



21.046

Dispatch on the Cycle Routes Act

of 19 May 2021 (Status as of 1 January 2022)

Mr President of the National Council
Mr President of the Council of States
Ladies and gentlemen

With this Dispatch, we are submitting to you, with the request for approval, the draft of the Cycle Routes Act.

We assure you, Mr President of the National Council, Mr President of the Council of States, ladies and gentlemen, of our highest consideration.

19 May 2021

On behalf of the Swiss Federal Council
The President of the Swiss Confederation:
Guy Parmelin
The Federal Chancellor:
Walter Thurnherr

Summary

Cycle routes help us to meet the challenges posed by the need for mobility. They contribute to reducing congestion, improving the flow of traffic and reducing the number of accidents. The Cycle Routes Act is primary legislation that implements Article 88 of the Federal Constitution (FC), which was amended in 2018. It lays down the terminology and the planning principles for the cycle route networks, and sets out the tasks of the federal government and the cantons in streamlined framework legislation. The Confederation is assigned the tasks of supporting implementation and providing coordination and information. The cantons are required to plan and build the cycle route networks. The structure and content of the new federal act is largely based on the tried and tested Federal Act of 4 October 1985 on Footpaths and Hiking Trails (FHTA). The FHTA will be adapted to the extent required by the amended Article 88 of the Federal Constitution.

Background

On 23 September 2018, the people and all the cantons approved the Federal Decree on Cycle Routes and Footpaths and Hiking Trails (Art. 88 of the Federal Constitution). This gave the federal government the opportunity to define principles for cycle route networks and to support and coordinate measures by the cantons, communes and other actors.

Cycling is becoming increasingly popular in Switzerland. Many people use bicycles for leisure, but an increasing number also use their bikes on a daily basis, for example to get to work. With the advent of bicycles with electric pedal assistance (e-bikes), this trend has intensified. As trains, buses and trams are often full at peak times, when there is also often traffic congestion on the roads, cycling is gaining in importance, especially for the improved management of growing mobility. Cycle routes not only help to reduce traffic congestion and improve traffic flows, they also help to increase road safety. This is important because the number of cyclists killed and injured in accidents has increased in recent years. Where there are continuous cycle routes, and different modes of traffic are kept apart, cars, bicycles and pedestrians come less into conflict. People who cycle instead of driving or using public transport reduce energy consumption and CO₂ emissions. Furthermore, bicycles do not cause noise or exhaust fumes. And if you cycle, you get exercise and that is good for your health.

In order to make greater use of the potential of cycling, a coherent and continuous, safe and attractive cycle route network with direct connections is essential.

Content of the bill

The first section describes the subject matter of the Act and defines the important terms (Art. 1-4).

The second section sets out the planning obligation (Art. 5) and the planning principles (Art. 6 and 8). Planning principles comprise generally formulated instructions on what to do and quality objectives that are to be considered in the planning work. They should be distinguished from the specific standards that are set by the cantons

in relation to specific cycle route networks. The planning obligation also includes appropriate coordination of cycle route networks with each other and with other infrastructure that affects open spaces - such as other transport networks (Art. 7). A basic obligation to replace (Art. 9) should help to prevent gaps from appearing in the network. The cantons have sufficient leeway to decide how to deal with such gaps. The possibility of cooperation with private specialist organisations (Art. 10), the spatial planning coordination requirement (Art. 11) and the provision of official geodata (Art. 12) round off the second section.

The third section describes the Confederation's specific tasks. They include primarily the obligation to take cycle routes into account in carrying out all federal tasks (Art. 13). The Confederation also has to advise the actual service providers - the cantons and, where appropriate, the communes (Art. 14) - and inform the public (Art. 15). The provision of information also includes the supply of harmonised geodata. This section also regulates cooperation with private specialist organisations (Art. 16).

In the fourth section, which deals with organisation and legal remedies, the designation of specialised bodies acting as contact persons in the administration is required, analogous to the FHTA; 23 out of 26 cantons already have such a specialised body. At federal level, the Federal Roads Office (FEDRO) fulfils this task. The right of public authorities and associations to file appeals, which is similar to that under the FHTA, is restricted to the cantons, communes and private specialist organisations of national importance recognised by the Federal Department of the Environment, Transport, Energy and Communications (DETEC). Local associations are therefore not entitled to file association appeals under the Cycle Routes Act.

The fifth section comprises transitional and final provisions. Generally, the cantons should draw up their cycle route network plans within five years. They will base these on the existing plans. A deadline of 20 years after the Act comes into force for implementing the plans adds further binding force.

With the enactment of the Cycle Routes Act, the FHTA and the Federal Act on National Highways will require minor amendments.

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Federal Act on Cycle Routes (Cycle Routes Act) (draft)**BBl 2021 1261**

Dispatch

1 Background

1.1 Need for action and objectives

On 23 September 2018, Swiss voters (73.6% in favour) and all the cantons approved the Federal Decree of 13 March 2018¹ on Cycle Routes and Footpaths and Hiking Trails (the direct counter-proposal to the popular initiative "To encourage the use of cycle routes, footpaths and hiking trails [Bike Initiative]"), amending Article 88 of the Federal Constitution (FC).² This bill fulfils the constitutional mandate to enact implementing legislation.

1.2 Alternatives examined and solution chosen

Article 88 of the Federal Constitution concerning footpaths and hiking trails was expanded by the Federal Decree on Cycle Routes and Footpaths and Hiking Trails to add a new federal power. In the case of cycle routes, the Confederation now also has the power to enact simple framework legislation and to provide subsidiary support to the cantons in terms of implementation, as well as to contribute to coordination and the provision of information.³ The cantons' responsibility for planning, building and maintaining the cycle route networks remains unaffected. Based on the constitutional principle of subsidiarity (Art. 5a, 43 and 43a FC), the wording of the constitutional article and the Federal Council's dispatch and explanatory statement on the vote, implementing legislation is required.⁴

Against this background, the content and structure of the draft Cycle Routes Act is based on the Federal Act of 4 October 1985⁵ on Footpaths and Hiking Trails (FHTA). The possibility, which existed in principle, of incorporating the new provisions into the existing FHTA was rejected in favour of a separate enactment, as the circumstances are not exactly the same and there is a danger that the FHTA, which has proven itself in practice for decades, will lose clarity if new provisions are added.⁶ In view of this, a conscious decision was taken not to go for modernisation in the form of a partial revision of the existing FHTA. Under the bill, the FHTA will only be updated and

¹ AS 2019 525

² BBI 2019 1311

³ See the dossier of the Federal Department of the Environment, Transport, Energy and Communications (DETEC) on the Federal Decree, available at: www.uvek.admin.ch > Das UVEK > Abstimmungen > Bundesbeschluss Velowege.

⁴ Kern, Markus (2015): Basler Kommentar zur Bundesverfassung, Basel, Art. 88 N. 10; Ruch, Alexander (2014): St. Galler Kommentar zur Bundesverfassung, Zürich / St. Gallen, Art. 88 N. 12.

⁵ SR 704

⁶ See Dispatch of 23 Aug. 2017 on the popular initiative "To encourage the use of cycle routes, footpaths and hiking trails (Bike Initiative)" and on the direct counter-proposal (Federal Decree on cycle routes and Footpaths and Hiking Trails), BBI 2017 5901 para. 6.1.1.

brought into line with the Cycle Routes Act where this is necessary in terms of content due to the amended Article 88 of the Federal Constitution.

1.3 Relationship with legislature planning and financial planning and with Federal Council strategies

1.3.1 Relationship with legislature planning

The bill is announced in the Dispatch of 29 January 2020⁷ on the Legislature Planning 2019-2023 under Goal 6 "Switzerland will ensure that its transport and ICT infrastructures are reliable and properly funded".

On 1 March 2016, the popular initiative "To encourage the use of cycle routes, footpaths and hiking trails (Bike Initiative)"⁸ was submitted. The initiative aimed to supplement the existing constitutional article on footpaths and hiking trails (Art. 88 FC) with provisions on cycle routes. The Federal Council supported the call for the federal government to be given the same powers for cycle routes as for footpaths and hiking trails, but rejected the elements of the initiative that went significantly beyond this. The Federal Council therefore recommended that the Bike Initiative be rejected and decided to make a direct counter-proposal.

The Federal Decree of 13 March 2018 on Cycle Routes and Footpaths and Hiking Trails was approved by the People and the cantons on 23 September 2018 and provisions on cycle routes were added to the existing constitutional article on footpaths and hiking trails (Art. 88 FC).

With this draft of the Cycle Routes Act, the constitutional mandate is put into specific terms.

1.3.2 Relationship with financial planning

The 2022 budget with the integrated task and financial plan 2023-2025 takes the bill into account. FEDRO's financial plan provides that transfer credit A231.0309 for non-motorised traffic, footpaths and hiking trails will increase by CHF 1.1 million from the year in which the bill comes into force in order to fund the new federal tasks. This will be charged to the FEDRO global budget (credit A200.0001) so that there is no additional financial burden (see section 7.1.1).

⁷ BBI 2020 1777 S. 1892

⁸ BBI 2015 1819

1.3.3 Relationship with Federal Council strategies

Cycle routes are part of the transport infrastructure. The Federal Council has already expressed its views on their function and further development on several occasions.

