LEGISLATIVE STRATEGIES FOR SAFE AND CONNECTED BIKE INFRASTRUCTURE

PeopleForBikes is transforming communities across America by making biking safe, accessible, and enjoyable for everyone. Through a strategic focus on infrastructure, policy, and participation, we're working to make the U.S. the best place to ride a bike in the world.

Building safe and connected bike networks is critical to that mission, and that's why we created this resource. By outlining legislative strategies for cities and states, we hope to inspire legislators and advocates across the country to improve existing infrastructure and accelerate the construction of trails, greenways, protected bike lanes, and bike parks.

The purpose of this document is to help policymakers and advocates secure local funding for bike infrastructure, mandate Complete Streets, build bike infrastructure through climate legislation, and create better places to ride.

We recognize this guide does not include an overview of policies as they relate to enforcement, education, or participation. If you have questions regarding any of those topics, please email us at info@peopleforbikes.org.
HOW TO USE THIS DOCUMENT

This document is designed to assist legislators and advocates in their efforts to improve and expand recreational and transportation-focused bike infrastructure in their communities, both at the state and local levels.

Here's how you can effectively use this resource:

Explore Our Example Legislation — This document provides examples of legislation for local communities and states, showcasing effective strategies for accelerating the construction of great places to ride. Review the examples provided to gain inspiration and insights into various approaches.

Prioritize the Most Effective Strategies — We recommend prioritizing state and local funding for bike infrastructure and Complete Streets mandates to help move your community forward. If your community already has local funding and a Complete Streets mandate, advancing bike infrastructure through climate legislation and creating safer streets by reducing speeds, banning rights on red, and adopting modern design standards are great next steps.

Let Us Help You — Is your community working to pass one or more of these bills? We want to know. Email us at infrastructure@peopleforbikes.org so we can track your progress and help push bills across the finish line.
FUND BIKE INFRASTRUCTURE

Bike infrastructure can transform our communities through connected bike networks that increase access for people of all ages and abilities riding for recreation and transportation. While state and local governments should take advantage of federal funding to build out complete bike networks and recreational riding opportunities, investing local funds is still essential to move projects forward and match federal grants.

States can play a part in incentivizing communities to develop local funding sources. The California Transportation Commission sets aside $200 million per year available only to cities and counties whose voters approved local funding measures.

Below are several examples of local and state funding mechanisms to help transform communities.

General Obligation (GO) Bond Measures allow state and local governments to fund public infrastructure. Unlike revenue bonds, GO bonds are backed by the full faith and credit of the issuing city or state rather than specific revenue streams.

State Examples:
- The Clean Ohio Fund, a $400 million state bond initiative, was approved by Ohio voters in 2000 and renewed in 2008, helping create nearly 500 miles of trails.
- In 2020, Maine voters approved Question 2 with 79% of the vote, raising $105 million in GO bonds for transportation projects.

City or County Examples:
- In 2014, Missoula, MT, residents approved a Trails Bond Program, which allocated $3 million in funding for recreational trails.
- In 2021, Austin voters approved one of the most influential general obligation bonds, Proposition B, which contained $460 million in funding for transportation infrastructure, including sidewalks, bikeways, and safety projects.
- In 2022, Wake Forest, NC, voters approved $14.4 million in bonds for greenways. With 68% of voters saying ‘yes,’ it was more popular than a similar bond on the same ballot for a parking garage.
- In 2022, voters in Harris County, TX, approved Proposition B, which allocated $100 million for multimodal transportation and Vision Zero investments.
Bonds allow local and state governments to borrow money for infrastructure and repay lenders with interest over time. Bonds can be backed by the full faith of the government (general obligation bonds) or specific funding streams, such as sales or property taxes. Alternatively, communities may take advantage of revenue streams such as those described below without bonding against future revenue, instead spending funds as they are collected.

Sales Taxes can produce significant revenue, especially in areas with robust tourism; however, sales taxes also risk disproportionately burdening low-income populations (especially if they include food) since the tax applies to people equally regardless of income. Including biking and walking projects in sales tax expenditure plans tends to be popular with voters. 29 states allow local sales taxes to fund roads or municipal general funds.

