

July 7, 2022

Mr. Patrick McKenna
Director
Missouri Department of Transportation
105 W. Capitol Avenue
Jefferson City, MO 65102

Dear Director McKenna:

We, the undersigned organizations, request the Missouri Department of Transportation (MoDOT) implement the Bipartisan Infrastructure Law (BIL) in a way that meaningfully improves safe and accessible transportation for everyone, especially vulnerable road users by fully funding, staffing, and implementing the Transportation Alternatives and Highway Safety Improvement Programs. As organizations which care about the health and safety of people in the Show-Me State, we encourage Missouri to follow the guidance from the Federal Highway Administration encouraging states to use these funds in a manner that builds “Complete Streets that are safe for all users and achieve safe, connected, and equitable on-and off-road networks”.

We have reached crisis levels of injuries and fatalities for people walking and bicycling on our roads. With Missouri ranking as the [17th most dangerous state in the nation for pedestrians](#), and [MoDOT's stated commitment to move towards zero traffic deaths](#), this new federal transportation law offers Missouri the funding and opportunity to demonstrate its commitment by making the safety of Vulnerable Road Users (VRUs), people outside of cars - walking, bicycling, pushing strollers, using wheelchairs, its top transportation priority.

As the state's leading advocacy organizations that support walking, bicycling, accessibility, and Safe Routes to School (SRTS), we respectfully request that MoDOT include the following recommendations as it implements the Bipartisan Infrastructure Law. First, we ask that Missouri implement a [Safe System](#) approach to all of its transportation investments. **That means putting safety at the center of every transportation project.** Second, as part of that strategy, we ask that MoDOT build infrastructure with all users in mind, so that our roads, bridges, and transit infrastructure are safe for people walking, biking, rolling, taking transit, and driving.

This letter addresses four sections of the Bipartisan Infrastructure Law that are specifically relevant to Vulnerable Road Users (VRU). **The requests below are a starting point and should only be the first step of considering VRUs in our transportation system.** The sections include:

1. Surface Transportation Block Grant/Transportation Alternatives Set Aside (Sec. 11109)
2. Highway Safety Improvement Program (Sec. 11111)
3. Safe Routes to School (Sec. 11119)
4. Increasing Safe and Accessible Transportation Options (Sec. 11206)

Surface Transportation Block Grant/Transportation Alternatives Set Aside (Sec. 11109)

- Implement TAP in a Timely Manner: Funding for the Transportation Alternatives Program (TAP) increased over 60 percent in the BIL. Additionally, the BIL makes changes to a state's ability to transfer these funds to other uses: states may not transfer TAP funds before giving local governments the opportunity to apply for it.

- Use Safety Dollars/Flexible Spending Provisions to Help with Local Match: Transportation Alternatives awards require a non-federal share (also known as "local match"), which can hinder local communities' ability to access these valuable funds. The BIL includes two provisions to provide states with flexibility to help local governments make the local match. We encourage MoDOT to utilize these new flexibilities to enable local communities to access this program.
 1. The BIL allows states to use Highway Safety Improvement Program (HSIP) funds as the local match for Transportation Alternatives Program to help fix this problem.
 2. The BIL also allows states to meet the local match by averaging the match across projects, so that across the program federal dollars meet the 80% requirement, but states can offer a higher federal match for projects in high need communities:
 - Missouri should offer HSIP dollars for local match for TAP safety projects on high-risk roads. This may be especially important to rural communities.
 - Missouri should also suballocate a small amount of HSIP to large metropolitan planning organizations to allow MPOs to use the funds for local match for similar projects.
 - Missouri should consider grouping projects together to lower the local match requirements in high-need communities to ensure underserved communities get needed infrastructure.

- Offer Technical Assistance to Improve Access and Efficiency: The BIL allows states to use five percent of their Transportation Alternatives funds for staffing, to offer technical assistance to local governments applying for TAP grants, and to improve the efficiency of project delivery. The BIL also requires Missouri to offer robust technical assistance before transferring any Transportation Alternatives funding to other uses.
 - We support MoDOT using this five percent of Transportation Alternatives funding for staffing and technical assistance as long as it results in better projects being built in a timely manner.
 - Missouri should fully staff the Transportation Alternatives Program with a statewide manager responsible for implementing the program.
 - Missouri should staff the Safe Routes to School program with a full-time statewide coordinator.

- Missouri should provide design assistance and preliminary engineering either through DOT staff or contracted out to external organizations or companies.

