

Report to the Minnesota Department of Transportation Commissioner from the

Active Transportation Advisory Committee

September 2024

Prepared by:

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Cover Letter

Commissioner Daubenberger,

On behalf of the Active Transportation Advisory Committee (ATAC) members and the Minnesota Department of Transportation staff who assist in coordinating our group, I am pleased to share our first annual report with you.

Since ATAC was enacted by the 93rd Minnesota Legislature in 2023 (Minn. Stat. 174.375), the agency and appointed members have taken numerous steps to establish the committee as an informed, effective, and connected body. Our charge is to provide guidance to and oversight of Minnesota's statutory Safe Routes to School (SRTS) and Active Transportation (AT) programs, as well overall topics related to active transportation, including safety, education, and development programs. In many ways, ATAC is the successor to MnDOT's former advisory body, the State Non-Motorized Transportation Advisory Committee, which was sunsetted by the legislature in 2018. With a strong organizational foundation, we look forward to submitting formal recommendations regarding these topics to your office in the future.

I'd like to thank members Bierscheid, Foldesi, Grissman, and Lowry, as well as MnDOT Active Transportation Coordinator Will Wlizlo, for serving on an ad-hoc committee to develop our guiding document, the charter, with me.

After a year of committee development, ATAC members are eager to apply what they've learned about MnDOT, the state's AT and SRTS programs, and the wider transportation system to serve people who walk, bike, and roll in Minnesota. This will include providing strategic guidance to new initiatives and activities, collaborating with the Advisory Council on Traffic Safety on new research, and humbly making formal recommendations to the Commissioner.

In service,

Jeffrey Flaten

Active Transportation Advisory Committee Chair

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Legislative Request

This report is issued to comply with Minnesota Statutes 174.375, subdivision 5.

174.375 ACTIVE TRANSPORTATION ADVISORY COMMITTEE.

Subdivision 1. Committee established; duties.

- (a) The commissioner of transportation must establish an active transportation advisory committee. The advisory committee must make recommendations to the commissioner on items related to:
 - (1) active transportation, including safety, education, and development programs;
 - (2) the active transportation program under section 174.38; and
 - (3) the safe routes to school program under section <u>174.40</u>.
- (b) The committee must review and analyze issues and needs relating to active transportation on public rights-of-way and identify solutions and goals for addressing identified issues and needs.
- (c) For purposes of this section, "active transportation" includes bicycling, pedestrian activities, and other forms of nonmotorized transportation.

Subd. 2. Membership.

- (a) The advisory committee consists of the members specified in this subdivision.
- (b) The commissioner of transportation must appoint up to 18 public members as follows: one member from each of the department's seven greater Minnesota districts; four members from the department's metropolitan district; and no more than seven members at large. Each of the members at large must represent nonmotorized interests or organizations.
- (c) The commissioners of each of the following state agencies must appoint an employee of the agency to serve as a member: administration, education, health, natural resources, public safety, transportation, and pollution control. The chair of the Metropolitan Council must appoint an employee of the council to serve as a member. The director of Explore Minnesota Tourism must appoint an employee of the agency to serve as a member.
- (d) The division administrator of the Federal Highway Administration may appoint an employee of the agency to serve as a member.
 - (e) Each member of the committee serves a four-year term at the pleasure of the appointing authority.
 - (f) The committee must select a chair from its membership.

Subd. 3. Meetings; staffing.

- (a) The advisory committee must establish a meeting schedule and meet at least annually.
- (b) The commissioner of transportation must provide department staff support to the advisory committee.

Subd. 4. Expenses.

(a) Members of the advisory committee serve without compensation, but members who are not employees of government agencies must be reimbursed for expenses in the same manner and amount as authorized by the commissioner's plan adopted under section 43A.18, subdivision 2.

(b) To provide compensation under paragraph (a), the commissioner of transportation may expend the amount necessary from general fund appropriations.

Subd. 5. Reports.

The advisory committee must submit an annual report to the commissioner of transportation.

Subd. 6. Expiration.

The advisory committee expires June 30, 2033.

The cost of preparing this report is less than \$5,000.

