

## COUNTY LOCAL LAWS

BIKEWAYS AND PEDESTRIAN WALKWAYS TO BE PHASED INTO EXISTING ROAD AND TRANSPORTATION SYSTEMS THROUGHOUT THE COUNTY. SUCH BIKEWAYS AND PEDESTRIAN WALKWAYS SHALL BE CONSISTENT WITH AREA MASTER PLANS AND TRANSPORTATION PLANS PREPARED BY THE MONTGOMERY COUNTY PLANNING BOARD. FOLLOWING THE DEVELOPMENT AND APPROVAL OF THE PLAN FOR A PROGRAM FOR BIKEWAYS AND PEDESTRIAN WALKWAYS THE COUNTY SHALL PROCEED AS RAPIDLY AS POSSIBLE WITH THE IMPLEMENTATION OF THAT PROGRAM.

(B) IN ADDITION TO THE PHASING IN OF BIKEWAYS AND PEDESTRIAN WALKWAYS WITH EXISTING TRANSPORTATION SYSTEMS PURSUANT TO SUBSECTION (A) OF THIS SECTION, BIKEWAYS AND PEDESTRIAN WALKWAYS SHALL BE CONSTRUCTED ALONG WITH THE CONSTRUCTION, RECONSTRUCTION OR RELOCATION OF ANY COUNTY ROAD UNLESS IT IS DETERMINED THAT SUCH WOULD NOT BE IN THE INTEREST OF PUBLIC SAFETY OR WOULD NOT BE FEASIBLE OR WOULD BE DISPROPORTIONATE IN COST TO THE NEEDS THEREFOR OR PROBABLE USE THEREOF. SUCH BIKEWAYS AND PEDESTRIAN WALKWAYS SHALL CONFORM TO APPROVED CAPITAL IMPROVEMENTS PROGRAMS AND SHALL BE CONSISTENT WITH AREA MASTER PLANS AND TRANSPORTATION PLANS PREPARED BY THE MONTGOMERY COUNTY PLANNING BOARD.

(C) IN ORDER TO PROMOTE THE SAFETY OF BICYCLE AND WHEELCHAIR TRAVEL THROUGHOUT THE COUNTY, THE COUNTY EXECUTIVE SHALL ESTABLISH BY WRITTEN REGULATION STANDARDS AND SPECIFICATIONS FOR THE CONSTRUCTION AND MAINTENANCE OF RAMPS AT CURBED INTERSECTIONS AND FOR THE CONSTRUCTION AND MAINTENANCE OF STORM WATER GRATINGS AND OTHER OPENINGS ALONG ROADS AND STREETS OF SUCH A DESIGN AND TYPE AS NOT TO CONSTITUTE A HAZARD TO BICYCLE AND WHEELCHAIR TRAFFIC. SUCH NON-HAZARDOUS RAMPS, GRATINGS AND OPENINGS SHALL BE CONSTRUCTED AND MAINTAINED IN CONNECTION WITH ALL PROJECTS IMPLEMENTED PURSUANT TO SUBSECTIONS (A) AND (B) OF THIS SECTION.

### Sec. 3. Severability.

The provisions of this Act are severable, and if any provision, sentence, clause, section or part thereof is held illegal, invalid or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of the Act or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this Act would have been adopted if such illegal, invalid or unconstitutional provision, sentence, clause, section or part had not been included therein, and if the person or circumstances to which the Act or any part thereof is inapplicable had been specifically exempted therefrom.