

TRN-XXXX – Safe Accommodation for Pedestrians and Cyclists In and Around Work Zones**SAFE ACCOMMODATION FOR PEDESTRIANS AND CYCLISTS IN AND AROUND WORK ZONES**

Administrative Rule Adopted by Bureau of Transportation Development and Capital Program Pursuant to Rule-Making Authority

ARB-TRN-xxxxx

I. INTRODUCTION**Pedestrian and Cyclist Safety In Work Zones**

PBOT has developed the following guidelines for providing space for cyclists and pedestrians through work zones. Pedestrian and cyclist safety is important in and around work zones. Pedestrians and cyclists should be provided with a reasonably safe, convenient, and accessible route that replicates as nearly as practicable the most desirable characteristics of the existing route. Workers should be made aware of the needs of pedestrians and cyclists and be made responsible for ensuring safe and continuous passage.

II. DEFINITION

Any person desiring to make a public improvement, do work in, or use the street area must first obtain a permit meeting the requirements of the Director of the Bureau of Transportation. A Temporary Street Use Permit that authorizes the blockage of a sidewalk, cycle lane, or other public use path shall require the permittee to provide safe accommodations for pedestrians and cyclists as prescribed herein.

In this rule, the words "**Shall**" and "**Should**" are used to describe specific conditions. To clarify the use of these terms, the following definitions apply:

- **SHALL** - A mandatory condition or action.
- **SHOULD** - The standard under normal conditions.
- **MAY** - A permissive conditions where no requirement for design, application, or standards is intended.

III. POLICY

The blockage of a sidewalk, cycle lane, or other public use path shall be regarded with the same importance as the closure of a lane of motor vehicle traffic by applying temporary traffic control practices.

The term "safe accommodation" means a safe and convenient route for pedestrians and cyclists through, past or around a work zone that provides sufficient capacity and is likely to be followed by pedestrians and cyclists. This accommodation must take into consideration temporary and/or permanent pedestrian or cycle facilities. When pedestrian and cyclist facilities are impacted due to maintenance or construction, pedestrian and cyclist accommodations must be provided to the maximum extent feasible. These accommodations should be ADA compliant and must have accessibility features up to the level of the disturbed route. Signage and devices, as necessary, must be provided to direct pedestrians and cyclists safely through the work zone.

IV. ADMINSTRATIVE RULE

Prior to the issuance of a Temporary Street Use Permit, an application and Temporary Pedestrian Route Plan and/or a Temporary Cycle Lane Plan shall be submitted as described below and meet the requirements as described in the Administrative Rule.

A complete application and a clear traffic control plan showing the proposed pedestrian and/or cyclist accommodation route shall be submitted to Temporary Street Use Permitting per the standard procedure for Temporary Street Use Permitting to be reviewed by the City Traffic Engineer.

Safe accommodation requirements for pedestrians:

- Closure of a sidewalk **shall** be deemed the last resort in the absence of other practicable routing or accommodation options needed to assure pedestrian safety.
- A temporary route **shall** be clearly marked and include advance notification of sidewalk closures, detours, or diversions.
- If the work zone affects an accessible and ADA compliant pedestrian route, the accessibility and ADA compliant features along a temporary route **shall** be provided in accordance with the Americans with Disabilities Act of 1990 (ADA Standards) and Public Rights-of Way Accessibility Guidelines (PROWAG). Pedestrians **shall** be provided protection from adjacent construction activities, e.g. covering the pedestrian walkway when an overhead danger is present (Chapter 33 International Building Code or Oregon Structural Specialties Code);
- A covered walkway **shall** comply with OSHA structural specifications, and meet Bureau of Development Services requirements, (to OSHA standards, 1910-28.(may require certification)
- Pedestrians **should** be separated from motor vehicular traffic and cycles;
- Both sidewalks on a block **should** not be closed simultaneously.
- A pedestrian route designated as an established detour route **should** not be closed.
- A pedestrian route **should** be free of obstructions and surface hazards.
- The method for providing safe accommodations for pedestrians **should** be prioritized as follows:
 - A. Protect the existing pedestrian route from the worksite.
 - B. Provide a temporary pedestrian route in a parking lane and protect it from adjacent traffic.
 - C. Provide a multi-use path in an existing bike lane.
 - D. Provide a pedestrian route in an existing bike lane, protect it from traffic, and merge cycles with traffic.
 - E. Provide a pedestrian route in an existing traffic lane.
 - F. Provide a pedestrian detour route.