Meetings

During its orientation phase, the Active Transportation Advisory Committee (ATAC) established a recurring schedule. The group meets the third Thursday of the month from 2:00-4:00 p.m. In the ACTC's first year of operation, the meeting dates were:

- October 10, 2023
- November 9, 2023
- January 18, 2024

- March 21, 2024
- May 16, 2024
- July 18, 2024

Topics

As members have started to learn about the agency's operations and the relevant program areas, MnDOT staff have coordinated several presentations and discussion topics including, but not limited to:

- ATAC's Enabling Legislation
- Responsibilities and Laws Governing Boards & Commissions
- Active Transportation Unit at MnDOT
- AT Program Overview
- SRTS Program Overview
- Office of State Aid for Local Transportations AT/SRTS Infrastructure programming
- Active Transportation Safety Training Program
- Overview of How AT is incorporated into MnDOT Construction Projects
- E-Bike Rebate Program (at the Dept of Revenue)
- 2024 Bike/Ped/Vulnerable User-related Legislation
- MnSHIP Programming
- Forthcoming Statewide Bicycle+ System Planning Process

Membership

Our current membership and voluntary additional working group participation is:

Public Members	Sub- Committee
Jeffrey Flaten, City of Dennison (Chair)	* ‡
Kelly Grissman, Three Rivers Park District (Vice Chair)	* Ω
Bob Bierscheid, AARP	◊
Robert Byrnes, City of Marshall	‡
Sarah Ciochetto, St. Lous & Lake Counties Regional Railroad Authority	*
James Foldesi, St. Louis County	‡
Marion Greene, Hennepin County	‡
Glen Kajewski, Bike Thief River Falls	Ω¥
Andy Lageson, Cyclehoop	
CJ Lindor, Bicycle Alliance of Minnesota	◊
Jennifer Lowry, City of Roseville	Ω
Alex McKenzie, St. Cloud APO	◊
Edna Mckenzie, Midwest Select Contracting LLC	Ω
Matt Moore, People for Bikes	
Griffin Peck, West Central Initiative, MN Climate Adaptation Partnership	‡
Kyle Shelton, University of Minnesota Center for Transportation Studies	◊ ¥
Katherine White, City of Minneapolis	¥
Cindy Winters, Greater Mankato Bike and Walk Advocates	Ω
Gina Hermann, Dept. of Administration	
Terri Swartout, Dept. of Education	◊
Ellen Pillsbury, Dept. of Health	◊
Wade Miller, Dept. of Natural Resources	
Kate Knuth, Dept. of Pollution Control	
Michael Hanson, Dept. of Public Safety	
Sarah Ghandour, Dept. of Transportation	*
Joe Widing, Metropolitan Council Ω	Ω
Michael Hernandez, Explore Minnesota Tourism	

^{*} Denotes participation in Executive Working Group

[‡] Denotes participation in AT/SRTS Infrastructure Working Group

 $[\]boldsymbol{\Omega}$ Denotes participation in AT Non-Infrastructure Working Group

[♦] Denotes participation in the SRTS Non-Infrastructure Working Group

[¥] Denotes participation in a liaison role or similar to another organization or body

Charter Adoption

The largest project the group has undertaken is to create and adopt a committee charter. In addition to expanding on the purpose for ATAC and the roles of its members, the charter establishes a working group structure that so members can engage in more detailed program development and committee governance (see Appendix A).

Looking Ahead

After a year of committee development, ATAC members are eager to apply what they've learned about MnDOT, the state's AT and SRTS programs, and the wider transportation system to serve people who walk, bike, and roll in Minnesota. This will include providing strategic guidance to new initiatives and activities, collaborating with the Advisory Council on Traffic Safety on new research, and humbly making formal recommendations to the Commissioner.

Appendix A: Active Transportation Advisory Committee Charter	



Active Transportation Advisory Committee Charter

Statement of Need

Active transportation—and the infrastructure, programming, and funding that supports it—is an increasingly important part of Minnesota's comprehensive and integrated transportation system. The Active Transportation Advisory Committee (ATAC) plays a crucial role in advancing the agency's ongoing implementation, promotion, improvement, and prioritization of active transportation as the preferred travel mode for more and more Minnesotans. Through a formal recommendation process, ATAC will seek to improve MnDOT policies, processes, and strategies to ensure Minnesota becomes a better place for people to walk and bike no matter the reason.

