
HOUSE BILL No. 1243

DIGEST OF INTRODUCED BILL

Citations Affected: IC 8-23.

Synopsis: Complete streets guidelines. Requires the Indiana department of transportation (INDOT) to do the following: (1) Adopt guidelines for INDOT projects regarding street design that enables safe, comfortable, and convenient access for all users (complete streets guidelines). (2) Include a requirement to comply with complete streets guidelines in INDOT contracts entered into after December 31, 2012. (3) Include complete streets guidelines in INDOT's approved design manual (manual). (4) Report to the general assembly on INDOT's progress in incorporating complete streets guidelines into INDOT's manual and projects.

Effective: July 1, 2012.

Dembowski

January 9, 2012, read first time and referred to Committee on Roads and Transportation.

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Second Regular Session 117th General Assembly (2012)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2011 Regular Session of the General Assembly.

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HOUSE BILL No. 1243



A BILL FOR AN ACT to amend the Indiana Code concerning transportation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 8-23-5-10 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2012]: **Sec. 10. Not later than July 1, 2013, the department shall**
4 **include technical guidance for the incorporation of complete streets**
5 **guidelines adopted under IC 8-23-9-59 in the planning, design,**
6 **construction, reconstruction, and operation of projects governed**
7 **by the design manual in the approved design manual of the**
8 **department.**

9 SECTION 2. IC 8-23-9-59 IS ADDED TO THE INDIANA CODE
10 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
11 1, 2012]: **Sec. 59. (a) For purposes of this section, "complete street"**
12 **means a highway, street, or other roadway that is designed and**
13 **operated to enable safe, comfortable, and convenient access for all**
14 **users.**

15 (b) **This section applies to a contract entered into by the**
16 **department and a contractor after December 31, 2012, for the**
17 **planning, design, construction, reconstruction, or improvement of**



1 a state highway or other roadway that is under the jurisdiction of
2 the department.

3 (c) The department shall include in a contract, including any
4 specifications or other documents that are a part of or
5 incorporated into a contract, a requirement that the project be
6 completed in accordance with the department's complete streets
7 guidelines adopted under subsection (d). However, the department
8 may exclude a project or part of a project from the requirement if:

9 (1) pedestrian or other nonmotorized usage is prohibited by
10 law on the highway, street, or other roadway that is the
11 subject of the project or part of a project;

12 (2) the cost of incorporating complete streets guidelines for
13 the project or part of the project is excessively
14 disproportionate to the benefits, as determined by the
15 department; or

16 (3) there is a demonstrated lack of present or future need for
17 complete streets for the project or part of the project.

18 (d) The department shall adopt guidelines to incorporate
19 complete streets into the planning, design, construction,
20 reconstruction, or improvement of a state highway or other
21 roadway that is under the jurisdiction of the department.
22 Guidelines adopted under this subsection must take into
23 consideration the following:

24 (1) The ages and abilities of all potential users of roadways.

25 (2) The modes of transportation used on roadways.

26 (3) Safety, accessibility, and livability.

27 (e) Not later than November 1, 2013, the department shall
28 report in an electronic format under IC 5-14-6 to the general
29 assembly the progress made by the department in implementing
30 this section and incorporating complete streets guidelines into the
31 approved design manual of the department under IC 8-23-5-10.
32 This subsection expires December 31, 2013.

33 (f) Beginning November 1, 2014, and not later than November
34 1 of each successive year, the department shall report in an
35 electronic format under IC 5-14-6 to the general assembly on the
36 number, type, and status of complete streets projects undertaken
37 by the department. This subsection expires December 31, 2018.

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