

DRAFT Policy on Accommodating Bicycle and  
Pedestrian Travel on ODOT owned or Maintained Facilities

**Comment Received and Responses March 17, 2005:**

*Following is a summary of the comments received and responses to the comments and changes made to the draft policy. Approximately 115 comments from FHWA, ODOT and Ohio MPOs were received and are presented below. This summary should be reviewed in conjunction with the 2<sup>nd</sup> Draft Policy transmitted together with it.*

*Comments were reviewed and changes made to the Draft by a team including seven staff from the Offices of Urban and Corridor Planning, Production, Local Projects, and Roadway Engineering.*

*Many unsolicited comments were also received from the bicycle community. All were reviewed. Recommendations that were consistent with other FHWA, ODOT and MPO suggestions and did not change the intent of the policy were also included as changes to the draft.*

**FHWA Comments:**

- 1) The policy as currently written does not provide objective standards for the three consideration criteria. Standards should be developed to ensure a consistent application of the policy. For example would a high level of Average Daily Traffic (ADT) be a reason to exclude bicycle facilities from a highway project, and what would that ADT be? What are “excessively disproportionate costs for bicycle or pedestrian facilities? When would existing shoulder width, be a reason not to widen the shoulder for bicycle and pedestrian travel accommodations?

*A: Added language to clarify this however we feel the policy is intended as general guidance, not for detailed design.*

- 2) The discussion under “Local Desire and Potential for Use”, doesn’t mention ODOT solicitation of local opinions regarding the needs for bicycle and pedestrian accommodations. We encourage ODOT be proactive and solicit public involve on a project by project basis and as such recommend the third bullet be revised to reflect such an approach.

*A: This is assumed because public involvement happens in every step of the PDP.*

- 3) We recommend a Section VII be added to address an appropriate level of documentation needed to document the basis for the decision on bicycle or pedestrian needs and accommodations. This would assist in ensuring consistent implementation of the policy. Additionally, this documentation could serve as a

basis for improving the above noted “objective standards” and in developing best practices statewide.

A: Agree. Added the word “documentation” to I. and C, second bullet. Will be done as part of training. Pg 1,2

- 4) We recommend Section III be revised to state that bicycle and pedestrian ways shall be considered in new construction and reconstruction projects in “non-urbanized rural” areas, so as to be consistent with 23 USS 217 and 23 CFR 450.208. The paragraph could then be expanded to include the criteria for consideration of paved shoulders, etc.

A: Agree. Included definition. Pg 5

- 5) We recommend adding to the list of Definitions the terms “new construction projects” and “reconstruction projects” as used in several Sections of the policy.

A: Agree. Added reconstruction as a definition. Pg 4

- 6) We would also suggest adding the FHWA Design Guidance for Accommodating Bicycle and Pedestrian Travel: A Recommended Approach, to your References list, it is located <http://www.fhwa.dot.gov/environment/bikeped/Design.htm>.

A: Agree and added. Pg 4

## **ODOT Central Office Comments:**

### **Office of Real Estate**

- 1) You may want to include some discussion regarding our ability to acquire R/W for bikepaths. ORC 5501.31 clearly states that we may only buy land for bikepaths from willing sellers, as follows, "Also incident to any authorized highway improvement, the director may purchase property from a willing seller as required for the construction and maintenance of bikeways and bicycle paths..." This means we cannot use eminent domain to take the land for bikepaths. I believe this statute is typically followed when dealing with stand-alone bike paths, and not those bikepaths that are immediately adjacent to the traveled lanes. In those instances, I believe most districts just buy a little wider R/W along with the land necessary for the road, and they then have the bikepath striped off from the actual roadway.

I've attached a copy of ORC Section 5501.31 below for your review and reference. In it I highlighted the above captioned text.

A: Agree and added under Authority, Pg 3

- 2) I think it would be advisable to include the Utilities Manual, Section 8100 and 8200 with the References on page 3 of the Policy.

A: Agree and added under Authority, Pg 3

### **Office of the Director**

- 3) If no training is required as a part of this policy, how do we assure ourselves that all ODOT designers are implementing this policy?

A: Agree and added. Pg 5

### **Office of Advertising and Device Control**

4) II. Ohio Revised Code: Replace Chapters with Sections.

A: Agree and added under Authority, Pg 5

### **Division of Finance and Forecasting**

5) In the Financial Section: please add the following: Funding will come from existing capital programs.

A: Agreed but no change is needed.

### **Office of Production**

6) These decisions will be made concurrent with other decisions made during the ODOT Project Development Process (PDP).

A: Agree and added under Authority, Pg 3

7) Each transportation project will be evaluated on a case by case basis.