At the Minnesota Department of Transportation, the primary active transportation modes are walking and bicycling, but the category also includes less common human-scale, human-powered modes such as using kick scooters and skateboards. Walking also includes the ways that many people move themselves through the world with mobility devices such as walkers, strollers, and wheelchairs. Much of the work that goes toward planning active transportation networks and promoting those modes also benefits users of devices such as e-bikes, one-wheels, and shared scooters, which are human-scaled but supplement human mobility with electric power. About 3 percent of state residents walk or bike to get to work² and many more set out on foot or by bicycle to run errands, attend appointments, exercise, seek adventure, and visit friends and family. Almost every single outing via automobile or public transportation begins or ends with a segment as a pedestrian. Across Minnesota, 7% of households do not even have access to a car and depend on walking and bicycling to get around. Historically, active transportation modes have not received adequate investment and attention to ensure the comfort and safety of those who need to use them or are interested in using them.

¹ Minnesota Department of Transportation. (2021) Statewide Pedestrian System Plan. Saint Paul, MN. Pg. 16.

² U.S. Census Bureau. *2022 American Community Survey Annual Supplement*. Washington, DC. https://data.census.gov/table/ACSDT1Y2022.B08006?t=Commuting&g=040XX00US27&y=2022

³ National Equity Atlas (2024). *Car Access*. https://nationalequityatlas.org/indicators/Car access?geo=02000000000027000

In 2023, 43 pedestrians and 7 bicyclists were killed in traffic crashes in Minnesota.⁴ This is comparable to statewide crash data from recent years. These statistics don't include the hundreds of Minnesotans walking and riding their bicycle whose lives are transformed each year by serious injuries as a result of crashes. Additionally, some communities and groups experience higher serious and fatal crash rates, and more limited access to safe active transportation infrastructure. Often these communities have a higher share of residents with low incomes; who identify as Black, Indigenous, or a person of color; and/or reside in a rural location. Increasing safety with a focus on and funding for active transportation is one way for MnDOT to address its Commitment to Transportation Equity.⁵ While Minnesota's crash rates show incremental improvement and are among the lowest in the country, protecting people walking and bicycling from injury and death is critical.

Thankfully, Minnesota and its local communities are national leaders in encouraging and supporting active transportation through infrastructure, policy, education, and program development. Two significant statewide initiatives in this regard are MnDOT's Safe Routes to School and Active Transportation programs. The Safe Routes to School program was first funded in Minnesota in 2005 and has helped countless students safely, confidently, and conveniently walk, bike, and roll to school and in daily life. In its 20-year history, the program has invested \$66 million in Minnesota and reached more than 1,000 schools.⁶ First funded in 2021, the Active Transportation program directs planning and infrastructure resources to Minnesota communities with the hope of connecting neighbors and destinations via walking and biking networks. More than \$50M in investments are currently being built, planned for construction, or allocated for non-infrastructure activities under this program by 2030.

Ongoing, well-considered attention to active transportation can benefit Minnesotans above and beyond traffic safety. Opportunities for physical activity and mental wellbeing will support our collective public health and quality of life. Swapping trips to active modes will reduce traffic noise, pollution, and greenhouse gas emissions. Reducing the infrastructure footprint will make our transportation systems and local governments more sustainable and resilient. Mobility fosters strong local economies and supports small businesses which, in turn, drive community investment and economic development. And, when we set out our front doors on foot or by bike, we form a stronger connection to our neighbors, families, and communities. The Active Transportation Advisory Committee will do its part to help Minnesota realize these benefits.

⁴ Minnesota Department of Public Safety. (2023). *2023 Statewide Fatality Counts by Month.* Saint Paul, MN. Pg 2. https://dps.mn.gov/divisions/ots/reports-statistics/Pages/monthly-preliminary-fatal-crash-numbers.aspx

⁵ Minnesota Department of Transportation. (2024). *Our Commitment to Transportation Equity*. Saint Paul, MN. https://dot.state.mn.us/planning/program/advancing-transportation-equity/commitment.html

⁶ Minnesota Department of Transportation. (2024). *Legislative Report on Safe Routes to School*. Saint Paul, MN. Pg. 6. https://www.lrl.mn.gov/docs/2023/mandated/231774.pdf.

