

## MEMORANDUM

November 24, 2020

To: Jenny Kramer and Matt Messina  
Organization: Kansas Department of Transportation (KDOT)  
From: Tammy Sufi, Adam Wood, and Connor Cox  
Project: KDOT Active Transportation Plan and Economic Impact Study

### Re: Policy and Project Delivery Process Review

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This memorandum documents the findings of the *Task 3: Policy and Project Delivery Process Review*. Toole Design conducted a detailed review of Kansas laws and policies related to active transportation as well as KDOT's programming, funding, design guidance and project delivery process. This review included a survey of documents and standards alongside interviews with key staff involved in KDOT's roadway design process. The memo summarizes our findings and is divided into six sections. Each subsection covers a specific pedestrian and bicyclist related program or policy – including information on background/context, best practices from other states and local governments, preliminary recommendations for discussion, and potential implementation partners. The preliminary recommendations include actions to be taken by KDOT as well as other state and local agency partners. Note that additional observations and recommendations related to policy, programming and funding will be compiled throughout the planning process and finalized for use in the ATP after additional discussion with KDOT staff, the Technical Advisory Committee, and Core Team. Recommendations related to design and maintenance will be addressed in a separate memo and funding will be addressed later in the planning process as part of the development of the draft plan.

## 1. State Laws Relating to Walking and Bicycling

### 1.1 Statutory Speed Limits

#### *Background/Context*

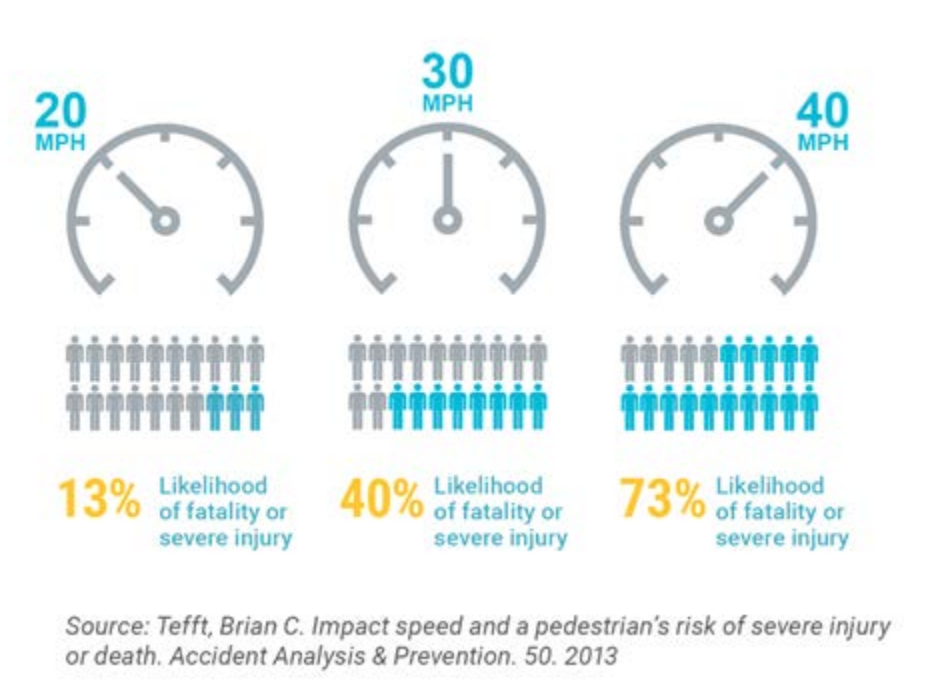
Speed is the primary factor determining the severity of crashes, including those involving pedestrians and bicyclists. While a pedestrian struck by a vehicle traveling at 20 miles per hour has only a 13 percent chance of being killed or severely injured, that likelihood jumps to 40 percent at 30 miles per hour and 73 percent at 40 miles per hour.<sup>1</sup> Lower speeds are safer for all users including pedestrians, bicyclists and motor vehicle users<sup>2</sup>. Reducing speeds in areas where land uses attract pedestrians, bicyclists, and other active transportation users,

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<sup>1</sup> Tefft, Brian C. Impact speed and a pedestrian's risk of severe injury or death. *Accident Analysis & Prevention*. 50. 2013.

<sup>2</sup> United States Department of Transportation. Federal Highway Administration. *Achieving Multimodal Networks: Applying Design Flexibility and Reducing Conflicts*. 2016, p. 21.

such as neighborhoods and commercial districts, is crucial to supporting, encouraging, and improving safety for these modes in Kansas. Setting context-appropriate speed limits is one part of a holistic approach to speed management that typically also includes engineering, education, enforcement and changes to driver behavior.



Statutory speed limits are based on the concept that uniform categories of roadways can operate safely at certain maximum speeds under ideal conditions. Set by the State legislature for specific types of roadways, these speed limits are enforceable by law and applicable even if the speed limit sign is not posted. Currently, the statutory speed limits in Kansas are defined by Chapter 8, Article 15, Section 58 of the Kansas Statutes. This section says, “no person shall operate a vehicle at a speed in excess of such maximum limits:

- 1.) In any urban district, 30 miles per hour;
- 2.) on any separated multilane highway, as designated and posted by the Secretary of Transportation, 75 miles per hour;
- 3.) on any county or township highway, 55 miles per hour; and
- 4.) on all other highways, 65 miles per hour.”