A: Agree. We added the word “documentation” to I. and C, second bullet Pg 1,2

8) Level of Average Daily Traffic

A: Agree. Reworded. Pg 1

9) Roadway shoulder width;

A: Agree. Addressed. Pg 1

10) **C. Local Desire and Potential for Use:** In determining the desire for a new facility

A: Agree. Clarified. Pg 2

11) Documentation in Planning Study’s public involvement report of local desire for a new bike/pedestrian way to be constructed along side the transportation improvement;

A: There is a formal report for Minor Projects. .

12) Bicycle and pedestrian ways shall be considered in new construction and reconstruction projects in all **urbanized** areas unless one or more of the following conditions are met:

- a. Bicyclists and pedestrians are prohibited by law from using the roadway. In this instance, only shared-use paths separated from the roadway will be considered;

A: Agree. Changed “ways” to “accommodations” throughout document.

A: Agree but this is a project based decision and is too specific for the policy.

13) When accommodating bicycle and pedestrian traffic in **non-urbanized rural** areas, paved shoulders should be considered in all new construction and reconstruction projects on roadways used by more than 1,000 vehicles per day.

A: No need to revise manual.

14) Rumble strips are not recommended where shoulders are used by bicyclists unless there is at a minimum four feet of clear path in which a bicycle may safely operate.

A: Agree. Referenced. Pg 4

15) New construction of bike/pedestrian ways must meet current ODOT design standards as per **References VI.** in this policy. New construction must also be compliant with the American Disabilities Act (ADA) and the National Environmental Policy Act of 1969 (NEPA).

A: Agree. Clarified in Locally Initiated Requests. Pg 3

16) ODOT Location and Design Manual – Vol 1, Section 605.1, Vol. 2, Section 1004.2, Section 1006.2

The POLICY STATEMENT says it applies to all transportation projects on facilities owned or maintained by the Ohio Department of Transportation.

A: Agree. Added. Pg 4

A: Agree. Added. Pg 4

### **Office of Local Projects**

16) The Policy Statement says it applies to all transportation projects on facilities owned or maintained by the Ohio Department of Transportation. The SCOPE says it applies to ODOT Districts, Divisions and Offices and to local governments within the State of Ohio using state or federal transportation funds. There is a mismatch between the POLICY STATEMENT and the SCOPE: many local governments use state and federal funds on projects not owned or maintained by ODOT.

A: Agree. Corrected. Pg 4

17) Is section I (Safety, Feasibility and Local Desire and Potential for Use) to be used as the guidance or criteria that will be used to determine the work that shall (standard) or should (guidance) be done under sections II and III?  
a. Safety should include crash history, hills, curves, and sight distance conditions.  
b. Local Desire and Potential for Use should mention traffic generators

A: Implied based on discussions with Roadway Engineering Services.

18) A "bike" is an item with two wheels, used as often to mean a motorcycle as to mean a bicycle. "Bicycle", however, means the non-motorized vehicle, which this policy is all about. This policy is a formal document, therefore the casual "bike" should be replaced with "bicycle" in all instances. Similarly, "ped" should be replaced with "pedestrian."

A: Agree. Term has been corrected throughout the document.

19) The Federal regulations, listed under AUTHORITY, uses objective terms - "bicycle transportation facilities" and "bicycle facilities and pedestrian walkways." Terms used in this draft policy are inconsistent. Some terms or phrases used suggest that the type of "bikeway" is already predetermined, and a

shared use path is the facility to plan for. Please replace these with more consistent and objective terms and phrases:

- "constructing a new bike/pedestrian way" in I. B., Feasibility
- "establishing a new facility" in I. B., Right-of-way width
- "desire for a new facility" in I. C., Local Desire and Potential for Use
- "a bike/pedestrian way" in I. C., Local Desire and Potential for Use
- "a new bike/pedestrian way to be constructed along side the transportation improvement" in I. C.
- "Bicycle and pedestrian ways" in II.
- "New construction of bike/pedestrian ways" in V.

Acceptable terms and phrases include:

- "accommodate bicycle and pedestrian travel"
- "bicycle and pedestrian travel"
- "incorporate bicycle transportation facilities and pedestrian walkways"
- "bicycle/pedestrian facilities"
- "shared use paths, sidewalks and on-street facilities"
- "integrate bicyclists and pedestrians"
- "accommodate bicyclists and pedestrians (including people with disabilities)"
- "facilities for bicyclists and pedestrians"

A: Agree. The terminology has been made consistent throughout.

- 20) "Transportation improvement" is a rather generic term but is used in I.C. and in VI. to mean a roadway project. The act of accommodating bicyclists and pedestrians is a transportation improvement.

A: Agree. The terminology has been made consistent throughout.

