

Safe and Complete Streets Act of 2008
Section-by-Section Analysis

SECTION 1. SHORT TITLE

Names the legislation the “Safe and Complete Streets Act of 2008.”

SEC. 2. FINDINGS

Makes a number of findings about the safety, environmental, equality of access, and public transit benefits of implementing complete streets policy.

SEC. 3. DEFINITIONS

Defines “complete streets policy” and “complete streets principles” to be transportation laws, policies, or principles which ensure that the needs of all users of the transportation system (including pedestrians, transit users, children, the elderly, bicyclists, people with disabilities, and motorists) are accommodated in all phases of transportation project planning and development.

SEC. 4. COMPLETE STREETS POLICY REQUIREMENT

- Requires that States and Metropolitan Planning Organizations (MPOs) implement complete streets policies.
- Two years after enactment, States and MPOs must have in effect a State law, State policy, or MPO policy that accommodates the safety and convenience of all users of the transportation system in accordance with complete streets principles.
- States that this complete streets policy requirement applies to new road construction and road improvement projects, including design, planning, construction, reconstruction, rehabilitation, maintenance, and operations along the entire right-of-way.
- Clarifies that the complete streets policy requirement applies only to projects that receive Federal funding.
- Requires that complete streets-acceptable projects fit within the local community context.
- Sets out a clear procedure by which individual projects may be exempted from compliance with Complete Streets principles, including in cases where:
 - Affected roadways prohibit specified users, such as on freeways;
 - The cost of applying complete streets principles would be excessively disproportionate to the need or probable use of a given complete street;
 - The number of people who live and work (or who will likely live and work) in a particular area is low enough that there is a documented absence of need for complete streets.

SEC. 5. CERTIFICATION

- Requires transportation projects to be certified periodically for compliance with complete streets principles.
 - For Clean Air Act nonattainment areas, requires that projects be certified once every four years.
 - For attainment areas, requires that projects be certified once every five years.

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SEC. 6. ACCESSIBILITY STANDARDS

- Requires the U.S. Access Board to issue accessibility standards for pedestrian facilities within the public right-of-way.
 - Until the U.S. Access Board issues the above standards, instructs States and MPOs to apply existing Department of Transportation Standards for Accessible Transportation Facilities (available at 49 CFR 37.9).

SEC. 7. TECHNICAL GUIDANCE

Requires the Secretary of Transportation to provide a report to transportation agencies across the country on best practices for implementing complete streets principles