Chapter 8, Article 14, Section 84 defines an “urban district” as “the territory contiguous to and including any street which is built up with structures devoted to business, industry or dwelling houses, situated at intervals of less than one hundred (100) feet for a distance of a quarter of a mile or more.” This language defines a single statutory speed limit for a variety of widely differing land uses (e.g., it treats a main street environment with shops and small businesses the same as a thoroughfare through a suburban commercial area). While Chapter 8, Article 15, Section 60 grants local authorities the ability to raise or lower speed limits in various locations including residential

areas, urban districts, and school zones if certain criteria are met, the statutory speed limits remain in place in many Kansas communities.

*Best Practices*

There are several methods available for setting speed limits including, the “engineering approach” and “expert system approach” which are the most common. Additional approaches include the “optimization approach” and “injury minimization” or “safe systems” approach.<sup>3</sup> Each of these methods requires looking at more localized data, design and conditions than is possible when setting statutory speeds at the statewide level. The injury minimization or safe systems approach is often more appropriate in locations with pedestrian and bicycle activity. In this approach, “speed limits are set according to the crash types that are likely to occur, the impact forces that result, and the human body’s tolerance to withstand these forces.”<sup>4</sup> When determining statutory speed limits, it is important to consider the relationship between speed of travel, context, and crash risk. Since crash severity for people walking and biking increases dramatically with motor vehicle speed, the lowest speed limits reasonable should be established in contexts where people are likely to walk and bike. Many states have chosen to set lower statutory speed limits, compared to Kansas, on roadways and areas where pedestrian and bike activity is likely or encouraged as shown below.

**Statutory Speed Limits of Nearby States**

Colorado	Iowa	Nebraska
30 mph in a residential	25 mph in a residence or school district	25 mph in a residential district
25 mph in a business district	20 mph in a business district	20 mph in a business district
CO ST §42-4-1101	IA ST § 321.285(2)(a)	NE ST § 60-6,186

For additional information on FHWA speed management guidance, see <https://safety.fhwa.dot.gov/speedmgt/>.

*Preliminary Recommendations*

Kansas should modify statutory speed limits for residential and commercial districts to 20-25 mph and KDOT should work to provide communities with the necessary tools to design for safer speeds in these areas. While some recent evidence from urban areas indicates that lowering the speed limits by 5 mph on city streets can improve safety for motorists, pedestrians, and bicyclists alike<sup>5</sup>, speed management will require a multidimensional effort that also includes design changes to bring target speed, design speed, and posted speed into alignment.

*Implementation Partners*

Advocacy Organizations; Public Health, Trauma and Injury Prevention Organizations; Kansas Legislature; KDOT

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<sup>3</sup> United States Department of Transportation. Federal Highway Administration. Methods and Practices for Setting Speeds: An Informational Report. [https://safety.fhwa.dot.gov/speedmgt/ref\\_mats/fhwasa12004/](https://safety.fhwa.dot.gov/speedmgt/ref_mats/fhwasa12004/)

<sup>4</sup> Ibid, p. 10

<sup>5</sup> <https://www.iihs.org/news/detail/city-drivers-slow-down-for-lower-speed-limit-in-boston>

## 1.2 Vulnerable Road User (VRU) Law

### *Background/Context*

Vulnerable Road User (VRU) Laws respond to the inherent and increased vulnerability of pedestrians and bicyclists by “providing an increased penalty for certain road behaviors (generally careless or distracted behaviors) that lead to serious injury or death.”<sup>6</sup> VRU laws deter poor driving behaviors by mandating punishments for dangerous driving behaviors that seriously injure or kill pedestrians and bicyclists. Kansas does not currently have such a law.

### *Best Practices*

According to the League of American Bicyclists, ten states currently have vulnerable road user laws including Colorado, Connecticut, Delaware, Florida, Hawaii, Maine, Oregon, Utah, Vermont, and Washington. Punishments range dramatically between states. Most laws are written so that a fine of up to a specified amount can be given under a VRU law. The lowest maximum fine is \$550 while the highest maximum fine is \$12,500. Most states have set their maximum fine above \$1000. Washington state requires a minimum fine of \$1000. Additional information on VRUs and a model law can be found on the [League of American Bicyclists website](#)<sup>7</sup>.

### *Preliminary Recommendations*

KDOT should work with other partners to create a definition of vulnerable road users such as pedestrians, bicyclists, Amish community and others who rely on non-motorized vehicles and are at risk for crashes. A VRU law for Kansas should be based on the guidance from the League of American Bicyclists and modified to suit Kansas’ needs. The VRU law should include the following four components:

1. a definition of a “vulnerable road user;”
2. a definition or description of actions and outcomes in which a VRU law would apply;
3. a requirement to attend an administrative hearing; and
4. the penalties once adjudicated.

