

House File 2205 - Introduced

HOUSE FILE 2205

BY MAXWELL

(COMPANION TO 5689SS BY HOGG)

A BILL FOR

1 An Act establishing a safe routes to school program and fund.

2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 306E.1 Definitions.

2 As used in this chapter, unless the context otherwise
3 requires:

4 1. "*Demonstrated high-need area*" means either of the
5 following:

6 a. An area encompassing one or more school districts in
7 which at least fifty percent of the children are eligible to
8 receive free or reduced price meals under the federal National
9 School Lunch Act and the federal Child Nutrition Act of 1966,
10 42 U.S.C. §§1751-1785, as amended.

11 b. A census tract in which the median household income is
12 less than eighty percent of the statewide average median based
13 on the most current census tract level data from the United
14 States census bureau's American community survey.

15 2. "*Department*" means the department of transportation.

16 3. "*Safe routes to school project*" or "*project*" means either
17 or both of the following:

18 a. An infrastructure project, including a planning or
19 engineering project, which is located within two miles of
20 a school and supports bicycling and walking to the school,
21 such as sidewalk improvements, speed reduction improvements,
22 pedestrian and bicycle crossing improvements, on-street bicycle
23 facilities, off-street bicycle and pedestrian facilities,
24 secure bicycle parking facilities, and traffic diversion or
25 calming improvements.

26 b. A noninfrastructure project designed to encourage
27 children to walk and bicycle to school, including public
28 awareness campaigns and outreach to press and community
29 leaders; traffic education and enforcement in the vicinity of a
30 school; student education sessions on bicycle and pedestrian
31 safety, health, and environment; and training for volunteers
32 and managers.

33 Sec. 2. NEW SECTION. 306E.2 Safe routes to school program.

34 1. *Program established.* The department shall establish and
35 administer a safe routes to school program to increase safety

1 and convenience for school children walking or bicycling, to
2 encourage school children to walk or bicycle to school, and to
3 support safe routes to school projects in Iowa's communities.
4 The goals of the program are to improve the public health and
5 safety of children and communities by supporting and funding
6 safe routes to school projects intended to reduce childhood
7 obesity, and to reduce student injuries and fatalities
8 resulting from automobile collisions on routes to and from
9 school.

10 2. *Program staffing.* The department shall dedicate at
11 least one-half of one of the department's authorized full-time
12 equivalent positions to maintain a coordinator for the safe
13 routes to school program.

14 3. *Responsibilities.* The department shall do all of the
15 following:

16 a. Provide outreach, education, and technical and
17 application assistance relating to the program to local
18 communities and schools.

19 b. Develop a plan, in cooperation with the departments of
20 education and public health, for implementation of the program
21 for students and schools throughout the state. Priority shall
22 be given to providing technical assistance, resources, and
23 funding to projects located in demonstrated high-need areas.
24 The department shall provide demonstrated high-need areas
25 with preapplication assistance as needed, including but not
26 limited to application preparation assistance, planning grants,
27 and engineering consultation services. The department shall
28 identify and take every reasonable measure to reduce barriers
29 to the success of any safe routes to school project located in
30 a designated high-need area.

31 c. Ensure the timely award and obligation of funds to safe
32 routes to school projects eligible for funding under this
33 chapter, the federal Fixing America's Surface Transportation
34 Act, Pub. L. No. 114-94, and the federal safe routes to
35 school program under the federal Safe, Accountable, Flexible,

1 Efficient Transportation Equity Act: A Legacy for Users, Pub.
2 L. No. 109-59, §1404.

3 *d.* Develop and periodically revise guidelines for
4 administration of the safe routes to school program, including
5 but not limited to a clear application process, project
6 selection criteria, application and project schedules and
7 procedures, project performance measures, student travel data
8 collection procedures, and program evaluation measures and
9 procedures.

10 *e.* Annually, award not less than ten percent, nor more than
11 thirty percent, of the moneys deposited in the safe routes to
12 school fund established in section 306E.3 for safe routes to
13 school projects in accordance with this chapter.

14 *f.* Deposit in the safe routes to school fund established
15 under section 306E.3 not less than eighteen percent of the
16 moneys received by the department under the federal surface
17 transportation block grant program of the federal Fixing
18 America's Surface Transportation Act, Pub. L. No. 114-94,
19 §1109.