Reference: Sec. 11119 Surface Transportation Block Grant (b) Set Aside (C) Improving Accessibility and Efficiency (7) Federal Share (B) flexible Financing

Highway Safety Improvement Program (Sec. 11111)

- Vulnerable Road User (VRU) Safety Assessment: The BIL requires states to perform a vulnerable road user safety assessment, mapping out all fatalities and serious injuries of non-motorists (VRUs), and using that data to determine dangerous corridors, roads and other high-risk areas. The state must then determine potential projects or programs to address those high-risk areas:
 - We ask that Missouri engage stakeholders, including bicycling and walking advocacy organizations, social equity, and civil rights advocates, advocates for people with disabilities, and public health partners, in the process to identify effective solutions to address these high-risk areas.
 - The easiest way to identify high-crash corridors is through a map. We ask Missouri to provide a public map of fatalities and serious injuries, and the locations of high-risk corridors, intersections, etc.

While the VRU safety assessment is in progress:

- Fund projects on existing (state, MPO or local government) safety plans, bicycle and pedestrian plans, etc.
- Use HSIP funding as local match for transportation projects that improve safety in low income, rural, transit dependent or other high-need areas.
- Missouri should develop a safety performance goal that promises to reduce fatalities and serious injuries, while also promoting bicycling and walking as transportation.

Our state does not qualify for the VRU special rule, requiring 15% of HSIP to be spent on VRU safety projects, however we are on the cusp. To avoid hitting such a high rate of fatalities, our state should:

- Use HSIP funding to implement a Safe System Approach by:
 - Implementing Complete Streets policies and standards.
 - Including Complete Streets projects into our Strategic Highway Safety Plan.
 - Integrating bicycling and walking safety into all road and bridge projects where biking and walking is allowed, prioritize routes that connect networks, communities with high transit dependency, and areas of high crashes.
 - When building new projects, ensure design speed is equal to target speed.
 - Reducing speed through design, such as with road diets.
 - Utilizing HSIP funds as the non-federal share/local match for TAP projects

- **HSIP for Non-Infrastructure:** The BIL once again allows states to use up to 10% of HSIP on non-infrastructure. We encourage MoDOT to consider using this funding for:
 - Bicycling education,
 - Infrastructure demonstration projects,
 - Bicycling and pedestrian counts, or
 - Safe Routes to School non-infrastructure, including funding for training volunteers and managers of the SRTS programs.

Reference: Sec. 11111 (a) (11) (v) supports safe routes to school non-infrastructure-related activities described in section 208(g)(2)

Safe Routes to School (Sec. 11119)

- **High School Eligibility:** For the first time, the BIL expands Safe Routes to School (SRTS) eligibility to include high schools.
 - We encourage MoDOT to make funds for SRTS projects and programs available to high schools, in addition to K-8 schools.
- We encourage MoDOT to take advantage of flexibility within the Transportation Alternatives Program and Highway Safety Improvement Program to re-prioritize the safety of children and youth on their way to school by:
 - Funding a statewide Safe Routes to School coordinator, which can be funded with the five percent of Transportation Alternatives funds for technical assistance.
 - Funding Safe Routes to School non-infrastructure (through TAP or HSIP), and funding Safe Routes to School programs and projects.

Increasing safe and accessible transportation options (Sec. 11206)

The BIL includes a requirement that states and metropolitan planning organizations (MPOs) set aside 2.5 percent of their State Planning and Research funds to first develop Complete Streets policies and standards, and then a Complete Streets prioritization plan. The BIL defines a Complete Streets prioritization plan as “*a specific list of Complete Streets projects to improve the safety, mobility, or accessibility of a street*”.

This is a great opportunity for Missouri to adopt a stronger policy and standards to ensure our roads are built with the safety and comfort of all users in mind. We ask that the state:

- Prioritize the development of a better Complete Streets policy and standards by using tools and examples through the Federal Highway Administration Complete Streets Initiative, and through examples from groups such as Missourians for Responsible Transportation.
- Take steps to develop a statewide active transportation plan.
- Announce the start and anticipated completion date of that work on your website, and alert stakeholders.
- Train state DOT and MPO staff on the goals of the complete streets policy.

- Include a stakeholder process in the development of the policy.
- When writing the process, develop standards to ensure any projects creating new capacity follow the policy and create safe access for all allowable users.
- Create a process for identifying projects needed to ensure existing roads can be brought up to standard.

Thank you for your time and consideration. **We look forward to working with you and your administration to ensure our state's roads, bridges, transit and trails are safe for all users.** We will follow up next week to request a meeting. If you have any questions, please feel free to reach out to Michael Kelley, policy director for BikeWalkKC.

Thank you,

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