

**DIVISION 25**

**OREGON SAFE ROUTES TO SCHOOL FUND**

**737-025-0010**

**Definitions and Acronyms**

~~(1) "Action Plan" means the plan developed to fulfill the requirements of ORS 195.115 and OAR 737-025-0050 (3) and that meets the requirements of OAR 737-025-0060.~~

(1) "Applicant" means an entity that qualifies under OAR 737-025-0030 and OAR 737-025-0090(2)(b)(i).

(2) "Application" means the form, prescribed by ~~the Transportation Safety Division (TSD) ODOT,~~ and all supplemental attachments, exhibits or other supporting papers required by OAR 737-025-0050 when applying for a Non-Infrastructure grant and OAR 737-025-0090 when applying for a Safe Routes to School Fund Infrastructure grant.

(3) "Bicycling" includes, but not limited to, use of bicycles.

(4) "Cash Match" is real dollars provided by the applicant that will be used to fund part of the project. In-kind support such as staff time, education and outreach efforts at the school, or previous right-of-way acquisition are not considered cash match. Match may include applicant costs associated with multiple phases of a project but no older than two years from the date of the application.

(5) "Education" means public-awareness and encouragement campaigns, outreach to press and community leaders, bicycle and pedestrian safety programs and activities, traffic education, training, and the evaluation of such activities.

(6) "Endorsement" means support and approval as required in OAR 737-025-0030.

(7) "Enforcement" means law enforcement operations and equipment relating to school zones, crosswalks, speed; crossing guard activities and supplies; and evaluation of such activities.

(8) "Engineering" means planning, design, construction, and evaluation of infrastructure-related projects.

(9) "In-Kind Match" means (to be copied from definition from another OAR)

(10) "Letter of commitment support" means a letter from the governing body (or bodies) or the school or school district, stating their willingness to participate in the project, as well as their endorsement of the project.

(11) "Letter of Interest" means the preliminary letter, in a format prescribed by TSD as referenced in OAR 737-025-0050.

(12) "Non-Profit" means an organization or group of organizations described in section 501(c)(3) of the Internal Revenue Code that is exempt from income tax under section 501(a) of the Internal Revenue Code; or is organized not for profit, pursuant to ORS Chapter 65, or any predecessor of ORS Chapter 65; or is otherwise organized and operated under section 501(c) of the Internal Revenue Code.

(13) "OTSC" means the Oregon Transportation Safety Committee, the Governor-appointed committee that advises ODOT as defined in ORS 802.300.

(14) "Public School" means a public agency or school district defined in OAR 581-015-2000.

(15) "Qualifying School" is intended for Non-Infrastructure grants and means a public, private, parochial, charter or alternative educational program offering instruction at levels kindergarten through eighth grade, or any part thereof

(16) "School district" means:

(a) A school district as defined in ORS 330.003.

(b) The Oregon State School for the Blind.

(c) The Oregon State School for the Deaf.

(d) An educational program under the Youth Corrections Education Program.

(e) A public charter school as defined in ORS 338.005.

(f) An education service district.

(17) "School Safety Corridor" is a neither a designation nor a certification but a project with high-risk factors that are known to impact safety and have not been mitigated. A project qualifies when two or more of the following exist: speed limit 30 miles per hour or greater; more than 2 lanes or a crossing distance greater than 30 feet; 12,000 annual average daily traffic or more; roads with one or more serious injuries or fatalities in the last five years that occurred within 1,000ft of a project boundary. "School Safety Corridor" is separate and distinct from "Safety Corridor" defined in ORS 811.483.

~~(16) "Safe Routes to School Advisory Committee" means the volunteer advisory group that gives advice and direction to the Safe Routes to School Program.~~

(18) "SRTS" means Safe Routes to School.

(19) "SRTS Fund" means the Safe Routes to School Fund established under ORS 184.740.

(20) "Safe Routes to School Action Plan" means the plan developed to fulfill the requirements of ORS 195.115, OAR 737-025-0050 (3), and OAR 737-025-0060 (1).

(21) "Safe Routes to School Advisory Committee" means the volunteer advisory group that gives advice and direction to the Safe Routes to School Program and recommends projects for funding.

(22) "Safe Routes to School Infrastructure Plan" means the plan developed to fulfill the requirements of ORS 195.115 and OAR 737-025-0060 (2).

