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DEPARTMENT OF  
PUBLIC WORKS

CITY OF SACRAMENTO  
CALIFORNIA

927 10TH STREET  
SACRAMENTO, CA  
95814-2702

TECHNICAL SERVICES  
DIVISION

PH 916-264-8300  
FAX 916-264-8281

May 3, 2001

Law and Legislation Committee  
Sacramento, CA

Honorable Members in Session:

**SUBJECT: SUPPORT OF SENATE BILL (SB) 10 (SOTO) – HIGHWAYS, SAFE ROUTE  
TO SCHOOLS PROGRAM**

**LOCATION/COUNCIL DISTRICT:** Citywide

**RECOMMENDATION:**

Staff recommends that the Law & Legislation Committee sign the attached letter of support on behalf of the City of Sacramento.

**CONTACT PERSON:** Fran Lee Halbakken, Principal Engineer 264-7194

**FOR LAW AND LEGISLATION COMMITTEE MEETING OF:** May 15, 2001

**SUMMARY:**

The purpose of this report is to provide information on Senate Bill (SB) 10 (see Attachment A), which extends the Safe Route to Schools program from January 1, 2002 to January 1, 2005.

**COMMITTEE/COMMISSION ACTION:**

None.

**BACKGROUND INFORMATION:**

Two years ago a statewide Safe Route to Schools program was established to provide for a transfer of federal transportation funds to the State of California for bicycle and pedestrian safety projects and traffic calming measures in high hazard locations. SB 10 extends these provisions for three years by revising the sunset date of January 2002 to January 2005.

The Safe Route to Schools program made \$20 million available statewide last year. The City of Sacramento was successful in obtaining funding for a pedestrian traffic signal to serve a local school. Staff is currently preparing applications to seek funding through this year's \$20 million allocation. The Safe Route to Schools program provides the City an additional fund source for bicycle and pedestrian safety projects.

Staff recommends that the Law and Legislation Committee sign the attached support letter for SB 10.

**FINANCIAL CONSIDERATIONS:**

Funding provided through SB 10 supplements the City's local transportation fund sources used for bicycle and pedestrian safety projects on school routes.

**ENVIRONMENTAL CONSIDERATIONS:**

The subject of this report does not involve a project that requires compliance with the California Environmental Quality Act (CEQA), as it does not involve an activity that may cause a direct or indirect change in the environment (Public Resources Code Section 21065).

**POLICY CONSIDERATIONS:**

Support of SB 10 is consistent with the Council's continuing commitment to leverage local funds with increased amounts of state and federal funds. The funds received by the City of Sacramento will be used to increase pedestrian and bicycle safety in our communities.

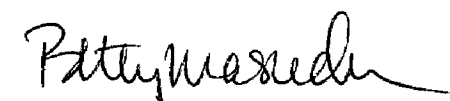
**ESBD CONSIDERATIONS:**

The actions contained in this report are not subject to the City's ESBD requirements.

Respectfully submitted:


  
Fran Lee Halbakken  
Principal Engineer

RECOMMENDATION APPROVED:

  
ROBERT P. THOMAS  
City Manager

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Approved:

  
Michael Kashiwagi  
Director of Public Works

## ATTACHMENT A

BILL NUMBER: SB 10            AMENDED  
BILL TEXT

AMENDED IN SENATE   APRIL 17, 2001  
AMENDED IN SENATE   MARCH 14, 2001

INTRODUCED BY    Senator Soto

(Coauthors:   Assembly Members Chan, Correa, Diaz, Florez, Havice,  
Koretz, Nation, Robert Pacheco, Salinas, Strom-Martin, Washington,  
and Wiggins)

DECEMBER 4, 2000

An act to amend ~~Section 2333.5 of, and to amend and~~  
~~repeal Sections 2331 and 2333-~~ , repeal, and add  
Sections 2331 and 2333 of, and to amend and repeal Section 2333.5  
of, the Streets and Highways Code, relating to highways.

## LEGISLATIVE COUNSEL'S DIGEST

SB 10, as amended, Soto. Highways: Safe Routes to School  
construction program.

