year thereafter, the board shall submit an annual report to the Governor, the Commissioner of Highways and the Joint Committee on Government and Finance on the status of implementation of section one of this article.*

*(1) The annual report shall include the following information:*

*(A) A summary of actions taken by the Division of Highways in the preceding year to improve the safety, access and mobility of roadways pursuant to section one of this article;*

*(B) Modifications made to or recommended for protocols, guidance, standards or other requirements to facilitate complete streets implementation;*

*(C) Status of the development of multimodal performance indicators;*

*(D) Any information obtained on the use made of bicycle, pedestrian, transit and highway facilities together with the existing target level of use for these modes, if any;*

*(E) Available crash statistics by mode, age, road type and location and other relevant factors; and*

*(F) Other related information that may be requested by the Governor or Legislature.*

*(2) The Division of Highways may assist the board in the preparation of the board's annual report." ([West Virginia Complete Streets Policy, 2013](#)).*

Moreover, it is possible for state departments of transportation to create and implement more robust measurement programs and processes than those required in legislation. For example, the Minnesota legislature passed Complete Streets [legislation](#) in 2010 which only stated, in terms of reporting, that "[beginning] in 2011, the commissioner shall report on the implementation of the complete streets policy in the agency's biennial budget submission under section 174.02." MnDOT later issued internal Complete Streets policies first in 2013, then 2016, and the latest version in

[2022](#) that provided more clarity and direction in terms of performance measures. The 2022 policy states that the agency will “[review] annual Complete Streets performance measures. Work with the Policy Owner and other stakeholders to advance progress” and “[develop] and track performance measures that contribute to Complete Streets targets and provide annual reports to District leadership and Senior Leadership.” In their [Complete Streets Handbook](#) they outline their specific process and outcome measures. Additionally, they maintain a publicly accessible [Performance Dashboard](#).

## 9 | Project selection criteria

A Complete Streets policy should modify the state's project selection criteria for funding to encourage Complete Streets implementation. Criteria for determining the ranking of projects should include assigning weight for active transportation infrastructure; targeting underserved communities; alleviating disparities in health, safety, economic benefit, access destinations; and creating better multimodal network connectivity for all users.

Vermont's Complete Streets legislation does not establish specific criteria to encourage funding prioritization for Complete Streets implementation. The policy states that projects are given priority when they "preserve the functionality of the existing transportation infrastructure" and "whether they adhere to "credible project delivery schedules" (Sec. 2. 19 V.S.A. § 10b (a) (4)). Below is some example language from Massachusetts legislation which established a statewide Complete Streets Funding program in 2014.

*(b) The department shall establish a complete streets certification program to encourage municipalities to regularly and routinely include complete streets design elements and infrastructure on locally-funded roads.*

*(c) To be certified as a complete streets community, a municipality shall: (i) file an application with the department in a form and manner prescribed by the department; (ii) adopt a complete streets by-law, ordinance or administrative policy in a manner which shall be approved by the department and which shall include at least 1 public hearing; provided, however, that the by-law, ordinance or administrative policy shall identify the body, individual or entity responsible for carrying out the complete streets program; (iii) coordinate with the department to confirm the accuracy of the baseline inventory of pedestrian and bicycle accommodations in order to identify priority projects; (iv) develop procedures to follow when conducting municipal road repairs, upgrades or expansion projects on public rights-of-way in order to incorporate complete streets elements; (v) establish a review process for all private development proposals in order to ensure complete streets components are incorporated into new construction; (vi) set a municipal goal for an increased mode share for walking, cycling and public transportation, where applicable, to be met within 5 years and develop a*

*program to reach that goal; and (vii) submit an annual progress report to the department. Certified municipalities shall be eligible to receive funding pursuant to the program.*

[\(Massachusetts Complete Streets Policy, 2014\)](#).

## **10 | Implementation steps**

A strong Complete Streets policy will outline how the state plans to implement the Complete Streets policy. Below are policy elements that should be include

- A requirement to revise related procedures, plans, regulations, and other processes within a specified time frame.
- A requirement to provide workshops or other training opportunities for transportation staff.
- A stipulation that a committee—that includes both internal and external stakeholders that are representative of underinvested and vulnerable communities—will oversee implementation of the policy.
- A requirement to create a community engagement plan with specific strategies for who, when, and how they will approach public engagement in the project selection, design, and implementation process. Policy specifically addresses how the jurisdiction will overcome barriers to engagement for underrepresented communities.

Vermont's Complete Streets legislation does not meet any of the elements NCSC encourages to address implementation.