

CHAPTER 320

TRANSPORTATION

HOUSE BILL 14-1301

BY REPRESENTATIVE(S) Mitsch Bush, Becker, Foote, Gardner, Hulinghorst, Lawrence, McLachlan, Melton, Pabon, Rankin, Schafer, Tyler, Williams, Young, Buckner, Court, Exum, Fischer, Ginal, Hamner, Lebsock, Lee, May, Moreno, Pettersen, Primavera, Rosenthal, Ryden, Salazar, Gerou, Kraft-Tharp, Vigil;
also SENATOR(S) Kerr, Jones, Todd, Aguilar, Heath, Kefalas, King, Nicholson.

AN ACT**CONCERNING THE SAFE ROUTES TO SCHOOL PROGRAM, AND, IN CONNECTION THEREWITH, MAKING AND REDUCING APPROPRIATIONS.**

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Legislative declaration. (1) The general assembly hereby finds and declares that:

(a) Colorado is experiencing an obesity epidemic with more than 20% of adults and 15% of children who are obese;

(b) Colorado's safe routes to school program has reached over 500 schools around the state, helping rural, suburban, and urban schools through support to local governments, school districts, and police departments for both local infrastructure and local education, information, and training programs for students, parents, local law enforcement, and the community;

(c) The Colorado safe routes to school program produced unmatched success in getting more children physically active by biking and walking to school with some Colorado schools reporting as much as a 31% increase;

(d) Ninety-six percent of Colorado schools participating in the safe routes to school program report an increase in the number of students biking and walking;

(e) Colorado's safe routes to school program is recognized as a top program in the nation since Colorado is the first state to distribute federal funds to local communities, and a Colorado school has received the highest national safe routes

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

award two out of six years;

(f) Program projects have improved and will continue to improve public safety in rural, suburban, and urban communities for all ages of pedestrians, cyclists, disabled persons using wheelchairs, and motorists through improved infrastructure and community-wide education;

(g) For every dollar invested in building walking and biking trails, nearly \$3 in medical cost savings may be achieved;

(h) Linking different parts of communities with trails and walkways enables community integration, more efficient land use, lower traffic congestion, better quality of life, and increased property values;

(i) An average of 18 cents out of every dollar spent by households goes to transportation costs. Giving families access to safe biking and walking routes frees up money for food, housing, and health costs.

(j) Twenty-five percent of Colorado morning traffic congestion results from driving students to school, contributing to poor air quality around schools and increased rates of childhood obesity;

(k) Including the needs of people walking and biking is a critical piece to achieving the department of transportation's mission to provide the best multi-modal transportation system for Colorado that most effectively and safely moves people, goods, and information;

(l) Giving people in Colorado the choice to transport themselves to school, jobs, and businesses by the mode of their choice expands personal freedom;

(m) Due to 2012 changes in the federal transportation authorization, there will be no federal funds available for Colorado safe routes to school programs starting in state fiscal year 2014-15; and

(n) The safe routes to school program's scoring method has shown that project application from all areas of the state score strongly so moneys will be distributed statewide to help children in rural, suburban, and urban areas.

(2) The general assembly therefore finds that it is appropriate and necessary to include the needs of people choosing to walk and bike in state transportation priorities and provide a safe routes to school program in Colorado.

SECTION 2. In Colorado Revised Statutes, 43-1-1601, **amend** (1); **repeal** (3) (g); and **add** (3) (g.5), (3.5), and (5) as follows:

43-1-1601. Safe routes to school program - repeal. (1) The commission shall establish and the department shall administer a safe routes to school program to distribute federal funds MONIEYS received by the state OR STATE MONIEYS to political subdivisions of the state for projects to improve safety for pedestrians and bicyclists in school areas.

(3) Grants shall be awarded under the safe routes to school program based on:

~~(g) The goal of funding projects throughout the state in proportion to the geographic distribution of the student population; and~~

(g.5) CONSIDERATION FOR IMPLEMENTATION OF SAFE ROUTES TO SCHOOLS IN COMMUNITIES WITH SCHOOLS HAVING GREATER THAN FIFTY PERCENT OF THE STUDENTS ELIGIBLE FOR FREE OR REDUCED-PRICED LUNCH PURSUANT TO THE PROVISIONS OF THE FEDERAL "NATIONAL SCHOOL LUNCH ACT", 42 U.S.C. SEC. 1751 ET SEQ.; AND

(3.5) (a) OF THE GRANTS AWARDED USING STATE MONEYS, AT LEAST TWENTY PERCENT BUT NOT MORE THAN THIRTY PERCENT OF THE MONEYS MUST BE AWARDED FOR GRANTS FOR NONINFRASTRUCTURE PROGRAMS.

(b) (I) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (a) OF THIS SUBSECTION (3.5), FOR THE STATE FISCAL YEAR COMMENCING JULY 1, 2014, ALL OF THE GRANTS AWARDED MUST BE FOR NONINFRASTRUCTURE PROGRAMS.

(II) THIS PARAGRAPH (b) IS REPEALED, EFFECTIVE JULY 1, 2015.

(5) (a) FOR THE FISCAL YEAR COMMENCING JULY 1, 2014, IF THE STATE RECEIVES FEDERAL MONEYS FOR THE SAFE ROUTES TO SCHOOL PROGRAM, THE STATE GENERAL FUND APPROPRIATION FOR THE PROGRAM IS REDUCED BY THE AMOUNT OF THE FEDERAL MONEYS RECEIVED.

(b) THIS SUBSECTION (5) IS REPEALED, EFFECTIVE JULY 1, 2015.

SECTION 3. Appropriation - adjustments to 2014 long bill. (1) For the implementation of this act, the general fund appropriation made in the annual general appropriation act to the controlled maintenance trust fund created in section 24-75-302.5 (2) (a), Colorado Revised Statutes, for the fiscal year beginning July 1, 2014, is decreased by \$700,000.

(2) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund, not otherwise appropriated, to the department of transportation, for the fiscal year beginning July 1, 2014, the sum of \$700,000, or so much thereof as may be necessary for the implementation of this act.

SECTION 4. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: June 3, 2014