

# SB3868



## 102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB3868

Introduced 1/21/2022, by Sen. John F. Curran

### SYNOPSIS AS INTRODUCED:

605 ILCS 5/4-220

Amends the Illinois Highway Code. Provides that the Department of Transportation shall establish and solely fund bicycle and pedestrian ways in conjunction with the construction, reconstruction, or other change of any State transportation facility in or within one mile of an urban area (instead of in or within one mile of a municipality with a population of over 1,000 people). Allows a county (in addition to a municipality) to opt out of bicycle and pedestrian way construction by passing a resolution stating that a bicycle or pedestrian way does not fit within its development plan.

LRB102 20980 HEP 29885 b

A BILL FOR

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Highway Code is amended by  
5 changing Section 4-220 as follows:

6 (605 ILCS 5/4-220)

7 (Text of Section before amendment by P.A. 102-660)

8 Sec. 4-220. Bicycle and pedestrian ways.

9 (a) Bicycle and pedestrian ways shall be given full  
10 consideration in the planning and development of  
11 transportation facilities, including the incorporation of such  
12 ways into State plans and programs.

13 (b) In or within one mile of an urban area, bicycle and  
14 pedestrian ways shall be established in conjunction with the  
15 construction, reconstruction, or other change of any State  
16 transportation facility except:

17 (1) in pavement resurfacing projects that do not widen  
18 the existing traveled way or do not provide stabilized  
19 shoulders; or

20 (2) where approved by the Secretary of Transportation  
21 based upon documented safety issues, excessive cost or  
22 absence of need.

23 (c) Bicycle and pedestrian ways may be included in

1 pavement resurfacing projects when local support is evident or  
2 bicycling and walking accommodations can be added within the  
3 overall scope of the original roadwork.

4 (d) The Department shall establish design and construction  
5 standards for bicycle and pedestrian ways. Beginning July 1,  
6 2007, this Section shall apply to planning and training  
7 purposes only. Beginning July 1, 2008, this Section shall  
8 apply to construction projects.

9 (Source: P.A. 95-665, eff. 10-10-07.)

10 (Text of Section after amendment by P.A. 102-660)

11 Sec. 4-220. Bicycle and pedestrian ways.

12 (a) Bicycle and pedestrian ways shall be given full  
13 consideration in the planning and development of  
14 transportation facilities, including the incorporation of such  
15 ways into State plans and programs.

16 (b) In or within one mile of an urban area ~~a municipality~~  
17 ~~with a population of over 1,000 people~~, and subject to the  
18 Department's option in subsection (e), the Department shall  
19 establish and solely fund bicycle and pedestrian ways in  
20 conjunction with the construction, reconstruction, or other  
21 change of any State transportation facility except:

22 (1) in pavement resurfacing projects that do not widen  
23 the existing traveled way or do not provide stabilized  
24 shoulders;

25 (2) where approved by the Secretary of Transportation

1 based upon documented safety issues, excessive cost, or  
2 absence of need; or

3 (3) where the municipality or county passes a  
4 resolution stating that a bicycle or pedestrian way does  
5 not fit within its development plan.

6 (c) Bicycle and pedestrian ways may be included in  
7 pavement resurfacing projects when local support is evident or  
8 the bicycling and walking accommodations can be added within  
9 the overall scope of the original roadwork.

10 (d) The Department shall establish design and construction  
11 standards for bicycle and pedestrian ways. Beginning July 1,  
12 2007, this Section shall apply to planning and training  
13 purposes only. Beginning July 1, 2008, this Section shall  
14 apply to construction projects.

15 (e) If programmed funds identified in Section 2705-615 of  
16 the Department of Transportation Law are not expended for 5  
17 years, the Department has the option to use those funds to pay  
18 the cost of bicycle and pedestrian ways in roadway projects  
19 affected by this Section.

20 (Source: P.A. 102-660, eff. 1-1-22.)

21 Section 95. No acceleration or delay. Where this Act makes  
22 changes in a statute that is represented in this Act by text  
23 that is not yet or no longer in effect (for example, a Section  
24 represented by multiple versions), the use of that text does  
25 not accelerate or delay the taking effect of (i) the changes

1 made by this Act or (ii) provisions derived from any other  
2 Public Act.