

**DENNIS J. KUCINICH**

11th District, Ohio

2445 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, D.C. 20515  
(202) 225-5871

14400 DEERGIFT AVENUE  
LAKELWOOD, OHIO 44107  
(216) 228-8850

PARMATOWN MALL  
7904 DAY DRIVE  
PARMA, OH 44129  
(440) 845-2707



**Congress of the United States**  
**House of Representatives**

[www.kucinich.house.gov](http://www.kucinich.house.gov)

CHAIRMAN,  
SUBCOMMITTEE ON DOMESTIC POLICY,  
COMMITTEE ON OVERSIGHT AND  
GOVERNMENT REFORM,  
COMMITTEE ON EDUCATION AND LABOR

June 29, 2010

Ms. Jolene Molitoris  
Director  
Ohio Department of Transportation  
1980 West Broad Street  
Columbus, Ohio 43223-1102

Dear Ms. Molitoris:

Through the local media and communication between our staffs, I have learned that the Ohio Department of Transportation (ODOT) is leaning toward a final decision to not include a safe and separate multimodal route along the Interstate 90 Innerbelt Bridge to facilitate use by bicyclists, pedestrians, and non-motorized transportation modes. I understand that the reasons for such a decision would include safety, noise, traffic, and a clause in the Ohio Revised Code which precludes use of eminent domain for bike paths. I believe that if ODOT were to look at each of these issues on their merits, it should come to a different conclusion and include a safe and separate multimodal route along this proposed new bridge.

Federal transportation policy now seeks to include biking and walking as part of our nation's transportation networks. According to a U.S. Department of Transportation (DOT) "Policy Statement on Bicycle and Pedestrian Accommodation Regulations and Recommendations" signed by Transportation Secretary Ray LaHood on March 11, 2010, "transportation agencies should plan, fund, and implement improvements to their walking and bicycling networks, including linkages to transit." Among the specific recommendations of the DOT policy is: "Integrating bicycle and pedestrian accommodation on new, rehabilitated, and limited-access bridges: DOT encourages bicycle and pedestrian accommodation on bridge projects including facilities on limited-access bridges with connections to streets or paths." If safety, traffic, and noise were stumbling blocks to integrating a multimodal route for non-motorized transportation, bikers and pedestrians would not be included in this national approach to transportation, let alone as part of "limited-access bridges" such as the Innerbelt Bridge across the Cuyahoga River.

Your staff correctly points out an anachronistic clause in Section 5501.31 of the Ohio Revised Code (ORC) which singles out "bikeways and bike paths" as purchasable by the State of Ohio only from a "willing seller" as opposed to all other land transactions for public transportation projects available through "purchase or appropriat[ion]." In response, I would first point out that a safe and separate multimodal route is not a bike path, but would include any form of non-motorized transportation, including bikes. Second, appropriation may not be necessary. Third, this section of the ORC is inconsistent with the Secretary's integrative and inclusive policy on

non-motorized transportation and I have begun discussing this oversight with state legislators. Finally, many questions will remain unanswered as long as ODOT continues to find any reason to avoid taking this proposed new bridge into the 21<sup>st</sup> Century by refusing to include contingencies for a safe and separate multimodal route in its planning contracts.

I ask that you redouble your efforts to make a good faith attempt at finding a way to include a safe and separate multimodal route for non-motorized vehicles along the proposed new Innerbelt Bridge in Downtown Cleveland. I believe that ODOT, while not the first transportation agency to include non-motorized transportation modes on controlled-access highways, could still lead the nation toward greater inclusion of bikers and pedestrians as part of our nation's integrated transportation system as articulated by Secretary LaHood and other visionary leaders in transportation policy.

Sincerely,

A handwritten signature in black ink that reads "Dennis J. Kucinich". The signature is written in a cursive, slightly slanted style.

Dennis J. Kucinich  
Member of Congress

DJK: mg