In its Sustainable Development Strategy 2016-2019⁹, adopted on 27 January 2016, the Federal Council reaffirms the importance of non-motorised transport as the third pillar of personal mobility. The share of non-motorised transport in overall personal mobility should increase and thus contribute to Objective 2.7: "Mobility needs are met efficiently, economically and ecologically through an intermodally networked and optimally utilised transport system" (p. 20). The Federal Council's report of 17 September 2010¹⁰ on the "Future of national infrastructure networks" already stated that spatial development should be steered in a more sustainable direction. In Switzerland's Spatial Concept of 20 December 2012¹¹, the Federal Council committed itself to strengthening non-motorised transport in the interest of a functioning and efficient transport system.

The important role of cycling in the overall transport system is also reflected in the numerous efforts and measures that almost all towns and cities, conurbations and cantons undertake as part of the conurbation programmes to improve the safety and appeal of cycling. Based on Article 7 paragraph 5 of the Infrastructure Fund Act of 6 October 2006¹² and Article 1 paragraph 1 of the Federal Act of 30 September 2016¹³ on the Fund for National Highways and Suburban Transport, around 20 per cent of the federal contributions for improving transport infrastructure in urban areas has so far gone to infrastructure projects for improving pedestrian and bicycle mobility in three generations of conurbation programmes.

The proposed bill is in line with the Federal Council's strategies and contributes to achieving the goals formulated.

2 Preliminary procedures, in particular the consultation procedure

The Federal Department of the Environment, Transport, Energy and Communications (DETEC) conducted consultations on the Cycle Routes Act from 13 May to 10 September 2020; 102 submissions were received.¹⁴

⁹ Available at: www.are.admin.ch/sne > Dokumente.

¹⁰ Available at: www.uvek.admin.ch > Das UVEK > Strategie > Infrastrukturstrategie des Bundes > Bericht.

¹¹ Schweizerischer Bundesrat / Konferenz der Kantonsregierungen / Schweizerische Bau-, Planungs- und Umweltdirektoren-Konferenz / Schweizerischer Städteverband / Schweizerischer Gemeindeverband: Raumkonzept Schweiz, p. 53, Handlungsansatz «Vernetzung der urbanen Räume optimieren», abrufbar unter www.are.admin.ch > Raumentwicklung & Raumplanung > Raumkonzept Schweiz.

¹² AS 2007 6017

¹³ SR 725.13

¹⁴ Results report: www.admin.ch > Bundesrecht > Vernehmlassungen > Abgeschlossene Vernehmlassungen > 2021 > Eidgenössisches Departement für Umwelt, Verkehr, Energie und Kommunikation.

2.1 Results

All 26 cantons, the Swiss Conference of Directors of Public Works, Planning and Environmental Protection and six political parties represented in the Federal Assembly participated in the consultation process. In addition, four national umbrella organisations for communes, cities and mountain regions, seven national umbrella organisations for the business community and 55 other associations, societies and organisations, primarily from the fields of transport, health, tourism, energy and the environment, made submissions. Finally, two cities and one private individual also participated in the consultation process.

Fifty respondents unreservedly support the Cycle Routes Act: 32 want various points clarified, 6 are undecided, while 7 say no with reservations and 6 reject the bill altogether. The one private individual expresses a specific concern.

2.2 Assessment

The bill enjoys broad support: 81 per cent of the respondents support the bill. Only 13 per cent reject it. The cantons, cities and communes most affected by the bill support it. The GPS, the SPS, the GLP and the EVP and most of the associations, societies and organisations also support the bill. They agree with the proposals, but would like to see more far-reaching measures and more binding implementation in some cases.

The FDP and the SVP and some business associations are sceptical about the bill. Most reservations concern interference with the autonomy of the cantons and communes, along with undesirable effects for specific stakeholders.

2.3 Dealing with the most important reservations

Based on the feedback from the consultations, statements in the explanatory report have been clarified in the dispatch. Misunderstandings and ambiguities are clarified. In particular, it is pointed out that the Cycle Routes Act is framework legislation and that the cantons' powers are preserved. In addition, it is explained that the planning principles only specify overriding quality objectives, that the cantons have considerable leeway in implementing the quality objectives and that they can provide for exceptions in the obligation to replace paths. In addition, individual technical terms from the Act are reviewed and, where necessary, more clearly defined (e.g. pedestrian priority zones instead of residential streets, *voie express cyclable* instead of *autoroute cyclable* in the French text).

Various respondents called for amendments that go beyond the draft that was submitted for consultation. These include federal funding for cycling infrastructure at cantonal and communal level, support for pilot facilities, further development of the legal principles and provisions in the interest of cyclists, the creation of a national cycling masterplan, the setting of a binding implementation deadline and monitoring of deadlines by the federal government, and the consideration of pedestrian and cycle routes

alongside railway infrastructure projects. With the exception of adding an implementation deadline, these demands are not taken into account in the present draft act. Further measures are explained in Section 6.

3 Legal comparison, especially with European legislation

At an international level, cycling is also steadily gaining in importance as a means of transport and a leisure activity. Against the backdrop of increasing climate awareness, it can be assumed that this trend will intensify in the coming years. Many European countries set their cycling targets in national strategies (e.g. Germany: National Cycling Plan 3.0¹⁵; Austria Cycling Master Plan 2015-2025¹⁶; France Plan vélo & mobilités actives¹⁷). At the fourth Conference of Environment, Transport and Health Ministers within the framework of THE PEP (Transport, Health, Environment Pan-European Programme) in Paris in 2014, the go-ahead was given for developing a Pan-European Master Plan for Cycling Promotion. Since then, cycling experts from 28 countries - with the active participation of Switzerland - have worked on joint recommendations for promoting cycling, which are now available as a final draft. A specific recommendation of the Masterplan is to formulate minimum infrastructure quality standards for the coherence, directness, safety, comfort and attractiveness of cycling networks at the highest possible level. The master plan is scheduled to be adopted by the environment, transport and health ministers in May 2021 at the fifth THE PEP conference in Vienna (online).¹⁸ The bill is thus in line with current efforts to promote cycling and improve its infrastructures in the European Union and especially in our neighbouring countries.

4 Main features of the bill

4.1 Requested new provisions

With the clear acceptance of the Federal Decree on Cycle Routes and Footpaths and Hiking Trails, broad sections of the public and all the cantons have expressed the view that cycle routes should be treated as equal to footpaths and hiking trails and that the cantons and communes should be supported in planning, building and maintaining cycle route networks and in providing information about them. With the draft Cycle

¹⁵ Bundesministerium für Verkehr, Bau und Stadtentwicklung (2012): Fahrradland Deutschland 2030 - Nationaler Radverkehrsplan 3.0, Berlin, available at: www.bmvi.de > Service > Publikationen.

¹⁶ Bundesministerium für Land- und Forstwirtschaft, Umwelt- und Wasserwirtschaft (2015): Masterplan Radfahren 2015–2025, Wien, available at: www.klimaaktiv.at > Mobilität > Neue Impulse für den Radverkehr in Österreich.

¹⁷ République Française, le Gouvernement (2018): Plan vélo & mobilités actives, available at: www.ecologie.gouv.fr/velo-et-marche > Le plan vélo.

¹⁸ Economic Commission for Europe / World Health Organization Regional Office for Europe (2021): Draft Pan-European Master Plan for Cycling Promotion, Genf, available at: thepep.unece.org > Meetings & Events > Fifth High-level Meeting on Transport, Health and Environment.

Routes Act, the Federal Council is submitting the legislation implementing Article 88 of the Federal Constitution.

The present implementing act is framework legislation. The power to enact framework legislation is understood to mean the power to regulate a matter in its main features, while detailed regulation, within the framework established by the Confederation, is left to the cantons.¹⁹ The framework legislation should uphold the principle of subsidiarity in law-making and the cantons should retain legislative powers of substantial weight.

Article 88 paragraph 1 of the Federal Constitution assigns the Confederation the task of drawing up principles for networks of footpaths, hiking trails and now cycle routes. Paragraph 2 of this provision delimits the Confederation's tasks (support and coordination) and the cantons' tasks (construction and maintenance), but at the same time gives the cantons a mandate to construct and maintain the networks of footpaths, hiking trails and cycle routes. Paragraph 3 requires the Confederation itself to take account of networks of footpaths, hiking trails and cycle routes in fulfilling its tasks and to replace those paths that it has to remove, for example, when implementing infrastructure projects.

Principles to be defined by the Confederation that are useful for cycle route networks are those that serve to coordinate the planning, construction and maintenance of interconnected and continuous cycle route networks. They include both the planning obligation and planning principles as elements of the overriding quality objectives for the cycle route network, but not as standards to be achieved. Laying down detailed requirements²⁰ for cycle routes and cycle route networks remains a matter for the cantons. However, the effective coordination of these networks, as the constitutional article aims to achieve, is only possible if the cantonal network plan is declared binding on the authorities, i.e. it binds both superordinate and subordinate authorities. The principles also include consideration for cycle route networks and the obligation to replace those that are removed. Article 88 of the Federal Constitution places an obligation on the Confederation alone in this regard. The FHTA extended the obligation to replace paths to other actors who cause gaps in the network (Art. 7 para. 3 FHTA). This should also apply to the cycle routes. The cantons determine who is subject to this obligation. However, they may also provide for exceptions.

The available scope for action was used in the present draft, while taking account of the requirement of subsidiarity and of maintaining symmetry with the FHTA. The structure and content of the Cycle Routes Act is based on the FHTA, but a more contemporary form of expression has been chosen for the wording.

¹⁹ See Häfelin, Ulrich / Haller, Walter / Keller, Helen / Thurnherr, Daniela (2020): Schweizerisches Bundesstaatsrecht, N. 1087.

