

Chapter 553

(House Bill 19)

AN ACT concerning

**Education – School Construction – Pedestrian Safety Plans
(Safe Walk to School Act)**

FOR the purpose of requiring certain county boards of education seeking State funds for the construction of a new school, or the renovation of or an addition to an existing school that would increase the capacity by more than a certain number of students, to submit a certain pedestrian safety plan to the Interagency Commission on School Construction; requiring the Interagency Commission to ~~review~~ approve the pedestrian safety plans ~~in consultation with the State Highway Administration~~ under certain circumstances; and generally relating to pedestrian safety plans for schools.

BY adding to

Article – Education

Section 5–324

Annotated Code of Maryland

(2018 Replacement Volume and 2021 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Education**5–324.**

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “HIGH-DENSITY COUNTY” MEANS ONE OF THE FOLLOWING JURISDICTIONS:

- (I) ANNE ARUNDEL COUNTY;
- (II) BALTIMORE CITY;
- (III) BALTIMORE COUNTY;
- (IV) HOWARD COUNTY;
- (V) MONTGOMERY COUNTY; OR

(VI) PRINCE GEORGE’S COUNTY.

(3) “LOW-DENSITY COUNTY” MEANS ANY COUNTY NOT LISTED IN PARAGRAPH (2) OF THIS SUBSECTION.

(B) (1) A COUNTY BOARD IN A HIGH-DENSITY COUNTY SEEKING STATE FUNDS FOR THE CONSTRUCTION OF A NEW SCHOOL, OR THE RENOVATION OF OR AN ADDITION TO AN EXISTING SCHOOL THAT WOULD INCREASE THE CAPACITY OF THE SCHOOL BY MORE THAN 100 STUDENTS, SHALL SUBMIT A PEDESTRIAN SAFETY PLAN TO THE INTERAGENCY COMMISSION ~~AS PART OF THE REVIEW AND APPROVAL PROCESS.~~

(2) A COUNTY BOARD IN A LOW-DENSITY COUNTY SHALL SUBMIT A PEDESTRIAN SAFETY PLAN TO THE INTERAGENCY COMMISSION ~~AS PART OF THE REVIEW AND APPROVAL PROCESS~~ IF THE COUNTY BOARD IS SEEKING STATE FUNDS FOR THE CONSTRUCTION OF A NEW SCHOOL, OR THE RENOVATION OF OR AN ADDITION TO AN EXISTING SCHOOL, IN A CITY WITH MORE THAN 10,000 RESIDENTS AND THE CONSTRUCTION OR RENOVATION WOULD INCREASE THE CAPACITY OF THE SCHOOL BY MORE THAN 100 STUDENTS.

(3) THE INTERAGENCY COMMISSION SHALL ~~REVIEW THE~~ APPROVE A PEDESTRIAN SAFETY ~~PLANS IN CONSULTATION WITH THE STATE HIGHWAY ADMINISTRATION~~ PLAN IF THE PEDESTRIAN SAFETY PLAN COMPLIES WITH SUBSECTION (C) OF THIS SECTION.

(C) (1) A PEDESTRIAN SAFETY PLAN SHALL:

~~(1)~~ (I) BE DEVELOPED IN COLLABORATION WITH:

~~(1)~~ 1. THE COUNTY DEPARTMENT OF TRANSPORTATION OR EQUIVALENT AGENCY OF THE JURISDICTION LISTED UNDER SUBSECTION (A) OF THIS SECTION WHOSE COUNTY BOARD IS SUBMITTING THE PLAN; AND

~~(1)~~ 2. THE STATE HIGHWAY ADMINISTRATION;

(II) BE LIMITED TO THE AREA SURROUNDING THE SCHOOL FOR WHICH THE COUNTY BOARD WILL NOT PROVIDE TRANSPORTATION TO STUDENTS;

~~(2)~~ ~~(1)~~ (III) IDENTIFY EXISTING AND POTENTIAL SAFE ROUTES FOR STUDENTS TO WALK OR BIKE TO THE SCHOOL;

~~(3)~~ ~~(III)~~ (IV) EVALUATE THE INFRASTRUCTURE, INCLUDING SIDEWALK INFRASTRUCTURE, ALONG EXISTING AND POTENTIAL PEDESTRIAN OR CYCLIST ROUTES TO THE SCHOOL TO DETERMINE WHETHER INCREASED CAPACITY IS NECESSARY;

~~(4)~~ ~~(IV)~~ (V) ANALYZE EXISTING AND POTENTIAL SCHOOL ZONES, INCLUDING THE NEED FOR EXPANDING SCHOOL ZONES ON STATE AND COUNTY ROADS; AND

~~(5)~~ ~~(V)~~ (VI) INCLUDE DOCUMENTATION OF PUBLIC PARTICIPATION AND INPUT RELATED TO THE PEDESTRIAN SAFETY PLAN, INCLUDING MINUTES FROM A PUBLIC HEARING AND WRITTEN COMMENTS.

(2) A COUNTY BOARD, NOT THE INTERAGENCY COMMISSION, SHALL MAKE ALL DETERMINATIONS ABOUT THE CONTENTS OF A PEDESTRIAN SAFETY PLAN.

(D) THE INTERAGENCY COMMISSION MAY ADOPT REGULATIONS TO CARRY OUT THIS SECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2022.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 29, 2022.