- 21) Section II - Suggest changing the opening statement to read "Bicycle and pedestrian ways shall be considered in new construction and reconstruction projects in all urbanized areas unless one or more of the following conditions exist and make it prohibitive."
- a. Suggest restructuring the first condition in section II as follows: Where bicycle and pedestrian use is prohibited from a roadway, only shared use paths, separated from the roadway will be considered.
  - b. Please give some additional examples of factors that indicate an absence of need, e.g., fewer than 1,000 ADT.
  - c. Lack of population alone seems a weak condition, as schools, grocery stores, malls and housing developments are built so quickly.

A: This is inconsistent with the intent of the policy.

- 22) REFERENCES, III: ADA requirements go beyond making "facilities for pedestrians" accessible. "Additions and alterations to existing public rights-of-way shall be altered to the maximum extent possible to be readily accessible to and useable by individuals with disabilities." (from X01.3 of Building a True

Community, Final Report, Public Rights-of-Way Access Advisory Committee, 2001.)

A: Agree. Reworded. Pg 4

- 23) Section VI., Bicycle/Pedestrian Design Standards:  
AASHTO Guide for the Development of Bicycle Facilities (1999)  
Please indicate the topic discussed at the L & D Manual sections specified  
The ODOT Policy on the Use of Rumble Strips on Shoulders is Policy Number 322-01(P)

A: Agree. Wording revised. Pg 4

- 24) Suggest adding a definition for "Walkway". Here is the definition used on page 44 of FHWA's Pedestrian Facilities Users Guide: Providing Safety and Mobility (2002): Walkways are the portion of the public right-of-way that provide a separated area for people travelling on foot.

A: Not sited within the policy and therefore does not need to be defined.

### **Division of Quality and Human Resources**

- 25) Under section A the first bullet, should the Average Daily Traffic be capitalized?  
Of for consistency should it read: Average daily traffic?

A: It is general practice to capitalize Average Daily Traffic

### **Office of Chief Legal Council**

- 26) **II. Ohio Revised Code:** Chapters 2921.331, 4511.01 – 4511.99 and 4513.01 – 4513.37 address bicycle and pedestrian regulations. Chapter 4511.051 allows bicycle/pedestrian facilities paths to be constructed within freeway right-of-way on a facility that is separated from the roadway and shoulders of the freeway and is designed and appropriately marked for bicycle use. Chapter 4511.711 references that the regulations are not meant to preclude local authorities are permitted to regulate bicycle operations.

A: Agree. Corrected. Pg 3

- 27) Urbanized Area: A central area with densely settled surrounding contiguous territory that together has a population of 50,000 or more, as defined by the U.S. Census. (YOU MAY WANT TO CONSIDER INCLUDING A DEFINITION OF "NON-URBANIZED, RURAL AREA")

A: Agree. Inserted. Pg 5

## **ODOT District Comments**

### **District 4**

- 1) How the additional costs of a bike/ped facility would be funded? Since 20% of the larger transportation improvement cost is indicated as a threshold, it appears that the bike/ped facility would be funded out of the original project budget. For District Allocation projects, there is concern that this will become like the 1% aesthetic rule, and this would not be acceptable to district.

A: Agree. Corrected under Funding. Pg 5

- 2) Right of way width is a consideration under feasibility- would new ROW [considering the time and expense] ever be acquired solely for the addition of a bike/ ped facility?

A: Agree. Addressed. Pg 1

- 3) This version of the policy still doesn't explicitly identify who will decide if a bike/ped facility will be included in the project? It appears that the feasibility from a planning standpoint is determined by the PDP process, but the determination of *funding feasibility* must rest with District 4.

A: Agree. Addressed. Pg 1.

### District 5

- 4) Should we put in a ped/bike path for projects within the MPO if the MPO requests it because they have an accommodation policy (MORPC)? If so, what type of facility should be built? Should it be paved shoulders or a separated path? Should we expect local participation or MPO participation?

A: Agree. Addressed. Pg 1

A: Too specific for the policy.

- 5) Page 2 Item II-What is the definition of **urbanized**? Is urban the MPO funding boundaries, the MPO study boundaries, or the area that is actually developed?

A: The term is defined as the U.S. Census Boundary.

- 6) Why is the office of planning writing this policy when this is a program administered by Office of Local Projects?

A: This is a planning policy due to the accommodation decisions being made during the planning process.

- 7) On page 2 there is a section addressing urbanized areas which are defined as having populations over 50,000. There is also a section addressing non-urbanized rural areas. It should be noted that there are sections of ODOT owned and maintained roadways in Urban areas. Should Urban areas also be addressed in the policy?

A: Agree. Addressed. Pg 5

### District 1

- 8) Section VI on page 2 refers to the Office of Local Programs. This Office is now called the Office of Local Projects.