Statutory Purpose and Mission

Established in 2023, the Active Transportation Advisory Council is enabled by Minn. Stat. 174.375.

The ATAC must make recommendations to the commissioner on items related to the following:

- Active transportation, including safety, education, and development programs
- The Active Transportation program under Minn. Stat. 174.38
- The Safe Routes to School program under Minn. Stat. 174.40

The committee must review and analyze issues and needs relating to active transportation on public rights-of-way and identify solutions and goals for addressing identified issues and needs.

Host Agency

The Office of Transit & Active Transportation (OTAT), in partnership with the Office of State Aid for Local Transportation (SALT), in the Department of Transportation will serve as the host agency for the ATAC. OTAT will manage the administrative, financial, and operational aspects of the committee's activities.

Organization

Membership

The ATAC consists of 28 members including the following:

- Four (4) public members who reside in MnDOT's Metro District
- Seven (7) public members, one who resides in each of MnDOT's seven greater Minnesota districts
- Seven (7) public members at-large representing nonmotorized interests or organizations
- An appointed member from the Department of Administration
- An appointed member from the Department of Education
- An appointed member from the Department of Health
- An appointed member from the Department of Natural Resources
- An appointed member from the Department of Public Safety
- An appointed member from the Department of Transportation
- An appointed member from Explore Minnesota Tourism
- An appointed member from the Federal Highway Administration

- An appointed member from the Metropolitan Council
- An appointed member from the Minnesota Pollution Control Agency

Alternates

Members are allowed and encouraged to send a substitute, or alternate, to join when members are unable to attend. Alternates' professional or organizational affiliation should be similar to the member and must meet the criteria of the seat they are serving as a substitute. (For example, an alternate for a greater Minnesota MnDOT district seat should also live in that MnDOT district.) Members should alert MnDOT staff if they will be sending an alternate to an ATAC meeting and provide an introduction. Alternates do not have voting privileges.

Officers

The committee will select a Chairperson and Vice Chairperson from its membership. The Chairperson and Vice Chairperson will serve two-year terms that end concurrently with the State of Minnesota's fiscal year (June 30). MnDOT seeks to develop active transportation leaders in Minnesota and encourages the ATAC officers to allow members to participate in leadership by self-limiting to one term in an official position.

Ex-officio Members

The ATAC does not allow for ex-officio members, however meetings of the whole committee are open to the public.

Terms of Membership and Term Information

In general, the terms, compensation, and appointment of members are governed by section 15.059 of Minnesota Statute.

All members will serve a four-year term.

There are no term limits for members appointed to represent state agencies and other legislatively mandated organizations. At the end of each term, the member organization shall submit an updated appointment letter naming their member.

Public members can reapply at the end of their term but are limited to two consecutive terms.

Public members in geographically defined seats must resign if they move out of the geographic area.

Appointed members must resign if they are no longer employed by their appointing agency or organization.

Committee members will sign an Oath of Office.

Appointments, Vacancies, Resignations, and Removal

Appointments

Direct appointments are made by the commissioner of the relevant agency. Public members are appointed by the Commissioner of the Department of Transportation. Review and selection of applications for public members is completed by staff from the Office of Transit & Active Transportation in partnership with the Office of State Aid for Local Transportation. The Office of Secretary of State manages the administration of membership.

When a member is appointed following a vacancy, resignation, or removal, the newly appointed member will serve out the remainder of the unexpired term of the outgoing member.

Vacancies, Resignations, and Removal

In general, vacancies, resignations, and member removal are subject to Minnesota Statute 15.059.

The Department of Transportation and other state agencies should seek to fill vacancies as soon as reasonable, ensuring compliance with public notice laws.

Members who are resigning should submit a statement to committee leadership and the Department of Transportation liaison to the committee via email.

Per statute, a member may be removed by the appointing authority at any time at the pleasure of the appointing authority. Committee leadership may remove members if they miss three meetings during a 12-month period. A warning should be sent to that member via email after their second absence.