²⁰ Example: Canton of Bern Civil Engineering Office(2018): Anlagen für den Veloverkehr - Arbeitshilfe, Bern, available at: www.bve.be.ch > Mobilität & Verkehr > Langsamverkehr > Veloverkehr.

4.2 Coordination of tasks and finances

Walking and cycling account for just under 50 per cent of all distances covered.²¹ This shows their importance. With 3.5 full-time positions and an expenditure of around CHF 2.5 million²², the Confederation carries out important coordinating tasks for the cantons and communes in six strategic fields of action (transport and spatial planning, infrastructure and signposting, safety, combined mobility, basic principles and statistics, strategy and legislation). By adding 1.5 full-time positions and spending a further CHF 1.1 million on cycling, the additional expenditure closely matches the importance of the new tasks (see point 7.1).

4.3 Implementation issues

After it has been approved, detail can be added to the framework of the Cycle Routes Act in the same way as the FHTA was implemented, by enacting a Cycle Routes Ordinance and further guidelines, for example with regard to laying down basic principles and conducting research projects. Furthermore, with the aim of supporting the cantons and communes, practical implementation aids for planning, construction and operation and for signposting cycle route networks are planned. The federal publications on the implementation of the FHTA can be viewed at www.langsamverkehr.ch.

5 Explanations of the individual articles

5.1 Cycle Routes Act

Art. 1 Subject matter

This article expresses the core elements of Article 88 of the Federal Constitution, namely laying down national principles for the planning, construction and maintenance of cycle route networks, subsidiary support for the cantons and communes, and the tasks of the federal government in relation to cycle route networks. The focus is on planning an interconnected network with suitable infrastructures. Based on this, the network can be created, expanded and operated, and its maintenance can be guaranteed.

In the constitutional article, a breakdown and specification of the categories of networks and other elements of the cycle route network infrastructure was deliberately avoided, reference being made to the implementing legislation in this connection. In practice, however, it makes sense to distinguish between networks for everyday use (Art. 3) and those for leisure (Art. 4) according to their purpose.

Letter a: With the Cycle Routes Act, the federal government is exercising its constitutional power to enact framework legislation on the legal, organisational, technical

²¹ Swiss Federal Statistical Office (2017): Microcensus Mobility and Transport 2015, available at: www.bfs.admin.ch > Statistiken finden > 11 Mobilität und Verkehr > Personenverkehr > Verkehrsverhalten der Bevölkerung > Tabellenpaket 2015.

²² As of 2020

and financial tasks and powers of the federal government and the cantons in relation to cycle route networks.

Letter b: The law regulates the subsidiary support of the cantons and communes. The cantons are responsible for planning, building and maintaining cycle route networks. Many cantons have delegated part of this task to the communes, especially in larger cities. For this reason, the communes are explicitly mentioned in the Act alongside the cantons as addressees of the federal government's coordination and support services. This appears to make sense in view of Article 50 of the Federal Constitution, which, since its introduction in 1999 as part of a total revision, has mentioned the communes in the Federal Constitution and requires the Confederation to show consideration for the communes, cities and urban areas.²³ Whether the cantons want to delegate task to the communes, and if so which tasks, is left to the cantons because of their organisational autonomy. In any case, under Article 5 paragraph 2 of the new Act, the cantons are at least responsible for supervising the fulfilment of the tasks, whether these are performed by their own authorities or by the communes.

The Act also states here that the federal government can also support the cantons and communes in providing information about the cycle route networks (see Art. 15 para. 2). In order for cycle routes to be used appropriately and thus to relieve the burden on other modes of transport, it must be possible for cyclists to find out easily about the available routes and how they can be used.

Letter c: Finally, the law also sets out the federal government's obligations in relation to cycle route networks.

Art. 2 Cycle route networks

This article basically defines what is meant by cycle route networks. The definition applies both to cycle route networks for everyday use (Art. 3) and to cycle route networks for leisure (Art. 4). The article has been placed ahead of the provisions on everyday and leisure cycling networks in order to clarify that the statements from Article 5 onwards always apply to both everyday and leisure cycling networks. This avoids the need for the cumbersome repetition of both terms. There is no corresponding article in the FHTA.

Connected and continuous routes are key features of cycle networks. This underlines that the most common departure points and destinations for cyclists should be made accessible to those cyclists, that they can travel continuously on these routes and that the networks are suitably interconnected for everyday use and leisure. The two networks can also have overlaps.

Federal road traffic law, in the Ordinance of 19 June 1995²⁴ on the Technical Requirements for Road Vehicles (RVTRO), defines what a bicycle (Art. 24 RVTRO) or a motor-assisted bicycle (Art. 18 RVTRO). The latter also include bicycles with electric

²³ See Meyer, Kilian (2015): Basler Kommentar zur Bundesverfassung, Basel, Art. 50 N. 34.

²⁴ SR 741.41

pedal assistance, i.e. e-bikes. Federal law also specifies the traffic rules and signposting requirements.²⁵ For example, persons riding motor-assisted bicycles must observe the regulations for cyclists (Art. 42 para. 4 Traffic Regulations Ordinance (TRegO)). Federal road traffic law also applies to infrastructure facilities that are not colloquially referred to as roads. Furthermore, the Road Traffic Act of 19 December 1958²⁶ (RTA) applies to field and forest paths and other paths, provided they are public roads as defined in Article 1 RTA. This is why, for example, a person riding a mountain bike must control their vehicle at all times, adjust their speed, keep to the right-hand side of the road and show particular consideration for pedestrians when crossing and overtaking. Under Article 70 RTA, liability is governed by the Code of Obligations²⁷.

The Cycle Routes Act does not address these issues. In particular, it does not regulate where cyclists can mix with other modes of transport (e.g.: cycle lanes on pavements). It leaves the regulation of these road traffic law issues - as before - to the RTA and the associated implementing law, in particular the TRegO and RSO.

On the other hand, on the basis of the amended Article 88 of the Federal Constitution, the Confederation can define the conditions under which any infrastructure is suitable for mixed traffic and where different forms of mobility must be kept separate. In addition, it can verify and vary these conditions based on suitable monitoring of the relevant infrastructures. This applies both to everyday cycling in traffic mixed with pedestrian traffic or motorised traffic, and to leisure cycling in mixed traffic with hikers or walkers.

Art. 3 Cycle route networks for everyday use

Paragraph 1: Cycle route networks for everyday use primarily connect to starting points and destinations for cycle traffic in urban areas and settlements. In view of the increasing number of e-bikes, longer cycling routes are also becoming more of a focus in planning. This means that cycle route networks are no longer planned just locally, but increasingly also between settlements. If these longer routes are to realise their potential for relieving the burden on the traffic system, it makes sense for them to be planned and constructed as high-quality cycleways (*Velobahnen*) (also known in German as *Veloschnellrouten* (cycle express routes) or *Velovorrangrouten* (cycle priority routes)) on which cyclists can travel safely, quickly and, if possible, without stopping. In addition to e-bikes, the numbers of other electrically powered small vehicles (e.g. e-scooters) are also on the rise. They are becoming more widely used and are offered through public rental systems. At present, it is not yet possible to foresee how great the potential of such vehicles is and which of them will one day run in significant numbers on public roads. However, the growing number of small vehicles with different driving characteristics, speeds and dimensions increases the pressure on the bicycle infrastructure in particular. In the future, it will become increasingly important to ensure that cycle routes are sufficiently wide, particularly for overtaking, and kept separate from both motorised traffic and pedestrians.

²⁵ See Traffic Regulations Ordinance of 13 Nov. 1962 (TRegO, SR 741.11) and the Road Signs Ordinance of 5 Sept. 1979 (RSO, SR 741.21).

²⁶ SR 741.01

²⁷ SR 220

Paragraph 2: For the purposes of this Act, cycle route networks include all infrastructures that allow cycle traffic to move around and be used efficiently. In addition to the infrastructure on the open road and at junctions, the cycle route network also includes sensibly located and sufficiently proportioned bicycle parking facilities. On the open road and at junctions, cycle routes and cycle lanes or separately routed cycleways generally ensure that cycle traffic moves safely. However, on roads and paths with low levels of traffic, cycling is often possible without its own infrastructure. What is important is that the various network elements are appropriately interconnected. Appropriate in this context means that the planning principles in Article 6 are followed.

Paragraph 3: Cycle route networks for everyday use primarily serve commuters travelling to work or to school/university, etc., or people going shopping. Accordingly, this network is intended to connect the starting points and destinations that are important for these transport purposes: residential areas, workplaces, schools, public transport stops, public amenities, shops, leisure and sports facilities, and cycle route networks for leisure. However, this provision on purpose does not impose an obligation under federal law to connect any particular location to the cycle route network.

Article 3 is based on the FHTA in terms of content, but has been formulated in a more modern way and adapted to the circumstances of bicycle traffic. The FHTA will not be amended in line with the principle formulated in Section 1.2. As a result, in French the terminology in the two acts does not match, unlike in German (with *zones urbanisées* and *agglomérations* for settlements, *commerces*" and *centres d'achat* for shops).

Art. 4 Cycle route networks for leisure

Paragraph 1: Cycle route networks for leisure include paths and routes that are used for weekend and after-work excursions, i.e. for local recreation, along with the infrastructure offered to tourists for cycle touring and mountain biking. With these path networks, the focus is on recreational quality. With regard to safety (see also the explanations on Art. 6), the need for users to act responsibly is of great importance. This requirement can be considered analogous to that for the use of the hiking trail network.²⁸ In relation to mountain biking in particular, the safety requirements for the trail infrastructure are less stringent and the users' own responsibility is paramount.