A: Agree. Corrected. Pg 3

- 9) In section II of the "authority" section on page 3 it states "**Ohio Revised Code:** Chapters 2921.331, 4511.01 – 4511.99 and 4513.01 – 4513.37 address bicycle and pedestrian regulations. Chapter 4511.051 allows bicycle/pedestrian facilities to be constructed within freeway right-of-way. Chapter 4511.711 references that

the regulations are not meant to preclude local regulation of bicycle operations." I reviewed section 4511.711 of the Ohio Revised Code (ORC). This section states "No person shall drive any vehicle, other than a bicycle, upon a sidewalk or sidewalk area except upon a permanent or duly authorized temporary driveway. Nothing in this section shall be construed as prohibiting local authorities from regulating the operation of bicycles within their respective jurisdictions." The statement in the draft policy implies that 4511.711 of the ORC is stating that nothing in any of the previously listed sections of the ORC are meant to preclude local regulation of bicycle operations. The second sentence of 4511.711 of the ORC only states that nothing in the first part of that section that addresses riding a bicycle on a sidewalk shall be construed as prohibiting local authorities from regulating the operation of bicycles within their respective jurisdictions. A section of the ORC that does make a more general statement about regulating the operations of bicycles by local authorities is section 4511.07. Please see subsection H of this section.

A: Agree. Corrected. Pg 3

10) On page 2 in the last section of section III which discusses "accommodating bicycle and pedestrian traffic in **non-urbanized rural** areas" it states "This excludes those roadways that prohibit by law bicycle and pedestrian travel." In the past when we checked on this we were informed that the only roads where bicycles were prohibited by the Ohio Revised Code are freeways. This sentence should be revised to say "This excludes freeways." If there are additional roads that prohibit pedestrians that do not prohibit bicycles the sentence should be revised to mention them. I believe it would be more informative and clearer to say freeways instead of "those roadways that prohibit by law bicycle and pedestrian travel" if the only roads under discussion are freeways.

A: Agree. Reworded. Pg 2

#### **District 6**

11) This looks to only involve new construction and reconstruction projects, therefore hopefully the funding would come from other funding sources than the district pavement and bridge preservation funds.

A: Agree. Defined "reconstruction." Pg 5

12) We are concerned about it slowing down the project if new RW is needed. The issue of sidewalks has come up from the public on our safety projects. There is not enough existing RW to construct sidewalks and adding new or additional RW would delay the project schedule.

A: This is too specific. Needs to be addressed during the decision making process.

13) More importantly, we are concerned about the maintenance issue of the sidewalks in unincorporated areas. Our ODOT forces do not want to be responsible to remove snow from these sidewalks. We have said no to sidewalks in unincorporated areas unless we can find someone else that is agreeable to maintaining them.

A: This is too specific. Needs to be addressed during the decision making process.

14) Item III: Would the 1,000 ADT value used here as existing traffic, do we need to relate that value for future bikeway planning purposes here?

A: This is too specific. Needs to be addressed during the decision making process.

15) Item IV: Please check to see if you want to use a different clear path value for shoulders; especially in some non-urbanized and urbanized areas where structures have been designed with five foot sidewalks to accommodate both pedestrians/bicycles.

A: Confirmed with Office of Production and Roadway Engineering and is being left as stated.

### **District 7**

16) Under Policy Statement, Section I. , it talks about decisions during the PDP... it would help to mention which step in the PDP this would be at....

A: This is too specific. This will be addressed during training.

17) Under Policy Statement, Section II. , we have the work SHALL.....do we want that strong language or will SHOULD work..... ??

A: Disagree based on Federal Regulations.

18) Under Policy Statement, Section V., Referencess..... remove the s...

A: Disagree.

19) Under Policy Statement, Section VI., add Policy Statement before ... I. - V.

A: Agree. Numbering changed throughout document.

### **District 2**

20) Section I. B. Feasibility: I recommend adding environmental. We have a few locations where bike facilities have been requested but the environmental impacts made them not feasible. Call for more details if necessary.

A: Agree. Added. Pg 2

21) Section II.: (and several subsequent areas thereafter) uses the word "reconstruction". It would be beneficial to define reconstruction. Does it include projects that are just resurfacing or mill and fill? I hope not.

A: Agree. Defined. Pg 5

22) Section VI.: suggest deleting "...and will be subjected to the criteria listed in I.-V. (of what) and the ODOT Transportation Enhancement Program Policy". I think referring to the Enhancement Program is sufficient.

A: Agree. Wording Corrected. Pg 3

23) Section II.: It says Chapter 4511.051 allows facilities within freeway RW. That doesn't include Interstate Routes, does it? If so they surely need to be far away from the roadway. If that is the case, it should be explained in greater detail.