~~Existing~~

(1) Existing federal law contains appropriations for a number of  
programs related to projects for the improvement of highway safety  
and the reduction of traffic congestion, including projects for  
bicycles and pedestrian safety and traffic calming measures in high  
hazard locations. Existing state law authorizes certain state and  
local entities to secure and expend the federal funds for these  
purposes. Existing law provides for the repeal of these provisions  
on January 1, 2002.

This bill would change the January 1, 2002, repeal date to January  
1, 2005, after which time the federal transportation funds would be  
received by the state to be spent for the purposes described above  
except for projects for bicycle and pedestrian safety and traffic  
calming measures in high hazard locations.

(2) 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"  
construction program pursuant to authority granted under specified  
federal law and to use federal transportation funds for construction  
of bicycle and pedestrian safety and traffic calming projects, and  
requires the department to make grants available 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 specified factors.

These provisions would remain in effect only until January 1,  
2002, and as of that date are repealed.

This bill would ~~delete~~ change the  
January 1, 2002, repeal date to January 1, 2005 , thereby  
extending the program ~~indefinitely~~ , and would  
require the department to undertake a study regarding the program,  
and to report the results of that study to the Legislature on or  
before December 31, 2003.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 2331 of the Streets and Highways Code, as amended by Section 1 of Chapter 663 of the Statutes of 1999, is amended to read:

2331. (a) The Highway Safety Act of 1973 (Title II of P.L. 93-87, 87 Stat. 250) has authorized appropriations for a number of programs relating to projects for the improvement of highway safety and the reduction of traffic congestion. These programs consist of the rail-highway crossings program (Section 203 of the Highway Safety Act of 1973), the pavement marking demonstration program (23 U.S.C. Sec. 151); projects for high-hazard locations, including, but not limited to, projects for bicycle and pedestrian safety and traffic calming measures in those locations (23 U.S.C. Sec. 152); program for the elimination of roadside obstacles (23 U.S.C. Sec. 153); and the federal-aid safer roads demonstration program (23 U.S.C. Sec. 405). The purpose of this chapter is to implement these programs in this state. The commission, the department, boards of supervisors, and city councils are authorized to do all things necessary in their respective jurisdictions to secure and expend federal funds in accordance with the intent of the federal act and of this chapter.

(b) This section shall remain in effect only until January 1, 2005, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2005, deletes or extends that date.

SEC. 2. Section 2331 of the Streets and Highways Code, as added by Section 2 of Chapter 663 of the Statutes of 1999, is repealed.

SEC. 3. Section 2331 is added to the Streets and Highways Code, to read:

2331. (a) The Highway Safety Act of 1973 (Title II of P.L. 93-87, 87 Stat. 250) has authorized appropriations for a number of programs relating to projects for the improvement of highway safety and the reduction of traffic congestion. Such programs consist of the rail-highway crossings program (Section 203 of the Highway Safety Act of 1973), the pavement marking demonstration program (23 U.S.C. Sec. 151), projects for high-hazard locations (23 U.S.C. Sec. 152); program for the elimination of roadside obstacles (23 U.S.C. Sec. 153); and the federal-aid safer roads demonstration program (Sec. 405, Title 23, U.S.C.). The purpose of this chapter is to implement these programs in this state. The commission, the department, boards of supervisors, and city councils are authorized to do all things necessary in their respective jurisdictions to secure and expend such federal funds in accordance with the intent of the federal act and of this chapter.

(b) This section shall become operative on January 1, 2005.

