

Following the partial veto of the Initial Applicability provision, s. 84.01(35) reads as follows:

84.01(35) (a) In this subsection:

1. "Bikeway" has the meaning given in s. 84.60 (1) (a).
2. "Pedestrian way" has the meaning given in s. 346.02 (8) (a).

(b) Except as provided in par (d), and notwithstanding any other provision of this chapter or ch. 82, 83, or 85, the department shall give due consideration to establishing bikeways and pedestrian ways in all new highway construction and reconstruction projects funded in whole or in part from state funds or federal funds appropriated under s. 20.395 or 20.866.

(d) The department may not establish a bikeway or pedestrian way as a part of a new highway construction or reconstruction project if any of the following apply:

1. Bicyclists or pedestrians are prohibited by law from using the highway that is the subject of the project.
2. The project is funded in whole or in part from state funds unless the governing body of each municipality in which a portion of the project will occur has adopted a resolution authorizing the department to establish the bikeway or pedestrian way. This subdivision does not apply if the federal government provides written notice to the department that establishment of a bikeway or pedestrian way as a part of a project is a condition of the use of federal funds for that project.