

Assembly Bill No. 516

CHAPTER 277

An act to amend Section 2333.5 of the Streets and Highways Code, relating to transportation.

[Approved by Governor September 7, 2011. Filed with
Secretary of State September 7, 2011.]

LEGISLATIVE COUNSEL'S DIGEST

AB 516, V. Manuel Pérez. Safe routes to school.

Existing law requires the Department of Transportation, in consultation with the California Highway Patrol, to establish and administer a "Safe Routes to School" program for construction of bicycle and pedestrian safety and traffic calming projects, and to award grants to local agencies in that regard from available federal and state funds, based on the results of a statewide competition. Existing law requires the department to rate proposals submitted by applicants using specified factors. One of the factors relates to consultation and support for projects by school-based organizations, local traffic engineers, local elected officials, law enforcement agencies, school officials, and other relevant community stakeholders.

This bill would delete that factor and instead substitute a factor relating to use of a specified public participation process, with involvement by the public, schools, parents, teachers, local agencies, the business community, key professionals, and others, which process identifies community priorities, ensures those priorities are reflected in the proposal, and secures support for the proposal by relevant community stakeholders. The bill would add another factor relating to benefit of a proposal to a low-income school, as defined, and would make other related changes.

The people of the State of California do enact as follows:

SECTION 1. Section 2333.5 of the Streets and Highways Code is amended to read:

2333.5. (a) The department, in consultation with the Department of the California Highway Patrol, shall establish and administer a "Safe Routes to School" construction program for construction of bicycle and pedestrian safety and traffic calming projects.

(b) The department shall award grants to local governmental agencies under the program based on the results of a statewide competition that requires submission of proposals for funding and rates those proposals on all of the following factors:

(1) Demonstrated needs of the applicant.

- (2) Potential of the proposal for reducing child injuries and fatalities.
- (3) Potential of the proposal for encouraging increased walking and bicycling among students.
- (4) Identification of safety hazards.
- (5) Identification of current and potential walking and bicycling routes to school.
- (6) Use of a public participation process, including, but not limited to, a public meeting that satisfies all of the following:
 - (A) Involves the public, schools, parents, teachers, local agencies, the business community, key professionals, and others.
 - (B) Identifies community priorities and gathers community input to guide the development of projects included in the proposal.
 - (C) Ensures that community priorities are reflected in the proposal.
 - (D) Secures support for the proposal by relevant stakeholders.
- (7) Benefit to a low-income school, defined for purposes of this section to mean a school where at least 75 percent of students are eligible to receive free or reduced-price meals under the National School Lunch Program.
 - (c) Any annual budget allocation to fund grants described in subdivision (b) shall be in addition to any federal funding received by the state that is designated for “Safe Routes to School” projects pursuant to Section 1404 of SAFETEA-LU or any similar program funded through a subsequent transportation act.
 - (d) Any federal funding received by the state that is designated for “Safe Routes to School” projects shall be distributed by the department under the competitive grant process, consistent with all applicable federal requirements.
 - (e) Prior to the award of any construction grant or the department’s use of those funds for a “Safe Routes to School” construction project encompassing a freeway, state highway, or county road, the department shall consult with, and obtain approval from, the Department of the California Highway Patrol, ensuring that the “Safe Routes to School” proposal complements the California Highway Patrol’s Pedestrian Corridor Safety Program and is consistent with its statewide pedestrian safety statistical analysis.
 - (f) The department is encouraged to coordinate with law enforcement agencies’ community policing efforts in establishing and maintaining the “Safe Routes to School” construction program.
 - (g) In the development of guidelines and procedures governing this program, the department shall fully consider the needs of low-income schools.