State Examples:
- In 2010, Georgia Legislature introduced the Transportation Investment Act (TIA), enabling communities to implement a 1% Regional Transportation Special Purpose Local Option Sales Tax (TSPLOST) for regional transportation enhancements. In 2015, it also established the Single County TSPLOST, enabling individual counties to impose dedicated sales taxes for transportation purposes outside of regional initiatives.
- In 2010, 63% of Iowa voters approved a constitutional amendment to dedicate the first three-eighths of 1% of a potential future sales tax to support natural areas, including a substantial portion for trails.

City or County Examples:
- In 2014, voters in Alameda County, CA, approved Measure BB, a half-cent sales tax raising $8 billion for transportation improvements, of which $651 million is dedicated to biking and walking improvements.
- In 2022, Boulder County, CO, voters renewed a 0.1% sales tax for 15 more years, funding multimodal transportation needs and mobility access programs. The measure will leverage an estimated $260 million in matching regional, state, and federal funding for a total of $390 million over 15 years, with at least 15% dedicated to regional trails and commuter bikeways.

Property Taxes are paid based on a property's assessed value. Eligible property may include real estate, cars, boats, and other assets. According to Pew Research, 15% of local road funds came from property taxes.
● In 2022, Eugene, OR, passed its fourth street repair measure since 2008. This latest bond will raise more than $61 million from property taxes, with $15 million dedicated to walking, biking, and safety improvements.

● In 2023, Anchorage, AK voters approved $4 million in increased property tax revenue via Proposition A for parks and recreational trails.

Hotel Taxes are another way to fund local needs like bike lanes and trails that, in turn, drive local tourism.

State Examples:
● In 2017, Georgia passed House Bill 575, raising a local hotel tax from 5% to 8% to fund trails and green space.
● Montana Legislature permits local resort taxes that, in turn, help fund roads, parks, and trails.

City Examples:
● In 2013, voters in Steamboat Springs, CO, approved reallocating the city’s 1% lodging tax to trails and recreational amenities, ultimately funding 46 projects and 130 miles of new trails.
● In 2023, Savannah, GA, raised the city’s hotel tax from 6 to 8%, with a portion of funds going to infrastructure like sidewalks and trails.

Road Tolls are fees imposed on drivers traveling across bridges, highways, or highway express lanes. Typically, revenue from these tolls must support the maintenance of the road on which the tolls are collected; however, revenues can also be used to support active transportation and public transit in the same corridor if legislation allows.

● Los Angeles County Metropolitan Transportation Authority has invested more than $100 million in the corridors where it operates tolled express lanes, including more than $40 million in active transportation improvements.
● San Francisco Bay Area voters approved toll increases on the bay’s seven bridges that will generate at least $150 million for improvements to the Bay Trail.

Vehicle Miles Traveled (VMT) Fees help replace decreasing gas tax revenues. According to the Institute on Taxation and Economic Policy, a 26% increase in fuel efficiency from 1993 to 2020 allows drivers to go 75 additional miles per fill-up, creating wear and tear on roads not paid for by gas tax payments. VMT legislation should always allow VMT taxes to adjust for inflation over time to ensure long-term resilience. The Federal Highway Administration (FHWA) has compiled a suite of resources around this topic.
• Oregon’s OReGO Program, established in 2013 and updated in 2018, allows vehicle owners to pay a per-mile road usage charge instead of the per-gallon gasoline tax.
• Several other states, including Oklahoma and Utah, have launched pilot programs to test VMT fees.

**Gas Tax** revenue may be designated to fund active transportation infrastructure. As with VMT fees, gas tax legislation should always allow taxes to adjust for inflation over time, as was recently done in Minnesota.

• In 2021, Illinois Governor Pritzker signed House Bill 2950 into law, allowing the state and counties to spend gas tax revenue on walking and biking infrastructure, as well as on new roads. Illinois’ gas tax, which raises $600 million annually, is among the highest rates in the country at 27 cents per gallon (as of July 1, 2023). In 2022, the state raised $2.52 billion from its gas tax.

