

Department of Legislative Services
 Maryland General Assembly
 2026 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1296 (Delegate Terrasa, *et al.*)
 Economic Matters and Ways and Means

Preliminary Subdivision and Site Plans – Safe School Route Reports – Requirement

This bill requires a developer – for residential development projects that include at least five residential dwelling units and are within walking distance of a public school – to (1) prepare and submit a specified safe school route report for review and approval by the local planning approval authority and the county board of education and (2) coordinate with the local county board of education and the Maryland Department of Transportation (MDOT) to ensure a safe school route proposed in the report aligns with school access points. A local jurisdiction may impose a financial guarantee on the developer or withhold a building permit to ensure necessary improvements are completed.

Fiscal Summary

State Effect: Transportation Trust Fund (TTF) expenditures increase by \$81,500 in FY 2027, with future years reflecting annualization and ongoing costs. Revenues are not affected.

(in dollars)	FY 2027	FY 2028	FY 2029	FY 2030	FY 2031
Revenues	\$0	\$0	\$0	\$0	\$0
SF Expenditure	81,500	95,400	99,900	104,400	109,000
Net Effect	(\$81,500)	(\$95,400)	(\$99,900)	(\$104,400)	(\$109,000)

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: The bill is not anticipated to materially affect local government finances.

Small Business Effect: Potential meaningful.

Analysis

Bill Summary:

Safe School Route Report – Developer Requirement

The bill requires a developer, as part of a preliminary subdivision or site plan, to prepare and submit a safe school route report that must:

- identify (1) each affected school that will serve the proposed development and (2) for each affected school, existing pedestrian and bicycle infrastructure, and a proposed safe school route;
- include an assessment of gaps or hazards along identified safe school routes, including missing sidewalks, unsafe road crossings, and a lack of bike lanes; and
- if gaps or hazards exist, propose mitigation measures, including (1) construction of sidewalks or multi-use paths between the proposed development and the affected school or public school bus shelter; (2) installation of crosswalks, signage, or traffic-calming features; and (3) connectivity to existing public pedestrian or bicycle networks.

Applicability

The bill applies to all residential development projects proposed by a developer that (1) include at least five residential dwelling units and (2) are located within walking distance of an affected school, as determined by the applicable county board of education. The bill does not apply to residential development projects intended as housing for older persons in accordance with the federal Fair Housing Act.

Definitions

“Affected school” means a public elementary, middle, or high school located within the school attendance area within which a proposed residential development is located.

“Developer” means a person that submits a subdivision or site plan for at least five residential dwelling units.

“Safe school route” means sidewalks, crosswalks, bicycle lanes, footpaths, multi-use trails, and other infrastructure that provide safe pedestrian and bicycle access to a public school.

“Safe school route report” means an analysis submitted by a developer detailing safe school route opportunities, including infrastructure gaps and mitigation measures.

Local Jurisdictions – Coordination, Requirements, and Authorizations

A developer must coordinate with the local county board of education and the Maryland Department of Transportation (MDOT) to ensure a safe school route proposed in accordance with the bill aligns with school access points. A local jurisdiction may not grant preliminary subdivision or site plan approval for a residential development project subject to the bill until an applicable safe school route report is reviewed and approved by the local planning approval authority and the applicable county board of education.

Until the necessary improvements identified in a safe school route report are completed to the satisfaction of the local planning authority and the county board of education, a local jurisdiction may (1) impose a financial guarantee on the developer for the improvements identified in the safe school route report and (2) withhold the issuance of a building permit.

Intent

The bill establishes the General Assembly’s intent that new residential developments actively support safe school routes by requiring developers to identify, assess, and if necessary, mitigate hazards in pedestrian and bicycle routes to schools.

Current Law: The regulation of land use in the State, through planning and zoning, is implemented by local governments, subject to applicable State law. Planning and zoning authority is delegated by the State to local governments primarily under the Land Use Article and, for certain counties, the Express Powers Act (Title 10 of the Local Government Article).

Local jurisdictions are required to enact, adopt, amend, and execute a comprehensive plan (to guide the implementation of land use controls and zoning) that includes specified planning principles and elements. At least once every 10 years, each local jurisdiction must review its comprehensive plan and, if necessary, revise or amend the plan.

The comprehensive plan must include a transportation “element” and implement a transportation “planning principle”:

- *Transportation Element* – The transportation element must, among other things, provide for bicycle and pedestrian access and travelways.
- *Transportation Planning Principle* – The transportation planning principle is to prioritize transportation networks that create energy efficient, affordable, and reliable access to jobs, housing, and services.

While local governments are governed by varying provisions of the Maryland Code (see Exhibit 1 of this [DLS fact sheet](#)), to illustrate authority given certain local jurisdictions –

commission counties and municipalities – to enact zoning and subdivision regulations (under which subdivision plans and site plans are reviewed) and regulate various aspects of development through the regulations, commission counties and municipalities are authorized under the Land Use Article to:

- when zoning or rezoning land, impose any additional conditions or limitations that the legislative body considers appropriate to improve or protect the general character and design of (1) the land and improvements being zoned or rezoned or (2) the surrounding or adjacent land or improvements;
- design zoning regulations to, among other things (1) control street congestion; (2) promote health, public safety, and general welfare; (3) properly manage growth and development; and (4) promote or facilitate adequate transportation, water, sewerage, schools, recreation, parks, and other public facilities; and
- establish subdivision regulations for the health, safety, welfare, and common interest of the citizens of the local jurisdiction, which may include provisions for, among other things, (1) properly managing growth and development and (2) determining the extent to which grading and improvement of streets and others ways, and installation of water, sewer, other utility mains, piping, or other facilities, must be undertaken before approval of a subdivision.

State Expenditures: TTF expenditures increase by \$81,513 in fiscal 2027, which accounts for the bill’s October 1, 2026 effective date. This estimate reflects the cost of hiring one full-time staff position to coordinate with local county boards of education and review safe school route reports prepared by developers. The estimate includes a salary, fringe benefits, one-time start-up costs, and ongoing operating expenses.

MDOT indicates that the Grants and Programs Management Division (GPMD) within the State Highway Administration’s Office of Planning and Preliminary Engineering currently manages the federally-funded Safe Routes to School program (intended to encourage, and increase the safety of, bicycling, walking, and rolling to school for K-12 students) requiring coordination with local jurisdictions. However, MDOT advises that the bill’s review requirements are beyond these regular duties of GPMD necessitating additional staff. MDOT indicates that even if only 5% of residential development permits required review of a safe school route report, that would represent almost 100 residential projects that would need to be reviewed statewide (based on Maryland Department of Planning data on the number of new residential permits issued in municipal areas during calendar 2023).

Position	1.0
Salary and Fringe Benefits	\$72,372
Operating Expenses	<u>9,141</u>
Total FY 2027 State Expenditures	\$81,513

Future year expenditures reflect a full salary with annual increases and employee turnover as well as annual increases in ongoing operating expenses.

Small Business Effect: Small businesses involved in residential development may be meaningfully affected by the costs of preparing a safe school route report, and making any necessary improvements in accordance with the report, to the extent the local jurisdiction does not already have requirements similar to those under the bill.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Calvert, Howard, and Prince George's counties; City of Annapolis; Maryland Municipal League; Maryland Department of Planning; Maryland Department of Transportation; Baltimore City Public Schools; Montgomery County Public Schools; Department of Legislative Services

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