A: Agree. Clarified. Pg 3

## MPO Comments:

### TMACOG

1) Make this the 2<sup>nd</sup> paragraph under Policy Statement:

In applying this Policy, note that under the Ohio Revised Code, bicycles are considered, by law, as vehicles and need to be accommodated as such. Bicycles are permitted on all roadways except where specifically prohibited. Designing and improving roads to increase bicycle and pedestrian safety and to reduce conflicts between bicycles, motor vehicles and pedestrians is in accordance with Ohio Department of Transportation goals.

A: Disagree

2) The first sentence of I. should read “When developing a transportation improvement project as part of the ODOT Project Development Process, ODOT will consider how best to accommodate bicycle and pedestrian travel within the planning study area.”

A: Agree. Changed. Pg 1

3) A. Safety should read “**Safety:** In determining how it is possible to safely accommodate bicycle and pedestrian travel, the following will be considered:”

A: Agree. Reworded. Pg 1

4) The last Safety bullet should read “The safety and suitability of the roadway for bicycle and pedestrian travel under present conditions and how best to improve safety and suitability through the transportation improvement.”

A: Disagree

5) **Feasibility:** In determining the feasibility of constructing a new bike/pedestrian way or other pedestrian and cyclist accommodations, the following will be considered:

A: Agree. Reworded. Pg 1

6) The second bullet under Feasibility should read “The cost of establishing a new facility compared to its benefit in terms of number of potential users, eliminating an obstruction to bicycle/pedestrian travel, reducing motorist/nonmotorist conflict, improving safety, and providing connectivity between destinations;”

A: Disagree

7) The last bullet under Feasibility should read “The need for and effectiveness of other bicycle and pedestrian accommodations (wide outside travel lanes, intersection design, etc.).”

A: This is too specific. Needs to be addressed during the decision making process.

- 8) **C. Local Desire and Potential for Use:** should read “In determining the desire for a new facility and/or other accommodations by the local community as well as the potential usage of a bike/pedestrian way, the following will be considered: OKI recommends deleting C – accommodations should be considered in all cases.
- Existing and expected bicycle and pedestrian usage;
  - What connectivity will be provided or enhanced between jurisdictions, neighborhoods, commercial, institutional (schools, health care facilities, libraries, cultural facilities), and recreational destinations;
  - Environmental Justice considerations, that is, the degree to which low income and minority populations or neighborhoods will be served;
  - Effect of the improvement upon any existing or planned bicycle/pedestrian system;
  - Documentation in Planning Study’s public involvement report of local desire for a new bike/pedestrian way and/or other accommodations to be constructed alongside the transportation improvement; and,
  - Identification of the proposed facility in a formally adopted long-range plan, in a Community Comprehensive Plan, in an MPO Long-range Transportation Plan or *ACCESS OHIO* the statewide Transportation Plan.”

A: Agree. Reworded. Throughout Document.

- 9) II. Should read as follows: Bicycle and pedestrian ways shall be considered in new construction and reconstruction projects in all **urbanized** areas. If one or more of the following is present, then consideration shall be given to ways to safely and efficiently allow connectivity of the system.
- Bicyclists and pedestrians are prohibited by law from using the interstate highway system: In this instance, only shared-use paths separated from the roadway will be considered;
  - Bicyclists and pedestrians are prohibited by law from using the non-interstate limited access facility: Shared-use paths separated from the roadway will be considered. In addition, the current need for the prohibition shall be evaluated. Bicycle/pedestrian accommodation on the facility may be considered (wide bike lanes) if warranted by the need for connectivity and lack of reasonable alternative routes.

A: Agree. Reworded. Pg 2

A: Disagree with adding new paragraph. We have no desire to change Ohio Revised Code at this time.

- 10) III. Should read as follows: To accommodate bicycle and pedestrian traffic in **non-urbanized rural** areas, paved shoulders shall be considered in all new construction and reconstruction projects on roadways used by more than 1,000 vehicles per day. This excludes the interstate highway system.

A: Agree. Reworded as “freeways.”

11) In section VI is this referring to locally initiated requests for ODOT funding for bike/ped ways?

A: Yes

12) The bikeway definition should read as follows: Bikeway: Any road, street, path, trail or way that is specifically designated as being open to bicycle travel, regardless of whether such facility is signed or designated for the exclusive use of bicycles or to be shared with other transportation modes. (Note that under Ohio Revised Code, bicycles are vehicles and thus may legally operate on all roads unless specifically prohibited.)

A: Agree. Addressed. Pg 3

### MORPC

13) There appears to be some overlap between Sections I and II. We suggest Section I should simply state that bike/pedestrian facilities will be routinely accommodated in urban and rural areas unless certain conditions exist.

