

SENATE FILE NO. SF0103

Bicycle pathway and highway separation.

Sponsored by: Senator(s) Scott, Case, Landen and Rothfuss
and Representative(s) Pelkey, Petroff and
Stubson

A BILL

for

1 AN ACT relating to the separation of bicycles and motor
2 vehicle traffic on state highways and other roads;
3 improving highway safety by reducing the opportunity for
4 accidents between bicycles, pedestrians and motor vehicles;
5 planning for a system of bicycle pathways to prevent
6 accidents, promote economic development and promote public
7 health; creating a planning task force to develop a state
8 wide bicycle pathway system; specifying task force
9 membership and staffing; requiring a study of bicycle and
10 motor vehicle accidents as specified; requiring an
11 investigation of funding sources and the legality of using
12 each funding source; providing additional duties to the
13 Wyoming department of transportation, the Wyoming office of
14 tourism board, the state epidemiologist, the state health
15 officer and the attorney general's office; requiring

1 reports to the legislature; and providing for an effective
2 date.

3

4 *Be It Enacted by the Legislature of the State of Wyoming:*

5

6 **Section 1.** SAFETY REPORT AND ANALYSIS

7

8 (a) The Wyoming department of transportation shall
9 conduct a safety analysis of and develop a report on the
10 risks of accidents involving motor vehicles, bicyclists and
11 pedestrians on the state's highways, local roads and
12 streets. The analysis and report shall:

13

14 (i) List and summarize recent fatalities and
15 other accidents involving motor vehicles and bicycles in
16 Wyoming. To the extent reasonably possible, the list and
17 summary shall include:

18

19 (A) Accidents occurring on all roadways in
20 Wyoming;

21

1 (B) To the extent possible, accidents where
2 persons in motor vehicles were killed or seriously injured
3 while avoiding bicyclists or pedestrians;

4

5 (C) Accidents for the most recent four (4)
6 year period for which data is available and, if practical,
7 for the most recent ten (10) year period. A different time
8 period may be used for fatal and other accidents.

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10 (ii) Include an analysis of the list of
11 accidents and identify any serious safety concerns raised
12 by the analysis. The state epidemiologist shall be
13 provided an opportunity to review the analysis and may
14 provide comments, supplemental analysis or recommendations
15 which shall be included in the reports required by this
16 section;

17

18 (iii) Contain a brief review of any relevant
19 academic literature, recommendations of relevant interest
20 groups and practices of other states concerning the
21 prevention of motor vehicle/bicycle accidents;

22

1 (iv) Contain recommendations for the reduction
2 of motor vehicle/bicycle accidents including:

3

4 (A) Appropriate signage and signage policy;

5

6 (B) Modification of Wyoming's traffic laws;

7

8 (C) Locations of particular concern,
9 including both specific geographic locations and types of
10 locations;

11

12 (D) Location and priorities for the
13 development of bicycle and pedestrian pathways to separate
14 bicycle and pedestrian traffic from motor vehicle traffic.

15

16 (b) It is intended that the report and analysis
17 required by this section be prepared primarily by Wyoming
18 department of transportation employees, but the department
19 may use consultants to the extent its resources allow.

20

21 (c) The department shall submit a preliminary report
22 to the transportation commission, the bicycle system task
23 force, created by Section 3 of this act, the joint travel,

1 recreation and wildlife interim committee and the joint
2 transportation, highways and military affairs interim
3 committee on or before October 1, 2015. The department
4 shall submit a final report to these entities on or before
5 September 1, 2016.

6

7 (d) If the transportation commission believes a
8 change in Wyoming's traffic laws is useful to reduce the
9 number of serious motor vehicle/bicycle accidents, the
10 commission may forward a recommendation for the change to
11 the joint transportation, highways and military affairs
12 interim committee on or before November 1, 2015 for
13 consideration during the 2016 budget session, or on or
14 before October 1, 2016 for consideration during the 2017
15 general session.

16

17 **Section 2.** IMMEDIATE ACTION TO REDUCE BICYCLE/MOTOR
18 VEHICLE ACCIDENTS

19

20 (a) Without waiting for the completion of the reports
21 required by section 1 of this act, the department of
22 transportation may exercise its existing authority by

1 taking any of the following actions in an effort to reduce
2 the risks of bicycle/motor vehicle accidents:

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4 (i) In areas with elevated accident risk due to
5 bicycles crossing highways, the department may designate
6 specific bicycle crossings, notice crossings with
7 appropriate signage and highway markings and control, as
8 needed, both bicycle and motor vehicle traffic;

9

10 (ii) Implement needed traffic controls in areas
11 of special concern;

12

13 (iii) Design and construct separated
14 bicycle/pedestrian passages on bridges, overpasses,
15 underpasses and tunnels where:

16

17 (A) The structure is currently, or will be
18 within two (2) years, under design, bid or construction;

19

20 (B) There is a safety-related need for a
21 separated passage; and

22

1 (C) It would be more expensive to add the
2 separated passageway at a future date and after the reports
3 required by this section are completed.