Paragraph 2: Roads, paths and cycle tracks away from motorised traffic are particularly suitable for recreational cycling. Single-lane trails, narrow paths and tracks in hilly or mountainous terrain without hard surfaces are also suitable for mountain biking. The cycling infrastructures for leisure ideally form local, regional and national networks, as they are already planned and operated today by the cantons and communes and explained on the *SwitzerlandMobility* website and app under the headings Cycling in Switzerland and Mountain Biking in Switzerland. The cycle route networks do not include actual sports facilities for bicycles such as pump tracks or cycle racing tracks.

²⁸ See also FEDRO / Schweizer Wanderwege (ed.) (2017): Gefahrenprävention und Verantwortlichkeit auf Wanderwegen – Leitfaden, Bern, available at: www.astra.admin.ch > Themen > Langsamverkehr > Vollzugshilfen.

Paragraph 3: When cycling for leisure, the journey is the main goal. The recreational quality of the leisure-oriented path networks is of great importance. The focus is on enjoying the countryside and nature, while mountain biking also involves technical challenges. Furthermore, recreational routes should provide access to places of interest and tourist facilities such as bike parks or overnight accommodation and ensure connections to public transport in the spirit of sustainable tourism.

Article 4 is based on the FHTA in terms of content, but has been formulated in a more modern way and adapted to the circumstances of bicycle traffic. The FHTA will not be amended in line with the principle formulated in Section 1.2. As a result, in French the terminology in the two acts is inconsistent, unlike in German (with *détente* and *délassement* for recreation).

Art. 5 Planning obligation and accessibility of plans

As with the FHTA, the core of the framework federal legislation is the obligation imposed on the cantons to plan and construct cycle route networks. The network concept is the appropriate principle, in line with the principle of subsidiarity, because it leaves the cantons free to decide on the actual design of the network. However, it is important that the plans are accessible to authorities, experts and interested members of the public in an appropriate form.

Planning is a process of systematic problem solving. The plan is therefore the result of this process. Planning principles are substantive guidelines for decision-making and consequently play an important role in the planning process (Art. 6). The competent authorities have a great deal of leeway in their decisions, particularly in weighting the various elements taken into consideration.²⁹

Paragraph 1 letter a: As in Article 4 FHTA, the cantons are obliged to indicate both the existing and the planned cycle route networks in plans. It goes without saying that existing cycle routes that are not or no longer intended for inclusion in the network plan should not be indicated. The cantons are free to decide which networks they want to include in which plans. Cycle route networks for everyday use primarily serve urban areas and settlements and are therefore best indicated on communal or regional plans. In contrast, in addition to the regional plans, the cantonal plans are also suitable for indicating the cycle route networks for leisure, as they are generally of more than simply local significance.

Paragraph 1 letter b: In order for the cycle route network plans to fulfil their intended function as dynamic control and coordination instruments, they must be reviewed and adapted whenever conditions have changed or new tasks arise. However, it has been decided not to specify a regular schedule for revising plans. This leaves it up to the cantons to adapt the regularity of any review to their planning practices, for example in the transport sector.

Paragraph 2: In order to achieve the desired network effect, the plans must be binding on the authorities. This is particularly important for coordination with other projects

²⁹ See Tschannen, Pierre (2016) for the spatial planning definition of the term: Praxiskommentar RPG, Art. 1 and 3.

with a spatial impact and for connection to neighbouring networks. In practice, structure planning is likely to be a suitable instrument for defining cycle route networks. The cantons can make their plans more legally binding than plans simply issued by authorities. It is up to them to decide, for example, whether they want to declare certain plans binding on landowners as well. If they delegate all or part of the task to the communes, they must ensure that the communes fulfil the task as if the cantons were performing it themselves. Although this is basically self-evident, it should be clearly stated because the Confederation cannot and may not regulate the relationship between the cantons and communes.

Paragraph 3: In accordance with paragraph 2, the procedure is a matter for the cantons. This allows them to fall back on their tried and tested road law, for example. Paragraph 3 of the Cycle Routes Act only stipulates that the cantons must involve the parties concerned and interested organisations in the procedure. It may be taken for granted that the cantons will involve their own official bodies that have an interest. The parties concerned are the landowners, and the interested organisations are the organisations entitled to file appeals under Article 18. Since the plans for the cycle route networks are also binding on the federal authorities in terms of Article 13, but the federal government itself does not have to approve the plans, it is important that the federal authorities concerned are involved in the procedure at an early stage. Finally, it is of great importance in implementing the planning obligation that the cantons remain responsible overall for planning, constructing and maintaining the communal cycle route networks in the event that they delegate these tasks to the communes.

Paragraph 4: In order for the plans to have their coordinating effect, it is important that they are easily accessible for the federal government, cantons and communes, as well as for third parties entrusted with the planning of infrastructures with a spatial impact (e.g. planning offices, tourism businesses, service providers). The fact that the plans must now be available electronically as geodata is generally expected and is in line with the practice in the cantons.

The content of Article 5 is based on the FHTA, but has been formulated in a more modern way and paragraph 4 has been added. The FHTA will not be amended in line with the principle formulated in Section 1.2.

Art. 6 Principles governing planning

The power to issue framework legislation (see para. 4.1) also includes the decision on the planning principles required to achieve the objective laid down in the Constitution. Planning principles are guidelines that are followed in the planning work. These must not significantly restrict the cantons' scope when it comes to implementation: building standards, for example, are left to the cantons. In this case, the cantons may rely on technical standards³⁰ and implementation aids or issue their own standards. The federal planning principles therefore only lay down general quality objectives; how they are implemented in practice remains a matter for the cantons.

³⁰ Examples: Standards of the Swiss Association of Road and Transport Engineers (640 060 "Leichter Zweiradverkehr; Grundlagen" und 40 252 «Knoten; Führung des Veloverkehrs»); Recommendations of the Swiss Council for Accident Prevention.

Cycling is the only mode of transport where the number of people killed or injured in accidents has increased in recent years. Increasing road safety for cycling is therefore an important goal for the Federal Council and was also a key issue in the debate and vote on the Federal Decree on Cycle Routes and Footpaths and Hiking Trails. Although the causes of the rise in the number of accidents vary widely, carefully planned and built cycle route networks, especially those that are sufficiently wide and adequately separate from other modes of transport, make an important contribution to reducing and eliminating accident blackspots and danger points. In order to support these efforts, the new Act sets out the recognised quality objectives as overarching planning principles.

Letter a: For roads and paths to serve their purpose, they must be connected and continuous. For cycle routes, this means that all starting points and destinations for cycle traffic are linked to each other and a journey can be completed without having to leave the paths. The places referred to in Articles 3 paragraph 3 and 4 paragraph 3 are given particular mention.

Letter b: The bicycle is predominantly a muscle-powered vehicle. A quality feature of good cycling infrastructure that is also accepted by users is a route that requires the minimum of energy to be expended. Unnecessary detours, stops and gradients are never appreciated on cycle routes for everyday use. Therefore, a network of appropriate density or 'mesh size' and directly routed paths are of great importance.

Letter c: Cycle routes should be planned and built in such a way that they can be used safely. A self-explanatory and forgiving infrastructure that can be navigated intuitively and on which errors or uncertainty do not have serious consequences can make a major contribution to road safety. Large differences in speed between road users bring a high potential for conflict. Cycle routes should therefore, where possible and appropriate, be kept separate from pedestrians and high-speed motorised traffic. This not only increases safety, but also improves the traffic flow for all road users. Separation from motorised traffic is particularly relevant to safety where the route is used by large numbers of heavy vehicles. This does not exclude mixed routing with other modes of transport, where this makes sense and is appropriate to the circumstances. Accordingly letter c cannot be interpreted as a ban on such mixed traffic solutions under federal law. On the other hand, the Confederation may, on the basis of the amended Article 88 of the Federal Constitution, lay down principles for the conditions that infrastructures must meet in order to be suitable for mixed traffic. Furthermore, setting out these quality features does not change the fact that cyclists, like other road users, are responsible for their own safety, have to adapt their behaviour to the situation and must observe the traffic regulations (Art. 26-46 RTA and TRegO). Personal responsibility reaches its limits where unusual dangers unexpectedly arise despite exercising due caution. The planning principles also do not change the legal rules on liability, such as those on the liability of property owners under Article 58 of the Code of Obligations.

Letter d: It is also important for a feeling of safety, cycling comfort and being able to recognise the route that cycle routes have a homogeneous standard of construction that corresponds to their function, in that the form of construction and the standard of safety remain the same over longer stretches and do not change at short intervals without good reason.

Letter e: Like pedestrians, cyclists are more directly exposed to environmental influences than, for example, car drivers. For example, they are more affected by noise and exhaust emissions. The attractiveness of the cycle routes, and in the case of the leisure networks the recreational quality as well, is therefore of great importance. Key factors are low exposure to noise and exhaust fumes, a high sense of safety, an attractive environment and suitable path surfaces. For everyday walking and cycling routes, hard surfaces are preferred, whereas for mountain biking, unpaved paths with a natural surface are preferable.

A decision was taken not to add further planning principles for footpaths and hiking trails to the FHTA, as such principles are already set out in the relevant federal implementation guides.

Art. 7 Coordination

Paragraph 1: Coordination between the Confederation, cantons and communes must be ensured.

