



Senate Bill 95

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

MACo Position: **OPPOSE**

To: Education, Energy, and the Environment
Committee

Date: February 8, 2023

From: Brianna January and Michael Sanderson

The Maryland Association of Counties (MACo) **OPPOSES** SB 95. While well-intentioned, this bill would place a costly mandate on county governments to carry out new state policy to create sidewalks and crosswalks as alternative routes for all public school students. **MACo does not raise policy objections with the bill's goal of utilizing safe routes for students – county concerns are merely practical and cost-driven.**

As a rule, MACo resists state policies that result in costly or burdensome local implementation. SB 95 would implement a costly, logistically difficult mandate for counties to adhere to. The 2020 fiscal note for that year's version of this bill highlighted several counties in which this proposal would be extremely costly to execute: Baltimore County "anticipates substantial construction costs for sidewalks and crosswalks under the bill," Montgomery County, "expects significant additional costs under the bill," to the tune of almost \$90 million in the 2020 estimate, and Frederick County would anticipate "purchasing additional buses and hiring additional bus drivers under the bill."

Additionally, the route to school is not subject to the jurisdiction of the county (as a municipal or State-owned roadway), this bill unfairly requires counties to develop a plan with the controller of the road and re-direct county resources to construct sidewalks and crosswalks on roads not owned by the county. Furthermore, the one-size-fits-all mandate of SB 95 simply does not fit the transportation and geographic realities of Maryland counties. Counties – and schools – face diverse geographic challenges, transportation laws (like rights-of-way), and community characteristics that would make it difficult, if not impossible, to apply SB 95 to all 24 jurisdictions.

Under state law, counties would have no choice but to fund the significant costs associated with SB 95 – competing for limited local funds against education, school construction, public safety, and other essential public services.

Counties agree with the merit of SB 95 and that the information it seeks to collect is important in understanding the needs of Maryland students, but this legislation goes too far in mandating county resources of an unknown amount, all while neglecting the logistical capacities of counties to implement it. For this reason, MACo **OPPOSES** SB 95 and urges an **UNFAVORABLE** report.