Responsibilities of Committee

Recommendations

ATAC will regularly make formal recommendations to the commissioner of transportation and informal recommendations to MnDOT staff to further the committee's mission and achieve its goals.

Annual Report

The committee will submit an annual report to MnDOT by August 1 each year. The report describes the actions taken by the ATAC during the previous year and any specific recommendations for MnDOT. MnDOT will have 90 days to respond to each recommendation in the report.

Responsibilities of Chairperson and Vice Chairperson

While selecting the Chairperson and Vice Chairperson the committee and MnDOT will seek balance and diversity of representation from the committee membership.

Duties of the Chairperson are:

- Develop meeting agendas with the Vice Chairperson and MnDOT staff
- Preside at ATAC meetings, ensuring respectful and on-topic discussion
- At the request of the commissioner, be the spokesperson and representative for ATAC
- Appoint working groups and representatives to other advisory bodies as needed

Duties of the Vice Chairperson are:

- Develop meeting agendas with the Chairperson and MnDOT staff
- Preside at ATAC meetings in the absence of the Chair, ensuring respectful and on-topic discussion
- Assist the Chair as requested

Responsibilities and Expectations of Members

ATAC members are expected to:

- Attend and actively participate in meetings
- Serve on working groups and other ad hoc groups as requested by the Chair
- Engage in respectful dialogue
- Provide input, ideas, and information
- Prepare for active participation in discussions and decision-making by reviewing meeting materials
- Beware of and report any conflict of interest that may exist to the Chairperson and MnDOT staff
- Refrain from writing letters or engaging in other kinds of communication in the name of ATAC, unless the Chair, Vice Chair, and/or Commissioner specifically authorize such communication
- Be curious and learn from each other

Responsibilities of MnDOT Staff

Staffing and support

The MnDOT Office of Transit & Active Transportation provides direction, staffing, and logistical support for the ATAC which includes managing scheduling and meeting logistics, providing regular communications to the ATAC, and helping prepare the annual report. MnDOT staff provide similar support for work groups but some additional resources from work group members, or others, may also be needed.

Meetings

Members are encouraged to attend in-person whenever possible.

Regular meetings

The ATAC will hold six regular meetings of the whole committee annually. These will be scheduled to take place from 2:00-4:00 p.m. Central time on the third Thursdays of odd-numbered months. Meetings will take place in a hybrid setting, except for the fifth meeting each year (in September) which will be held hybrid/in-person and feature a hands-on or experiential component to ground members in the work of the committee. In-person meetings will rotate between MnDOT districts each year.

Irregular meetings

The Chairperson or acting Vice Chairperson may call an irregular meeting of the whole committee as needed. ATAC members as well as the public will be given a minimum of seven days' notice in the event of a scheduled irregular meeting.

Meeting notes

MnDOT staff will provide meetings notes for review following each meeting. Comments made by ATAC members during the meeting will not be attributed to individuals without permission. MnDOT staff will strive to provide meeting notes within one week of ATAC meetings.

Public comment period

Public input and participation are encouraged. Each meeting shall include a period for public comment at the beginning of the meeting so that non-members can provide input on topic(s) relevant to the statutory purpose and mission of the ATAC. Members of the public are encouraged to send requests to provide public comment to MnDOT's Active Transportation Coordinator before the scheduled meeting time. Public input is expected to be civil.

Voting

Quorum

At least 15 members (but not alternates) constitutes a quorum of the ATAC.

Formal Recommendations

A quorum of members is required to adopt a formal recommendation to the Commissioner of Transportation. Formal recommendations will be the culmination of a process that may entail committee research, engagement, analysis, working groups, and debate—and hold an expectation of a formal response. Formal recommendations will generally be made by a consensus of members who attend the meeting, requiring at least 75% of votes in favor of the formal recommendation. ATAC members may request a formal vote for questions of business related to the committee at the pleasure of the Chairperson.

Informal Recommendations

The ATAC may suggest (or MnDOT staff may request) informal recommendations from ATAC that do not require a quorum or a voting process. Informal recommendations may be presented in the form of feedback, idea generation, direction, or other engagement on a project, process, or topic related to the committee's statutory purpose and mission. Informal recommendations may occur at ATAC work group meetings as needed.

