

Policies & Guidelines

TEA-21 - Transportation Equity Act for the 21st Century *Moving Americans into the 21st Century*

Fact Sheet

BICYCLE TRANSPORTATION AND PEDESTRIAN WALKWAYS

Program Purpose

The Bicycle Transportation and Pedestrian Walkways provisions of Section 217 of Title 23, as amended by TEA-21, describe how Federal-aid funds may be used for bicycle and pedestrian projects. These projects are broadly eligible for all of the major funding programs where they compete with other transportation projects for available funding at the State and MPO levels.

Eligible Use of Funds

Bicycle and pedestrian projects are eligible for NHS, STP (including Transportation Enhancements, and Sections 130 and 152), CMAQ, Federal Lands, Scenic Byways, and Recreational Trails funds.

TEA-21 amends the eligibility of certain projects for Federal-aid funding including:

- National Highway System funds may now be used for pedestrian walkways. [1202(a)(1)]
- National Highway System funds for bicycle and pedestrian projects may now be used for projects within Interstate corridors. [1202(a)(2)]
- Expands eligible uses of STP safety setaside funds to include bicycle improvements. In addition, Hazard Elimination (part of the STP safety setaside) funds can now be used for pedestrian and bicyclist public pathways and trails and facilities; traffic calming projects are specifically mentioned as eligible activities. [1401]

Program Features

Provides additional information and guidance on a wide range of planning, policy and safety issues affecting bicycling and walking, including:

- Bicyclists and pedestrians shall be given due consideration in State and MPO long range transportation plans. [1202(a)(3)]

- Bicycle and pedestrian projects shall be considered, where appropriate, in conjunction with all new construction and reconstruction of transportation facilities, except where bicycle and pedestrian use is not permitted. [1202(a)(3)]
- Transportation plans and projects shall provide due consideration for safety and contiguous routes for bicyclists and pedestrians. [1202(a)(3)]
- Bicycle safety issues must now be addressed in carrying out railway-highway crossing hazard elimination projects under 23 USC Sections 130 and 152 [1202(d), 1401].
- FHWA shall, within 18 months, develop guidance on the various approaches to accommodating bicycles and pedestrian travel, including making recommendations on amending and updating AASHTO design standards for streets and highways. [1202(b)]
- The Secretary shall not approve any project or take any regulatory action that will sever an existing major nonmotorized route or adversely affect the safety of nonmotorized traffic and light motorcycles, unless a reasonable alternate route exists or is established. [1202(c)]
- FHWA is authorized to develop a national bicycle safety education curriculum. [1202(e)]

Definitions [1202(a)(7)]

Clarifies the permissibility of motorized wheelchair use on trails and pedestrian walkways that otherwise prohibit motorized use and also permits the use of electric bicycles on these facilities where State or local regulations permit.

Electric bicycles are defined as any bicycle or tricycle with a low-powered electric motor weighing under 100 pounds, with a top motor-powered speed of 20 miles per hour.

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