~~SEC. 3.~~

SEC. 4. Section 2333 of the Streets and Highways Code, as amended by Section 3 of Chapter 663 of the Statutes of 1999, is amended to read:

2333. (a) In each annual proposed budget prepared pursuant to Section 165, there shall be included an amount equal to the estimated apportionment available from the federal government for the programs described in Sections 2331 and 2333.5. The commission may allocate a portion of those funds each year for use on city streets and county roads. It is the intent of the Legislature that the commission allocate the total amount received from the federal government for all of the programs described in Sections 2331 and 2333.5 in a manner that, over a period of five years, makes not less

than one million dollars (\$1,000,000) of those funds available for use pursuant to Section 2333.5 and the remaining funds available for use in approximately equal amounts on state highways, local roads, and the program established under Section 2333.5. In addition, it is the intent of the Legislature that the commission shall apportion for use, in financing the railroad grade separation program described in Section 190, a substantial portion of the funds received pursuant to the federal rail-highway crossings program. Notwithstanding any other provision of law, the share of any railroad of the cost of maintaining railroad crossing protection facilities funded, in whole or in part, by funds described in Section 2331 shall be the same share it would be if no federal funds were involved and the crossing protection facilities were funded pursuant to an order of the Public Utilities Commission pursuant to Section 1202 of the Public Utilities Code; and in case of dispute, the Public Utilities Commission shall determine that share pursuant to this section.

(b) This section shall remain in effect only until January 1, 2005, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2005, deletes or extends that date.

~~SEC. 4.~~

SEC. 5. Section 2333 of the Streets and Highways Code, as added by Section 4 of Chapter 663 of the Statutes of 1999, is repealed.

SEC. 6. Section 2333 is added to the Streets and Highways Code, to read:

2333. (a) In each annual proposed budget prepared pursuant to Section 165, there shall be included an amount equal to the estimated apportionment available from the federal government for the programs described in Section 2331. The commission may allocate a portion of such funds each year for use on city streets and county roads. It is the intent of the Legislature that the commission allocate the total amount received from the federal government for all of the programs described in Section 2331 in such a manner that, over a period of five years, such funds are made available for use in approximately equal amounts on state highways and on local roads. In addition, it is the intent of the Legislature that the commission shall apportion for use, in financing the railroad grade separation program described in Section 190, a substantial portion of the funds received pursuant to the federal rail-highway crossings program. Notwithstanding any other provision of law, the share of any railroad of the cost of maintaining railroad crossing protection facilities funded, in whole or in part, by funds described in Section 2331 shall be the same share it would be if no federal funds were involved and the crossing protection facilities were funded pursuant to an order of the Public Utilities Commission pursuant to Section 1202 of the Public Utilities Code, and in case of dispute, the Public Utilities Commission shall determine such share pursuant to this section.

(b) This section shall become operative on January 1, 2005.

~~SEC. 5.~~

SEC. 7. 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 pursuant to the authority granted under Section 152 of Title 23 of the United States Code and shall use federal transportation funds for construction of bicycle and pedestrian safety and traffic calming projects.

(b) The department shall make grants available 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) Consultation and support for projects by school-based associations, local traffic engineers, local elected officials, law enforcement agencies, and school officials.

(c) With respect to the use of funds provided in subdivision (a), 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 compliments the California Highway Patrol's Pedestrian Corridor Safety Program and is consistent with its statewide pedestrian safety statistical analysis.

(d) (1) The department shall study the effectiveness of the program established under this section with particular emphasis on the program's effectiveness in reducing traffic accidents and its contribution to improving safety and reducing the number of child injuries and fatalities in the vicinity of the project.

(2) The department shall submit a report to the Legislature on or before December 31, 2003, regarding the results of the study described in paragraph (1).

(e) *This section shall remain in effect only until January 1, 2005, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2005, deletes or extends that date.*

6



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May 3, 2001

The Honorable Nell Soto  
California State Senate  
State Capitol  
Sacramento, CA 95814

**SUBJECT: SENATE BILL 10**

Dear Senator Soto:

On behalf of the City of Sacramento, it is my pleasure to offer this letter of support for Senate Bill 10, which would revise the sunset date of the Safe Route to Schools program from January 1, 2002 to January 1, 2005.

The adoption of SB 10 would be consistent with the City Council's commitment to leverage our local funds with increased levels of state and federal funds. It would also assist the City of Sacramento to invest in bicycle and pedestrian safety on school routes.

Thank you for sponsoring this significant transportation funding legislation.

Sincerely,

Councilmember Steve Cohn  
Law & Legislation Committee Chair