



Beyond the Highway

**Accommodating Bike, Pedestrians, ATV,
and Snowmobiles within the STH System**

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Beyond the Highway
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Wisconsin DOT and Trails



TOPICS FOR TODAY

- WisDOT accommodation policy for non-motorized and motorized trails within state highway right-of-way
- WisDOT accommodation policy for non-motorized and motorized routes on a state highway roadway
- WisDOT funding for trails



Wisconsin DOT and Trails



DEFINITIONS OF THE DAY

Highway = The right-of-way within and upon which a public roadway and its appurtenances are located.

Roadway = The portion of highway used for vehicular travel, i.e. 'shoulder to shoulder.'

Trail = Permitted and marked within the highway right-of-way, but built **off** the roadway.

Route = Permitted and marked to operate within the highway right-of-way **on** the roadway.

Big “T” Trails



- Most common public perception of ‘trail’
- Statutorily recognized
 - ❖ May have ‘4f or 6f’ status
 - ❖ Many are Rails-to-Trails
- WisDOT interaction is typically only when a transportation project may touch them.
- As a rule, managed by WisDNR or local units of government.

WisDOT Programs



WisDOT allocates approximately \$2 million annually to WisDNR for its Recreational Trails Program.

Motorized ATV, UTV,
Snowmobile



Non-Motorized Bike,
Pedestrian



Big “T”-- Rails to Trails



WisDOT has right of first refusal on a rail line when rail service is officially discontinued on that line. Three options:

- Maintain state- sponsored rail
- Convert to Rails-to-Trails
- Abandon the rail interests on the land and convert corridor to non-rail purpose under private or public ownership.

Wisconsin has been converting rails into trails since 1964 and currently has more than 300 miles of trail on rail corridors...more than any other state.



Bike and Ped Accommodations



On-Roadway STH Accommodations

- Bike or pedestrian lanes designed into a STH roadway are an ‘accommodation’. Their presence in and of itself, does NOT constitute a trail or route.
- Locations are typically limited to short stretches of STH in urban areas.
- Similarly, some rural STHs may have wider paved shoulders to ‘accommodate’ existing bike or pedestrian use on that highway.
- WisDOT does not sign on-roadway ‘accommodations’ on STHs as trails or routes.



Bike and Ped Accommodations



Off-Roadway, In STH Right-of-Way

- Separate facility within STH R/W, referred to as 'trail accommodation'.
- Requires a WisDOT permit to occupy STH right-of-way.
- Requires local unit to be responsible for all maintenance.
- Potential for WisDOT cost share if done when a state highway project occurs on that highway.
- Can be funded with 100% local funds.
- Can be funded with certain WisDOT Local Program funds.
- Can be signed as a trail with appropriate WisDOT permits.



Results...Before



Red Cliff Reservation Bayfield County



Results...After



STAND ALONE TRAIL



**Red Cliff Reservation
Bayfield County**



SIDEWALKS



SHARED USE TRAIL AND CROSSINGS

WisDOT Programs



Transportation Alternatives Program (TAP)

- Non-motorized and local maintaining authority
 - *Safe Routes to School Program,*
 - *Transportation Enhancements,*
 - *Bicycle & Pedestrian Facilities Program*

2016-2020 Program Cycle

- Approximately \$7 Million in Federal Funds
- Applications due - January 29, 2016.
- Awards announced - Summer 2016.
- Next opportunity - 2017



<http://wisconsindot.gov/Pages/doing-bus/local-gov/astnce-pgms/aid/tap.aspx>

Leveraging Tribal Funds



- Opportunities to cost participate with state funding
- Opportunities to expedite the Section 106 process
- Opportunities to work cooperatively on future bike and pedestrian plans.
- The Red Cliff Experience included all of this.



Motorized ATV Routes or Trails



ATV Routes vs ATV Trails

ATV **route** = **On-roadway** portion of a highway designated for use by ATV operators by the governmental agency having jurisdiction of that highway.

ATV **trail** = **Off-roadway** portion of highway designated for use by ATV operators by the governmental agency having jurisdiction of that highway.

WisDNR has jurisdiction for establishing standards, encouraging use, and supervising the rules on the WI system of ATV routes and trails.



Motorized ATV Routes or Trails



ATV Interaction with Public Roadways

- IN GENERAL, ATV/UTVs are not allowed to ride on public roads nor in the right-of-way next to public roads as do snowmobilers.
- Operation on and around public roads is restricted and in most cases illegal.
- There is no residential access allowance that permits riding on a roadway from a dwelling to the nearest trail or route.



Motorized ATV Routes or Trails



ATV Crossing a Local Highway

- ❑ Legal...if done in the most direct manner practicable, and at a place where no obstruction prevents a safe and quick crossing.



Motorized ATV Routes or Trails



ATV Crossing a State Trunk Highway

- ❑ WisDOT requires a permit for any ATV to operate on a state highway or within the right of way for that state highway.
- ❑ However, permits are not required to operate an ATV on state highway or within state highway right of way in the following situations:
 - Crossing the STH at a county, town or local road intersection with that STH.
 - Crossing from a driveway on one side of STH directly to a local road or driveway on the other side.



Motorized ATV Routes or Trails



Operating ATV On-Roadway On Local Highways

It is legal when:

- The public roadway is not being maintained for public traffic.
Regardless of condition, if receiving WI General Transportation Aids, the road is being 'maintained'.
- The roadway is designated as an ATV route.
- ATV is being used as an implement of husbandry.
- Operator holds a Class A or B permit under Wis. Stat. 29.193(2) and is traveling for hunting.
- If an ATV trail is officially routed on the roadway for a short distance.