(23) "Title I School" refers to a school in which children from low income families make up at least 40 percent of enrollment, according to Chapter I of Title I of the federal Elementary and Secondary Education Act of 1965.

(24) "TSD" means the Transportation Safety Division, a division of the Oregon Department of Transportation.

(25) "~~Traffic~~ Transportation safety committee" means a local government advisory body charged with ~~traffic~~ transportation safety. Alternately, a local non-profit, such as a coalition or neighborhood association, which specifically includes traffic or transportation safety in their charter or charge from one or more government bodies can fulfill this role in the absence of a committee.

(26) "~~Walking or bicycling~~" means use of human-powered forms of transportation, including, but not limited to, ~~walking, or use of bicycles, bike trailers, skateboards, scooters, rollerblades, skates and walking to your destination by foot, scooter, skateboard, rollerblades, skates, use of wheelchairs or other mobility device.~~

Stat. Auth: ORS 184.616, 184.619, 184.740 & 184.741

Stat. Implemented: ORS 184.741

### **OAR 737-025-0011**

#### **Safe Routes to School Program Types**

The Oregon Safe Routes to School Program consists of two parts: infrastructure and non-infrastructure.

- (1) Non-Infrastructure is described in OAR 737-025-0012 through OAR 737-025-0080
  - a. Non-infrastructure is the education element of Safe Routes to School. Efforts include Safe Routes to School Action Plan development, outreach, encouragement, training, and education services that identify and reduce barriers and hazards to children walking or bicycling to and from school.
  - b. Funding for the non-infrastructure projects may be provided by the Oregon Transportation Commission or, through other funding within the Safe Routes to School Fund (ORS 184.740) not subject to restrictions in Article IX, Section 3a of the Oregon Constitution.
- (2) Infrastructure is described in OAR 737-025-0012 through OAR 737-025-0020, and OAR 737-025-0090
  - a. Infrastructure is the engineering element of Safe Routes to School. Efforts include the development, construction, reconstruction, repair, maintenance, or operational improvements of bikeways and walkways that reduce barriers and hazards to children walking or bicycling to and from school.
  - b. Funding for the infrastructure projects come from money directed into the Safe Routes to School Fund (ORS 184.740) by ORS Chapter 750, (2017 Oregon Laws). Revenue must be used in accordance with the Oregon Constitution, Article IX, Section 3a.

### **OAR 737-025-0012**

#### **Safe Routes to School Advisory Committee for Infrastructure and Non-Infrastructure Grants**

- (1) A Safe Routes to School Advisory Committee is formed to guide the Safe Routes to School Infrastructure and Non-Infrastructure programs. The committee is advisory to the Oregon

Department of Transportation (ODOT) and the Oregon Transportation Commission (OTC) in the Non-infrastructure program and when applicable.

- a. The 10-15 member committee is composed of volunteers representing interests including but not limited to: the Oregon Transportation Safety Committee (OTSC), the Oregon Bicycle and Pedestrian Advisory Committee (OBPAC), safe routes to school practitioners, school districts, eligible entities, and equity and safety representatives.
- b. Committee members are appointed by the ODOT Director.
- c. The Committee will be responsible for setting project selection criteria and making project selection recommendations.
- d. The OTSC and OBPAC will provide policy direction and guidance.

### **737-025-0020**

#### **Application Procedure for Infrastructure and Non-Infrastructure Grants**

(1) ~~TSD~~ ODOT will announce periods for submitting applications for different grants from the Safe Routes to School Fund Safe Routes to School infrastructure and non-infrastructure program. Applications will not be accepted at times outside an announced application period.

(2) Applicants for projects that are not funded during an application period may reapply during a subsequent application period announced by ~~TSD~~ ODOT.