**Income Tax** funding is a progressive way to pay for infrastructure improvements, with the tax being proportional to annual earnings. In most cases, only the very wealthy are affected as the new tax rate applies to individual income over a high annual amount, such as $1 million in the case of Massachusetts or $2 million in the case of California’s unsuccessful 2022 effort.

• In 2022, Massachusetts voters passed Question 1 in a state referendum, which amends the Constitution to include an additional 4% income tax on residents earning more than $1 million annually. Revenues will fund transportation, road repair, and public education.

**Ridesharing Fees** are taxes or fees imposed on ridesharing services (sometimes referred to as Transportation Network Companies or TNCs) such as Uber and Lyft to offset congestion and increased demand for curb space.

• In 2016, the Massachusetts Legislature passed House Bill 4570, imposing a 20-cent-per-ride tax, half of which goes towards transportation infrastructure in the municipality where the ride originated. In 2018 alone, Boston collected more than $4.2 million in revenue from this tax, much of which the city used for active transportation improvements.
• In 2019, New York’s state budget mandated a For-Hire Vehicle Congestion Surcharge for trips south of 96th Street in Manhattan, with revenue going to the MTA to reduce congestion. In Manhattan, surcharges range from $0.75 to $2.75 per trip depending on the type of vehicle. In FY2023, this surcharge is expected to raise $383 million. New York also has statewide tax assessments for trips outside of New York City.
**Congestion Fees** help reduce vehicular congestion, encourage people to choose alternative transportation options or travel during less busy times, and create a funding source for expanding public transit and active transportation infrastructure.

- In 2023, New York City’s [Metropolitan Transportation Authority](https://www.mta.info) received federal approval to implement tolls to decrease vehicular congestion.
- Many cities worldwide impose similar fees or restrictions on driving on congested streets.

**Unused Utility Corridor Taxes** are one way to encourage utility companies to sell underutilized corridors to allow for the construction of recreational trails.

- In 2023, Massachusetts passed [HD.3396](https://www.ma.gov/gov/legislation/inner更能) “An Act to Establish a Local Option Municipal Excise Tax on Unused Utility Corridors,” allowing municipalities to tax unused utility corridors to incentivize public access or sale to create recreational trails. This complements [MA HD3161](https://www.ma.gov/gov/legislation/inner更能), which mandates the Department of Public Utilities to establish a municipal utility corridor public access program.

**Parking Benefit Districts** are areas where parking fees generate revenue for services and infrastructure that benefit the district. Support for parking fees is higher when that revenue is promised to build and maintain infrastructure, including bicycle infrastructure.

- In 2011, Austin, TX, passed an ordinance allowing neighborhood associations to create Parking Benefit Districts and, in 2012, established the [West University Parking Benefit District](https://www.westuniversityparkingbenefitdistrict.com). There, 51% of revenue is dedicated to promoting active transportation and public transit, improving sidewalks, and reducing vehicle miles traveled.
- In 2014, Austin passed another ordinance creating a broader [Parking and Transportation Management District Program](https://www.austintx.gov/services/transportation/programs/parking-and-transportation-management-program), which funds mobility improvements and maintenance of some recreation trails.
- Learn more about other examples in Portland, OR, Pittsburgh, PA, Columbus, OH, and Pasadena, CA, [here](https://www.austintx.gov/services/transportation/programs/parking-and-transportation-management-program).

**Tax Increment Financing (TIF) Districts** are designated areas where a portion of future property tax revenue is saved in a special account and used to fund projects such as bike infrastructure, sidewalks, road safety improvements, lighting, and more within that area. Communities can bond against projected TIF revenues or use the collected revenue annually. FHWA has a great [explanation of TIFs](https://www.fhwa.dot.gov/infrastructure/tif) on its website.
Examples of communities that have used TIF revenue to fund bike infrastructure include:

- **Atlanta’s Beltline Project**, nearly half of which was funded through a tax allocation district.
- **Chicago**, which has used TIF revenue to fund bike share stations, bike bridges, and other infrastructure.
- **Denver**, which has used TIF revenue for road safety improvements.