### *Implementation Partners*

Advocacy Organizations; Public Health, Trauma and Injury Prevention Organizations; Kansas Legislature; KDOT

## 1.3 “Dooring” Law

### *Background/Context*

“Dooring” crashes occur when an occupant of a parked motor vehicle opens their door into the path of a person bicycling and either strikes the bicyclist with the door or forces them into traffic, resulting in a crash. Kansas currently has a law ([Chapter 8, Article 15, Section 77](#)) that states that “No person shall open the door of a motor vehicle on the side available to moving traffic unless and until it is reasonably safe to do so [...], nor shall any person leave a door open on the side of a vehicle available to moving traffic for [...] longer than necessary to load

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<sup>6</sup> Model Vulnerable Road User Law. League of American Bicyclists, 30 July 2015, [bikeleague.org/content/model-vulnerable-road-user-law](http://bikeleague.org/content/model-vulnerable-road-user-law)

<sup>7</sup> [www.bikeleague.org](http://www.bikeleague.org)

or unload passengers.” No specific mention is made of bicyclists. Similar warnings are issued in the Kansas Driving Handbook.

### *Best Practices*

Forty-one states have a dooring law. They mandate users to exercise care in opening doors, which can help avoid one of the most common bicycle crash types. They are also important in that they assign responsibility and liability to the person opening the door. The dooring law in Rhode Island has several notable characteristics that help bicyclists, pedestrians, and motorists understand the intent of the law. Perhaps most notably, Rhode Island is one of only three states to specifically clarify that bicyclists and pedestrians are part of traffic. Massachusetts, Rhode Island, and Oregon clarify that bicyclists and pedestrians are protected by their dooring law. Rhode Island also clarifies that its dooring law applies to bicyclists and pedestrians on sidewalks, shoulders, and bicycle lanes.<sup>8</sup>

### *Preliminary Recommendations*

Increase the specificity and public awareness of the Kansas law. Legislation should be passed that specifically references the fact that bicyclists are part of traffic and that dooring applies to them. KDOT should also work to boost awareness of the law via educational campaigns.

### *Implementation Partners*

Advocacy Organizations; Public Health, Trauma and Injury Prevention Organizations; Kansas Legislature; KDOT

## **1.4 “Dead Red” and “Idaho Stop” Laws**

### *Background/Context*

Since 1982, Idaho has allowed bicyclists to roll through stop signs after yielding to other traffic. Due to its uniqueness to the state of Idaho for so many years, the law became known as the “Idaho Stop”. The “Idaho Stop” law allows bicyclists to treat STOP signs as YIELD signs and red lights as STOP signs. The justification for allowing bicyclists to behave differently from drivers in these situations is that bicyclists have much shorter stopping distances and tend to have far greater visibility and auditory awareness at intersections than drivers do. (Bicycles do not create blind spot for their operators nor do they muffle sounds of other road users the way the cabins of vehicles do.) These laws can speed up bicycling trips, while also maintaining safety. These laws may also be referred to as a “stop-as-yield” or “yield-stop” or “safety stop” laws.

Kansas currently lacks an “Idaho Stop” law, although it does have what is often termed a “Dead-Red” law; this allows bicyclists to treat a red signal as a STOP sign when the signal fails to pick up on the bicyclist’s presence, or when the signal is malfunctioning (Chapter 8, Article 15, Section 8c(4)).

### *Best Practices*

Idaho and Arkansas are the only two states who allow both the STOP as YIELD and red light as STOP, however several states including, Delaware, Oregon, and Washington allow the STOP as YIELD and several other states have some variation on a “Dead Red” law. In Arkansas, the tourism industry was active in helping to get the Idaho Stop law passed citing its importance in promoting the bicycle-friendly nature of the state, something that has been strategically cultivated in recent years.<sup>9</sup> More information on “Idaho Stop” and “Dead-Red” laws around the

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<sup>8</sup> <https://bikeleague.org/bike-law-university>

<sup>9</sup> <https://usa.streetsblog.org/2019/04/03/the-idaho-stop-is-finally-starting-to-happen/>

United States [can be found here](#). For a video on that explains why it makes sense for bicyclists to yield at stops click [here](#).

### *Preliminary Recommendations*

Kansas' law currently allows bicyclists to treat a red signal as a STOP sign when the signal fails to pick up on the bicyclist's presence, or when the signal is malfunctioning (Kan. Stat. 8-1508-c(4)). However, this is not a true Idaho Stop law. KDOT should work with other partners to implement a full "Idaho Stop" law.

### *Implementation Partners*

Advocacy organizations, the Kansas Legislature; KDOT

## **1.5 E-Bike and other Electric Micro-mobility Device Laws**

### *Background/Context*

Electric-assisted bicycles, known as e-bikes, are growing in popularity because they make bicycling more practical and accessible for a broad swath of the population. While their use should be encouraged, regulations around the use of e-bikes are often piecemeal and unclear. Kansas Statute 8-1489 defines e-bikes as having pedals, up to 1,000-watt motors, and unable to propel the device at a speed of more than 20 miles per hour. Statute 8-1437 specifies that e-bikes are not motor vehicles (they are bicycles and are permitted to operate as a bicycle on public roads).