A: Disagree. Would change the intent of the policy.

14) We also suggest Section II should list the exceptions to including these facilities.

A: Disagree. Would change the intent of the policy.

15) Section III (or some companion guidance) should describe the process to identify the appropriate standards and features of the bicycle and pedestrian facilities to be included in a project. For example a suggested change to part of existing Section 3, 'In rural areas where no higher standard facility is warranted, wide shoulders shall be provided.' If ODOT does not include such a process in this routine accommodation policy, it should issue companion guidance that accomplishes this. Explicitly incorporating into the PDP steps to analyze appropriate inclusion of Bike/pedestrian facilities would help make the policy "routine."

A: Disagree. Would change the intent of the policy.

16) The policy should be more decisive and state that ODOT will accommodate bike/pedestrian facilities in all projects unless there are exceptional circumstances.

A: Disagree. Would change the intent of the policy.

17) The **type** of facility should be determined by safety, feasibility, local desire and potential for use.

A: Agree. Reworded. Pg 1

18) These items as well as design speed and land use should be used in determining the **type** of facility to be included.

A: Agree. Reworded. Pg 1

19) When bridging barriers, ODOT should design the bridges to accommodate bicycle and pedestrians or the future accommodation if they are not currently

justified. Long lived, hard to retrofit structures should have a lower standard for when accommodation is included.

A: This is too specific. References for this are sited in the Design Standards.

20) ODOT's Design Control/Design Feature Relationship (ODOT's Location and Design Manual, Volume 1) should be amended to reflect design speed in shoulder widths. AASHTO's Policy on Geometric Design of Highways and Streets recommends that heavily traveled and high-speed roads and those carrying large number of trucks have wider shoulders. We do not believe this is currently reflected in ODOT's Design Control/Design Feature Relationship for shoulder width in rural or urban areas.

A: Comment referred to the Office of Traffic.

21) Under feasibility (I.B.), the cost/benefit for potential users should be construed to include future users and the incremental cost for whatever width we're talking about.

A: This is too specific. Needs to be addressed during the decision making process.

22) The items should also be used to determine **type** of facility.

A: Agree. Reworded. Pg 1

23) In several places users/potential users are discussed as factors, but no mention is made of time frame. One could argue a new road with little around it today would have no users and thus not need the facilities. Since facilities are expected to last 20 years, growth forecasted in that area should be a determining factor of usage. Projects or parts of projects with longer useful lives (e.g. bridges) should consider usage over longer time frames.

A: Agree. Addressed under Local Desire. Pg 3

24) It is difficult to predict pedestrian and bicycle volumes so surrogates may have to be found (type & density of expected development and the likelihood of it generating pedestrian and bicycle traffic).

A: This is too specific. This will be addressed during training.

25) Coordinate with transit systems.

A: This is too specific. This will be addressed during training.

26) We note the public and local governments are often unaware of the point in the PDP when the inclusion of bike/pedestrian facilities in projects should be brought forward. This should be well publicized. The PDP should include asking the public which safety and convenience factors should be included in a project. A sample of common features should be provided so the public better understands what is being requested of it.

A: Thank you. This will be addressed during training.

27) Neighborhood and area plans should also be consulted for identification of bike/pedestrian facility.

A: Agree. Addressed. Pg 2

28) Excessively disproportionate is vague. Instead replaced with “The cost of establishing bike/pedestrian ways that meet applicable standards would exceed 20% of the cost of the larger transportation project.

A: Disagree.

29) If the 1,000 vehicles per day is based on design year, it should be stated.

A: This is too specific. Needs to be addressed through the decision making process.

30) Right-of-way should be set aside to provide for future bike/pedestrian way when near or middle term usage doesn't justify inclusion of a facility with the project.

A: This is inconsistent with the Ohio Revised Code.

31) Where a shoulder serves as part of a pedestrian access route, it must meet ADA requirements.

A: Agree. Addressed under ADA. Pg 4

32) Replace “paved shoulders” with “at a minimum paved shoulders shall be included...” Pedestrian activity along rural roadways can reasonably be expected to be fairly low. While sidewalks are not specifically recommended for rural roadways, sidewalks or paths may be desirable (or necessary for accessibility) to serve schools, shops, and transit stops. (See AASHTO’s Guide for the Planning, Design, and Operation of Pedestrian Facilities.)

A: This is too specific. Needs to be addressed through the decision making process.

33) Availability of a maintenance agency for any separate facilities (beyond shoulder use).

A: This is too specific. Needs to be addressed through the decision making process.

34) Add §217(e), which requires accommodations on bridges.