**Business Improvement Districts (BIDs)** generate revenue through a special assessment collected from property owners within a designated district. That revenue funds public infrastructure improvements like new bike lanes, sidewalks, and beautification projects as well as operational expenses like street cleaning and public safety. FHWA has an excellent resource on its website explaining how BIDs work.

To enact a BID, you may need to ensure your state and city permit it. Example language to establish legal authority to create local BIDs can be found in Washington State’s Chapter 35.87A and Providence’s Article XIII (Business Improvement Districts).

Examples of communities using BID revenue to fund bike infrastructure include:

- **Atlanta’s Midtown Alliance** uses BID revenue to build and improve biking and walking infrastructure.
- **New York City’s Grand Central Partnership**, which has used BID revenue to install bike racks and bike lanes.
- Boise’s **Downtown Boise Association**, which uses revenue from the Downtown Boise Business Improvement District to improve the public realm and maintain things like public spaces, flower planters, street trees, bollards, and bike racks.

**Development Fees** are charges imposed on developers as a condition of approval to pay for public facilities, such as roads, parks, pathways, and libraries.

- In 2008, **Sacramento County, CA** passed a fee that varies depending upon the development’s impact on public infrastructure. It excludes low-income housing from the fee.
Federal Funding Opportunities

While many local funding opportunities exist, federal programs also provide critical project funds. In May 2023, the Federal Highway Administration (FHWA) released updated guidance on federal legislation, policy, reference material, and funding opportunities to improve biking and walking. The U.S. Department of Transportation's (USDOT) TIFIA program is also an option for communities to apply for loans through the federal government to fund infrastructure projects.

MANDATE COMPLETE STREETS

Communities can efficiently fund bike infrastructure if they plan ahead and integrate improvements as they build, rebuild, or repave streets. While Complete Streets are recommended by the FHWA as the default approach, they require communities and states to plan for and implement Complete Streets legislative mandates.

Effective mandates include strong and specific requirements, limited exceptions, good public processes to consider those exceptions, clear roles and responsibilities, and strict annual reporting requirements. Without effective Complete Streets mandates, we will miss key opportunities to build infrastructure that will transform our communities.

What are Complete Streets?

Complete Streets meet all road users' needs, including people walking, biking, and riding transit. By ensuring safe designs for all transportation modes, communities can reduce inequities, improve safety, encourage sustainable transportation, reduce congestion, and enhance access to jobs, recreation, and everyday destinations.

Below are several cities and states with strong Complete Streets mandates. Smart Growth America also provides an excellent policy framework that details 10 elements of an effective complete streets policy, as well as many other resources to help lawmakers and advocates.
State Examples:

● In 2022, the Washington State Legislature passed Senate Bill 5974, which revised the Public Highways and Transportation Code to include a Complete Streets requirement for all state-funded transportation projects with a budget of $500,000 or more. Notably, it also includes the ability to lower speed limits. Read about its implementation by the Washington State Department of Transportation.

City or County Examples:

● In 2018, Des Moines, IA, passed a Complete Streets policy that includes strong language around design requirements. The Transportation Safety Committee established through the policy also has significant control over which projects get approved per specific criteria. Exceptions must meet a clearly defined burden of proof.
● In 2019, Cambridge, MA, passed the Cycling Safety Ordinance, becoming the first city in the country to mandate the inclusion of separated bike lanes whenever streets are rebuilt if such lanes are part of the city’s bicycle master plan.
● In 2019, Tucson, AZ, passed a Complete Streets ordinance, the highest-ranked plan in Smart Growth America's “Best Complete Streets Policies” 2023 report. Not only does it mandate Complete Streets design standards for all new projects, but also hired new staff and created a robust implementation plan that stewarded resident engagement through a new Complete Streets Coordinating Council.

Equitable Transit- and Trail-Oriented Development

Equitable Transit- and Trail-Oriented Development involve building compact, mixed-use, pedestrian-oriented communities around public transit stations or trails while meeting equity goals for populations that have been historically marginalized by land use and transportation infrastructure. Adopting policies to encourage such development creates inclusive, sustainable communities anchored around walking, biking, and public transit, reduces VMT and GHG emissions, and improves safety for people walking and biking.

