



U.S. Department  
of Transportation  
**Federal Highway  
Administration**

Alabama Division

June 12, 2009

500 Eastern Blvd., Suite 200  
Montgomery, AL 36117-2018

Mr. D. J. McInnes  
Director  
Alabama Department of Transportation  
Montgomery, Alabama

In Reply Refer To:  
HDA-AL

Dear Mr. McInnes:

Subject: Consideration of Bicycle and Pedestrian  
Needs in Metropolitan Planning Organization  
(MPO) Long Range Transportation Plans (LRTPs)

As Alabama's MPOs are in the process of updating their current LRTPs, some points to consider in accommodating bicycle and pedestrians needs are identified below:

- 23 United States Code 217 states that "Bicyclists and pedestrians shall be given due consideration in the comprehensive transportation plans developed by each metropolitan planning organization and State."
- FHWA guidance on this issue states that "Due consideration" of bicycle and pedestrian needs should include, at a minimum, a presumption that bicyclists and pedestrians will be accommodated in the design of new and improved transportation facilities. In the planning, design and operation of transportation facilities, bicyclists and pedestrians should be included as a matter of routine, and the decision not to accommodate them should be the exception rather than the rule. There must be exceptional circumstances for denying bicycle and pedestrian access either by prohibition or by designing highways that are incompatible with safe, convenient walking and bicycling."

Exceptional circumstances are defined as:

- Bicyclists and pedestrians are prohibited by law from using the roadway. In this instance, an effort may be necessary to accommodate bicyclists and pedestrians elsewhere within the right-of-way or within the same transportation corridor.
- The cost of establishing bikeways or walkways would be excessively disproportionate to the need or probable use. Excessively disproportionate is defined as exceeding twenty percent of the cost of the larger transportation project. This twenty percent figure should be used in an advisory rather than an absolute sense.



- Where sparsity of population or other factors indicate an absence of existing and future need. For example, the Portland Pedestrian Guide requires “all construction of new public streets” to include sidewalk improvements on both sides, unless the street is a cul-de-sac with four or fewer dwellings, or the street has severe topographic or natural resource constraints.

In order to comply with these requirements, the updated MPO LRTPs must, at a minimum:

- Consider the context of the project setting. In other words, MPOs should consider whether the general project area includes features like neighborhoods, shopping, schools, transit, or other facilities likely associated with the needs of bicyclists or pedestrians;
- Consider any evidence of existing, informal bicycle-pedestrian activities. An example could be a worn, dirt path along an existing road;
- Consider any reference to bicycle or pedestrian needs in the planning process for the project area;
- Consider public, agency or other comments requesting such facilities;
- Include maps and other appropriate documentation; e.g., project listing tables, identifying specific bicycle-pedestrian projects proposed in the LRTP. The maps and documentation should be consistent with the treatment of traditional “highway” projects in the LRTP; and
- Include a policy statement that bicycling and walking facilities will be incorporated into all transportation projects unless exceptional circumstances exist.

If you have any questions, please contact Dave Harris at 334.223.7830.

Sincerely yours,

/s/Dave Harris

for: Mark D. Bartlett, P.E.  
Division Administrator

cc:

Mr. Don Arkle, ALDOT

Mr. Robert Jilla, ALDOT

Mr. Jeffery Anoka, FTA Region IV

Alabama MPOs