Kansas State Parks allows Class 1 and 2 e-bikes wherever bicycles are permitted. In September 2019, Kansas Wildlife, Parks and Tourism (KWPT) Commissioners approved the use of electric-assisted bicycles, or e-bikes, at Kansas state parks. Only e-bikes that cease to provide assistance when the bicycle reaches a maximum of 20 miles per hour may be used at Kansas state parks. E-bikes will also only be allowed on trails already approved for bicycle use.

In the last few years, there has also been a growth in the popularity of shared electric scooters or e-scooters. It is also important that states clearly define policies and laws around the use of these devices.

### *Best Practices*

Federal law (15 U.S. Code § 2085) defines a low-speed electric bicycle as "a two- or three-wheeled vehicle with fully operable pedals and an electric motor of less than 750 watts (1 h.p.), whose maximum speed on a paved level surface, when powered solely by such a motor while ridden by an operator who weighs 170 pounds, is less than 20 mph." Many states, including nearby Colorado, Oklahoma, and Arkansas, have adopted model legislation promoted by PeopleForBikes that defines three classifications for e-bikes based on the level of pedal assist provided and the maximum attainable speed, with all classes limited to 750 watts. The model legislation is provided [here](#).<sup>10</sup>

State laws should clearly define e-bikes and e-scooters and their various classifications in alignment with national standards and should clarify where e-bikes and e-scooters can be ridden. State law should allow local discretion in setting speed limits for e-bikes and e-scooters but should not allow local jurisdictions to prohibit e-bikes and e-

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<sup>10</sup> <https://peopleforbikes.org/wp-content/uploads/2020/01/Model-eBike-Legislation-Jan2020.pdf>

scooters. PeopleForBikes has a [resource dedicated to e-bikes](#), including [policies and laws from around the country](#).<sup>11</sup>

### *Preliminary Recommendations*

Kansas should consider modifying current laws for e-bike and other electric micro-mobility devices to conform with national best practices, balancing public safety with e-bike and e-scooter usage. The focus should be on providing context-sensitive operational limits rather than explicitly prohibiting any particular type of electric mobility device. The model legislation presented by PeopleForBikes should be used as a guide for revisions.

### *Implementation Partners*

Kansas State Legislature; KDOT; Kansas State Police; Bicycle and pedestrian advocacy organizations

## **1.6 Roadway Positioning and Mandatory Use Laws**

### *Background/Context*

Kansas law (Kan. Stat. Ann.8-1590) specifies where bicyclists must ride within the roadway. It specifies that bicyclists ride “as near to the right side of the roadway as practicable” except when passing, preparing for a left turn, or avoiding hazards. It goes on to require bicyclists to use sidepaths, stating that “wherever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use such path and shall not use the roadway.” Sometimes referred to locally as a “Shared Use Path” law, this is technically considered a mandatory use law. The Kansas Supreme Court effectively nullified this law however by ruling that the requirement only applies when the path in question is for the *exclusive* use of bicycles (practically every path in Kansas is intended for *shared* use with pedestrians).<sup>12</sup>

### *Best Practices*

The majority of states specify some form of “as near to the right side of the roadway as practicable.” However, the interpretation of “practicable” can vary substantially from one road user to another (and from a road user to a law enforcement officer) as [discussed by the League of American Bicyclists](#). This ambiguity can effectively discourage bicyclists from riding where it is most safe, such as in the center of the lane on a particularly narrow roadway, which can increase the risk of a crash. The variety of possible interpretations can also result in a de facto mandate to use a bike lane, even if pavement conditions, illegally parked cars, etc. make the bike lane hazardous.

Several states, including Colorado, Missouri, Oklahoma, and Washington use the term “as safe” rather than “as practicable” to reduce ambiguity and highlight safety as the key determinant. Colorado’s law says that bicyclists shall ride “far enough to the right as judged safe by the bicyclist to facilitate the movement of ... overtaking vehicles.”

Only 17 states currently have mandatory use laws, down from 38 states in the 1970s.<sup>13</sup> Most of these provide some form of limitation to the applicability of the law, allowing bicyclists to use the roadway to pass, turn left, avoid hazards, or if the bicyclist is able to operate at the rate of speed of traffic on the roadway. Key downsides of mandatory use laws are that they may be open to a variety of interpretations, may be inconvenient for bicyclists when the path is on the other side of the roadway, and may require bicyclists to use substandard facilities. Oregon has a mandatory use law, but also has codified high standards for the design of bicycle facilities.

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<sup>11</sup> <http://peopleforbikes.org/our-work/e-bikes/>

<sup>12</sup> Schallenberger v. Rudd: <https://mobikedef.org/2009/01/kansas-sidepath-law-clarified-schallenberger-v-rudd-244-kan-230.php>

<sup>13</sup> Bike Law University: Mandatory Use of Separated Facilities. League of American Bicyclists, 21 Jan. 2015, [bikeleague.org/content/bike-law-university-mandatory-use-separated-facilities](http://bikeleague.org/content/bike-law-university-mandatory-use-separated-facilities).



