

Legislative Analysis



SCHOOL CROSSWALK REQUIREMENT

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House Bill 5094 (Substitute H-1)
Sponsor: Rep. Michael C. Murphy
Committee: Transportation
First Analysis (3-29-04)

BRIEF SUMMARY: The bill would amend the Michigan Vehicle Code to require a school crossing be established 'within a safe distance' from a school that is located on a street or highway on which the speed limit is 25 miles per hour or more.

FISCAL IMPACT: To the extent that the bill would increase the number of school crossings, and related signage, it would increase costs of the governmental units having jurisdiction over the street or highway – the Department of Transportation, county road commissions, or a cities and villages. However, the amount of any potential cost increase cannot be readily determined.

THE APPARENT PROBLEM:

On May 13, 2004, a 13-year old school girl was killed by a car while crossing the street near her school in the Waverly School District located in Eaton County, just west of Lansing. There was no crosswalk designated on the road she crossed, despite its close proximity to her school.

Since their daughter's tragic death, the parents of Jasmine Miles have taken steps in their community to establish a parent action group to address the safety needs of children in their hometown of Delta Township. They have partnered with the Waverly School District, local township officials, the Eaton County Sheriff's Department, the Eaton County Road Commission, and the governor's Council for Health and Physical Fitness. Through their efforts, they have lowered speed limits, placed new sidewalks, and erected new signs throughout their community. Currently they are in the process of writing grants to fund even more safety measures, to better ensure a walk-able community.

In order to extend their safety project statewide, legislation has been introduced to require crosswalks near each of the more than 3,500 schools in the state.

THE CONTENT OF THE BILL:

House Bill 5094 would amend the Michigan Vehicle Code to require a school crossing be established 'within a safe distance' from a school that is located on a street or highway on which the speed limit is 25 miles per hour or more. The bill specifies that if a crossing is not established following an initial traffic and engineering study to ascertain its need, then subsequent studies would be conducted at no less than five-year intervals, by the authority having jurisdiction of the roadway, in consultation with the school district superintendent,

in order to determine whether a school crossing was necessary. The bill specifies that the amendatory act be known and cited as the “Jasmine Miles School Children Safety Act.”

Currently under the law, the Department of Transportation, a county road commission, or a local authority can establish school crossings considered necessary for the safety of school children on the streets and highways within their respective jurisdictions. When a school crossing is established, it is based upon a traffic and engineering study conducted by the authority having jurisdiction, in consultation with the superintendent of the school district. The appropriate authority then erects school crossing signs, in conformance with the manual of uniform traffic control devices. House Bill 5094 would retain these provisions.

MCL 257.613a

BACKGROUND INFORMATION:

Section 57a of the Michigan Vehicle Code defines “school crossing” as “a crosswalk designated by the department of state highways and transportation, a county road commission, or a local authority as a place to be used by school children for crossing a street or highway.”

ARGUMENTS:

For:

As the members of the Safe Miles for Jasmine Committee pointed out during their testimony before the House Transportation Committee, all children deserve the right to use safe routes when they walk to and from school, and all parents deserve the peace of mind that comes of knowing their children are safe en route to school each day. The responsibility for the children’s well-being rests, in part, with the officials who have jurisdiction over the safety on the sidewalks, streets, and highways the children cross as they make their way to school. This bill would require those officials to work together, and where necessary, establish cross walks close to all school buildings.

POSITIONS:

The Michigan Department of Transportation supports the bill. (3-25-04)

Michigan’s Children supports the bill. (3-18-04)

The Safe Miles for Jasmine Committee supports the bill. (3-18-04)

The County Road Association of Michigan is neutral on the bill. (3-18-04)

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.