

## Suggested additional amendments

Sec. 29. 19 V.S.A. §§ 2402 and 2403 are amended to read:

### § 2402. STATE POLICY

(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 the State goal to promote intermodal access to the maximum extent feasible, which 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~~
- (3) are sensitive to the surrounding community, including current and planned buildings, parks, and trails and current and expected transportation needs; and
- (4) when desired by the municipality or specifically identified in the regional plan:
  - (A) implement street design for purposes of calming and slowing traffic in State-designated centers under 24 V.S.A. chapter 76A; and
  - (B) support the land uses that develop and evolve in tandem with transit and accessibility, including those that provide enhanced benefits to the public, such as through improved health and access to employment, services, and housing.

### § 2403. PROJECTS NOT INCORPORATING COMPLETE STREETS PRINCIPLES

(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:

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- (2) The cost of incorporating complete streets principles is 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. If the project manager bases the written determination required under this subsection in whole or in part on this subdivision then the project manager shall provide a supplemental written determination with specific details on costs, needs, and probable uses, as applicable. ~~., but shall not need~~

~~to address, in the supplemental written determination. This supplemental written determination shall also address~~ any design elements desired by the municipality ~~or specifically identified in the regional plan~~ pursuant to subdivision 2402(b)(4)(B) of this chapter, ~~but not incorporated.~~

\* \* \*

(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:

\* \* \*

- (2) The cost of incorporating complete streets principles is disproportionate to the need or probable use as determined by factors such as land use, current and projected user volumes, population density, crash data, historic and natural resource constraints, and maintenance requirements. The municipality shall consult local and regional plans, as appropriate, in assessing these and any other relevant factors. If the municipality managing the project bases the written determination required under this subsection in whole or in part on this subdivision then the project manager shall provide a supplemental written determination with specific details on costs, needs, and probable uses, as applicable. ~~—but shall not need to address, in the supplemental written determination. This supplemental written determination shall also address~~ any design elements desired by the municipality ~~or specifically identified in the regional plan~~ pursuant to subdivision 2402(b)(4)(B) of this chapter, ~~but not incorporated.~~