

By Mr. Tobin, a petition of Arthur H. Tobin and Clifford H. Marshall for legislation to provide for the establishment of footpaths and bicycle trails Transportation. *of funds 25-6-72*

The Commonwealth of Massachusetts

In the year One Thousand Nine Hundred and Seventy-Two.

AN ACT PROVIDING FOR THE ESTABLISHMENT OF FOOTPATHS AND BICYCLE TRAILS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 81 of the General Laws is hereby amended by in-
2 serting after section 5 the following section:—

Funding of highways
3 I Section 5A. Out of the funds received by any county, city
4 or town from the state Highway Fund, reasonable amounts
5 shall be expended as necessary for the establishment of foot-
6 paths and bicycle trails. Footpaths and bicycle trails shall
7 be established wherever a highway, road or street is being
8 constructed, reconstructed or relocated. Funds received from
9 the Highway Fund may also be expended to maintain such
10 footpaths and trails and to establish footpaths and trails along
11 other highways, roads and streets and in parks and recrea-
12 tion areas.

constraints
13 II Footpaths and trails are not required to be established
14 under this section (a) where the establishment of such paths
15 and trails would be contrary to public safety; (b) if the cost of
16 establishing such paths and trails would be excessively dispro-
17 portionate to the need or probable use; or (c) where sparsity
18 of population, other available ways or other factors indicate
19 and absence of any need for such paths and trails.

lower limit of exp. funding
20 III The amount expended by a city, town or county as required
21 or permitted by this section shall never in any one fiscal year
22 be less than one per cent of the total amount of the funds re-
23 ceived from the Highway Fund. This paragraph shall not ap-

24 ply to a city or town in any year in which the one per cent
25 equals two hundred and fifty dollars or less, or to a county
26 in any year in which the one per cent equals one thousand
27 five hundred dollars or less. A city, town or county in lieu
28 of expending the funds each year may credit the funds to a
29 financial reserve or special fund to be held for not more than
30 ten years, and to be expended for the purposes required or
31 permitted by this section.

32 (a) For the purposes of this section, the establishment of paths
33 and trails, and the expenditure of funds as authorized by this
34 section are for highway, road and street purposes. The depart-
35 ment shall, when requested, provide technical assistance and
36 advice to cities, towns and counties in carrying out the pur-
37 pose of this section. The department shall recommend con-
38 struction standards for footpaths and bicycle trails. The de-
39 partment shall provide a uniform system of signing footpaths
40 and bicycle trails which shall apply to paths and trails under
41 the jurisdiction of cities, towns and counties. Cities, towns
42 and counties may restrict the use of footpaths and bicycle
43 trails under their respective jurisdictions to pedestrians and
44 nonmotorized vehicles.

45 (b) As used in this section, "bicycle trail" means a publicly
46 owned and maintained lane or way designated and signed for
47 use as a bicycle route.

By Mr. Hammond, a petition of George D. Hammond, John F. Aylmer and Gregory Mayhew for legislation to provide for the construction of bicycle paths with chapter ninety funds. Public Safety, *Rep. J. McLaughlin*

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Two.

**AN ACT PROVIDING FOR THE CONSTRUCTION OF BICYCLE PATHS
WITH CHAPTER NINETY FUNDS.**

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 Paragraph (2) of section 34 of chapter 90 of the General
- 2 Laws is hereby amended by adding after subdivision (k) the
- 3 following new subdivision:—
- 4 (1) For expenditure, under the direction of the department
- 5 for constructing town and county bicycle paths, together with
- 6 any money which any town or county may appropriate for
- 7 said purpose to be used on the same paths. The said ways
- 8 shall remain town or county paths. The department shall with-
- 9 hold or withdraw the unexpended balance of any funds as-
- 10 signed by it under the subdivision if the town fails to comply
- 11 with the official standards for bicycle paths established by the
- 12 department or with any regulations made by the department.
- 13 Not less than one half of one per cent of the money appropri-
- 14 ated for the purposes of subdivision (a) of this section shall
- 15 be allocated for bicycle paths annually. The word town shall
- 16 include city. Bicycle paths may be established wherever a
- 17 road is being constructed, reconstructed or relocated. Bicycle
- 18 paths shall not be required where the cost would be exces-
- 19 sively disproportionate to the need or probable use, or where
- 20 such paths would be contrary to public safety, or where
- 21 sparsity of population, other available ways or other factors
- 22 indicate an absence of any need for such paths.