Paragraph 2: It must also be ensured that the Confederation, cantons and communes coordinate their planning with other authorities entrusted with spatial tasks under Article 2 of the Spatial Planning Act of 22 June 1979³¹ (SPA). In practice, cycle routes often overlap with other uses, for example by being routed along roads or waterways and on farm roads and forest paths. It is therefore important that the authorities responsible for planning cycle route networks coordinate their cycle route network plans with each other and with other plans that affect spatial planning, such as road plans or waters protection plans.

The content of Article 7 is based on the FHTA, but has been formulated in a more modern way. The FHTA will not be amended, in line with the principle formulated in Section 1.2. As a result, in French the wording in the two laws is inconsistent, unlike in German (*qui ont une incidence sur l'aménagement du territoire* and *qui ont des effets sur l'organisation du territoire* for "with a spatial impact").

Art. 8 Construction and maintenance

Article 88 paragraph 2 of the Federal Constitution assigns the responsibility for constructing and maintaining cycle routes - including both operational and structural maintenance and signposting - to the cantons. The communes, as the largest owners of roads and paths, are included, depending on the respective cantonal division of responsibilities. An important aspect of maintenance is to ensure that paths can be used freely and, as far as possible, without any risks. Only paths that can be freely used fulfil their intended function within the network concept. It is left to the cantons to decide how and by what procedure they want to ensure the free use of the road networks and their safety. What 'safe' means in specific terms is not defined by the Cycle Route Act. The general Swiss rules apply to this, as they have been drawn up for other traffic routes such as roads and hiking trails in the sets of standards and in

the case law on property owners' liability.³² For example, in the case of single-lane trails for mountain bikes, great importance is attached to users acting responsibly (see explanations on Art. 4 para. 1). The signposting of cycle routes should be organised so that cyclists are guided along the routes ideally intended for them. The cantons can carry out the aforementioned tasks themselves or delegate them to the communes or, in accordance with Article 10, to private organisations. In any case, however, the supervision of the execution of these tasks remains the responsibility of the cantons.

Article 8 is based on the FHTA in terms of content, but has been formulated in a more modern way and focuses on the needs of cycling and its infrastructures. The FHTA will not be amended, in line with the principle formulated in Section 1.2. As a result, in French the wording in the two laws is inconsistent, unlike in German (*emprunter les voies cyclables librement* and *assurer* and *circulation libre* for *frei befahren/befahren*, *garantir juridiquement l'accès du public* and *prendre les mesures juridiques propres à assurer l'accès au public* for *rechtlich sichern den öffentlichen Zugang*).

Art. 9 Replacement

Paragraph 1: With a view to achieving certainty in planning and maintaining network quality, it is important that cycle route networks or parts thereof are replaced if they have to be removed because they no longer meet the requirements for safety or attractiveness due to significant issues. In line with standard footpath practice, a rerouting onto existing paths is considered first. If no adequate replacement can be found in this way, new infrastructures must be provided.

The local conditions, i.e. the overall spatial and traffic situation, must be taken into account when considering what form of replacement is appropriate.

The obligation to replace relates not only to existing cycle routes, but also to cycle routes indicated in the plans in accordance with Article 5. As a result, if the construction of a planned path is prevented by another measure with a spatial impact, the plans must be amended to provide an appropriate replacement.

Article 88 paragraph 3 of the Federal Constitution imposes the replacement obligation on the Confederation only. The draft Act provides that the replacement obligation applies generally and leaves the cantons the option of making exceptions if a general obligation to replace goes too far for them.

Paragraph 2: This paragraph mentions potential issues that lead to an obligation to replace. The list is not exhaustive. This makes sense, as other issues may arise due to new developments.

Letters a and b: Cycle routes that are no longer freely accessible and continuously usable can no longer fulfil the function intended for them in the plans.

³² See for footpaths: ASTRA / Schweizer Wanderwege (Ed.) (2017): *Gefahrenprävention und Verantwortlichkeit auf Wanderwegen – Leitfaden, Vollzugshilfe Langsamverkehr* Nr. 15, Bern, available at: www.astra.admin.ch > Themen > Langsamverkehr > Vollzugshilfen.

Letter c: As already mentioned, safety is an essential aspect when using cycle routes. Here the frequency and speed of motorised traffic are decisive. Other factors that bring uncertainty include serious risks of natural hazards, such as rockfalls or flooding.

Letter d: Leisure routes can be affected, and not only by restrictions on the ease with which they can be used (letters a-c). They can also become unusable by losing their recreational quality due to activities with a spatial impact. Recreational quality primarily includes suitable surfaces, attractive landscapes and a pleasant environment without disturbing emissions (noise, exhaust fumes).

Paragraph 3: The Confederation leaves it open to the cantons to make exceptions if a general obligation to replace goes too far for them. This gives the cantons the necessary discretionary leeway.

Paragraph 4: If the Confederation is required to replace a cycle route, the costs are borne by the federal project (Art. 13 para. 2). The cantons must regulate in their area who is required to replace cycle routes when they are removed. In essence, the canton can either require the person responsible to pay for the replacement or it can provide an adequate replacement itself, regardless of who caused the path to be removed.

Article 9 is based on the FHTA in terms of content, but has been formulated in a more modern way that is better structured and adapted to the realities of cycling. The FHTA will not be amended, in line with the principle formulated in Section 1.2.

Art. 10 Cooperation with private specialist organisations

Paragraph 1: From an organisational, economic and technical point of view, it makes sense under the given framework conditions for the cantons and, if necessary, the communes to be able to use the services of private specialist organisations. Cooperation in a spirit of partnership benefits both sides. The cantons and, if applicable, the communes themselves decide on whether to work with specialist organisations and on what is to be paid for this. Federal law only imposes minimum requirements in relation to involvement in network planning (see Art. 4 SPA).

Cooperation with specialist organisations within the framework of the FHTA, for example with the Swiss Hiking Trails organisation, has proven successful so far.

Paragraph 2: However, the cantons are not restricted to enlisting the help of specialist organisations in carrying out their tasks. Where appropriate, it makes sense and is efficient if they delegate the execution of specific tasks in whole or in part to the specialist organisations and compensate them accordingly. In French, the term *déléguer* is used for this, unlike in the FHTA, which speaks of *confier* (in German in both cases the verb *übertragen* is used).

Art. 11 Consideration for cycle routes and other concerns

Paragraph 1: Various cantonal and communal activities can affect cycle routes. Similar to Article 88 paragraph 3 of the Federal Constitution, which requires the federal government to take account of cycle route networks when carrying out its tasks, this article requires local authorities to take account of cycle routes when carrying out their tasks. This duty not only applies to tasks with a spatial impact, but also to tasks such

as road maintenance, traffic management and winter services. The duty to show consideration is in line with the consistent rule that the public interests affected must be weighed against each other. A hierarchy of interests does not result from this. The weighting of the individual interests is left to the competent authorities, which retain their discretionary powers.

Paragraph 2: Consideration for other concerns, which includes a balancing of interests, is a matter of course in the fulfilment of tasks with spatial impact and applies to all tasks connected with planning, building and maintaining cycle route networks at organisational, technical and legal levels.

Art. 12 Provision of geodata

Paragraph 1: If the cantons do not supply data, the federal government cannot publish harmonised geodata on the quality and usability of cycle route networks (Art. 15 para. 3).

Paragraph 2: The issuing of regulations by the competent specialist body is based on Article 5 paragraph 3 of the Geoinformation Act of 5 October 2007³³ (GeoIA).

Art. 13 Consideration for cycle routes

Paragraph 1 letter a: The federal government must coordinate the various interests in the planning, construction and maintenance of its own facilities and take account of existing and planned cycle route networks. Military installations and federal transport infrastructure, for example, come into question. In planning, constructing and maintaining these facilities, infrastructures for cycling must be taken into account, built to a high quality and coordinated with the cantonal and communal cycle route networks. "To a high quality" means that the planning principles laid down in Article 6 are observed in the best possible way under the given circumstances. This rules out minimal solutions. Especially in the areas connecting with national highways, this is relevant for all road users in terms of improving safety and traffic flow.

Paragraph 1 letters b and c: FEDRO must be consulted when issuing concessions and licences, for example for public transport or for the construction and operation of power plants, and when granting subsidies, for example agricultural subsidies for the construction of farm roads. It can propose conditions to the decision-making authority or, if necessary, propose that projects be rejected.

Paragraph 2: When considering cycle route networks, costs can arise, for example when a path is relocated, and then also has to be re-signposted. In accordance with the principle that the person responsible has to pay, these costs must be financed through the object credit or funded at the same subsidy rate.

The content of Article 13 is based on Article 10 of the FHTA, but has been formulated in a more modern way and structured better (including the heading). This type of change can be seen, for example, in imposing the replacement obligation in paragraph 1 letter d or in updating the heading.

³³ SR 510.62

The FHTA will not be amended, in line with the principle formulated in Section 1.2. As a result, in French the terminology in the two acts is inconsistent, unlike in German (*soutenir* and *aider* for *unterstützen*, and *bases décisionnelles* and *documentation* for *Grundlagen*).

Art. 14 Advising the cantons, communes and third parties

This provision restricts federal support to obtaining and providing basic information and technical advice to the authorities and third parties entrusted with the enforcement of the Cycle Routes Act. This also includes, for example, monitoring and evaluating, but not implementing, pilot projects. Pilot projects help to gather basic knowledge, which can then be made available to the implementing authorities.

Federal funding for cantonal and communal infrastructure for cycling has so far only been possible within the framework of conurbation programmes. There is no legal basis for the (partial) financing of bicycle infrastructure for pilot projects by the federal government.