### *Preliminary Recommendations*

State statute 8-1590 should be amended to replace the term “as practicable” with “as is safe for the bicyclist” and to remove the nullified requirement to use a sidepath when present.

### *Implementation Partners*

Kansas State Legislature; KDOT; Kansas State Police; Advocacy organizations

## **1.7 Safe Passing Law**

### *Background/Context*

Kansas’ Safe Passing law (Statute number 8-1516 c) states that:

“ (1) The driver of a vehicle overtaking a bicycle proceeding in the same direction shall pass to the left thereof at a distance of not less than three feet and shall not again drive to the right side of the roadway until safely clear of the overtaken bicycle.

(2) The driver of a vehicle may pass a bicycle proceeding in the same direction in a no-passing zone with the duty to execute the pass only when it is safe to do so.”

### *Best Practices*

The League of American Bicyclists has developed a model safe passing laws that combines elements from several states passing laws. This law:

- 1) requires a motorist to move to the adjacent left lane when passing a bicyclist if there is more than one lane traveling in the same direction;
- 2) when only one lane is available, requires the motorist to provide at least 3 feet to the bicyclist when passing;
- 3) in some situations, allows the motorist to drive to the left of the center of a roadway, including when a no passing zone is marked, to pass a person operating a bicycle only if the roadway to the left of the center is unobstructed for a sufficient distance to permit the driver to pass the person operating the bicycle safely and avoid interference with oncoming traffic
- 4) provides a mechanism for enforcement of the safe passing law.

Notably, Pennsylvania has a “no less than 4 feet” standard and Oregon and Rhode Island require a motorist to give “a distance sufficient to prevent contact with the person operating the bicycle if the person were to fall into the driver’s lane of traffic.”<sup>14</sup>

### *Preliminary Recommendations*

Kansas should consider adding the additional provisions of the League’s model law. In addition, additional driver education should be provided to improve understanding of this law.

### *Implementation Partners*

Kansas State Legislature; KDOT; Kansas State Police; Advocacy organizations

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<sup>14</sup> <https://bikeleague.org/content/model-safe-passing-law-0>



## 1.8 Pedestrians on highways where no sidewalk is available

### *Background/Context*

Kansas Statute 8-1537(c) states that " Where neither a sidewalk nor a shoulder is available, any pedestrian walking along and upon a highway shall walk as near as practicable to an outside edge of the roadway, and, if on a two-way roadway, shall walk only on the left side of the roadway."

### *Best Practices*

While walking on the left side of the roadway facing oncoming traffic is considered best practice for pedestrians in general in locations without sidewalks or shoulders, there are situations where it may not be the safest option due to sight lines, obstructions, or other situations. In such cases, to hold pedestrians to this requirement or penalize them in every situation for making a different choice is not appropriate. Several states have different wording which leaves more room for pedestrians to make a choice regarding where they walk based on the specific situation. This is often done by including "where practicable."

Minnesota's law 169.21.Subd. 5 states "Pedestrians when walking or moving in a wheelchair along a roadway shall, when practicable, walk or move on the left side of the roadway or its shoulder giving way to oncoming traffic. Where sidewalks are provided and are accessible and usable it shall be unlawful for any pedestrian to walk or move in a wheelchair along and upon an adjacent roadway."

Maine's law 2056.2 states "Where sidewalks are not provided, a pedestrian shall walk facing approaching traffic on the left side of the public way or the way's shoulder when practicable. An operator of a motor vehicle who is passing a pedestrian on a public way or the way's shoulder shall exercise due care by leaving a distance between the motor vehicle and the pedestrian of not less than 3 feet while the motor vehicle is passing the pedestrian. A motor vehicle operator may pass a pedestrian in a no-passing zone only when it is safe to do so."

### *Preliminary Recommendations*

Kansas should consider revising 8-1537 (c) to avoid placing blame on pedestrians in locations where walking on the left side of the road would not be practicable.

### *Implementation Partners*

Kansas State Legislature; KDOT; Kansas State Police; Advocacy organizations

## 2. Complete Streets and Routine Accommodation Policies

### 2.1 Complete Streets

#### *Background/Context*

According to Smart Growth America, a Complete Streets policy directs “transportation planners and engineers to routinely design and operate the entire right of way to enable safe access for all users, regardless of age, ability, or mode of transportation. This means that every transportation project will make the street network better and safer for drivers, transit users, pedestrians, and bicyclists. There is no singular design prescription for Complete Streets; each one is unique and responds to its community context. A complete street may include: sidewalks, bike lanes (or wide paved shoulders), special bus lanes, comfortable and accessible public transportation stops, frequent and safe crossing opportunities, median islands, accessible pedestrian signals, curb extensions, narrower travel lanes, roundabouts, and more.”<sup>15</sup>

“A Complete Street in a rural area will look quite different from a Complete Street in a highly urban area, but both are designed to balance safety and convenience for everyone using the road. The term “Complete Streets” refers to the practice of considering and accommodating the needs of all modes of transportation (including bicycling and walking) on every road and street. Complete Streets policies formalize a community’s intent to plan, design, and maintain streets so they are safe for all users of all ages and abilities. Complete Streets is a process, not a specific outcome, and is sensitive to the context in which the project occurs. Not all modes need to be accommodated on all streets. For example, a rural road with low to moderate traffic might not need sidewalks and bike lanes, but adding paved shoulders to accommodate bicyclists may be warranted.”<sup>16</sup>

Kansas has made several unsuccessful attempts to date to pass a statewide Complete Streets policy.