CREATE SAFER PLACES TO RIDE

Reduce traffic speeds — Lowering the speed of vehicles is one of the most important ways to make streets safer for everyone, including people riding bikes. Communities worldwide have lowered speed limits to 20 miles per hour and,
critically, have also redesigned roadways to naturally prevent speeding. This improves safety and comfort for all road users, giving drivers more time to avoid crashes and making crashes less severe.

**Several states have passed language allowing local communities to reduce speed limits:**

- In 2022, Washington passed [Senate Bill 5687](https://leg.wa.gov/bills/2021-2022/Bills/Introduced/SB5687), which allows local authorities in their respective jurisdictions to establish a maximum speed limit of 20 miles per hour on a non-arterial highway or part of a non-arterial highway.
- In 2019, Minnesota passed [Statute 169.14 Subd 5h](https://www.leg.state.mn.us/status/laws/2019/169-14_subd_5h), allowing cities to lower local speed limits per best practices.
- In 2020, Colorado passed legislation allowing local governments to set speed limits of 20 miles per hour on residential streets that meet specific criteria, such as having no more than two lanes or lacking a center turn lane. The law also allows local governments to set lower speed limits in school zones and high-pedestrian areas.
- In 2021, Oregon passed [House Bill 3055](https://www.oregonlegislature.gov/bills_resolutions/HB3055), which enabled the Oregon Department of Transportation (ODOT) to delegate the authority to set (and lower) designated speed limits to several cities and counties across the state, dependent on ODOT approval.
- In 2021, California passed [Assembly Bill 43](https://leginfo.leg.state.ca.us/faces/billText.xhtml?billNumber=AB43&year=2021), establishing “a prima facie speed limit of 25 miles per hour on state highways located in any business or residence district,” authorizing the California Department of Transportation (Caltrans) as “a local authority to declare a speed limit of 20 or 15 miles per hour, as specified, on these highways,” and allowing local authorities “without an engineering and traffic survey, to declare a lowered speed limit on portions of highway, as specified, approaching a school building or school grounds.”

Several U.S. cities have also adopted lower speed limits, including Hoboken, NJ; Eugene, OR; Tacoma, WA; Denver, CO; and San Francisco, CA.

**Ban right turns on red for drivers** — With a great deal of evidence proving the danger of allowing drivers to make right turns on red at traffic lights, a growing number of communities are restricting them.

- For several decades, New York City has banned right turns on red unless otherwise permitted by signage.
- In 2022, Washington, D.C., passed the [Safer Streets Amendment Act](https://www.dclaw.gov/acts/2022/96), which states that “Beginning January 1, 2025, a motor vehicle operator shall not make a turn when facing a steady red traffic control signal unless [the District Department of Transportation] DDOT has installed signage, pursuant to
subsection (d) of this section, permitting a turn when facing a steady red traffic control signal at that intersection.

- In 2023, Seattle, WA, created a policy ensuring that “no turn on red” is the default standard when traffic signals are replaced or modified.

**Adopt modern design standards** — Communities can ensure safe and up-to-date design guidelines by adopting proven modern design standards, such as those created by the National Association of City Transportation Officials (NACTO). This guarantees that engineers and planners create streets that are safe and accessible for people of all ages and abilities. As of 2022, FHWA allows communities to apply NACTO’s Urban Street Design Guide and Urban Bikeway Design Guide to federally funded local projects, even without state permission.

**State Examples:**

- In 2014, California passed Assembly Bill 1193, allowing cities to use alternative safety design criteria for bikeways.
- In 2015, the Massachusetts Department of Transportation created a Separated Bike Lane Planning Design Guide.
- In 2021, the South Carolina Department of Transportation issued internal departmental guidance that allows the use of NACTO design standards (see page 4).

**City Examples:**

- In 2013, the Hoboken, NJ, City Council formally adopted NACTO’s design guides as its bikeway and street design guides.
- In 2014, the El Paso, TX, City Council approved a resolution adopting NACTO’s design guides as the city’s official design guidelines for all capital improvement projects.

