

AN ACT concerning transportation.

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

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

(605 ILCS 5/4-220)

Sec. 4-220. Bicycle and pedestrian ways.

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

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

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

(2) where approved by the Secretary of Transportation based upon documented safety issues, excessive cost, or

absence of need; or -

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

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

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

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

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