#### *Best Practices*

In the United States, 35 states and more than 1600 jurisdictions have passed some sort of complete streets policy including resolutions, ordinances, directives, design manuals, and other policies. These policies are aimed at providing safety, access, and mobility improvements for all transportation modes and users. Adopting a statewide Complete Streets Policy can help provide guidelines for local and regional agencies to reference for bicycle and pedestrian planning and design projects and are important in setting DOT policy. Most Complete Streets policies have a very clear list of exceptions for when Complete Streets facilities are not required, including things like:

- Bicycle or pedestrian use is prohibited on the transportation facility,
- The transportation facility has a posted minimum speed limit,
- The provision of the accommodations would be unsafe,
- ROW acquisition would be necessary for the purpose of providing the accommodations,
- The project scope is limited to maintenance activity.

The *National Complete Streets Coalition* identified 10 elements of a comprehensive Complete Streets policy.<sup>17</sup> The elements serve as a national model of best practices that can be implemented in nearly all types of Complete Streets policies at all levels of governance.

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<sup>15</sup> <https://smartgrowthamerica.org/program/national-complete-streets-coalition/publications/what-are-complete-streets/>

<sup>16</sup> <https://smartgrowthamerica.org/program/national-complete-streets-coalition/publications/what-are-complete-streets/>

<sup>17</sup> <https://smartgrowthamerica.org/resources/the-ten-elements-of-a-complete-streets-policy/>

### *Preliminary Recommendations*

KDOT should develop, adopt and implement a Complete Streets Policy that applies to new construction, as well as to the reconstruction, rehabilitation, or resurfacing of existing KDOT roadways. The policy should also apply to local projects that utilize state or federal funds. Metropolitan planning organizations (MPOs), counties, and municipalities should be encouraged to adopt Complete Streets policies, perhaps using the KDOT policy as a basis. KDOT should ensure that the policy is applied consistently across KDOT districts and that there are limited exceptions to the policy. Once adopted, the Central Office and all District Offices should host Complete Streets Policy workshops for:

- Internal: Planners/engineers; and
- External: Staff from state, regional, and local agencies, elected officials, community organizations, advocacy groups, and non-profits

Alternatively, there are other approaches to establishing Complete Streets in Kansas, such as action taken by the Kansas Legislature to create statute.

### *Implementation Partners*

MPOs; Counties; Local road agencies

## **2.2 Routine Accommodation Practices**

### *Background/Context*

Bicycle and pedestrian facilities on and along roadways are part of the transportation system. Often, the needs of people who walk and bicycle are not considered until substantial design of a roadway has been completed, at which point it is often difficult or expensive to include the facilities for these users. The project development process should ensure that bicycle and pedestrian facilities or accommodations are routinely included with roadway projects and that initial cost estimates account for these facilities. The ultimate funding sources used for the roadway project should also include active transportation elements. Consistently including active transportation accommodation early in the project development process will also help ensure that active transportation projects are carried out in an equitable manner.

KDOT is currently developing a checklist to assist in considering the needs of active transportation users earlier in the project development process.

### *Best Practices*

Many state DOTs have instituted policies that require consideration of pedestrian and bicycle needs early in every project. Several examples are provided below:

In Minnesota, DOT policy requires that pedestrian and bicycle needs be considered on all projects unless those modes are legally prohibited from the project roadway. The policy also directs project managers to coordinate with the local jurisdictions to identify the appropriate accommodations and to inform the MnDOT Pedestrian and Bicycle Section; Office of Traffic, Safety, and Technology Traffic Safety Section; affected local units of government; and other affected state agencies. Planning for pedestrian and bicycle facilities at MnDOT begins in the scoping phase and is fully integrated throughout the highway project development process to result in safe and effective facilities in the completed project. When making improvements to the state trunk highway system, MnDOT has a goal to target approximately 70% of funds toward projects that support local and regional bicycle networks. More information on how MnDOT's highway project development process accommodates pedestrians and bicycles can be found [here](#). MnDOT also developed a checklist to make guide the process of routine accommodation and pedestrian and bicycle accommodation. It can be found [here](#).

The Tennessee TDOT's Central Office developed a [Multimodal Project Scoping Manual](#) in 2018 to provide designers, planners, and decision-makers with guidance for incorporating multimodal elements into transportation projects. To introduce the guide to staff, consultants, and local/regional agencies, Central Office staff conducted five trainings across the state.

