

By: Ellis

S.B. No. 1693

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the management of federal and state funds for the Texas
3 Safe Routes to School (SRTS) program, and other programs directed
4 toward the accommodation of pedestrians, bicyclists, persons with
5 disabilities, children, senior citizens, users of public
6 transportation, and persons of all ages and abilities on separate
7 facilities and in conjunction with motorists on street and highway
8 corridors, hereafter the "All-Ages, Active, Safe, and Economical
9 Transportation in Texas (AASET)" program.

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

11 SECTION 1. (a) The Texas Transportation Commission
12 (Commission) shall use funds allowed by federal and state law for
13 Safe Routes to School and funds allowed for Transportation
14 Enhancement and other related programs to create infrastructure and
15 programs that address the needs of pedestrians, bicyclists, persons
16 with disabilities, children, senior citizens, users of public
17 transportation, and persons of all ages and abilities for whom the
18 benefit of such programs are directed.

19 SECTION 2. Subchapter H, Chapter 201 Transportation Code,
20 is amended by adding Section [xxx] to read as follows:

21 [1.] Definitions

22 "All-Ages, Active, Safe, and Economical Transportation
23 funding for Texas" or "AASET funding" means MAP-21 Transportation
24 Alternative funds, other funds from future federal transportation

1 acts as allowed by federal and state law to create infrastructure
2 and programs that address the needs of pedestrians, bicyclists,
3 persons with disabilities, children, senior citizens, users of
4 public transportation, and persons of all ages and abilities for
5 whom the benefit of such programs are permitted; additional funds
6 from state, local, and/or other sources also designated for such
7 purposes may be included.

8 "Texas Safe Routes to School (SRTS)" means program functions
9 providing for safe travel of Texas children to and from schools as
10 defined by the federal Safe Routes to School program and state
11 transportation code Section 201.614 also known as the "Matthew
12 Brown Act".

13 [2.] Applicability

14 This act addresses funding received from (a) the federal
15 government pursuant to the MAP-21 Transportation Act, (b)
16 subsequent federal transportation acts as subject to federal and
17 state law, and (c) other public and private programs that may
18 provide resources for Safe Routes to School and AASET projects as
19 subject to federal and state law.

20 All MAP-21 and subsequent federal transportation acts as
21 subject to federal and state law remain eligible for SRTS and AASET
22 projects. These programs are not intended as a substitute for a
23 "Complete Streets" model of inclusion of bicycle, pedestrian, and
24 other infrastructure in new construction and reconstruction
25 projects.

26 [3.] Use of MAP-21 and other related funds.

27 (a) The State of Texas shall implement and administer a SRTS

1 program and an AASETT program as defined above.

2 (b) At least ninety (90) percent of MAP-21 Transportation
3 Alternative and other future SRTS/AASETT eligible funds received by
4 the Department shall be applied to SRTS and AASETT Projects.

5 (c) The remaining ten (10) percent of funds referenced in
6 (b) shall be applied to projects as permitted by law and may include
7 Safe Routes to School and AASETT projects.

8 (d) Safe Routes to School and AASETT eligible funds shall
9 each make up at least 35% of the available MAP-21 Transportation
10 Alternative or related program funds referenced in (b).

11 (e) Within the SRTS program, no less than 20% of available
12 funds shall be directed to non-infrastructure programs and no more
13 than 80% of available funds shall be directed to infrastructure
14 programs, without written and signed documentation.

15 (f) SRTS planning grants that address infrastructure
16 projects shall be funded from infrastructure funds. A single
17 planning project proposal may address multiple infrastructure
18 projects.

19 (g) The Department may contract with one or more qualified
20 vendor(s) to implement multiple approved SRTS and/or AASETT
21 projects across the state as consistent with federal and state law.

22 (h) The Department shall make appropriate rules per SRTS and
23 AASETT program activities.

24 (i) The Department, in addressing SRTS and AASETT programs
25 shall consider best practices and guidance from:

26 (1) the United States Department of Transportation
27 Federal Highway Administration;

1 (2) the American Association of State Highway and
2 Transportation Officials;

3 (3) the National Association of City Transportation
4 Officials;

5 (4) the Texas Manual on Uniform Traffic Control
6 Devices;

7 (5) the Americans with Disabilities Act Accessibility
8 Guidelines;

9 (6) the Public Rights-of-Way Accessibility
10 Guidelines; and

11 (7) the recommended practice titled "Designing
12 Walkable Urban Thoroughfares: A Context Sensitive Approach,"
13 issued by the Institute of Transportation Engineers.

14 (j) The Department Bicycle Advisory Committee (BAC) shall
15 review all SRTS and AASETT program applications and report its
16 findings to the Department; the Department may provide the BAC with
17 criteria for the review process.

18 Section 3. Required Reports

19 The Texas Transportation Commission shall publish a best
20 practices report no later than September 1, 2014. The report shall
21 describe how the Texas Department of Transportation, local
22 authorities, and metropolitan planning organizations have changed
23 their procedures to implement the SRTS and AASETT programs required
24 under Section 201.xxx, Transportation Code, as added by this Act.
25 The commission shall include a list of transportation projects
26 exempted under Subsection (xxx), Section 201.xxx, Transportation
27 Code, as added by this Act, in the best practices report. The

1 commission, in publishing a best practices report under this
2 section, shall consider:

3 (1) procedures for identifying the needs of users of
4 all ages and abilities;

5 (2) the types and designs of facilities needed to
6 serve the needs of users described by Subdivision (1) of this
7 section;

8 (3) measures of effectiveness that document the
9 results of implementing Section 201.xxx, Transportation Code, as
10 added by this Act, on transportation projects under the
11 commission's jurisdiction; and

12 (4) procedures for identifying and overcoming
13 barriers to implementing the SRTS and AASET programs required
14 under Section 201.xxx, Transportation Code, as added by this Act.

15 Section 4. This act takes effect on September 1, 2013.