4
5 (iv) In cooperation with appropriate local
6 government units, designate bicycle routes designed to
7 improve safety and to remove bicycle traffic from areas
8 with heightened accident risk. The department may erect
9 signage as needed to direct bicycle traffic to these
10 routes;

11
12 (v) Design and construct short
13 bicycle/pedestrian pathways to transfer bicycle traffic
14 from highways to local bicycle pathways or designated
15 bicycle routes.

16
17 **Section 3. BICYCLE SYSTEM TASK FORCE**

18
19 (a) The governor shall appoint a bicycle system task
20 force of not less than seven (7) nor more than nine (9)
21 members subject to the following:

22

1 (i) At least one (1) member shall be a
2 department of transportation employee knowledgeable in
3 highway safety;

4

5 (ii) At least one (1) member shall be a
6 department of transportation employee, local government
7 employee or member of the public knowledgeable in the
8 design and construction of bicycle pathways;

9

10 (iii) At least one (1) member shall be an
11 employee of the office of tourism or a member of the
12 Wyoming tourism board;

13

14 (iv) At least one (1) member shall be active in
15 a restaurant, lodging or other tourism related business;

16

17 (v) At least one (1) member shall be a state
18 employee or member of the public with experience in long
19 distance bicycle travel.

20

21 (b) The governor shall appoint the chairman of the
22 task force.

23

1 (c) The task force shall:

2

3 (i) Develop a long range strategic plan for a
4 statewide bicycle pathway system. In developing the plan
5 the committee shall:

6

7 (A) Consider the needs of Wyoming residents
8 who want to use bicycles for recreation and transportation
9 needs;

10

11 (B) Consider opportunities to improve
12 Wyoming's economy by attracting long distance bicycle
13 tourists to Wyoming;

14

15 (C) Describe the geographical locations of
16 a fully implemented bicycle pathway system;

17

18 (D) Establish development priorities by
19 segment, and possibly by type of segment, for the bicycle
20 pathway system;

21

1 (E) Identify the probable costs of
2 implementing the bicycle pathway system plan and its
3 individual priorities and segments;

4

5 (F) Identify reasonable options for how
6 Wyoming could implement the bicycle pathway system plan
7 considering, in part, the availability of funds;

8

9 (G) Identify and evaluate all reasonable
10 options to fund implementation of the plan;

11

12 (H) Submit a preliminary report on or
13 before October 1, 2015 and a final report on or before
14 November 1, 2016 to the transportation commission, tourism
15 board, the joint travel, recreation and wildlife interim
16 committee and the joint transportation and military affairs
17 interim committee.

18

19 (ii) Consider whether including a bicycle
20 pathway as a routine part of highway construction and
21 reconstruction projects is a cost effective strategy and,
22 if so, whether bridge, overpass, underpass and tunnel
23 projects merit particular consideration. The committee

1 shall assume that the priorities for highway construction
2 and reconstruction are likely to be different than the
3 priorities for development of the bicycle pathway system;

4

5 (iii) Consider and make recommendations on the
6 various ways the state can encourage and assist local
7 efforts to develop local bicycle pathways;

8

9 (iv) Consider the extent to which bicycle
10 pathways should be available to people riding horses;

11

12 (v) Although the bicycle pathways will often be
13 on highway rights-of-way, the task force shall consider the
14 necessity of using other rights-of-way.

15

16 (d) In setting priorities and establishing plan
17 segments for the statewide bicycle pathway plan, the task
18 force shall consider:

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20 (i) The need to remedy circumstances most likely
21 to cause serious accidents;

22

1 (ii) The priorities or plan segments that will
2 benefit the most people;

3
4 (iii) The priorities and segments that will
5 produce the greatest health benefits for Wyoming residents;

6
7 (iv) The priorities and segments that will
8 produce the greatest benefits in terms of attracting
9 bicycle tourists to Wyoming;

10
11 (v) The likely costs of addressing particular
12 priorities or developing particular segments;

13
14 (vi) How to attain a reasonable geographic
15 balance so that all areas of the state benefit by
16 implementation of the plan.

17
18 (e) The state health officer shall provide the task
19 force with a report on the probable health benefits to
20 Wyoming residents of encouraging bicycle and pedestrian
21 recreation and on ways in which these benefits can be
22 attained. This report shall be due October 1, 2015.

23

1 (f) If requested by the task force, the attorney
2 general shall provide the task force with an analysis of
3 the legality of possible funding sources including the
4 constitutionality of using various highway funding revenues
5 in circumstances where the development of separate bicycle
6 pathways can be expected to reduce the risk of accidents
7 involving motor vehicles and bicyclists.

8

9 (g) Service on the task force by task force members
10 who are governmental employees shall be considered part of
11 the member's regular government employment. Task force
12 members who are members of the public shall serve without
13 compensation.

14

15 (h) The governor shall determine which state agency
16 shall provide an executive secretary to the task force and
17 shall provide staff support to the task force.

18

19 (j) The task force shall terminate July 1, 2017.

20

1 **Section 4.** This act is effective immediately upon
2 completion of all acts necessary for a bill to become law
3 as provided by Article 4, Section 8 of the Wyoming
4 Constitution.

5

6

(END)