A: Agree. Added. Pg 3

35) Include "Design Guidance: Accommodating Bicycle and Pedestrian Travel: A Recommended Approach," which appears to have been cited in Sections II. and III. See <http://www.fhwa.dot.gov/environment/bikeped/design.htm>

A: Agree. Added. Pg 4.

36) This appears to conflict with the opening paragraph of the Policy Statement. One suggestion is to add “on the state highway system or its extensions” at the end of the Scope.

A: Addressed on Pg 4.

## NOACA

37) Level of Average Daily Traffic;

Safe facilities can be constructed with any level of ADT, given the availability of enough ROW—it would be a matter of providing the best facility for the specific conditions of the project being built.

A: Agree. Reworded. Pg 1.

38) The safety and suitability of the roadway for bicycle and pedestrian travel under present conditions and after implementation of the transportation improvement.

It's not clear why the safety and suitability of the existing roadway for bikes and pedestrians would be an issue. NOACA recommends the emphasis be on providing safe facilities in the new project, regardless of existing conditions. Does the statement mean there would be a commitment that if existing conditions were good, the project would *at least* not make it worse?

A: This is too specific. Needs to be addressed through the decision making process.

39) The cost of establishing a new facility compared to its benefit in terms of number of potential users;

How is feasibility defined? NOACA recommends that it be defined as “not exceeding 20% of the total project cost,” as put forth in the Federal Highway Administration’s “A USDOT Policy Statement on Integrating Bicycling and Walking into Transportation Infrastructure.” This is the definition adopted by NOACA as part of its Regional Transportation Investment Policy in September 2003.

A: Projects associated with MPOs should follow MPO guidelines.

40) Availability of bike/pedestrian access facilities (e.g. public transit service, parking lots, connecting bikeways, etc.); and

Due to the fact that there are so few existing bike facilities, their availability is not an optimal way to decide whether to put them in. It's necessary to supply facilities so there'll be something to connect to them in the future! On the other hand, NOACA would support such a concept if it meant the presence of connecting facilities would give a boost in situations where the cost of bike/pedestrian facility was higher than 20% of the total project cost.

A: Projects associated with MPOs should follow MPO guidelines.

41) Additional planned transportation improvement projects within the planning study area.

Same comment as above.

A: Projects associated with MPOs should follow MPO guidelines.

42) **C. Local Desire and Potential for Use:** In determining the desire for a new facility by the local community as well as the potential usage of a bike/pedestrian way, the following will be considered:

- Existing and expected bicycle and pedestrian usage;

In order to gauge local desire, a serious effort would be needed to reach all potential users and not just the abutting property owners who turn out for the public meetings. An effort should be made to ascertain the opinions of residents, at a minimum, within a 3-mile radius around the project. (Three miles is suggested because this is a “rule of thumb” regarding a very doable bike ride.) Bike groups within the project county should be notified.

What methodology will be used to measure potential for use? It is important not to use current bike and pedestrian data to extrapolate future use. If existing conditions are poor, that is no basis to judge usage of a new facility built to AASHTO and ODOT standards. At an OTEC workshop last October, Craig Williams of Edwards and Kelcey made a presentation called “Looking out for the Little Guy in Mega Projects” in which he put forward a method of calculating potential use of bike and pedestrian facilities based on latent demand. (This was developed by Sprinkle Consultants, who ODOT had at a workshop a few years ago.) NOACA recommends using this, or similar method to determine potential use.

A: This is too specific. Needs to be addressed through the decision making process.

- 43) Documentation in Planning Study’s public involvement report of local desire for a new bike/pedestrian way to be constructed along side the transportation improvement; and,

As stated above, it would be necessary to make a concerted effort to discover local desire.

A: This is too specific. Needs to be addressed through the decision making process.

- 44) The cost of establishing the bicycle and pedestrian facility would be excessively disproportionate to the need or probably use; or,

See comments above regarding cost (feasibility) and determination of “probable use.”

A: This is too specific. Needs to be addressed through the decision making process.

- 45) Where lack of population or other factors indicate an absence of need.

“Other factors” needs to be defined.

A: This is too specific. Needs to be addressed through the decision making process.

- 46) II. All locally initiated requests for new bike/pedestrian ways where no transportation improvement is planned will be referred to the ODOT Transportation Enhancement Program administered by the Office of Local Programs and will be subjected to the criteria listed in I. – V. and the ODOT Transportation Enhancement Program Policy.

NOACA recommends that in the case of a bike/pedestrian facility that would have a clear transportation use, that STP and other funds be considered, consistent with the intent of TEA-21.

