

ASSEMBLY BILL

No. 2389

Introduced by Assembly Member Campos

February 21, 2014

An act to amend Section 2333.5 of the Streets and Highways Code, relating to transportation, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 2389, as introduced, Campos. Safe routes to school.

Existing law requires the Department of Transportation, in consultation with the Department of 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. These provisions become inoperative on July 1, 2014, and are repealed on January 1, 2015.

Existing law also creates the Active Transportation Program in the Department of Transportation to fund various transportation projects and programs relating to biking, walking, and other nonmotorized activities, with funds allocated by the California Transportation Commission, as specified. Existing law provides that safe routes to school projects are to be included among the types of projects eligible for funding under the Active Transportation Program.

This bill would extend the date that the specific provisions governing the safe routes to school program become inoperative, to July 1, 2015, and the date that these provisions are repealed, to January 1, 2016.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: 2/3. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

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

1 SECTION 1. Section 2333.5 of the Streets and Highways Code
2 is amended to read:
3 2333.5. (a) The department, in consultation with the
4 Department of the California Highway Patrol, shall establish and
5 administer a “Safe Routes to School” construction program for
6 construction of bicycle and pedestrian safety and traffic calming
7 projects.
8 (b) The department shall award grants to local governmental
9 agencies under the program based on the results of a statewide
10 competition that requires submission of proposals for funding and
11 rates those proposals on all of the following factors:
12 (1) Demonstrated needs of the applicant.
13 (2) Potential of the proposal for reducing child injuries and
14 fatalities.
15 (3) Potential of the proposal for encouraging increased walking
16 and bicycling among students.
17 (4) Identification of safety hazards.
18 (5) Identification of current and potential walking and bicycling
19 routes to school.
20 (6) Use of a public participation process, including, but not
21 limited to, a public meeting that satisfies all of the following:
22 (A) Involves the public, schools, parents, teachers, local
23 agencies, the business community, key professionals, and others.
24 (B) Identifies community priorities and gathers community
25 input to guide the development of projects included in the proposal.
26 (C) Ensures that community priorities are reflected in the
27 proposal.
28 (D) Secures support for the proposal by relevant stakeholders.
29 (7) Benefit to a low-income school, defined for purposes of this
30 section to mean a school where at least 75 percent of students are
31 eligible to receive free or reduced-price meals under the National
32 School Lunch Program.
33 (c) Any annual budget allocation to fund grants described in
34 subdivision (b) shall be in addition to any federal funding received
35 by the state that is designated for “Safe Routes to School” projects

1 pursuant to Section 1404 of SAFETEA-LU or any similar program
2 funded through a subsequent transportation act.

3 (d) Any federal funding received by the state that is designated
4 for “Safe Routes to School” projects shall be distributed by the
5 department under the competitive grant process, consistent with
6 all applicable federal requirements.

7 (e) Prior to the award of any construction grant or the
8 department’s use of those funds for a “Safe Routes to School”
9 construction project encompassing a freeway, state highway, or
10 county road, the department shall consult with, and obtain approval
11 from, the Department of the California Highway Patrol, ensuring
12 that the “Safe Routes to School” proposal complements the
13 California Highway Patrol’s Pedestrian Corridor Safety Program
14 and is consistent with its statewide pedestrian safety statistical
15 analysis.

16 (f) The department is encouraged to coordinate with law
17 enforcement agencies’ community policing efforts in establishing
18 and maintaining the “Safe Routes to School” construction program.

19 (g) In the development of guidelines and procedures governing
20 this program, the department shall fully consider the needs of
21 low-income schools.

22 (h) Up to 10 percent of program funds may be used to assist
23 eligible recipients in making infrastructure improvements, other
24 than schoolbus shelters, that create safe routes to schoolbus stops
25 that are located outside the vicinity of schools.

26 (i) This section shall become inoperative on July 1, ~~2014~~ 2015,
27 and, as of January 1, ~~2015~~ 2016, is repealed, unless a later enacted
28 statute, that becomes operative on or before January 1, ~~2015~~ 2016,
29 deletes or extends the dates on which it becomes inoperative and
30 is repealed.

31 SEC. 2. This act is an urgency statute necessary for the
32 immediate preservation of the public peace, health, or safety within
33 the meaning of Article IV of the Constitution and shall go into
34 immediate effect. The facts constituting the necessity are:

35 In order to extend the operation of the “Safe Routes to School”
36 Program as quickly as possible, it is necessary that this act take
37 effect immediately.