

117TH CONGRESS
1ST SESSION

H. R. 386

To amend title 23, United States Code, with respect to funding for certain safety projects, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 21, 2021

Mr. BROWN (for himself, Mr. HUFFMAN, Ms. TITUS, Ms. BROWNLEY, Mr. ESPAILLAT, Mr. CARSON, and Mr. COHEN) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend title 23, United States Code, with respect to funding for certain safety projects, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Safe Routes to School
5 Expansion Act”.

6 **SEC. 2. HIGHWAY SAFETY IMPROVEMENT PROGRAM.**

7 Section 148 of title 23, United States Code, is
8 amended—

9 (1) in subsection (a)—

1 (A) in paragraph (4)(B)—

2 (i) by striking clause (xviii) and in-
3 serting the following:

4 “(xviii) Safe Routes to School infra-
5 structure related projects described in sec-
6 tion 211(e).”;

7 (ii) in clause (xxvi) by inserting “or
8 leading pedestrian intervals” after “bea-
9 cons”;

10 (iii) by redesignating clause (xxviii) as
11 clause (xxix);

12 (iv) by inserting after clause (xxvii)
13 the following:

14 “(xxviii) Installation of infrastructure
15 improvements, including sidewalks, cross-
16 walks, signage, and bus stop shelters or
17 protected waiting areas.”; and

18 (v) in clause (xxix), as redesignated,
19 by striking “(xxvii)” and inserting
20 “(xxviii)”;

21 (B) by redesignating paragraphs (10)
22 through (12) as paragraphs (11) through (13),
23 respectively;

24 (C) by inserting after paragraph (9) the
25 following:

1 “(10) SAFETY PROJECT UNDER ANY OTHER
2 SECTION.—

3 “(A) IN GENERAL.—The term ‘safety
4 project under any other section’ means a
5 project carried out for the purposes of safety
6 under any section of this title other than this
7 section.

8 “(B) INCLUSION.—The term ‘safety
9 project under any other section’ includes a
10 project, consistent with the State strategic high-
11 way safety plan, that—

12 “(i) promotes public awareness and
13 informs the public regarding highway safe-
14 ty matters (including motorcycle safety
15 and school bus stop safety);

16 “(ii) facilitates enforcement of traffic
17 safety laws; and

18 “(iii) supports Safe Routes to School
19 non-infrastructure projects, as described in
20 section 211(e).”; and

21 “(D) in paragraph (12)(A), as so redesign-
22 nated—

23 (i) in clause (ix) by striking “and”;

24 (ii) by redesignating clause (x) as
25 clause (xi); and

1 (iii) by inserting after clause (ix) the
 2 following:

3 “(x) State or local representatives of
 4 educational agencies to address Safe
 5 Routes to School and school bus safety;
 6 and”;

7 (2) in subsection (c)(1)(A) by striking “(11)”
 8 and inserting “(12)”;

9 (3) in subsection (d)(2)(B)(i) by striking
 10 “(11)” and inserting “(12)”;

11 (4) in subsection (e) by adding at the end the
 12 following:

13 “(3) FLEXIBLE FUNDING FOR SAFETY
 14 PROJECTS UNDER ANY OTHER SECTION.—

15 “(A) IN GENERAL.—To advance the imple-
 16 mentation of a State strategic highway plan, a
 17 State may use not more than 25 percent of the
 18 amounts apportioned to the State under section
 19 104(b)(3) for a fiscal year to carry out safety
 20 projects under any other section.

21 “(B) OTHER TRANSPORTATION AND SAFE-
 22 TY PLANS.—Nothing in this paragraph requires
 23 a State to revise any State process, plan, or
 24 program in effect on the date of enactment of
 25 this paragraph.

1 “(C) EFFECT OF PARAGRAPH.—

2 “(i) REQUIREMENTS.—A project
3 funded under this paragraph shall be sub-
4 ject to all requirements under this section
5 that apply to a highway safety improve-
6 ment project.

7 “(ii) OTHER APPORTIONED PRO-
8 GRAMS.—Subparagraph (A) shall not apply
9 to amounts that may be obligated for non-
10 infrastructure projects apportioned under
11 any other paragraph of section 104(b).”.

12 **SEC. 3. FEDERAL SHARE PAYABLE.**

13 Section 120(c)(1) of title 23, United States Code, is
14 amended by inserting “an improvement for pedestrian or
15 bicyclist safety or safety of people with disabilities, Safe
16 Routes to School improvements,” after “utility poles,”.

17 **SEC. 4. SAFE ROUTES TO SCHOOL PROGRAM.**

18 (a) IN GENERAL.—Chapter 2 of title 23, United
19 States Code, is amended by inserting after section 210 the
20 following:

21 **“§ 211. Safe routes to school program**

22 “(a) PROGRAM.—The Secretary shall carry out a safe
23 routes to school program for the benefit of children in pri-
24 mary, middle, and high schools.

