

# A safer, healthier, more prosperous Wisconsin: Restore eminent domain for pedestrian and bike paths



The 2017 budget bill, Act 59, amended Wisconsin's Eminent Domain Statute to prohibit the authorities to use the power of condemnation that power to establish or extend recreational trails, pedestrian ways, bicycle way, or bicycle lanes. Currently, over 20 pedestrian projects from across the state have been delayed, leading to continued unsafe conditions, increased project costs, and stunted economic growth.

## 1. Pedestrian paths and infrastructure are a public safety issue, and it's getting worse.

- 2017 was a record year for pedestrian fatalities in Wisconsin. <sup>1</sup>
- 2018 saw national pedestrian deaths increase by 4%, cycling deaths increase by 10%. <sup>2</sup>
- Road traffic injuries are now the single biggest cause of death for children and young adults, and more than half of all traffic deaths are pedestrians, bicyclists, and motorcyclists. <sup>3</sup>

## 2. Pedestrian and bike paths create jobs.

- Each year, road and mountain biking supports 13,505 jobs in Wisconsin. <sup>4</sup>
- Consumers spend \$1.42 billion on road and mountain biking yearly in Wisconsin. <sup>5</sup>
- \$84 million in local taxes are collected annually in Wisconsin from the biking industry. <sup>6</sup>

## 3. Wisconsin homeowners are losing millions on potential increased property value.

- Access to pedestrian infrastructure increases property values.
- After completion of the Indianapolis Cultural Trail, property values increased by \$1 billion, and local businesses reported more customers and higher sales. <sup>7</sup>
- On a national scale, the values of homes in areas with "above-average" access to active transportation are higher than those of comparable properties by as much as \$34,000. <sup>8</sup>
- Since the opening of the 3.5-mile (5.6km) Katy Trail in the Uptown neighborhood of Dallas in 2006, property values have climbed nearly 80 percent, to \$3.4 billion, according to Uptown's business improvement district. <sup>9</sup>

## 4. Pedestrian infrastructure attracts millennials—a vital future workforce.

- Wisconsin's workforce is aging and our state's economic future depends on keeping young people here. <sup>10</sup>
- Businesses in Indianapolis saw an increase in customers and revenue, leading to the creation of jobs after the completion of the Indianapolis Cultural Trail. <sup>11</sup>
- 75 percent of Wisconsin college students believe it is "very important" or "somewhat important" to them to live in a place with non-driving transportation options after graduation. <sup>12</sup>



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## 5. Bike and pedestrian paths create a healthier population and a healthier workforce.

- Investments in regional trails have shown to save on overall healthcare costs.<sup>13</sup>
- A recent study found bicycle commuting is associated with a lower risk of serious disease and a longer life span.<sup>14</sup>

## 6. The current law is delaying approved projects all over the state.

- **Loss of tourism revenue.** In Vilas County, the completion of the River Trail would boost that tourism economy by providing more opportunity for long-range biking.
- **Decrease of safety.** The delay of the Thomas Street Corridor expansion in the City of Wausau has increased safety concerns for both bicyclists and drivers and hampered bike commuting on a high-capacity urban road.
- **Less flexibility and increased costs.** Kenosha County estimates costs will increase \$116,000 for one project due to the eminent domain law change.

## 7. Bike and pedestrian paths generate economic growth and tourism.

- The annual economic impact of cycling in Wisconsin is \$2.5 billion.<sup>15</sup>
- Studies have shown that businesses located on streets that prioritize walking and biking enjoy a boost in retail sales of 10-25 percent.<sup>16</sup>
- Tourists from out-of-state spend \$535 million on cycling in Wisconsin annually.<sup>17</sup>

## 8. The current law leaves Federal dollars unspent.

- Federal money that will make Wisconsin a better place to live and work is sitting unspent.
- Winnebago County passed up potentially \$1 million in Surface Transportation Project funds due to the eminent domain law change.

## 9. Wisconsin's Eminent Domain Law has a robust process that protects the private landowner:

- A Determination of Necessity
- Mandatory good faith negotiations with affected property owners
- Owner entitled to obtain appraisal at no expense
- Right of appeal including award of attorneys' fees to owner if offer is inadequate

**Saved lives.  
Improved health.  
Economic growth.**

**Restore the benefits of Eminent  
Domain to protect Wisconsin's  
most valuable resource; it's people.**

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