The content of Article 14 is based on Article 11 of the FHTA, but has been made more precise (inclusion of the communes and third parties) and formulated in a more modern way in view of the updated constitutional provisions. The FHTA will not be amended, in line with the principle formulated in Section 1.2.

Art. 15 Providing information to the public

In the wording of Article 88 of the Federal Constitution, the broader term "communication" was explicitly abandoned and the term "provide information" about cycle route networks was used instead.³⁴ This authorises and obliges the Confederation to obtain, provide and communicate general technical information on cycle route networks and their use. Support for image campaigns to promote cycling is not possible under this Act. The cantons and communes are not affected by this restriction. The Confederation's restriction to general specialist information does not affect "information and communication measures that are based on other legal provisions, e.g. within the framework of legislation on energy, the environment, health or tourism"³⁵.

Paragraph 1 letter a: High-quality cycling infrastructure is one of the most important requirements for increasing road safety, improving traffic flow for all road users and encouraging people to go cycling in general. The acceptance of the planning and construction of bicycle infrastructures can be increased by providing appropriate information about their impact on the overall transport system, the economical use of resources (space required for traffic, energy) or the low air and noise emissions.

Paragraph 1 letter b: Basic knowledge for planning and constructing cycle route networks includes, for example, statistical data on the use of transport infrastructures and on traffic flows, surveys on accidents, cost/benefit considerations and information on technical and regulatory innovations. This basic knowledge of the general technical,

³⁴ BBl 2017 5916

³⁵ Botschaft vom 23. Aug. 2017 zur Volksinitiative «Zur Förderung der Velo-, Fuss- und Wanderwege (Velo-Initiative)» und zum direkten Gegenentwurf (Bundesbeschluss über die Velowege sowie die Fuss- und Wanderwege), BBl 2017 5901 Ziff. 6.2.

legal and organisational conditions for cycling contributes in particular to supporting political decisions in favour of high-quality cycling infrastructure and to circulating new findings.

Paragraph 2: The gathering and provision of specialised information is not simply a task for the federal government. Specialist information on cycling and its role in the overall transport system can also be prepared and circulated by cantons and third parties. If they do this, the Confederation can support them based on its authority to support and coordinate contained in Article 88 paragraph 2 of the Federal Constitution.

Paragraph 3: Harmonised geodata on cycling infrastructure facilitate the planning and maintenance of cycle route networks and are an important aid for the cantons and communes. At the same time, they are the required to provide real-time information to cyclists on the quality and usability (road closures, diversions) of cycling infrastructure for everyday and leisure use. This also includes information on bicycle parking facilities, bicycle rental systems or charging locations for e-bikes. This real-time information is gaining further importance in view of multimodal mobility services (e.g. route planners for combining different modes of transport) and automated driving. The Confederation is reliant on cooperation from the cantons and communes in order to publish harmonised official geodata (Art. 12).

Paragraph 4: The Federal Office of Topography maintains and updates the topographic and cartographic national survey data. In order to guarantee the provision of information to the public in accordance with Article 15 paragraph 1, the Confederation must ensure that cycle route networks are shown in the topographic landscape model of Switzerland and in the national maps with cycling information in particular.

Art. 16 Cooperation with private specialist organisations

Paragraph 1: The paragraph details the Confederation's authority to work with "third parties", which is laid down in Article 88 paragraph 2 of the Federal Constitution. The existing cooperation between the Confederation and professional organisations in the field of cycling, which has been more restrained so far because of the limited legal basis for it, has proven its worth and is to be continued and expanded. Cooperation is needed when providing guidelines for planning, building and maintaining cycle route networks (including signposting), coordinating and aligning interests, and carrying out information activities on cycle path networks, in particular the provision of basic knowledge.

Paragraph 2: Any financial support for the activities of specialised organisations should be provided in the tried and tested manner with contracts under public law³⁶ (subsidy agreements or service agreements). A precise description of the services to be provided and effective quality and cost controlling are mandatory for successful cooperation.

Paragraph 3: Only professional organisations that are active throughout Switzerland in the field of cycling (letter a) and which, according to their official objects, have been pursuing non-profit objectives related to cycling for at least three years and

³⁶ See Art. 16 para. 2 of the Subsidies Act of 5 Oct. 1990 (SubA, SR 616.1).

whose economic activities, if any, serve to achieve non-profit objectives (letter b) are eligible for funding.

For everyday cycling, this is primarily the Swiss Cycling Conference, in which numerous cantonal and communal officials responsible for cycling are represented. For cycling for leisure purposes, this is primarily the Switzerland Mobility Foundation, which coordinates the services offered for cycling and mountain biking in Switzerland.

Art. 17 Specialist bodies

Paragraph 1: Improving conditions for cycling requires both planning, construction and operational measures, as well as advice, training, information and public relations work. These areas are closely interlinked and activities need to be coordinated. For this coordination, the establishment of specialist bodies has proven its worth in recent decades. In particular for footpaths and hiking trails, but also in relation to cycling, 23 out of 26 cantons have already set up specialist offices. For this purpose, the cantons do not necessarily need to create a new office. In smaller cantons in particular, this task is likely to be assigned to an existing cantonal office.

Paragraph 2: In organisational terms, cycling is part of the federal government's Human-Powered Mobility and Historic Transport Routes division at FEDRO. This suggests that the Confederation's specialist office should be located where the expertise and specialist contacts are already available.

Art. 18 Legal remedies

The right of appeal of associations is a proven model for ensuring the law is implemented. The model for appeals by associations proposed here is based on the models in Article 12 of the Federal Act of 1 July 1966³⁷ on the Protection of Nature and Cultural Heritage (NCHA) and in Articles 55-55f of the Environmental Protection Act (EPA) of 7 October 1983³⁸. According to these provisions, the group of national organisations authorised to file (non-pecuniary) association appeals is limited to those that have been pursuing non-profit objectives related to cycling for at least three years according to their official objects and which the competent department deems to be entitled to file appeals on this basis.³⁹ Furthermore, as with footpaths and hiking trails, the scope of this right of appeal for associations remains narrow, because the federal law provisions are limited to a few principles, none of which is normally the subject matter of legal action. In the case of the FHTA, the association appeal is therefore more important because it brings parties with an interest in path construction and the

³⁷ SR 451

³⁸ SR 814.01

³⁹ See on the history of the origins of the FHTA and its regulations: Meier, Regina (2015): Das ideelle Verbandsbeschwerderecht, Zürcher Studien zum öffentlichen Recht, Zürich, p. 110 ff.

specialist organisations to the same table and thus makes negotiated solutions possible.⁴⁰ This also makes sense in the area of cycle paths, because it is regularly necessary to weigh up various competing public interests, for example those relating to settlement and traffic planning, road traffic, encouraging people to walk and cycle, and equality for those with disabilities.

Official decisions are the main object of the association appeal under the FHTA, but (owner-binding) land use plans can also be challenged and, if permitted by the applicable procedural law, cantonal legal provisions. For the sake of simplicity, the same rules are adopted in the Cycle Route Act. Not only infringements of federal law, but also of any cantonal law related to cycle route networks can be the subject of an appeal. The federal right of association appeal also applies in cantonal proceedings, because the right to file an appeal under cantonal law is not more narrowly defined than in subsequent proceedings before the Federal Supreme Court. The right of associations to appeal under the FHTA and the Cycle Routes Act does not create any new responsibilities and procedures, but simply allows recognised national organisations to use the existing procedural channels.⁴¹

Paragraph 1: Under federal and cantonal procedural law, organisations can only object to a planned decision or file an appeal against a decision that has been issued if a large number of their members would be entitled to do so and the organisation is authorised to represent these interests under its statutes (an “egoistical association appeal”⁴²). If, on the other hand, the organisation wishes to protect non-pecuniary public interests, it can only do this if there is an explicit legal basis for doing so (a “non-material association appeal”⁴³). Federal law recognises appeals by associations in relation to nature and heritage protection, environmental protection, price supervision, gender equality, equality for the disabled, and the law on footpaths and hiking trails.

The restriction to specialist organisations of national importance prevents other organisations, in particular local or *ad hoc* organisations, from having the right to appeal solely on the basis of an explicit cantonal provisions and only before cantonal authorities. In this way, it can be ensured that only the national organisations permanently involved in the task of promoting cycling are entitled to appeal under federal law. In order to be entitled to appeal, the interests of cycling must clearly be part of the associations’ objects. Paragraph 1 not only restricts those entitled to appeal, but also the object of the appeal: this must concern cycle routes. In contrast to the NCHA and the EPA, the restriction in factual terms is not limited to complaints based on the objects of the association (see Art. 12 para. 2 NCHA and Art. 55 para. 2 EPA).

Irrespective of whether the canton has already granted them a right of appeal, under federal law the communes may participate in the proceedings if their territory is affected, i.e. if spatial planning interests that are their responsibility are at stake.

⁴⁰ Meier, Regina (2015): Das ideelle Verbandsbeschwerderecht, Zürcher Studien zum öffentlichen Recht, Zürich, p. 120.

⁴¹ Meier, Regina (2015): Das ideelle Verbandsbeschwerderecht, Zürcher Studien zum öffentlichen Recht, Zürich, p. 110 ff.

⁴² Example: Federal Supreme Court judgment 1C 566/2017 of 22 March 2018 (Zurich, VCS, Right to file an egoistic association appeal).

⁴³ Example: Federal Supreme Court judgment 1C 97/2017 of 19 Sept. 2018 (Icogne, SL and Mountain Wilderness, right to file a non-material association appeal).