Motorized Routes or Trails

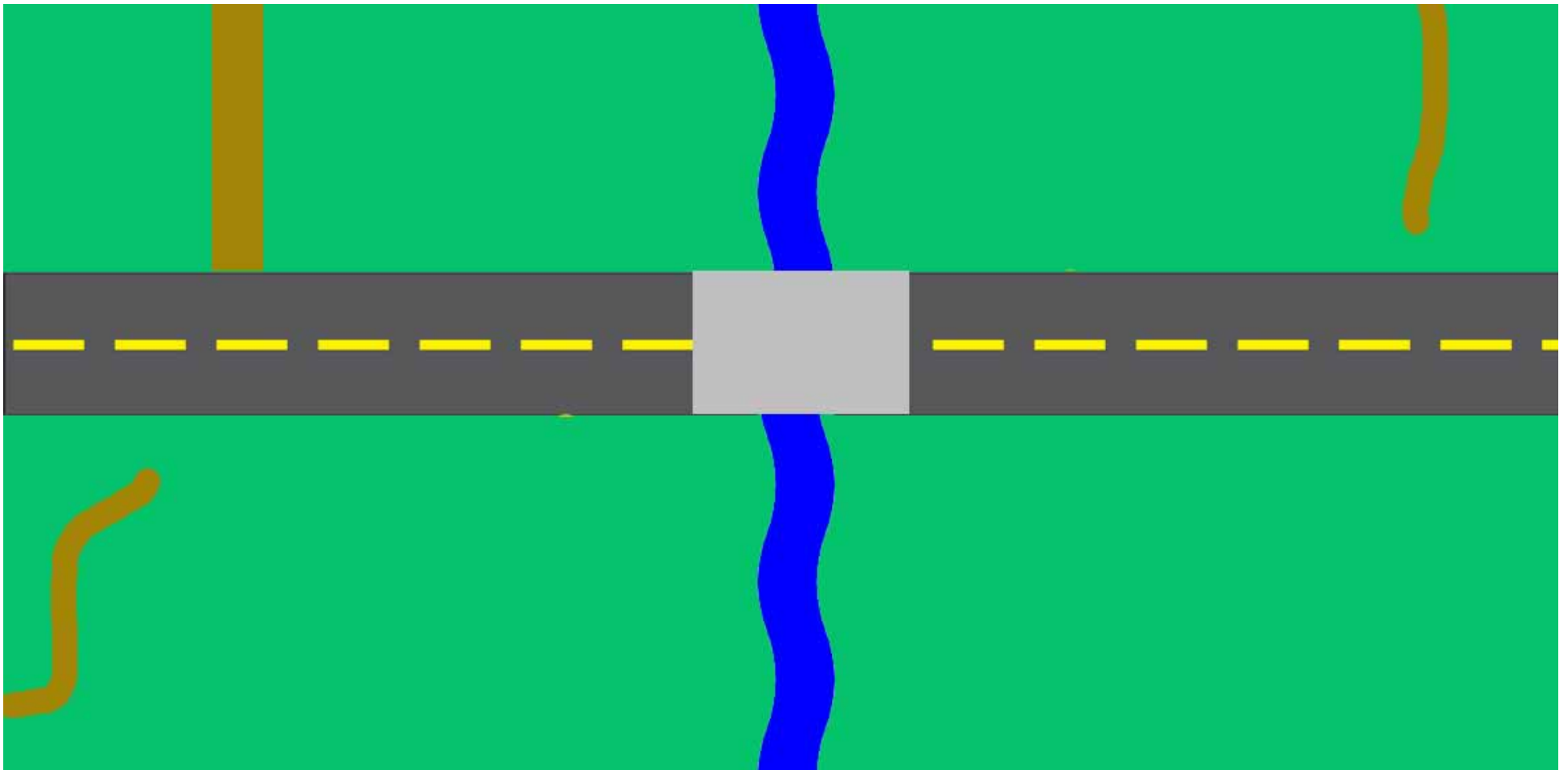


Operating ATV On-Roadway On State Highways

- If ATV is used as implement of husbandry.
- If operator holds a Class A or B permit under Wis. Stat. 29.193(2) and is traveling for hunting.
- If a ATV trail is officially routed on the STH for a short distance with appropriate WisDOT permits or local agreements.



Recent Statutory Changes



Motorized Routes and Trails



Requirements for ATV Routes on State Highways

- Requestor must be local government
- Location details
- Memorandum of Agreement (MOA) between WisDOT and local government
- County and C-V-T ordinances designating route
- Must support DNR ATV route/trail network
- No short segments to only serve businesses.
- Signing and pavement markings paid by locals



Local Ordinances



Local governments may enact ordinances to operate an ATV on the roadway **or shoulder** of any highway to cross a bridge 1,000 feet in length or less.

Even though the statute gives local units of government this right, WisDOT may determine that due to safety and operational factors for both ATV and roadway users, an ATV trail must be built to and from the bridge instead of allowing ATVs to travel on the roadway or shoulder.



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<http://wisconsindot.gov/Pages/doing-bus/local-gov/astnce-pgms/default.aspx>

Assistance programs

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Road and bridge assistance programs

These programs assist local governments with needed improvements to local roads, highways and bridges.

Transit assistance programs

Transit programs can assist local governments and transit systems with operating and/or capital expenses to support public transportation services such as buses, vans and shared-ride taxi systems.

Other aid

These programs provide financial assistance to local governments, along with other public and private entities, to make a variety of improvements to highways, airports, harbors, bike, rail and pedestrian facilities.

Questions?

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