In Colorado, CDOT issued several policy directives in 2009 and 2010 that defined the policies related to education and enforcement, planning, programming, design, construction, operation and maintenance of bicycle and pedestrian facilities and their usage. These directives required pedestrian and bicycle accommodation to be considered early in the project development process and that a chapter related to pedestrian and bicycle accommodation be added to the CDOT Roadway Design Guide. That chapter has since been written and integrated into the Design Guide.

#### *Preliminary Recommendations*

KDOT should consider ways to institutionalize the accommodation of people walking and bicycling at the very earliest stages of the project development process on all projects and across all districts. KDOT's project development process should clearly detail when and how bicycling and walking are considered, any exceptions to this requirement, and how design decisions related to those modes are to be made. KDOT's current efforts to develop project checklists that walk through the steps necessary to consider pedestrians and bicyclists are a good first step. KDOT should also consider policy directives similar to those of MnDOT and CDOT and add clear active transportation design guidance into the KDOT's Design Manual. (More detail on this will be provided in a separate memo addressing the Design Manual.)

#### *Implementation Partners*

KDOT Operations; KDOT Project Development Team

## **2.3 Regional and Municipal Complete Streets Policies**

#### *Background/Context*

State roadways make up a small percentage of the total roadway network in Kansas. County and local roads comprise the majority of roads in the state, particularly those that people use to walk and bicycle. In order to benefit the maximum amount of Kansas residents, it is important that policies benefiting people walking and bicycling are implemented at the county and local levels. KDOT can encourage county and local agencies to develop and adopt policies that benefit people walking and cycling, such as Complete Street Policies through various tools and resources.

#### *Best Practices*

Several municipalities in Kansas have already developed Complete Streets policies, plans or resolutions, including [Lenexa](#), [Wichita](#), and [Lawrence](#). Communities seeking guidance on how to develop a Complete Street Policy can refer to the aforementioned [ten elements of Complete Street Policies](#) identified by the *National Complete Streets Coalition*.

#### *Preliminary Recommendations*

KDOT should provide resources for local and regional governments to develop and implement Complete Streets, including by developing a model policy of its own ([2.1](#)). KDOT could provide best practice policy language and Complete Streets policy templates, to MPOs, counties, and municipalities who wish to adopt Complete Streets Policies. Policies should be clearly written so that they provide clear guidance about roadway design and hold

roadway agencies accountable for developing streets that meet the needs of all users. KDOT should encourage and incentivize such policies through an annual award or recognition of new policies and grant funding support.

#### *Implementation Partners*

MPOs, Counties, Cities

### **3. Policies Integrating Bicycling, Walking, and Mass Transit to Ensure Travelers (Including People with Disabilities) Can Easily Transition Between Modes**

#### *Background/Context*

Most transit users begin and end their trip by walking or biking to or from the transit station. Because of this, it is critical to design and build walkway and bikeway networks that connect to public transit stations. Connected sidewalk and bikeway networks help create a more seamless transition for people using transit. Policies that integrate walking, bicycling, and transit support multimodal travel and help encourage higher transit use. Improved biking and walking infrastructure improves the reach of transit and allows it to serve more people.

#### *Best Practices*

The Minnesota DOT's family of transportation plans works toward seamless planning between the statewide and district levels. The [Statewide Multimodal Transportation Plan](#) is the overarching planning document that provides statewide guidance and priorities for the entire transportation system, while there are more detailed individual plans for the following modes: aviation, bicycle, freight, highways, pedestrian, ports and waterways, rail, and transit.

#### *Recommendations*

KDOT should work toward better integrating its policies around walking, biking, and transit use. Policies should allow for some flexibility depending on context (urban, suburban, small town, rural) and should place a strong emphasis on accessibility and meeting ADA standards. KDOT should review their grant programs and consider placing stronger emphasis on funding projects that provide access to transit. For example, if transit connectivity were included as an evaluation metric for grant funding, projects that provide pedestrian and bicycle access to transit will score higher and have a higher likelihood of receiving funding.

#### *Implementation Partners*

Transit agencies; MPOs; Counties, Cities

## **6. Toolkits and Training**

### **6.1 Bicycle and Pedestrian Facility Planning, Facility Selection, and Design**

#### *Background/Context*

Planning and designing walking and biking infrastructure requires planners and engineers at the state, county and local levels to have adequate technical knowledge and training. It is very important to build local institutional knowledge. DOTs can help ensure that technical staff at the state, county and local level have the training and

knowledge necessary to plan and design biking and walking facilities by hosting in-person or online training, and by providing training resources to technical staff.

### *Best Practices*

Many states provide active transportation design resources and training. Several of these programs are described below.

Minnesota Department of Transportation staff conduct project scoping field walks to help ensure projects include bicycle and pedestrian facilities from the beginning planning phase. MnDOT also partners with the Minnesota Department of Health to administer one-day Bikeable Community Workshops with local communities across the state. The first half of the workshop focuses on how to make the host community more bikeable, and the second half is a ride through the community. During the workshop, participants develop an action plan to improve biking and walking in their community including how to plan, select and design bicycle and pedestrian facilities.

