



State of Wisconsin
2025 - 2026 LEGISLATURE

LRB-3415/1
ZDW:emw

2025 ASSEMBLY BILL 334

July 8, 2025 - Introduced by Representatives SNODGRASS, VINING, ANDRACA, PALMERI, JOERS, MAYADEV, ANDERSON, BARE, BROWN, CLANCY, DESMIDT, MADISON, MIRESE, MOORE OMOKUNDE, NEUBAUER, PHELPS, ROE, SINICKI and SUBECK, cosponsored by Senators LARSON, CARPENTER, ROYS, HESSELBEIN, SMITH, SPREITZER, L. JOHNSON, RATCLIFF and DASSLER-ALFHEIM. Referred to Committee on Transportation.

1 **AN ACT** *to repeal* 84.01 (35) (d) (intro.) and 2.; *to renumber* 84.01 (35) (d) 1.; *to*
2 *amend* 84.01 (35) (b); *to create* 84.01 (35) (c) of the statutes; **relating to:**
3 requiring bicycle and pedestrian facilities in highway projects and granting
4 rule-making authority.

Analysis by the Legislative Reference Bureau

This bill requires the Department of Transportation to ensure, with exceptions, that bikeways and pedestrian ways are established in all new highway construction and reconstruction projects funded from state or federal funds (a policy commonly known as “complete streets”).

Under current law, DOT generally must give due consideration to establishing bikeways and pedestrian ways in all new highway construction and reconstruction projects funded from state or federal funds. However, DOT may not establish a bikeway or pedestrian way as part of a highway project if bicyclists or pedestrians are prohibited from using the highway. DOT is also prohibited from establishing a bikeway or pedestrian way as part of a state-funded project unless the governing body of each municipality in which a portion of the project is located authorizes the creation of the bikeway or pedestrian way.

Under the bill, DOT must ensure that bikeways and pedestrian ways are established in all new highway construction and reconstruction projects funded

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from state or federal funds. DOT must promulgate rules identifying exceptions to this requirement, but the exceptions may be based only on one of several specified criteria.

For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 84.01 (35) (b) of the statutes is amended to read:

84.01 **(35)** (b) Except as provided in par. ~~(d)~~ (c), and notwithstanding any other provision of this chapter or ch. 82, 83, or 85, the department shall ~~give due consideration to establishing~~ ensure that bikeways and pedestrian ways are established in all new highway construction and reconstruction projects funded in whole or in part from state funds or federal funds appropriated under s. 20.395 or 20.866.

SECTION 2. 84.01 (35) (c) of the statutes is created to read:

84.01 **(35)** (c) The department shall promulgate rules identifying exceptions to the requirement under par. (b), but these rules may provide for an exception only if any of the following applies:

2. The cost of establishing bikeways or pedestrian ways would be excessively disproportionate to the need or probable use of the bikeways or pedestrian ways. For purposes of this subdivision, cost is excessively disproportionate if it exceeds 20 percent of the total project cost. The rules may not allow an exception under this subdivision to be applied unless the secretary of transportation, or a designee of the secretary who has knowledge of the purpose and value of bicycle and pedestrian

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1 accommodations, reviews the applicability of the exception under this subdivision
2 to the particular project at issue.

3 3. Establishing bikeways or pedestrian ways would have excessive negative
4 impacts in a constrained environment.

5 4. There is an absence of need for the bikeways or pedestrian ways, as
6 indicated by sparsity of population, traffic volume, or other factors.

7 5. The community where pedestrian ways are to be located refuses to accept
8 an agreement to maintain them.

9 **SECTION 3.** 84.01 (35) (d) (intro.) and 2. of the statutes are repealed.

10 **SECTION 4.** 84.01 (35) (d) 1. of the statutes is renumbered 84.01 (35) (c) 1.

11 (END)