Roll Call

For formal recommendations, "roll call" style votes will be taken by the Chairperson with the assistance of MnDOT staff. For members attending virtually, votes may be typed into the meeting chat function. Votes will be attributed to individuals in official meeting notes.

Email Voting

At the request of the Chairperson, official votes may be conducted over email. Every effort should be made to provide members with clear, relevant information to make an informed voting decision. Email voting should be open for a minimum of 72 hours or two business days, whichever is longer. Record of email votes will be recorded and included with meeting notes.

Standing and Ad-hoc Work Groups

Work group members provide knowledge and expertise to the larger ATAC project by participating in additional focused meetings and/or by commenting on meeting notes and recommendations. Work group comments may be aggregated and not attributed to any individual. Work groups should include

ATAC members and relevant MnDOT staff and may include non-members with related expertise at the pleasure of the MnDOT facilitator. Work Group membership should be comprised of a minimum of one-third ATAC members not including the MnDOT facilitator. Work groups may choose to designate chair(s) so long as that person is a member of ATAC; alternately, work groups may choose to be facilitated by a MnDOT staff member. Work groups cannot take the place of formal review committees for MnDOT solicitations or RFP processes.

Standing work groups

There shall be four standing work groups of the ATAC. They will be scheduled to meet up to six designated times per year. Meetings may be canceled if there is no relevant business for discussion. Members are encouraged to participate in at least one standing work group.

- Executive Work Group This body will assist the Chairperson, Vice Chairperson, and MnDOT staff facilitator to ATAC in off-month administrative tasks and planning, including agenda setting, recruitment, and committee planning. The executive committee should consist of at least five members (including the Chairperson and Vice Chairperson) and strive to include at least one representative from a Metro, Greater Minnesota, and at-large seat. MnDOT facilitator: Active Transportation Coordinator, Office of Transit & Active Transportation
- AT/SRTS Infrastructure Work Group This body will provide strategic guidance, feedback, and oversight for the Active Transportation and Safe Routes to School infrastructure solicitation criteria and processes, as well as discuss and approve recommendations from solicitation review committees. The MnDOT Facilitator must establish the AT/SRTS Infrastructure Work Group consisting of one of the following members from each eligible entity: County, State Aid City (representing a city with a population over 5,000), Non-State Aid City (representing a city with a population under 5,000), Township, and Federally Recognized Indian Tribe, which may or may not include ATAC members. The AT/SRTS Infrastructure Work Group membership shall consist of a minimum of 5 and not to exceed a total of 10 members. MnDOT facilitator: Active Transportation Engineer and/or State Programs Engineer, Office of State Aid for Local Transportation
- SRTS Non-Infrastructure Work Group This body will provide strategic guidance, feedback, and oversight for the agency's Safe Routes to School non-infrastructure programming, as well as discuss and approve recommendations from grant and solicitation review committees. MnDOT facilitator: Safe Routes to School Coordinator, Office of Transit & Active Transportation
- AT Non-Infrastructure Work Group This body will provide strategic guidance, feedback, and oversight for the agency's Active Transportation non-infrastructure programming, as well as discuss and approve recommendations from grant and solicitation review committees. *MnDOT facilitator: Active Transportation Coordinator, Office of Transit & Active Transportation*

Ad-hoc work groups

The Chairperson may designate ad-hoc work groups to explore, discuss, and make recommendations about topics relevant to ATAC's mission and goals on a limited or open-ended basis. MnDOT may help facilitate these work groups if staffing is available.

Changes to Operating Procedures

The ATAC Charter Document will be reviewed annually by the Executive Work Group. Recommendations to change the committee's operating procedures require a vote during a regular meeting of the committee.

Desired Outcomes

- Clear consensus-based recommendations from the ATAC to MnDOT
- Work group members participate in a meaningful way to develop recommendations
- Recommendations that help MnDOT increase the effectiveness, positive impact, and sustainability of the Active Transportation and Safe Routes to School programs
- Recommendations that help MnDOT innovate, expand, elevate, and advance active transportation within the agency and around Minnesota
- Consideration of immediate needs and longer-term planning for MnDOT and the state transportation system

Expiration

By statute, the ATAC expires June 30, 2033.