



Senate Bill 71

Education - Interjurisdictional Safe Pathways Commission - Establishment

MACo Position:

To: Education, Energy, and the Environment

LETTER OF INFORMATION

Date: February 4, 2026

From: Sarah Sample

The Maryland Association of Counties (MACo) **takes NO POSITION** but offers a **LETTER OF INFORMATION** on SB 71. The goal of ensuring all students have safe pathways to and from school is commendable and a shared value of the counties. Identifying areas that may require improvements as well as funding to make those upgrades is a wise strategy. Counties look forward to being a necessary part of that discussion, along with other affected stakeholders, as outlined in the bill. To that end, MACo will raise here its continued concerns regarding both cost and legal jurisdiction.

MACo has previously opposed legislation to require counties to make the types of improvements that the commission in this bill seeks to study. While well-intentioned, that similar legislation would have placed a costly mandate on county governments to create sidewalks and crosswalks as alternative routes for all public school students. Counties are not in a financial position to singularly take on an unfunded mandate of this magnitude while managing the many other state cost shifts and requirements that have been levied on local governments to date.

If the outcome of the commission's work, as outlined in SB 71, implements a costly, logistically difficult mandate for counties to implement, it would likely meet similar resistance as prior legislation on the topic. The language of SB 71 is more encouraging than prior versions of this legislation because it requires the commission to look for alternative funding sources, rather than shifting the entire cost to a county. A collaborative approach that leverages all available resources will make it easier for a county to become a productive participant on a project, rather than one burdened by an unfunded mandate and limited local resources.

The fiscal notes on the other bills that have sought to produce a local report on, and mandated county remedies for, safe routes to school – SB 526 of 2026, SB 200 of 2025, SB 95 of 2024, and SB 65 of 2023 – are good examples of why counties have had reservations about this initiative over the years. That feedback highlights construction and renovation costs rising to multiple millions of dollars as well as transportation requirements that would affect school bus inventory and staff. Identifying viable funds will help counties avoid being put into a position where these projects end up competing for limited local funds against education, school construction, public safety, and other essential public services.

Additionally, it is useful context for the commission to appreciate that a route to school may not be subject to just the jurisdiction of the county, as municipal or state-owned roadways may compose part, or even all, of the route. In many cases, the most worrisome elements of the pedestrian pathway would be on or across roadways that the county government has no authority to improve. This means that the various versions of the bill that specify a mandate for county remedies would be impossible, as the State and municipal governments with legal responsibilities for those roads are not included. In the event that an improvement would be required on a road not owned by a county, the appropriate authority should be engaged to manage those potential projects or renovations.

Finally, MACo respectfully advises any potential commission to consider the diversity of Maryland counties in undertaking this type of work. Counties – and schools – have differing geographic challenges, transportation laws (like rights-of-way), and community characteristics. Maintaining local control and self-determination in development ensures that Maryland communities retain the atmosphere and authenticity that makes residents want to call it home.

Counties recognize the intent of SB 71 and believe the research it seeks to do is important in understanding the needs of Maryland students. Provided the outcome of that work effectively identifies alternative funding methods, engages the full range of affected stakeholders, and includes consideration outside of simply putting the operational and cost mandate on counties, it may prove to be useful and informative.