Paragraph 2: The cantons' right of appeal is advisable when it comes to coordinating federal projects with cantonal plans.

Paragraph 3: DETEC will designate the organisations entitled to file appeals in an ordinance.

Paragraphs 4, 5 and 6: These rules are in line with those of the other federal rights of appeal of associations under the NCHA and the EPA. Notification is given in accordance with the relevant cantonal or federal procedural law. It must be made in such a way that the organisations designated by DETEC as being entitled to file an appeal learn of the project and can assess the importance of the project. If these organisations are not active, they can only participate in the proceedings at a later stage as an exception, in particular if they are only affected for the first time in the course of the proceedings. If the procedural law provides for an objection procedure before the decision is issued, this option must be exercised. Otherwise, the organisation loses its right to appeal.

Art. 19 Deadlines for drawing up and implementing the plans

Paragraph 1 letter a: The required cantonal network plans must be drawn up within a reasonable period of time. Since most cantons already have detailed plans, five years seems reasonable. Paragraph 2 offers the possibility of an extension.

Letter b: The plans should be implemented within 20 years. As implementing the plans can take a long time due to protracted construction procedures and resources are limited, an implementation period of 20 years seems appropriate. Paragraph 2 offers the possibility of an extension.

Paragraph 2: Because there may be good reasons why the deadlines cannot be met, an extension option is created for individual areas, but not for entire cantons. The Federal Council specifies the conditions under which DETEC may exceptionally extend the deadlines for individual areas.

Art. 20 Amendment of other legislation

The individual amendments are explained below.

5.2 Federal Act on Footpaths and Hiking Trails

Art. 1 Subject matter

The current purpose article is reformulated in line with the Cycle Route Act, based on the amended Article 88 of the Federal Constitution.

Art. 2 para. 2

The concept of residential streets was replaced in road traffic law in 2002 by the “pedestrian priority zone”.

Art. 9a Provision of geodata

Paragraph 1: If the cantons do not supply data, the federal government cannot publish harmonised geodata on the quality and usability of cycle route networks (Art. 11 para. 3).

Paragraph 2: The issuing of regulations by the competent specialist body is based on Article 5 paragraph 3 GeoIG. The FHTA should be amended in the same way as the Cycle Route Act.

Art. 11a Providing information to the public

With the amended constitutional article, the Confederation now has the competence to provide information not only on cycle paths but also on footpaths and hiking trails and to provide geodata on footpaths and hiking trails. The FHTA should be amended in the same way as the Cycle Route Act.

Art. 12 Cooperation with private specialist organisations

Paragraph 1: In line with the Cycle Routes Act, this provision details the federal government's competence to work with third parties in the area of footpaths and hiking trails.

Paragraphs 2 and 3: The subsidy provisions must comply with the current provisions of the SubA. In the FHTA, the subsidy provisions are no longer in line with these requirements and will therefore be amended.

Art. 14 Right of appeal

The provision on the right of appeal must correspond to the current version of the legal provisions on which it is based. In the current FHTA, the provision on the right of appeal is no longer up-to-date and will therefore be amended.

5.3 Federal Act on the National Highways

Art. 6 second sentence

With the current wording of Article 6 of the Federal Act of 8 March 1960⁴⁴ on the National Highways (NHwA), in addition to the body of the road, all installations required for the technically correct design of these highways form part of the national highways. Examples include man-made structures, connections, rest areas, signposts, facilities for the operation and maintenance of roads, and planted areas and embankments where the owner of the adjacent land cannot be expected to be responsible for the maintenance. The definition of the term "body of the road" does not specify whether it includes areas for pedestrian and cycle traffic, such as cycle lanes, pave-

⁴⁴ SR 725.11

ments or pedestrian and cycle paths that are structurally separated from the carriage-way for motorised traffic. This leads to ambiguities in the allocation of responsibilities for the operation, maintenance and expansion of the various sections of road.

By defining the term "body of the road" in the NHwA, the question of responsibility is clearly regulated at primary legislative level. Areas for pedestrian and cycle traffic are part of the body of the road at junctions with 1st and 2nd class national highways and on 3rd class national highways. The federal government has a basic responsibility for constructing, operating and maintaining these non-motorised traffic areas. The cantons and communes at the location of the road are involved in the planning. The restriction to junctions and to 3rd class national highways results from the fact that these roads - in contrast to 1st and 2nd class national highways (motorways and expressways) - are also open to non-motorised traffic (see Art. 4 para. 1 NHwA).

Ultimately, the requested amendment to Article 6 NHwA will provide legal certainty. In its role as a developer, the federal government can make a significant contribution to improving the cycling infrastructure in relation to national highways.

6 Further federal measures that benefit pedestrian and bicycle traffic

FEDRO already supports activities related to cycling that fall within the scope of the federal government's responsibilities. It has initiated various measures that benefit pedestrian and bicycle traffic.

This includes the promotion of national cycleways. Within the framework of regional potential and feasibility studies, the extent to which cycleways can be built along national transport infrastructures (rail and road) and coordinated with the cantonal cycle route networks is currently being considered. Cycleways are high-quality routes in the cycling network. They link important destinations over longer distances and enable smooth and comfortable travel. Generally speaking, they are two-way cycle paths or are routed along roads with few motor vehicles. They can help relieve congestion on roads and rail, especially during peak hours. The potential and feasibility studies can also be a basis for answering the Cattaneo 19.4631⁴⁵postulate, which the Federal Council recommends should be accepted.

In this context, FEDRO is also clarifying whether additional legislation is required so that the federal government can provide more support for pilot project infrastructures. Today, it is possible, at the request of the cantons, to closely coordinate the construction schedule for and location of sections of cycleways/cycle paths with road construction projects already planned by FEDRO in order to realise synergies and economies of scale.

Furthermore, the coherency of the FHTA and the Cycle Route Act with the rules of other areas of road traffic law will be reviewed and improved if necessary. The regulations for road users and vehicles will be examined and adapted if necessary.

⁴⁵ Postulate 19.4631 "A safe and fast national cycle road network between Swiss conurbations" by Rocco Cattaneo (FDP-Liberal Group) dated 20 Dec. 2019.

Another field of action concerns the conurbation programmes. Since the 1st generation, the federal government has been co-financing measures for bicycle infrastructure as part of the conurbation transport programme. Since the 3rd generation, cycling infrastructures with investment costs of under CHF 5 million can also be co-financed in a simplified way by means of flat-rate federal contributions. The number of such measures has therefore increased considerably compared to previous generations. For the 5th generation, consideration will be given to increased promotion of cycleways.

7 Impacts

7.1 Impacts on the Confederation

7.1.1 Financial impacts

The new federal tasks set out in the Cycle Routes Act, as explained in the Dispatch⁴⁶ on the Federal Decree on Cycle Routes and Footpaths and Hiking Trails, have only minor financial effects. Since the additional financial resources will also be absorbed into FEDRO's functional expenditure (global budget), the proposal has no overall impact on the budget.

In relation to footpaths and hiking trails, the federal government has been carrying out comparable tasks for almost 40 years at a financial cost of around CHF 1.8 million per year. In the light of this, it can be assumed that the federal government will incur roughly the same expense in implementing the new provisions related to cycle routes. Since FEDRO already spends around CHF 0.7 million per year on cycling-related matters to meet its less far-reaching legal obligations, the newly added expenditure for the tasks laid down in the Cycle Routes Act is reduced to around CHF 1.1 million per year. The additional funding will be allocated to credit A231.0309 for "Non-motorised transport, footpaths and hiking trails"⁴⁷. The credit will thus increase to a total of CHF 3.6 million per year.

As before, the expenditure on footpaths and hiking trails will be financed from general federal funds, while the expenditure for bicycle traffic and thus also the additional CHF 1.1 million will be financed from the Special Road Transport Fund (SFSV). On balance, there is no additional burden for the SFSV: In future, 1.1 million Swiss francs less will be allocated annually to the FEDRO global budget, credit A200.0001.

7.1.2 Human resources impacts

In relation to footpaths and hiking trails, the Confederation carries out its tasks of coordinating, supporting implementation and issuing guidelines with a staffing level of 2.5 full-time equivalents. The federal government is likely to incur the same human resources costs if the new provisions on cycling are implemented in the same way.

⁴⁶ BBI 2017 5917

⁴⁷ Federal Council Budget 2020, Volume 2B, p. 303, available at: www.efv.admin.ch > Finanzberichte > Voranschlag mit integrierem Aufgaben- und Finanzplan.

Since FEDRO was already carrying out and supporting activities in the field of cycling with one full-time equivalent while subject to less far-reaching legal requirements, the additional work will require 1.5 full-time equivalents. The additional human resources expenses will be compensated for within the global budget of FEDRO.

7.2 Impacts on the cantons and communes as well as on urban centres, conurbations and mountain areas

The planning, construction and maintenance of cycle path networks and other cycling infrastructures remain the responsibility of the cantons and communes, even with the new Cycle Route Act. No fundamentally new tasks are assigned to the cantons and communes. In view of the subsidiarity principle and in analogy to the footpath and hiking trail legislation, the legislation is limited to a few nationwide (planning) principles, but on the other hand also relieves the burden on the cantons and communes by providing them with technical support and coordination in their work.

The actual planning, organisational and financial effects on the cantons and communes can be estimated on the basis of the consequences that the implementation of the FHTA has brought about. In the FHTA, the cantons are obliged in particular to indicate footpaths and hiking trails in plans and to designate a specialist office for footpaths and hiking trails. The Cycle Routes Act contains similar obligations. It also provides for an implementation period. All but one of the cantons already have plans for their cycle route networks and 23 out of 26 cantons have also designated specialist offices for cycling, often combined with specialist offices for pedestrians.

