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California State Senate

TRANSPORTATION



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AGENDA

Tuesday, April 9, 2019
1:30 p.m. -- John L. Burton Hearing Room (4203)

MEASURES HEARD IN FILE ORDER

Consent items indicated by *

- | | | | |
|-----|---------|------------|---|
| 1. | SB 7 | Portantino | State Highway Route 710. |
| 2. | SB 59 | Allen | Autonomous vehicle technology: Statewide policy. |
| 3. | SB 140 | Stern | Specialized license plates: The Endless Summer. |
| 4. | SB 152 | Beall | Active Transportation Program. |
| 5. | SB 211 | Beall | State highways: leases. |
| 6. | SB 340 | Stone | High-speed rail bonds. |
| 7. | SB 371 | Caballero | Schoolbuses: stop requirements. |
| 8. | SB 402 | Borgeas | Vehicles: off-highway vehicle recreation: County of Inyo. |
| 9. | SB 460 | Beall | Vehicles: biennial registration. |
| 10. | SB 504* | Monning | State highways: Route 1: relinquishment. |
| 11. | SB 526 | Allen | Regional transportation plans: greenhouse gas emissions:
State Mobility Action Plan for Healthy Communities. |
| 12. | SB 625 | Hill | Party buses: cannabis. |
| 13. | SB 628* | Caballero | Prunedale Bypass: disposition of excess properties:
relinquishment: State Route 183. |
| 14. | SB 648* | Chang | Unmanned aircraft systems: accident notification. |
| 15. | SB 685* | Galgiani | Organ and tissue donation registry: driver's license
application. |
| 16. | SJR 5 | Beall | California transportation infrastructure. |

SENATE COMMITTEE ON TRANSPORTATION

Senator Jim Beall, Chair

2019 - 2020 Regular

Bill No:	SB 7	Hearing Date:	4/9/2019
Author:	Portantino		
Version:	12/3/2018		
Urgency:	No	Fiscal:	Yes
Consultant:	Manny Leon		

SUBJECT: State Highway Route 710.

DIGEST: This bill makes changes to the sale of nonresidential property owned by the State Department of Transportation (Caltrans) for the State Route (SR) 710 project and prohibits the construction of a freeway tunnel on SR-710.

ANALYSIS:

Existing law:

- 1) Requires a state agency to follow certain procedures and establishes specific priorities for disposing surplus residential property, as specified.
- 2) Provides that certain proceeds from the sale of surplus residential property by Caltrans shall be deposited into the SR-710 Rehabilitation Account with revenues in excess of \$500,000 to be used by the California Transportation Commission (CTC) to fund projects in certain cities in Los Angeles County.
- 3) Further specifies that the abovementioned funds are not to be used for the planning or construction of any SR-710 tunnel, as specified.
- 4) Grants Caltrans the full possession and control of all state highways and all property and rights in property acquired for state highway purposes.
- 5) Provides Caltrans the authority to lay out and construct all state highways between the termini designated by law and on the locations determined by the CTC.
- 6) Designates SR 710 as the highway from SR 1 to SR 210 in Pasadena.
- 7) Statutorily defines the California freeway and expressway system to include designated routes, including SR 710 in its entirety, and defines a freeway as a

highway where the owners of abutting lands have no right or easement of access to or from their abutting lands.

This bill:

- 1) Allows for a city or nonprofit organization that is a tenant of Caltrans-owned surplus nonresidential property on the SR 710 corridor with good standing, to be offered the property at fair market value based on the current use of the property.
- 2) Prohibits Caltrans from constructing a freeway tunnel, surface freeway, or expressway for SR 710 between I 10 and SR 210.

