

# HB0449S01 compared with HB0449

{deleted text} shows text that was in HB0449 but was deleted in HB0449S01.

inserted text shows text that was not in HB0449 but was inserted into HB0449S01.

**DISCLAIMER:** This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Representative Nelson T. Abbott proposes the following substitute bill:

## PEDESTRIAN SAFETY AND FACILITIES ACT

### MODIFICATIONS

2024 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor:** {}Nelson T. Abbott

Senate Sponsor: {}\_\_\_\_\_

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#### LONG TITLE

##### General Description:

This bill makes changes to the Pedestrian Safety and Facilities Act.

##### Highlighted Provisions:

This bill:

- ▶ makes changes to include a bicyclist in the provisions of the Pedestrian Safety and Facilities Act; and
- ▶ adds additional safety measures for pedestrians and bicyclists.

##### Money Appropriated in this Bill:

None

##### Other Special Clauses:

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None

### Utah Code Sections Affected:

AMENDS:

**72-8-102**, as last amended by Laws of Utah 2003, Chapter 292

**72-8-103**, as renumbered and amended by Laws of Utah 1998, Chapter 270

**72-8-104**, as renumbered and amended by Laws of Utah 1998, Chapter 270

**72-8-105**, as renumbered and amended by Laws of Utah 1998, Chapter 270

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **72-8-102** is amended to read:

### **CHAPTER 8. PEDESTRIAN AND BICYCLIST SAFETY AND FACILITIES ACT**

#### **72-8-102. Definitions.**

As used in this chapter:

(1) "Construction" means the function of constructing or reconstructing a sidewalk with or without curb and gutter and includes land acquisition and engineering or inspection as defined by the rules and regulations of the department.

(2) "Curb and gutter" means the area between the roadway and sidewalk designed for water runoff and providing a barrier for safety of pedestrian and vehicular traffic.

(3) "Participating municipality" means a city of the third, fourth, or fifth class or a town.

(4) "Pedestrian and bicyclist safety [~~devices~~] device" means [~~any~~] a device or method appurtenant to a roadway designed to foster the safety of pedestrian or bicyclist traffic including sidewalks, curbs, gutters, [~~and~~] pedestrian overpasses, pedestrian crossings, bicycle lanes, multi-use paths, and traffic calming measures.

(5) "Traffic calming measure" means a physical engineering measure that reduces the negative effects of motor vehicle use, alters driver behavior, and improves conditions for pedestrians and bicyclists, including median islands, curb extensions, barriers, and changes in street alignment.

Section 2. Section **72-8-103** is amended to read:

**72-8-103. Designated county and municipal sidewalks -- Construction on easements granted by transportation department.**

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(1) All sidewalks, including curbs and gutters within the unincorporated areas of a county and within nonparticipating municipalities situated within the county, are designated county sidewalks. All sidewalks within participating municipalities are designated municipal sidewalks.

(2) Counties and participating municipalities may construct and maintain curbs, gutters, sidewalks, [~~and~~] or pedestrian and bicyclist safety devices adjacent to the traveled portion of state highways upon easements that may be granted by the department. The department shall cooperate with counties and participating municipalities to accomplish pedestrian and bicyclist safety construction and maintenance.

(3) A county or municipality may construct and maintain pedestrian and bicyclist safety devices on state highways in compliance with rules made by the department.

Section 3. Section **72-8-104** is amended to read:

### **72-8-104. Funding priorities by county and municipality officials -- Factors.**

(1) A county or municipality may use a portion of [~~their~~] the county's or municipality's B and C road funds for pedestrian and bicyclist safety devices under this part.

(2) The county legislative body of the counties and the governing officials of participating municipalities may establish funding priorities relating to construction of curbs, gutters, sidewalks, or other pedestrian and bicyclist safety construction, with funds permitted to be expended by this part, based on [~~factors including, but not limited to~~]:

- (a) existing useable rights-of-way;
- (b) vehicle-pedestrian and vehicle-bicyclist accident experience;
- (c) average daily vehicle traffic;
- (d) average daily pedestrian and bicyclist traffic;
- (e) average daily school age pedestrian and bicyclist traffic; [~~and~~]
- (f) speed of vehicle traffic[-];
- (g) proximity to public transit; and
- (h) other relevant factors.

(3) All construction performed under this part shall be barrier free to wheelchairs at crosswalks and intersections.

Section 4. Section **72-8-105** is amended to read:

### **72-8-105. Pedestrian and bicyclist safety to be considered in highway planning.**

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~~{(1)}~~ A highway authority shall consider pedestrian and bicyclist safety in all highway engineering and planning where pedestrian or bicyclist traffic may be a significant factor on all projects within the state or any of its political subdivisions ~~{(f)}~~. ~~{(g)}~~, based on:

~~{~~ ~~—~~ ~~(a)~~ ~~existing usable rights-of-way;~~

~~—~~ ~~(b)~~ ~~vehicle-pedestrian and vehicle-bicyclist accident experience;~~

~~—~~ ~~(c)~~ ~~average daily vehicle traffic;~~

~~—~~ ~~(d)~~ ~~average daily pedestrian and bicyclist traffic;~~

~~—~~ ~~(e)~~ ~~average daily school age pedestrian and bicyclist traffic;~~

~~—~~ ~~(f)~~ ~~speed of vehicle traffic;~~

~~—~~ ~~(g)~~ ~~proximity to public transit; and~~

~~—~~ ~~(h)~~ ~~other relevant factors;~~

~~}~~ Section 5. **Effective date.**

This bill takes effect on May 1, 2024.