1 “(b) PURPOSES.—The purposes of the program shall
2 be—

3 “(1) to enable and encourage children, includ-
4 ing those with disabilities, to walk and bicycle to
5 school;

6 “(2) to make bicycling and walking to school a
7 safer and more appealing transportation alternative,
8 thereby encouraging a healthy and active lifestyle
9 from an early age; and

10 “(3) to facilitate the planning, development,
11 and implementation of projects and activities that
12 will improve safety and reduce traffic, fuel consump-
13 tion, and air pollution in the vicinity of schools.

14 “(c) USE OF FUNDS.—Amounts apportioned to a
15 State under paragraphs (2) and (3) of section 104(b) may
16 be used to carry out projects, programs, and other activi-
17 ties under this section.

18 “(d) ELIGIBLE ENTITIES.—Projects, programs, and
19 activities funded under this section may be carried out by
20 eligible entities described under section 133(h)(4)(B) that
21 demonstrate an ability to meet the requirements of this
22 section.

23 “(e) ELIGIBLE PROJECTS AND ACTIVITIES.—

24 “(1) INFRASTRUCTURE-RELATED PROJECTS.—

1 “(A) IN GENERAL.—A State may obligate
2 funds under this section for the planning, de-
3 sign, and construction of infrastructure-related
4 projects that will substantially improve the abil-
5 ity of students to walk and bicycle to school, in-
6 cluding sidewalk improvements, traffic calming
7 and speed reduction improvements, pedestrian
8 and bicycle crossing improvements, on-street bi-
9 cycle facilities, off-street bicycle and pedestrian
10 facilities, secure bicycle parking facilities, and
11 traffic diversion improvements in the vicinity of
12 schools.

13 “(B) LOCATION OF PROJECTS.—Infra-
14 structure-related projects under subparagraph
15 (A) may be carried out on any public road or
16 any bicycle or pedestrian pathway or trail in the
17 vicinity of schools.

18 “(2) NONINFRASTRUCTURE-RELATED ACTIVI-
19 TIES.—In addition to projects described in para-
20 graph (1), a State may obligate funds under this
21 section for noninfrastructure-related activities to en-
22 courage walking and bicycling to school, including—

23 “(A) public awareness campaigns and out-
24 reach to press and community leaders;

1 “(B) traffic education and enforcement in
2 the vicinity of schools;

3 “(C) student sessions on bicycle and pedes-
4 trian safety, health, and environment;

5 “(D) programs that address personal safe-
6 ty; and

7 “(E) funding for training, volunteers, and
8 managers of safe routes to school programs.

9 “(3) SAFE ROUTES TO SCHOOL COORDI-
10 NATOR.—Each State receiving an apportionment
11 under paragraphs (2) and (3) of section 104(b) shall
12 use a sufficient amount of the apportionment to
13 fund a full-time position of coordinator of the
14 State’s safe routes to school program.

15 “(4) RURAL SCHOOL DISTRICT OUTREACH.—A
16 coordinator described in paragraph (3) shall conduct
17 outreach to ensure that rural school districts in the
18 State are aware of such State’s safe routes to school
19 program and any funds authorized by this section.

20 “(f) FEDERAL SHARE.—The Federal share of the
21 cost of a project, program, or activity under this section
22 shall be 100 percent.

23 “(g) CLEARINGHOUSE.—

1 “(1) IN GENERAL.—The Secretary shall main-
2 tain a national safe routes to school clearinghouse
3 to—

4 “(A) develop information and educational
5 programs on safe routes to school; and

6 “(B) provide technical assistance and dis-
7 seminate techniques and strategies used for
8 successful safe routes to school programs.

9 “(2) FUNDING.—The Secretary shall carry out
10 this subsection using amounts authorized to be ap-
11 propriated for administrative expenses under section
12 104(a).

13 “(h) TREATMENT OF PROJECTS.—Notwithstanding
14 any other provision of law, projects carried out under this
15 section shall be treated as projects on a Federal-aid high-
16 way under chapter 1 of this title.

17 “(i) DEFINITIONS.—In this section, the following
18 definitions apply:

19 “(1) IN THE VICINITY OF SCHOOLS.—The term
20 ‘in the vicinity of schools’ means, with respect to a
21 school, the area within bicycling and walking dis-
22 tance of the school (approximately 2 miles).

23 “(2) PRIMARY, MIDDLE, AND HIGH SCHOOLS.—
24 The term ‘primary, middle, and high schools’ means

1 schools providing education from kindergarten
2 through twelfth grade.”.

3 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

4 (1) REPEAL.—Section 1404 of SAFETEA-LU
5 (Public Law 109–59; 119 Stat. 1228–1230), and
6 the item relating to such section in the table of con-
7 tents in section 1(b) of such Act, are repealed.

8 (2) ANALYSIS.—The analysis for chapter 2 of
9 title 23, United States Code, is amended by insert-
10 ing after the item relating to section 210 the fol-
11 lowing:

“211. Safe routes to school program.”.

