



# SENATE BILL 257: Appropriations Act of 2017, Sec. 34.6A: Road Improvements Adjacent to Schools

2017-2018 General Assembly

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<b>Committee:</b>		<b>Date:</b>	August 11, 2017
<b>Introduced by:</b>		<b>Prepared by:</b>	Giles Perry Staff Attorney
<b>Analysis of:</b>	Sec. 34.6A of S.L. 2017-57		

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## **OVERVIEW:** *Section 34.6A of S.L. 2017-57:*

- *Amends the Department of Transportation's (DOT) power to oversee improvements to public roads adjacent to any K-12 school.*
- *Amends the power of cities to require road improvements related to K-12 schools.*
- *Requires DOT to develop a report on road improvements required for K-12 schools in specified past and future years.*

*The provisions of this section applicable to DOT and city-required road improvements became effective October 1, 2017. The remainder of this section became effective July 1, 2017.*

## **BILL ANALYSIS:**

Section 34.6A of S.L. 2017-57:

- Amends the Department of Transportation's (DOT) power to oversee improvements to public roads adjacent to any K-12 school, to provide that: DOT can only require highway improvements that are required for safe ingress and egress to the State highway system and that are physically connected to a driveway on the school site; the total cost of any improvements to the State highway system provided by a school must be reimbursed by DOT; DOT has the power to grant final approval of the project design; schools may engage their own independent traffic engineers for design; and the term "schools" includes public charter schools.
- Amends the power of cities to require road improvements related to K-12 schools to provide that: A city may only require street improvements that are required for safe ingress and egress to the municipal street system, and that are physically connected to a driveway on the school site; the cost of any improvements to the municipal street system shall be reimbursed by DOT; any agreement between a school and a city to make improvements to the municipal street system shall not include a requirement for acquisition of right-of-way by the school, unless the school is owned by an entity that has eminent domain power; any right-of-way costs incurred by a school for a required improvement pursuant to this section shall be reimbursed by DOT; and the term "school" means K-12 schools, including public charter schools.
- Requires DOT, in collaboration with the Department of Public Instruction, to develop a report on road improvements required for K-12 schools in specified past and future years. DOT must submit the report to the Joint Legislative Transportation Oversight Committee and the Joint Legislative Education Oversight Committee by February 1, 2018.

Karen Cochrane-Brown  
Director



Legislative Analysis  
Division  
919-733-2578

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- Authorizes DOT to adopt temporary rules to implement the provisions of this section.

**EFFECTIVE DATE:** The provisions of this section applicable to DOT and city-required road improvements become effective October 1, 2017. The remainder of this section became effective July 1, 2017.