



The Complete Streets Act of 2009 (S. 584/H.R. 1443)

Section-by-Section Legislative Description

SECTION 1. SHORT TITLE

Names the legislation the “Complete Streets Act of 2009.”

SEC. 2. DEFINITIONS

- Defines a “complete street” as a roadway that accommodates all travelers (particularly public transit users, bicyclists, motorists, and pedestrians of all ages and abilities) in a way that allows all of these kinds of travelers to use the roadway.
- 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 are accommodated in all phases of transportation project planning and development.
- Defines other miscellaneous terms used throughout the legislation.

SEC. 3. 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 department of transportation 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.
- Stipulates that the complete streets policy requirement applies only to projects that receive federal transportation funding.
- Requires that complete streets-acceptable projects fit within the local community context.
- Exempts from compliance those new road construction or modification projects that are at least 30 percent of the way through the design phase on the day that a complete streets law or policy goes into effect.
- 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
- Requires State departments of transportation and MPOs that are implementing complete streets policies to do so throughout the project development, planning, and delivery process.
- Requires each State department of transportation to submit a report to the Secretary of Transportation describing the implementation of complete streets policies within that state, and gives the Secretary the authority to determine whether a State is in compliance with complete streets requirements.

SEC. 4. USER ACCESS AND CONSIDERATION

- Amends Section 217 of Title 23 of the U.S. Code (“Bicycle transportation and pedestrian walkways”) to conform the planning and design process for bicycle and pedestrian infrastructure more closely to complete streets principles.

SEC. 5. CERTIFICATION AND COMPLIANCE

- Requires agencies that have primary design, construction, or financial responsibility for projects within a given transportation improvement program to certify at projects’ final design stages that these projects comply with complete streets principles.
- These agencies must also certify to the State that projects comply with complete streets principles no later than one year after they are opened for public use.
- Requires a re-certification of compliance with complete streets principles whenever a given project undergoes a “substantial design change,” as determined by the Secretary of Transportation.
- Exempts projects under a certain size from this certification requirement.

SEC. 6. SAFETY FUNDING IN NONCOMPLIANT STATES

- Enforces complete streets policy requirement by restricting to safety uses a small portion of Surface Transportation Program dollars in noncompliant states.
- In the first year a state is not in compliance, 1 percent of highway funds are restricted to safety uses, in the second year 2 percent, and in the third and subsequent years 3 percent.
- Noncompliant states still receive the same amount of Surface Transportation Program money, but must allocate that money differently if they are not in compliance with the complete streets policy requirement.

SEC. 7. ACCESSIBILITY STANDARDS

- Requires the U.S. Access Board to issue accessibility standards for pedestrian facilities within the public right-of-way.
 - Until the 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. 8. RESEARCH, TECHNICAL GUIDANCE, AND IMPLEMENTATION ASSISTANCE

- Requires the Secretary of Transportation to provide a report to transportation agencies across the country on best practices for implementing complete streets principles.
- Mandates that this research be coordinated with affected stakeholder groups.
- Authorizes \$2 million annually to fund this research.
- Requires the Department of Transportation to make available to states technical guidance and best practices documents that can help them implement complete streets policies more effectively.