The Ohio Department of Transportation's Local Technical Assistance Program provides an Active Transportation Academy to communities throughout the state. The Academy includes training, workshops, and implementation programs free of charge to local agencies on a variety of safety, engineering, and programmatic topics. Example courses include "Creating a Rural Active Transportation Plan" and "Complete Streets Implementation." ODOT also developed an Active Transportation Guide.

Michigan DOT provides all day training sessions on best practices in urban bikeway design to MDOT representatives, municipalities, and transportation industry professionals across the state through its Training Wheels program.

Finally, as described above in section 2.2, many state DOTs such as Colorado have specific design guidance related to pedestrian and bicycle accommodation in their state roadway design manuals or as stand-alone toolkits.

### *Preliminary Recommendations*

KDOT should consider partnering with other agencies and organizations to develop modules on active transportation planning and design and provide trainings to DOT staff, MPOs, Regional Planning Commissions, counties and municipalities. Training should include an overview of best practices, safety factors for people biking and walking, facility selection and design. KDOT could design and deliver its own training program, or could actively identify, provide access to, and encourage agency participation in the variety of trainings offered by FHWA and other national groups.

### *Implementation Partners*

KDOT, MPOs, Counties, Cities, Advocacy Organizations

## **6.2 Safe Routes to School (SRTS)**

### *Background/Context*

Safe Routes to School (SRTS) programs encourage kids to walk and bike to school more often through a multidisciplinary approach that is structured around the 6 E's – Evaluation, Education, Encouragement, Equity,

Enforcement<sup>18</sup>, and Engineering. The [Kansas Safe Routes to School](#) offers programs to improve safety and traffic flow in school zones, including their [School Zone Program](#).

### *Best Practices*

The Minnesota Department of Transportation has a robust Safe Routes to School program, which has been developed and supported by partners including the Minnesota Department of Health, Bicycle Alliance of Minnesota, and BlueCross BlueShield of Minnesota. MnDOT worked with SRTS partners across the state to develop a [5-year Safe Routes to School Strategic Plan](#) to guide the program, which identified a vision, focus areas, strategies, and action steps. One of the outcomes of the Strategic Plan was the development of an [online SRTS Resource Center](#), which provides a wide variety of information on Safe Routes to School programs, policies, and educational materials for partners across the state.

### *Recommendations*

KDOT should consider partnering with the Department of Health and Environment and the Department of Education to develop a more robust Safe Routes to School program that includes toolkits and resources for planning, education and encouragement.

### *Implementation Partners*

KDOT, Kansas Department of Health and Environment, Department of Education

## **6.3 Bicycle Safety Curriculum in Schools and Public Education Campaigns**

### *Background/Context*

It is important to teach the basic principles of bicycle safety to children so that they learn to bicycle safely and enjoy bicycling from a young age. Bicycling is an activity that can be taught as a component of elementary and middle school level physical education. Teaching safe bicycling in a school setting allows all children to experience the rite of passage of riding a bicycle, while allowing trained instructors to teach safe bicycling and the rules of the road.

### *Best Practices*

Numerous bicycle education curricula exist that fit within national standards for K-12 physical education, including [Bikeology](#), developed in partnership with the National Highway Traffic Safety Institute (NHTSA). The Iowa DOT reimburses the Iowa Bicycle Coalition for the educational and encouragement component of SRTS including programs such as Bike to School Day and a SRTS training they complete each year.

The Minnesota Department of Transportation partnered with the Bicycle Alliance of Minnesota and BlueCross BlueShield of Minnesota to develop [Walk! Bike! Fun! Pedestrian and Bicycle Safety Curriculum](#). Walk! Bike! Fun! is a two-part curriculum designed specifically for Minnesota's schools and youth education programs. It helps children of all abilities ages five to 13 learn traffic rules and regulations, the potential hazards to traveling, and handling skills needed to bike and walk effectively, appropriately and safely through their community. This curriculum meets Minnesota Physical Education Standards and Benchmarks and is an important part of the Minnesota Department of Transportation's Safe Routes to School Program.

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<sup>18</sup> Many agencies that oversee state and local SRTS programs are reevaluating the size of role and nature of enforcement, including seeking alternatives such as automated enforcement and engineering solutions that reduce reliance on enforcement.



### *Preliminary Recommendations*

KDOT should support the development and distribution of comprehensive curriculum for school-based education programs targeting children in grades K-8. This entails reviewing current materials provided by KDOT or used by schools in Kansas, identifying outdated or incorrect guidance in conflict with best practices (which is often present in older education curriculum), and identifying areas for expansion. KDOT or the Department of Education should host the materials online, promote their use by individual school districts, and recruit a small number of districts or individual schools to pilot the new curriculum.

In terms of public education campaigns, KDOT should focus on campaigns that emphasize the responsibility of drivers. This entails selecting relevant and engaging educational messages, creating a marketing plan, and developing marketing content (billboards, bus wraps, dynamic messaging sign displays, etc.)

These programs could be phased starting with small efforts that focus on safety messages for elementary school students and their parents and build to a broader program with both knowledge and skill-based pedestrian and bicycle education training.

### *Implementation Partners*

KDOT, Kansas Department of Health and Environment, Department of Education