**Decriminalizing Biking**

While this toolkit focuses on legislation related to accelerating the construction of great bike infrastructure, there are a multitude of other laws that should be revised or eliminated to prevent disproportional over-policing of marginalized communities. “Breaking the Cycle” from the National Association of City Transportation Officials (NACTO) and “Arrested Mobility” from Equitable Cities summarize the negative consequences of biased enforcement and offer recommendations for decriminalizing biking.
ADVANCE BIKE INFRASTRUCTURE THROUGH CLIMATE LEGISLATION

State and local climate legislation can advance bike infrastructure by establishing targets for reducing greenhouse gas (GHG) emissions and creating incentives or mandates for communities and states to invest in sustainable transportation.

Bike infrastructure is a known tool to reduce both vehicle miles traveled (VMT) and GHG emissions. Unfortunately, too many climate bills don’t include policies to increase bicycle infrastructure and use. To be truly effective, climate legislation must include bike infrastructure as a solution by mandating that state transportation departments prioritize it.

Increasing mobility options and reducing VMT through smart climate legislation not only leads to environmental benefits but carries a positive fiscal impact. Studies show that these laws save states millions of dollars through lower costs for drivers, fewer traffic injuries and deaths, and health benefits from cleaner air.

The following are important principles PeopleForBikes recommends including in climate legislation:

- **Include specific VMT reduction targets.** Communities cannot meet GHG reduction targets solely through electric vehicles without also reducing the miles those vehicles travel. Considering that 46% of all car trips in the U.S. in 2017 were under three miles, the bicycle is well positioned to eliminate millions of VMT by replacing short car trips.

- **Prioritize expenditures with co-benefits.** Replacing short, gas-powered car trips with electric car trips may reduce GHG emissions, but it won’t improve health, economic conditions, safety, and happiness like replacing those trips with bicycles will.

- **Prioritize investments in traditionally disinvested and marginalized communities** to partially redress past inequities.

- **Establish strict requirements for accurate reporting** to measure and track the impact of various strategies relative to goals.

- **Include accountability measures** that allow the public to ensure compliance.
State examples:

- In 2021, the Rhode Island Legislature passed the Act on Climate, which includes a statewide mandate for GHG reductions, as well as reporting requirements and an enforcement mechanism to ensure the state meets its mandates and equity-based requirements.
- In 2021, the Hawaii Legislature passed Senate Bill 1402, which requires the Hawaii Department of Transportation to create a contiguous network of pathways and highways for bicycles and electric bicycles to combat climate change and reach the state's GHG reduction goals.
- In 2021, the Washington Legislature passed the Climate Commitment Act (CCA), establishing a market-based program to reduce carbon pollution and achieve GHG limits set in state law. Proceeds from the CCA must be invested in critical climate projects focused on improving clean transportation options, such as bike lanes. It also stipulates that projects must increase climate resilience in ecosystems and communities, addressing issues of environmental justice and health inequity in Washington.
- In 2021, the Colorado Department of Transportation (CDOT) passed the GHG Transportation Planning Standard, which rearranges regional capital investment plans to prioritize transportation modes that most effectively reduce GHG emissions: public transit, walking, and biking. The standard requires all five metropolitan planning organizations (MPOs) and CDOT to set emissions reduction targets for 2025 and each subsequent decade until 2050. MPOs failing to meet targets must develop mitigation action plans and prioritize funding for action plans that provide alternatives to driving.
- In 2023, the Minnesota Legislature passed the Transportation GHG Emissions Impact Assessment (see pages 107-110), setting requirements for state agencies to reduce GHG emissions. Similar to Colorado's GHG rule, this bill sets specific timelines, creates processes to evaluate the emissions impacts and travel demands of transportation plans and individual roadway projects, and requires agencies to create plans for meeting their targets. If a project might knock the agency off course in achieving its emissions reductions, it may use one of several mitigation measures to lessen impacts, such as expanding transit service or constructing new bike lanes.

Electric Bicycles (E-Bikes) as a Climate Tool

In addition to prioritizing and funding infrastructure that makes riding bikes safer and more accessible, increasing equitable access to e-bikes is an effective tool in combating climate change. Several U.S. states and cities have passed e-bike incentive programs to lower transportation-related GHG emissions. To learn more about e-bike incentive programs, check out our E-Bike Incentive Toolkit.