

BILL: House Bill 19
TITLE: Education – School Construction – Pedestrian Safety Plans
(Safe Walk to School Act)
DATE: April 5, 2022
POSITION: OPPOSE
COMMITTEE: Education, Health, and Environmental Affairs
CONTACT: John R. Woolums, Esq.

The Maryland Association of Boards of Education (MABE) opposes House Bill 19.

Local school systems are opposed to mandating, as proposed by this bill, that local school systems seeking State funds for the construction of a new public school or, for the renovation or addition to an existing school, submit a pedestrian safety plan to the Interagency Commission on School Construction (IAC). Pedestrian safety plans must be developed through extensive public engagement and in collaboration with the State Highway Administration (SHA) and county departments of transportation. The IAC then must review and approve these submitted pedestrian safety plans in consultation with the SHA.

While MABE appreciates the intent of the bill regarding ensuring attention to pedestrian safety as it relates to school facilities, this bill would impose an enormous burden on school personnel to study and recommend public works projects completely outside the purview or funding authority of the school system.

MABE recognizes the need for safe and effective walking routes to local schools and appreciates the intent behind this bill. However, this bill requires that non-school property be evaluated and potentially improved based on the plan's findings, which are not allowable fund expenditures because they are not school property. Additionally, any identified gaps would be outside the school system's ability to remedy given that they are not located on school property. Consequently, other state and local agencies would necessarily be involved in leading or partnering with local school systems on projects called for in pedestrian safety plans.

Local government departments of public works and transportation, working independently or conjunction with local school systems, may certainly produce and fund pedestrian safety plan studies similar to those included in this bill. Most importantly, they are also funding authorities with the capacity to levy taxes and issue bonds to support and include the projects identified in plans in their annual budgets.

Lastly, MABE is concerned that the bill relies on an arbitrary distinction between high- and low-density counties. Within the high-density counties identified in the bill are many rural schools, and within largely rural jurisdictions there are many schools located within municipalities and other high-density areas for which pedestrian safety plans may be very appropriate. Again, the bill addresses a serious student safety policy area, but one that MABE firmly believes should remain in the context of local intergovernmental cooperation and coordination of planning and the investment of available local, state, and federal funding.

For these reasons, MABE requests an unfavorable report on House Bill 19.