Even with the Cycle Routes Act, it remains a matter for the cantons to decide to what extent they invest in the promotion of cycling and provide technical and financial resources to improve the legal, organisational, planning, construction and operational framework conditions for cycling.

7.3 Impacts on the Swiss economy

The upgrading of cycling in the overall transport system is in line with the Federal Council's transport policy goals and will help to achieve other important federal goals. Cycling relieves the burden on transport infrastructures, is almost CO₂- and emission-free, compatible with residential areas, resource-saving, energy-efficient, cost-effective, healthy and easily available for most people around the clock. Its impact on the national economy is consistently positive. For the public sector, too, investments in path networks and other infrastructures for walking and cycling show a high cost efficiency.⁴⁸ Many cities and holiday regions promote offers of bike excursions and mountain bike tours. Cycling tours by the Swiss population generate a turnover of

⁴⁸ ASTRA/Infras (2003): Effizienz von öffentlichen Investitionen in den Langsamverkehr, Bern, available at: www.astra.admin.ch > Themen > Langsamverkehr > Grundlagen mit strategischer Bedeutung.

CHF 2.7 billion per year and are an increasingly important element in summer tourism. The attributable income from foreign guests is estimated at CHF 67 million per year.⁴⁹

7.4 Impacts on society

The increased investment in cycling not only helps to relieve the burden on traffic infrastructures for motorised private transport and public transport; increasing the share of traffic made up by cyclists also makes a significant contribution to achieving other Federal Council goals, such as:

- Increasing daily exercise levels in order to promote health: by using a bicycle, people can combine their everyday mobility with a reasonable amount of exercise, which is good for their health. The national strategy for preventing non-communicable diseases (NCD strategy), which the Federal Council and the Swiss Conference of Cantonal Ministers of Health (GDK) adopted on 6 April 2016⁵⁰, includes this approach as an important prevention measure.
- Improving the range of leisure and tourist activities on offer sustainably: cycling is one of the most popular leisure activities in Switzerland today, making it an important element of summer tourism.
- Technical and social development: in many cities and urban areas, cycling is gaining in importance thanks to e-bikes and bike rental systems, i.e. a significant increase in cycle traffic is again being seen. In view of this, it is worth increasing our commitment to an attractive and safe infrastructure for bicycles and e-bikes.
- Accident prevention: deaths and injuries in road traffic accidents have been steadily decreasing for years. This positive development is due to various preventive measures, not least the "Via Sicura" programme. Unfortunately, the figures for pedestrians are not as positive as for car occupants. When it comes to accidents involving bicycles, the trend is even in the opposite direction: Here, after a lengthy phase of stagnation, the number of accidents has been increasing again in recent years. There is therefore a clear need for action to increase road safety in non-motorised traffic, especially in cycling. Where there are continuous cycle routes and the different forms of mobility are kept separate, cars, bicycles and pedestrians come less into conflict. Where the speed differences between the various means of transport are small, accident rates fall markedly and the seriousness of accidents decreases. This helps to increase road safety.⁵¹

⁴⁹ ASTRA / Schweiz Mobil (2015): Velofahren in der Schweiz 2014, Bern, p. 73, available at: www.astra.admin.ch > Themen > Langsamverkehr > Materialien.

⁵⁰ Federal Office of Public Health / GDK (2016): Nationale Strategie Prävention nichtübertragbarer Krankheiten (NCD-Strategie) 2017–2024, p. 27 und 47, available at: www.bag.admin.ch > Themen > Strategien & Politik > Nationale Gesundheitsstrategien > NCD-Strategie.

⁵¹ Ferencsik, Nicholas N. / Marshall, Wesley (2016): The Relative (In)Effectiveness of Bicycle Sharrows on Ridership and Safety Outcomes, Washington DC.

7.5 Impacts on the environment

Cycling protects the environment and can help to reduce domestic CO₂ and energy consumption. The transport sector accounted for around 38 per cent of Switzerland's energy consumption in 2018⁵² and 32 per cent of Switzerland's greenhouse gas emissions in 2017⁵³. Motorised road passenger transport accounts for 68 per cent of energy consumption in the transport sector.⁵⁴ Almost 80 per cent of all bus and tram journeys and every second car journey are shorter than five kilometres. The better the cycle path network is, the more attractive it is to use a bike for shorter journeys. Depending on the general transport policy, up to 3 per cent of motorised individual transport could be shifted to walking and cycling by replacing short car journeys.⁵⁵ With the increasing popularity of e-bikes, the potential for a shift to cycling will be even greater. Based on the trend in sales figures, it can be assumed that by 2030 the e-bike fleet will save several 100,000 tonnes of CO₂ equivalents per year; this will primarily be by shifting car kilometres to e-bikes.⁵⁶ This potential for reducing CO₂ emissions can be better exploited if the quality of cycle routes is higher.

8 Legal aspects

8.1 Constitutionality

The bill is based on Article 88 of the Federal Constitution, according to which the Confederation is required to lay down principles concerning networks of footpaths, hiking trails and cycle routes. The federal government's authority to demand the supply of cantonal geodata on footpath and cycle route networks is based on Article 75a paragraph 3 of the Federal Constitution.

⁵² Swiss Federal Office of Energy Schweizerische Gesamtenergiestatistik 2018, p. 5, Fig. 3, available at: www.bfe.admin.ch > Versorgung > Energiestatistiken > Gesamtenergiestatistik.

⁵³ Federal Office for the Environment (2020): Emissionen von Treibhausgasen nach revidiertem CO₂-Gesetz und Kyoto-Protokoll, 2. Verpflichtungsperiode (2013–2020), Version July 2020, p. 18, Abb. 7, available at: www.bafu.admin.ch > Themen > Klima > Daten, Indikatoren und Karten > Daten > Treibhausgasinventar.

⁵⁴ Swiss Federal Office of Energy (2019): Analyse des schweizerischen Energieverbrauchs 2000–2018 nach Verwendungszwecken, p. 73, Abb. 22, available at: www.bfe.admin.ch > Versorgung > Energiestatistiken > Energieverbrauch nach Verwendungszweck.

⁵⁵ FEDRO/Infras (2005): CO₂-Potenzial des Langsamverkehrs. Verlagerung von kurzen MIV-Fahrten, Bern, available at: www.astra.admin.ch > Themen > Langsamverkehr > Grundlagen mit strategischer Bedeutung.

⁵⁶ Swiss Federal Office of Energy (2014): Verbreitung und Auswirkungen von E-Bikes in der Schweiz, p. 125ff., available at: www.bfe.admin.ch > Publikationen > Suchbegriff «E-Bikes».

8.2 Compatibility with Switzerland's international obligations

The bill does not create any new obligations for Switzerland vis-à-vis other states or international organisations. Nor does it not lead to any conflicts with international law in general, the Overland Transport Agreement⁵⁷ or any other international agreements in the field of transport or transport infrastructure. The bill is therefore compatible with Switzerland's international obligations.

8.3 Form of legislation

Like the FHTA, the principles on cycle routes will be enacted in the form of a federal act on the basis of Article 164 paragraph 1 letters e and f of the Federal Constitution. Federal acts are subject to an optional referendum (Art. 141 para. 1 let. a FC).

The basis for the new Cycle Routes Act is Article 88 of the Federal Constitution on footpaths, hiking trails and cycle routes. In the Federal Constitution, this article, together with all other provisions on transport routes, is found in the section on "Public construction works and transport" (Art. 81-88 FC). In the Classified Compilation of Federal Legislation (SR), all transport routes and infrastructures are also grouped into one section, Section 725 "Transport routes". In addition to roads and railways, these include, for example, pipeline systems, cableways and waterways. The new Cycle Routes Act law will therefore be classified under SR number 725.41, which has not yet been assigned, i.e. not in the same place as the FHTA.

8.4 Application of the expenditure brake

Under Article 159 paragraph 3 letter b of the Federal Constitution, the consent of the majority of the members of each of the two chambers required for subsidy provisions and for guarantee credits and payment frameworks that entail new one-off expenditures of more than CHF 20 million or recurring expenditures of more than CHF 2 million.

In the present case, no new subsidy provisions are created and the bill does not lead to new one-off or recurring expenditures in terms of the aforementioned constitutional provision. The bill therefore is not subject to the expenditure brake.

8.5 Compliance with the principle of subsidiarity and the principle of fiscal equivalence

The powers reserved to the cantons in Article 88 paragraph 2 of the Federal Constitution and the principle of subsidiarity laid down in the Federal Constitution (Articles 5a and 43a FC) enable the Confederation, in line with the provisions on footpaths and

⁵⁷ Agreement of 21 June 1999 between the Swiss Confederation and the European Community on the Carriage of Goods and Passengers by Rail and Road, SR **0.740.72**.

hiking trails, merely to lay down guidelines on cycle routes and to provide the cantons and third parties with technical, coordinating and, if necessary, financial support for their construction and maintenance. The principle of subsidiarity is taken into account with the framework legislation provided for in this bill.

8.6 Compliance with the principles of the Subsidies Act

The bill does not create any new subsidies.

8.7 Delegation of legislative powers

In Article 19 paragraph 2, the Federal Council specifies the conditions under which DETEC may exceptionally extend the deadlines for preparing and implementing the cycle route network plans for individual areas. The draft does not contain any further delegation provisions.

8.8 Data protection

The bill has no relevance to data protection issues. No personal data is collected.

