

March 4, 2021

Senator Lee Beyer, Co-Chair
Representative Susan McLain, Co-Chair
Joint Committee on Transportation
Oregon State Capitol
900 Court Street NE
Salem, Oregon 97301

RE: SB 395 Opposition

Thank you for the opportunity to provide testimony in opposition to SB 395, which would increase the required expenditure on footpaths and bicycle trails from 1% to 5% of amounts received from the State Highway Fund. The City of Hillsboro strongly supports investments in pedestrian improvements and already provides over \$1 million annually in pedestrian improvements, including ADA upgrades, in addition to our \$5 million contribution to pavement maintenance.

When the city is resurfacing, we also look for opportunities to reconfigure the existing roadway surface (i.e. restriping) to include bicycle lanes. We installed several miles of bike lanes this year by narrowing travel lanes to increase space for bikes. However, we're concerned with SB 395's addition of "resurfacing" in Section 1 as this is a broad category in pavement maintenance to add this requirement to. Asphalt resurfacing, micro-surfacing, chip sealing, and slurry sealing all resurface the roadway, yet they all have varying square footage costs and have different purposes. All except asphalt resurfacing are preventative maintenance procedures with lower costs that have much more limited lifespans. ADA ramp upgrade is already required for asphalt resurfacing and micro-surfacing, per the Department of Justice. If they expanded beyond those two treatments it would have even more significant ramifications to our pavement management program funding. Today, ramp upgrades on our asphalt and micro programs have been as much of 20% of our annual pavement maintenance budget in some years. Many agencies delay maintenance on these roads or complete short term minor maintenance because they are unable to fund the correct and more comprehensive maintenance treatment with ADA improvement requirements. While this is financially more expensive in the long run, it is the fiscal reality for many agencies and the requirement to expand the bike/ped improvements will amplify this problem.

In addition to the above, we have the below concerns with the bill as drafted:

- **Section 1(2)(c):** The term "sparse" needs to be defined.
- **Section 1(6 & 7):** Prescriptions for standards and markings needs to conform to engineering standards, MUTCD (Manual of Uniform Traffic Control Devices). If they propose wayfinding signage, that could conflict with our design.
- **Section 2:** We would recommend the Oregon Bicycle and Pedestrian Advisory Committee include a member of the engineering community as the committee will be providing design guidance.
- **Section 8:** The use of the term "trails" implies park trails, although we believe the bill is intended to only be related to state highway fund expenditures. Additionally, the definition of "bicycle trail" also says "publicly owned" and not "public right-of-way," which could be interpreted as parks trails.

Thank you for the opportunity to provide testimony on this bill and please let me know if you have any questions!

A handwritten signature in black ink, appearing to read "Andy Smith". The signature is written in a cursive, flowing style.

Andy Smith
Government Relations Manager
City of Hillsboro