

## SHARED-USE PATHS

### LEGISLATOR NOTICE

The Legislative Services Division is required to offer a brief history on the subject matter of a bill draft request prior to drafting. (5-4-105, MCA; [Chapter 309, Laws of 2017](#)) The history must include related legislation introduced over the last five sessions and hyperlinks to the bill, hearing information, and fiscal notes. The legislation links below open to the page showing the status and history of bills introduced on this topic in the past. The bill text and any related fiscal notes can be accessed through the link at the top of that page.

**Legislation can be complex and this history is not intended to be exhaustive. Please contact the drafter of the requested bill for more information.**

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### Background Materials and Research

**Topic Summary:** A shared-use path, or mixed-use path, is a multipurpose pathway that supports many forms of transportation and recreation such as walking, bicycling, running, and wheelchairs. Montana passed legislation during the 65<sup>th</sup> Legislative Session that required the department of transportation to allocate available funds to establish a project for the maintenance and repair of shared-use paths. This was preceded by legislation passed during the 64<sup>th</sup> Legislative Session that required the department of transportation to collect information and report on the trail and paths that were created under the Montana footpath and bicycle trail act of 1975.

**Legislative Services Division Materials:** As defined in Montana law, [section 60-3-302](#), "shared-use path" means a multiuse path that is separated from motorized vehicular traffic by an open space, pavement markings, or a barrier within a highway right-of-way and that is usable for transportation purposes by pedestrians, runners, bicyclists, skaters, equestrians, and other nonmotorized users. A sidewalk, as defined in [section 61-8-102](#), is not a shared-use path.

As stated in the Montana Shared-Use Path Act, section 60-3-3098, the department of transportation shall, to the extent funds are available pursuant to [section 60-3-309](#), establish a project for the maintenance and repair of shared-use paths and for educating users of shared-use paths and contract for services to produce, disseminate, and deliver safety information and programs to pedestrians and bicyclists. The contract must be with an entity that has a demonstrated ability to provide safety information on a statewide basis to pedestrians and bicyclists. The act also states that the department of transportation consider adding signage along certain shared-use paths that designate walking pathways of at least 1,320 feet that may be referred to as "Take a Break - Take a Walk" pathways.

See [Title 60, chapter 3, part 3](#) for more information on the required duties of the department of transportation and allocation of funds regarding shared-use paths.

## Other Materials:

[Montana Pedestrian & Bicycle Plan](#) – Montana Department of Transportation

[Shared Use Path Inventory and Detailed Maintenance Plan](#) – Montana Department of Transportation

[Encouraging Bicycling and Walking: The Legislative Role](#) – NCSL

[Transportation Review: Bicycle and Pedestrian Safety](#) -- NCSL

## Introduced Legislation

**2021**

N/A

**2019**

[House Joint Resolution No. 45](#) – (H) Filed with Secretary of State -- A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA PROVIDING FOR AN INTERIM STUDY OF BICYCLE AND PEDESTRIAN PATHS.

**2017**

[House Bill No. 225](#) – Chapter Number Assigned -- AN ACT REVISING THE MONTANA FOOTPATH AND BICYCLE TRAIL ACT OF 1975; PROVIDING FOR THE MAINTENANCE AND REPAIR OF SHARED-USE PATHS, INCLUDING THE STRUCTURES AND PROCESSES NECESSARY FOR BICYCLE AND PEDESTRIAN SAFETY EDUCATION; PROVIDING FOR AND ALLOCATING THE REVENUE FROM AN OPTIONAL FEE ON MOTOR VEHICLE REGISTRATION TO BE USED FOR MAINTAINING, REPAIRING, AND ESTABLISHING SHARED-USE PATHS AND FOR SAFETY EDUCATION; PROVIDING A STATUTORY APPROPRIATION; AMENDING SECTIONS 17-7-502, 60-3-301, 60-3-302, 60-3-303, 60-3-304, 61-3-321, AND 61-3-509, MCA; AND PROVIDING AN EFFECTIVE DATE.

[House Bill No. 543](#) – (H) Died in Standing Committee -- AN ACT REQUIRING THAT DEPARTMENT OF TRANSPORTATION HIGHWAY SAFETY PLANNING CONSIDER SHARED USE OF HIGHWAYS BY ALL USERS; REQUIRING INCLUSION OF CERTAIN INTERESTS AND INDUSTRIES; REQUIRING THE DEPARTMENT OF TRANSPORTATION TO REPORT TO THE REVENUE AND TRANSPORTATION INTERIM COMMITTEE REGARDING THE PLANNING PROCESS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

**2015**

[House Bill No. 604](#) – Chapter Number Assigned -- AN ACT REQUIRING COLLECTION OF INFORMATION AND REPORTING BY THE DEPARTMENT OF TRANSPORTATION ON TRAILS AND PATHS CREATED UNDER THE MONTANA FOOTPATH AND BICYCLE TRAIL ACT OF 1975; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE.

**2013**

N/A

**2011**

N/A

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