A: Local funding would be welcomed. Addressed. Pg 5

**47) Bicycle/Pedestrian Design Standards:**

- A. The AASHTO Guide for Development of Bicycle Facilities.
- B. ODOT Location and Design Manual – Vol 1, Section 605.1, Vol. 2, Section 1004.2, Section 1006.2
- C. ODOT Traffic Engineering Manual – Part 9 Bicycle Facilities.
- D. ODOT Bridge Design Manual – Section 209.9 Bicycle Bridges.
- E. ODOT Manual of Uniform Traffic Control Devices – Part 9 Traffic for Bicycle Facilities.
- F. ODOT Policy on the Use of Rumble Strips on Shoulders – Policy Number 311-001(P)
- G. FHWA-RD-92-073: Selecting Roadway Design Treatments to Accommodate Bicycles.

A: Agree. Added.

- H. Guide for the Planning, Design and Operation of Pedestrian Facilities, 2004

A: Agree. Added.

**48) SCOPE:**

This policy is applicable to all Districts, Divisions and Offices of the Department; and to all local governments within the State of Ohio using state or federal transportation funds.

This statement appears to be inconsistent with the opening policy statement, which states that the policies apply to facilities owned and maintained by ODOT.

A: Agree. Reworded. Pg 4

**49) Add definitions for “Striped Bike Lanes,” “Wide Curb Lanes,” “Shoulders,” and “Sidewalk.”**

A: These are too specific. If they are stated in the policy, they should not be added.

**OKI**

50) Under Part I. A. Safety, the statement “In determining when it is possible...” should read “In determining how it is possible...”. Improving the safety of cyclists and pedestrians should be a part of all projects. Under the 4<sup>th</sup> point of this policy, the evaluation of the safety after the improvements would be largely dependent on the degree to which appropriate bike/ped accommodations were included as part of the project. “After project” safety improvements for bike/ped accommodation should be automatically included as a desired outcome in the planning and development of any improvement project (except where cycling and walking are prohibited).

A: Agree. Reworded. Pg 1

51) Under Part I. B. Feasibility, second bullet, the above mentioned “USDOT Policy Statement on Integrating Bicycling and Walking” provides the following guidance on the costs related to feasibility that should be included here: “Excessively disproportionate costs is defined as exceeding twenty percent of the cost of the larger transportation project.”

A: Disagree.

52) Under Part I, section C. Local Desire and Potential for Use. We recommend that this section be deleted as it is not necessary or consistent with the “USDOT Policy Statement on Integrating Bicycling and Walking” policies for routine accommodation of bicycle and pedestrian facilities in all construction and reconstruction projects. In addition, current bike/ped use of an inadequate and unsafe road is no measure of actual latent demand for a suitably designed facility.

A: Disagree.

53) Parts II. and III. are fine in that they are consistent with the “USDOT Policy Statement on Integrating Bicycling and Walking” in all urban and non-urban projects. (See our previous comment related to the 20% guide to “excessive costs”.)

A: No comment.

54) Part IV. Related to rumble strips, is also good. In addition to the need for four feet of adjacent clear space to ride, recent research also recommends frequent four foot long breaks in the rumbles to facilitate cyclists crossing them.

A: No comment.

55) References Part VI. Bicycle/Pedestrian Design Standards. Please include FHWA-RD-92-073 Selecting Roadway Design Treatments to Accommodate Bicycles. This document provides guidance for the appropriate bicycle facilities to be provided under varied conditions of traffic, sight distance, operating speed and design bicyclist. Also, AASHTO published its Guide for the Planning, Design and Operation of Pedestrian Facilities in 2004 which should be included as a reference.

A: Agree. Added. Pg 4

56) Scope: This statement of policy applicability, based on ODOT, local governments and funding sources, isn’t consistent with that in the introductory Policy Statement oriented to projects.

A: Agree. Corrected. Pg 4.

57) Background and Purpose: the February, 2000 “USDOT Policy Statement on Integrating Bicycling and Walking” should be added here as further justification for updating these Draft Policies with the suggested recommendations provided herein.

A: Disagree.

58) Definitions: Additional definitions are needed for “Striped Bike Lanes”, “Wide Right/Curb Lanes” and “Shoulders” in addition to the definition for “Shared-Use Path” as these represent the main means for accommodating cyclists within the roadway. Also a definition of “Sidewalk” (ORC 4511.01 (FF)) would be useful including distinguishing between paved and unpaved.

A: Not sited within the policy and therefore does not need to be defined.

59) Training: While no training may be mandated, we recommend that training be provided to familiarize ODOT and local staffs with these new policies. ODOT’s Local Technical Assistance Center provided an excellent workshop on bicycle facilities recently. There are many resources available on the web. Enclosed is a recent FHWA CD Pedestrian/Bicycle Safety Resource Set containing many references.

A: Agree. Addressed. Pg 5.