Stat. Auth.: ORS 184.616; 184.619; 184.740; 184.741

Stat. Implemented: ORS 184.741

#### **Safe Routes to School Non-Infrastructure**

### **737-025-0030**

#### **Who May Apply for Non-infrastructure Grants**

Eligible applicants for SRTS Fund non-infrastructure grants include:

(1) A school district, or a qualifying school not represented by a school district, in cooperation with the governing body (or bodies) with jurisdiction over the affected roadways or properties. The school district, or qualifying school not represented by a school district, must submit letters of ~~commitment~~ support from such governing bodies stating their participation and endorsement as applicable to the project;

(2) A city, county, state, regional government body, transit district or other unit of local government as defined by ORS 190.003, in cooperation with a school district or a qualifying school. The governing body must submit a letter of ~~commitment~~ support from the qualifying school or affected school district stating its participation or endorsement as applicable to the project;

(3) A non-profit organization in partnership with a school district, qualifying school, or one of the governmental bodies identified in section (1) or (2) of this rule. The application must include appropriate letters of ~~commitment~~ support from the affected governing bodies. Additionally, if the organization is not a school, the application must include a letter of ~~commitment~~ support from the affected school district, if applicable, stating its participation or endorsement. The school district, if applicable, or one of

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the governing bodies with jurisdiction over the affected roadways or properties, must confirm their willingness to take legal and financial responsibility for the infrastructure portion of the project.

Stat. Auth.: ORS 184.616; 184.619; 184.740; 184.741

Stat. Implemented: ORS 184.741

### **737-025-0040**

#### **Eligible Projects and Activities for Non-Infrastructure Grants**

(1) Grants awarded through the Safe Routes to School Non-Infrastructure Program may be used for projects or activities in:

(a) Education;

~~(b) Engineering;~~

(c) Enforcement;

(d) Safe Routes to School Action or Safe Routes to School Infrastructure Plan Development; or

(e) Any combination of the above.

(2) All projects and activities must directly benefit a qualifying school.

(3) All projects and activities must meet the eligibility criteria applicable to the specific funds being dispensed ~~through the SRTS Fund~~.

Stat. Auth.: ORS 184.616; 184.619; 184.740; 184.741

Stat. Implemented: ORS 184.741

### **737-025-0050**

#### **Grant Application Requirements for Non-Infrastructure Grants**

An applicant applying for a grant from the SRTS Fund must submit the following documents to TSD:

(1) A Letter of Interest, if the application announcement indicates it is required for that specific funding cycle.

(2) A completed application in a format prescribed by TSD and containing or accompanied by such information as TSD may require.

(3) ~~An Action Plan which meets TSD requirements, or a commitment to independently complete an Action Plan within a specified time, or a request for assistance to complete an Action Plan (as allowed by ORS 184.741).~~

Stat. Auth.: ORS 184.616; 184.619; 184.740; 184.741

Stat. Implemented: ORS 184.741

### **737-025-0060**

**Safe Routes to School Action Plan and Safe Routes to School Infrastructure Plan**

(1) Safe Routes to School Action Plans submitted to fulfill the requirements of OAR 737-025-0050 for each school identified for a SRTS project or activity must:

- (a) Outline existing conditions and attitudes that have been identified as barriers and hazards to children walking or bicycling to and from school, as required by ORS 195.115.
- (b) List the most critical actions needed to reach the Action Plan's stated goals in the areas of education, engineering, and enforcement.
- (c) List specific engineering needs, including identification of infrastructure projects and priorities.
- (d) Be a product of work by local interested parties that must include representation of the following groups (a single person may fulfill multiple representations):
  - (i) School Principal or designated school staff representative endorsed by the school district, if one exists;
  - (ii) A parent who is a representative of or has the endorsement of a recognized school/parent organization, if one exists;
  - (iii) City or county staff or representative endorsed by the local road authority;
  - (iv) Local ~~traffie~~ transportation safety committee, if one exists.

(2)-A Safe Routes to School Infrastructure Plans must:

- (a) Outline existing conditions identified as physical barriers and hazards to children walking or bicycling to and from school.
- (b) List the most critical infrastructure needs, projects, and priorities.
- (c) Be a product of work by local interested parties that must include representation of the following groups (a single person may fulfill multiple representations):
  - (i) School Principal or designated school staff representative endorsed by the school district, if one exists;
  - (ii) A parent who is a representative of or has the endorsement of a recognized school/parent organization, if one exists;
  - (iii) City or county staff or representative endorsed by the local road authority;
  - (iv) Local ~~traffie~~ transportation safety committee, if one exists.

Stat. Auth.: ORS 184.616; 184.619; 184.740; 184.741

Stat. Implemented: ORS 184.741

**737-025-0070**

**Project Selection Criteria for Non-Infrastructure Grants**

The following criteria will be used to select projects to receive SRTS Fund grants:

(1) Technical Merit:

- (a) Conformance to the local transportation plan, state land use laws and appropriate federal, state and local planning and programming requirements.
- (b) Adherence to appropriate design standards or methodology.
- (c) Appropriate scope of work in relation to identified needs.
- (d) Emphasis on best practices learned from successful SRTS programs.
- (e) Efficient and cost- effective use of funds.