Pedestrian detours **should** not last more than 3 days in Pedestrian Districts & Pedestrian Walkways, or 1 week on a local service street. A temporary pedestrian route **should** be given priority over other facilities. A temporary pedestrian route **should** be given priority over vehicular traffic except when resulting in excessive delay to transit, excessive congestion in violation of mobility standards, or a pedestrian route that is less safe. (See City of Portland Traffic Control Manual for required specifications).

Safe accommodation requirements for cyclists:

- Closure of a cycle lane **shall** be deemed the last resort in the absence of other practicable routing or accommodation options needed to assure the safety of cyclists.
- A temporary route **shall** be clearly marked and include advance notification of cycle lane closures, detours, or diversions.
- Cyclists **should** be separated from motor vehicle traffic and pedestrians.
- A cycle route **should** be free of obstructions and surface hazards.
- The method for providing safe accommodations for cyclists **should** be prioritized as follows:
 - A. Provide a cycle lane on the same roadway past the work zone by shifting and narrowing the adjacent traffic lanes.
 - B. Provide a cycle lane in an existing traffic lane.
 - C. Merging cyclists and adjacent traffic into a shared travel lane.
 - D. Provide a cycle detour route.

Additional Requirements:

Each applicant submitting a permit application to the Director of the Bureau of Transportation which will result in the blockage of a sidewalk, cycle lane, or other public use path, shall submit for approval by the Director, a temporary traffic control plan that addresses safe accommodation for pedestrians and cyclists that meet the goals of this policy before the issuance of a permit. If the plan does not meet the goals of this policy then additional information may be required (for example a Transportation Management Plan).

Signage Requirements:

The design and placement of the temporary traffic control signs, devices and roadway markings shall be in compliance with the most recent edition of the Manual on Uniform Traffic Control Devices (MUTCD), the Oregon Temporary Traffic control Handbook and the City of Portland Traffic Control Manual.

The temporary traffic control plan **shall** include work zone signage, devices and roadway markings that adequately warn right-of-way users of upcoming changes and mark the alternate route as per the City approved Temporary Traffic Control Plan.

Intermittent Closures:

If a pedestrian or cycle route must be closed intermittently due to conflicts with construction activities or construction vehicles, the temporary traffic control plan **may** require:

1. Flaggers or spotters to be posted at each end of the closed pedestrian or cycle route for the entire duration of time the intermittent closure is in place; and
2. The safe and reasonable flow of pedestrian and cycle traffic to be maintained in preference to construction activities and the flow of construction vehicles.

If an existing pedestrian route is impacted by a short-term or a short-duration work zone that is attended with project personnel, establishing an alternate pedestrian and/or cycle route may not be necessary if the work can be stopped and pedestrians and/or cyclists can navigate the work zone safely. This **shall** be determined by the City Traffic Engineer and a Temporary Sidewalk Use Permit required. When a temporary pedestrian/cycle route extends through an active work zone, it **shall** be the contractor's responsibility to maintain safe pedestrian/cyclist passage at all times. Pedestrians/cyclists **may** be delayed for a short period of time for project personnel to move equipment and materials to facilitate passage. Project personnel **may** also assist pedestrians with disabilities. ADA compliant devices placed on the sidewalk and additional warning signage **may** be used to alert pedestrians of the beginning of a work zone.

City of Portland Bureaus

City Bureaus performing work constructing or maintaining city infrastructure **should** provide safe accommodation per this policy.

Enforcement:

The Director **may** revoke a Temporary Street Use permit authorizing the blockage of a sidewalk, cycle lane, or other pedestrian or and cycling cycle path and assess civil penalties for any of the following reasons:

1. The permittee fails to comply with the required conditions.
2. The permittee does not comply with the traffic control plan approved by the City Traffic Engineer.
3. The permittee does not provide adequate protection for public safety and welfare.
4. Any other reason authorized by law, code, policy or rules.

V. REFERENCES

- Portland City Code Titles 16 and 17
Pursuant to Rule Making Authority Title & Section 3.12
TRN-2.08
City of Portland Traffic Control Plan Manual
Americans with Disabilities Act of 1990
Public Rights-of Way Accessibility Guidelines
Occupational Safety and Health Administration standards, 1910-28
International Building Code
Oregon Structural Specialty Code
Oregon Temporary Traffic Control Handbook
FHWA Manual on Uniform Traffic Control Devices

HISTORY

New policy June 2016