

Department of Legislative Services
Maryland General Assembly
2024 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 200 (Senator Ellis)
Education, Energy, and the Environment

Counties - Construction of Sidewalks and Crosswalks - Safe Alternative Routes
to Public Schools

This bill requires each local school board to annually prepare a report on safe alternative routes to public schools. A “safe alternative route” includes (1) a road with sidewalks and, at intersections, crosswalks; (2) a foot path; and (3) a bike path. The county governing body must annually review the report and construct any sidewalks and crosswalks necessary to create safe alternative routes for students as identified in the report. If the county governing body must alter a road that is not subject to the jurisdiction of the county in order to meet the bill’s requirements, the governing body must develop a plan with the governmental entity or person that has control of the road and make reasonable efforts to execute the plan in an expeditious manner. **The bill takes effect July 1, 2024.**

Fiscal Summary

State Effect: The bill is not anticipated to materially affect State finances or operations.

Local Effect: County government expenditures increase, likely significantly, in order to implement the bill’s requirements, as discussed below. Revenues are not affected. **The bill imposes a mandate on a unit of local government.**

Small Business Effect: Minimal.

Analysis

Bill Summary: The bill requires local school boards to annually prepare a report that identifies:

- for each public school in the county, those areas of the county where a student who is regularly assigned to the school would be ineligible for transportation services based on the distance between a residence and the school; and
- pathways those students may use to travel between his or her residence and regularly assigned school using only a safe alternative route (or a contiguous series of safe alternative routes).

The local school board must post to the county's website each report prepared pursuant to the bill.

Current Law: At its own expense, a county governing body may provide transportation for public school students (in addition to the transportation provided by the State).

Local Expenditures: In the event that a local school board identifies areas without safe alternative routes for students, county governments could meet the bill's requirements in several ways, including (1) constructing new sidewalks and crosswalks, as identified in the study; (2) increasing funding for local school boards to provide bus transportation to all students (regardless of distance from the school); or (3) adjusting existing school boundaries in order to ensure no students reside in areas without safe alternative routes to school.

The Department of Legislative Services (DLS) advises that, given the number of schools in the State and the unique transportation system characteristics of each county, it is not possible to provide an exact fiscal estimate for each county. However, the following examples highlight the potential costs associated with the bill.

Anne Arundel County

Anne Arundel County Public Schools anticipates substantial costs under the bill due to right-of-way purchases, condemnations, design, construction, and maintenance fees. In total, the school system estimates that costs may total as much as \$635,700 in fiscal 2025, including about \$418,900 for additional personnel with appropriate expertise. Ongoing costs in later years are estimated at about \$495,700.

Charles County

The Charles County Department of Planning and Growth Management as well as the Charles County Department of Public Works advised for a prior introduction of the bill that the bill may have a significant fiscal impact on the county. Although staff are unable to determine the exact financial impact to implement the bill, capital costs are expected to increase by approximately \$250,000 to \$500,000 annually. Additionally, Charles County Public Schools noted that reviewing every route likely involves significant staff time.

Frederick County

Frederick County Public Schools (FCPS) advised for a prior introduction of the bill that, while it currently has detailed policies to determine safe walking routes, it anticipates purchasing additional buses and hiring additional bus drivers under the bill. In the first year of implementation, FCPS anticipates purchasing eight additional school buses (and hiring eight bus drivers). In total, FCPS expenditures increase by about \$1.5 million in the first year of implementation in order to offer transportation services to students. As mentioned above, this approach is one alternative way to meet the bill's requirement.

Harford County

Harford County advises that the bill may have a significant impact on county expenditures. Specifically, assessments for each school could total approximately \$30,000 per school, with costs of several hundred thousand dollars per roadway (depending on project scope, design requirements, and land acquisition).

Montgomery County

Montgomery County advises that it expects significant additional costs under the bill beginning in fiscal 2025 (see **Exhibit 1**) as hundreds of miles of linear sidewalk and accompanying Americans with Disabilities Act compliant ramps and crosswalks would need to be built in neighborhoods that may have various complicating factors (*e.g.*, topographic, right-of-way, and other environmental impact issues).

The county notes that the bulk of costs resulting from the bill are likely incurred within the first year of implementation, with much smaller amounts needed for construction and maintenance in the out-years. In fiscal 2025, the county anticipates additional expenditures totaling about \$96.5 million. In later years, ongoing costs vary but total about \$939,100 by fiscal 2029.

The fiscal 2025 figure includes sidewalk installation (on one side of the street) based on current contract prices per linear foot of residential sidewalk (and existing maps of sidewalk gaps within school walk zones) as well as costs related to right-of-way acquisition, utility impacts, tree impacts, and slope issues. The estimate also includes two additional county positions (one design engineer and one construction inspector) to assist with managing and monitoring the new construction projects.

Exhibit 1
Anticipated Expenditures for Montgomery County under the Bill
Fiscal 2025

Positions (Salaries & Wages)	\$206,393
Contractual Services	93,423,000
Fixed Charges	2,832,500
Total Initial Expenditures	\$96,461,893

Source: Montgomery County; Department of Legislative Services

Wicomico County

Wicomico County Public Schools advises that the county recently completed a school sidewalk study. The study concluded that costs may total as much as \$2.5 million in the first year of implementation.

Boundary Adjustments

While no school systems reported plans to adjust school boundaries as a result of the bill, DLS advises that school systems may be able to meet the bill's requirements by modifying boundaries. For instance, there may be areas in certain school districts with access to safe alternative routes that are also served by school buses. The school buses that serve those areas could potentially be repurposed in order to serve students who currently reside in areas that are not eligible for school bus transportation services and are not served by safe alternative routes. However, any boundary adjustments may require considerable planning and administrative time for school boards.

Additional Comments: The Maryland Department of Transportation maintains a [statewide 20-year Bicycle and Pedestrian Master Plan](#). Related to pedestrian and bicycle safety around schools, the plan includes and discusses the importance of the [Safe Routes to Schools Programs](#). The program is a federally funded reimbursement program administered by the State Highway Administration (SHA). Eligible sponsors can apply for funding to support infrastructure and noninfrastructure activities that enable and encourage children to safely walk, bicycle, or roller skate to school. Federal funds allocated to the program must be used to benefit elementary and middle school children and are required to have a 20% cash match contribution from the State.

School zones and the additional traffic safety rules that accompany them are the primary safety mechanism for students who walk or bike to school. SHA or a local transportation

authority is authorized to establish a school zone and maximum speed limits within the school zone, within a half-mile radius of any school. In any established school zone, SHA or the local authority must place signs that designate the school zone and may place other traffic control devices, such as timed flashing warning lights or traffic signals. The signs must show the maximum speed limit of the school zone, and standard fines may be doubled if a speed violation occurs when any timed flashing lights are activated. Many school districts also employ crossing guards and establish speed monitoring systems to ensure the safety of students and others on and around the school grounds.

Additional Information

Recent Prior Introductions: Similar legislation has been introduced within the last three years. See SB 95 of 2023 and SB 65 of 2020.

Designated Cross File: None.

Information Source(s): Harford and Montgomery counties; Maryland Association of Counties; Maryland State Department of Education; Maryland Department of Transportation; Baltimore City Public Schools; Anne Arundel County Public Schools; Baltimore County Public Schools; Charles County Public Schools; Frederick County Public Schools; Montgomery County Public Schools; St. Mary's County Public Schools; Talbot County Public Schools; Wicomico County Public Schools; Department of Legislative Services

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