20 **Sec. 3. NEW SECTION. 306E.3 Safe routes to school fund.**

21 A safe routes to school fund is established as a separate
22 fund in the state treasury under the authority of the
23 department. The fund shall consist of moneys available to and
24 obtained or accepted by the department for purposes of the safe
25 routes to school program as established under this chapter.
26 The moneys in the fund are appropriated to the department for
27 purposes of the safe routes to school program. Moneys in
28 the fund shall not be subject to appropriation for any other
29 purpose by the general assembly, but shall be used only for the
30 purposes of the safe routes to school program. Notwithstanding
31 section 8.33, moneys in the fund that remain unencumbered or
32 unobligated at the close of the fiscal year shall not revert
33 but shall remain available for expenditure for the purposes
34 designated until the close of the succeeding fiscal year.
35 Notwithstanding section 12C.7, subsection 2, interest or

1 earnings on moneys deposited in the fund shall be credited to
2 the fund.

3 Sec. 4. NEW SECTION. 306E.4 Rule of construction.

4 Nothing in this chapter shall be construed to limit,
5 restrict, or otherwise discourage the allocation of federal or
6 nonstate grants, gifts, or contracts for purposes of the safe
7 routes to school program or safe routes to school projects.

8 EXPLANATION

9 The inclusion of this explanation does not constitute agreement with
10 the explanation's substance by the members of the general assembly.

11 This bill establishes the safe routes to school program
12 to be administered by the department of transportation, and
13 establishes a safe routes to school fund in the state treasury
14 under the authority of the department.

15 The program is established to increase safety and
16 convenience for school children walking or bicycling, to
17 encourage school children to walk or bicycle to school, and to
18 support safe routes to school projects in Iowa's communities.
19 The goals of the program are to improve the public health and
20 safety of children and communities by supporting and funding
21 projects intended to reduce childhood obesity and to reduce
22 student injuries and fatalities resulting from automobile
23 collisions on school routes.

24 The department is to maintain a coordinator for the
25 program, and to provide outreach, education, and technical
26 and application assistance to local communities and schools;
27 develop a plan, in cooperation with the departments of
28 education and public health, for implementation of the program;
29 ensure the timely award and obligation of funds to safe routes
30 to school projects; develop and periodically revise program
31 guidelines; annually award 10 to 30 percent of the moneys in
32 the fund for projects; and deposit in the fund at least 18
33 percent of the moneys received by the department under the
34 federal surface transportation block grant program of the
35 federal Fixing America's Surface Transportation Act.

1 Priority shall be given to providing technical assistance,
2 resources, and funding to projects located in demonstrated
3 high-need areas, including application preparation assistance,
4 planning grants, and engineering consultation services. The
5 department must identify and take every reasonable measure to
6 reduce barriers to the success of any project located in a
7 designated high-need area.

8 The bill defines "demonstrated high-need area" to mean
9 either an area encompassing one or more school districts in
10 which at least 50 percent of the children are eligible to
11 receive free or reduced price meals under federal law, or a
12 census tract in which the median household income is less than
13 80 percent of the statewide average median.

14 A "safe routes to school project" includes either an
15 infrastructure project or a noninfrastructure project, or
16 both. An infrastructure project may include a planning or
17 engineering project, and is a project located within two miles
18 of a school that supports bicycling and walking to the school,
19 such as sidewalk improvements, speed reduction improvements,
20 pedestrian and bicycle crossing improvements, on-street bicycle
21 facilities, off-street bicycle and pedestrian facilities,
22 secure bicycle parking facilities, and traffic diversion or
23 calming improvements.

24 A noninfrastructure project is a project designed to
25 encourage children to walk and bicycle to school, including
26 public awareness campaigns and outreach to press and community
27 leaders; traffic education and enforcement in the vicinity of a
28 school; student education sessions on bicycle and pedestrian
29 safety, health, and environment; and training for volunteers
30 and managers.

31 The fund consists of moneys available to and obtained or
32 accepted by the department of transportation for the program,
33 and the moneys in the fund are appropriated to the department
34 for the program.

35 Nothing in the bill shall be construed to limit, restrict,

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1 or otherwise discourage the allocation of federal or nonstate
2 grants, gifts, or contracts for purposes of the safe routes to
3 school program or safe routes to school projects.