

SENATE . . . . . No. 68

The Commonwealth of Massachusetts

PRESENTED BY:

*Harriette L. Chandler*

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 bill:

An Act relative to active streets and healthy communities.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Harriette L. Chandler</i>	<i>First Worcester</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Gale D. Candaras</i>	<i>First Hampden and Hampshire</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>
<i>William N. Brownsberger</i>	<i>Second Suffolk and Middlesex</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>
<i>Mark C. Montigny</i>	<i>Second Bristol and Plymouth</i>
<i>Gloria L. Fox</i>	<i>7th Suffolk</i>

**SENATE . . . . . No. 68**

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By Ms. Chandler, a petition (accompanied by bill, Senate, No. 68) of Harriette L. Chandler, Denise Provost, Gale D. Candaras, Thomas M. Stanley and other members of the General Court for legislation relative to active streets and healthy communities. Community Development and Small Businesses.

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The Commonwealth of Massachusetts

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In the Year Two Thousand Thirteen  
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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:*

1 SECTION 1. The General Laws as they appear in the official 2010 version are hereby  
2 amended by adding the following chapter:-Chapter 90-I

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

5 “Department”, the department of transportation.

6 “Program”, the active streets certification program.

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

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

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

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

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

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

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

41           Section 6. Capital Funding

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

45           1595-xxxx For an active streets certification program as established pursuant to Chapter  
46 90-I of the General Laws, to be disbursed in the form of grants to certified municipalities for  
47 complete streets infrastructure and planning, provided that the grants shall be administered by the  
48 department.....\$10,000,000.

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