(2) Benefit:

- (a) Potential to improve the ability of students to walk and bicycle to school.
- (b) Potential to reduce or avoid child injuries and fatalities.
- (c) Potential to create a more livable community by reducing the barriers and hazards to children walking or bicycling to school.
- (d) Potential to create a safer walking and bicycling built environment within approximately two miles of a school. Highest priority will be given for projects within one-half mile of a qualifying school.

(3) Support and readiness:

- (a) Support of the school district, if applicable, and governing body for the project as demonstrated by a letter of ~~commitment~~support and endorsement.
- (b) Readiness to proceed with the project as demonstrated by a proposed start date, identification of other available funding, or other indicators as provided by the applicant.

Stat. Auth.: ORS 184.616; 184.619; 184.740; 184.741

Stat. Implemented: ORS 184.741

**737-025-0080**

**Project Selection and Awarding Non-Infrastructure Grants**

(1) TSD will review the applications to determine if:

- (a) The Applicant and the project are eligible for a SRTS Fund grant; and
- (b) The project proposal complies with the appropriate standards or practices for the work described.

(2) The Safe Routes to School Advisory Committee will evaluate eligible applications and submit funding recommendations to the TSD Administrator.

(3) The TSD Administrator will select projects and award grants based on the criteria established in OAR 737-025-0070.

Stat. Auth.: ORS 184.616; 184.619; 184.740; 184.741

Stat. Implemented: ORS 184.741

**OAR 737-025-0090**

**Safe Routes to School Infrastructure Program**

(1) Up to one percent of infrastructure program funding will be managed by ODOT for technical assistance, including development of a Safe Routes to School Infrastructure Plan described in OAR 737-025-0060 (2), or administrative costs in the identification and screening of projects.

(a) Cities, counties, tribes, or school districts may apply for technical assistance from the Infrastructure Program to develop a Safe Routes to School Infrastructure Plan.

(2) Remaining funds shall be provided for grants that support biking and walking infrastructure safety improvement projects near schools.

(a) Grant Programs

- i. Competitive Grant Program – 89 percent of available funding shall go towards a competitive grant program, with regularly reoccurring solicitation process
- ii. Rapid Response Grant Program – 10 percent of available funding shall go towards a rapid response grant program, where small dollar, high-need, or opportunistic projects may receive funding between the Competitive Grant Program selection cycles.

(d) Eligibility

- i. Eligible entities include: ODOT, cities, counties, transit agencies and tribes.
- ii. Eligible projects must:
  1. Be within the public road right of way and used exclusively for the construction, reconstruction, improvement, repair, maintenance, operation and use of public highways, roads, streets and roadside rest areas (Article IX, Section 3a, Oregon Constitution).
  2. Be within one mile of a public school.
  3. Fit within in a plan developed pursuant to ORS 195.115. Plans may include but are not limited to: a Safe Route to School Action Plan or Safe Route to School Infrastructure Plan (OAR 737-025-0060), Transportation System Plan, or other locally adopted plan.
  4. Be approved by the roadway authority (governing body) of the eligible entity.



5. Include, in the application materials, a letter of support from the school district or impacted school.
6. Provide a cash match as required in OAR 737-025-0090 (3)(c)

(e) Match Requirements

- i. An applicant must provide a cash match of at least 40 percent of the total project's costs.
- ii. The Oregon Transportation Commission may reduce an applicant's cash match to 20 percent of the total project's costs when one or more of the following conditions apply:
  1. The school is located in a city with a population of 5,000 or fewer
  2. The project reduces hazards within a School Safety Corridor
  3. The school site qualifies as a Title I School

(f) Funding Targets

- i. At least 30 percent of projects selected at any one time must be in areas not served by a Metropolitan Planning Organization.
- ii. At least 30 percent of projects selected at any one time must be within a one mile radius of a Title I school.

(g) Project Delivery

- i. Project awardees are responsible for any cost overages that occur during project delivery.

(h) Awarding Grants

- i. The Oregon Transportation Commission is responsible for approving selected projects.
- ii. The Transportation Development Division Administrator is responsible for awarding grants.