Gas tax for bicycle paths?

Air pollution, traffic congestion, obesity, lack of parking space, auto repair bills, auto insurance bills, medical bills, heart disease and land-gobbling by expressways and parking garages are common subjects of complaint in America today.

Something must be done.

But what?

Well, air pollution would be less if there weren't so many cars which contribute 70 percent of it. Fewer cars would mean more parking and faster driving. Waists would shrink and hearts would beat more reliably if people had more exercise in their daily routine. (Not everybody can join the squash club.) State and Federal health programs could shrink if American health improved, causing a reduction in taxes. Neighborhoods would remain intact, preserving friendships and the tax if highways stopped their lava-like advance.

How foolish, though, to entertain such a vision as fewer cars. The roadway has become, after all, the theater for the American ego. Many would rebel if told that their 300 horsepower muscle cars could no longer freely engage in the carnage on our highways. Operating a car is an enjoyable challenge for many. The car also provides the motorist with the valuable daily opportunity to be alone or to behave differently.

And yet we are relying on the car excessively.

My suggestion for the first step away from this reliance is to coax the Massachusetts Legislature into passing a bill now resting in its Joint Committee on Transportation. The bill, Senate 1047, would require that one percent of the state gasoline tax funds be spent each year on bicycle and pedestrian trails. Oregon has done this. Congress is considering a similar bill which would tap Federal gasoline tax money.

Why spend the motorist's gasoline tax money on cyclists?

Because there is plenty of it. And be-

cause cyclists have been paying automotive costs (those costs not supported by the gas tax) through the sales, income and property taxes whether they drive or not. An example is police traffic duty, paid for by every taxpayer.

Another reason for tapping the gas tax is that everybody breathes the exhaust. Everybody also drinks water, a popular beverage in spite of increasing acidity caused by, you guessed it, exhaust.

The main reason, however, for spending public money on bicycle facilities is that the bicycle could help solve the above-listed complaints.

A bicycle is cheap to buy. You can trade in your lawn mower to acquire a bicycle, which can then be fueled by what you harvest where your lawn used to be. Reduce smoking by a carton of cigarettes each year or reduce the children's weekly allowance by a few pennies and maintenance is all paid for.

A bicycle is fast. Last Nov. 17 10 races were held between cars and bicycles. The distances ranged from one half mile to seven miles. They took place in Greater Boston and were sponsored by the Boston Parks and Recreation Dept. and the Boston Air Pollution Control Commission. The bicycles won seven of the 10 races, including the longest one.

It is time to begin exploiting the practical value of the bicycle as an urban transportation vehicle. It is time for Massachusetts to follow Oregon's example and begin the job of building bicycle paths for recreation and commuting. Such facilities are needed in order to allow full use of the bicycle by our many citizens now understandably reluctant to share the highways with the teeming masses of motorists.

Committee chairmen, Sen. Edward L. Burke and Rep. Raymond F. Rourke, let that 1 percent trickle forth for bicycles.

Nicholas H. Peck is a Globe staff reporter.

BIKES

There is now a bill resting in the Legislature's Joint Committee on Transportation which would require that 1 percent of the funds collected annually by the Massachusetts gasoline tax (for the highway trust fund) be spent on bicycle and pedestrian paths. Letters written to the chairmen, Senator Edward L. Burke and Rep. Raymond F. Rourke, in support of the bill, Senate 1047, will greatly aid chances of its being reported out of committee favorably. Address letters to both men care of the committee at the State House, Boston.

Sincerely,
Nicholas Peck
Dr. Cutler West
Cambridge

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