COMMENTS:

- 1) *Author's statement.* According to the Author, "Last year, the Los Angeles County Metropolitan Transportation Authority (METRO) passed a motion to re-appropriate Measure R funds, which would have been used to build a tunnel to complete the gap on the SR 710 between the Cities of Alhambra and Pasadena. Shortly after the re-appropriation, the Department of Transportation (CalTrans) released the Final Environmental Impact Report/Environmental Impact Statement (Final EIR/EIS) for the SR 710 North Project choosing the locally preferred alternative. With the release of the Final EIR/EIS, we can begin to fully address the selling of the surplus properties and preventing a tunnel or surface route from ever being built."
- 2) *SR 710.* For over 50 years, Caltrans has intended to close a roughly five mile unconstructed gap in the freeway by extending SR 710 from Interstate 10 (I-10) in Los Angeles through South Pasadena to I-210 in Pasadena. Currently, SR 710 North ends abruptly just north of I-10, feeding into local traffic on Valley Boulevard in Alhambra and causing congestion on the neighboring freeways. The gap affects the surrounding cities of Alhambra, South Pasadena, Pasadena, and a portion of Los Angeles. The extension project has been in the planning stage since the 1960s but, despite state and eventual federal approval, has been challenged by the community and delayed numerous times for a variety of reasons often related to the environmental review process. In 1998, the Federal Highway Administration (FHWA) approved the SR 710 freeway extension but a court decision criticizing the environmental review halted construction.
- 3) *Measure R.* In 2008, Los Angeles County passed by a two-thirds vote a half-cent sales tax to raise additional funds for congestion relief, road repairs, and rail extensions over the course of 30 years. The adopted expenditure plan

included \$780 million for the SR 710 North gap closure, intended to go toward a tunnel connector at an estimated total cost of nearly \$4 billion. Shortly after the passage of Measure R, Caltrans began a boring and seismic feasibility study in the area.

- 4) *A traffic light at the end of the tunnel?* Though the tunnel was a favorable alternative functionally from the draft EIR, financially it was another matter. Measure R only allocated \$780 million for the tunnel project, far short of the \$3 to \$5.5 billion the tunnel could cost. Recognizing this, at a board meeting in May 2017, the Metro Board of Directors approved a motion specifying that the \$780 million from Measure R be put toward local fundable projects for traffic relief. With the motion passing on a 12-0 vote, the Board recommended allocating \$105 million to the TSM/TDM alternative as the Locally Preferred Alternative – a means of obtaining more immediate results via traffic light and intersection improvements, among other fixes for local roads. For a fraction of the cost, the TSM/TDM investment would yield results within a few years, as opposed to at least five years with the tunnel.
- 5) *Environmental impact report.* In 2015, Caltrans released its draft environmental impact report (EIR) assessing the costs, benefits, and impacts of five alternative projects for the SR 710 gap:
 - a) No build — no planned improvements to the SR 710 North Corridor.
 - b) Transportation System Management/Transportation Demand Management (TSM/TDM) operational improvements – strategies and improvements to increase efficiency and capacity for all modes of transportation.
 - c) Bus rapid transit (BRT) — high-speed, high-frequency bus service through a combination of new, dedicated, and existing bus lanes.
 - d) Light rail transit (LRT) — a passenger rail operated along a dedicated guideway, similar to other Metro light rail lines.
 - e) Freeway tunnel with design and operational variants — starts at the existing southern stub of SR 710 in Alhambra, just north of I-10, and connects to the existing northern stub of SR 710.

After the draft report was published, around 8,000 public comments were received with 1,328 specifically supporting the tunnels and 237 opposing the tunnels.

On November 26, 2018, Caltrans released its final EIR on the SR 710 North project. The EIR identified the TSM/TDM as the final direction for the SR 710

North corridor moving forward. In turn, eliminating all other alternatives (including a tunnel) from future consideration.

- 6) *SR 710 today*. With a clear pathway now set for the SR 710 North corridor, the provisions specified in this bill provide for additional direction. Caltrans currently owns 460 properties in the SR 710 corridor, including 330 homes and 103 multi-family housing units. These properties were originally purchased in the corridor with the intent to eventually remove the structures and construct an extension to SR 710 freeway to close a 4.5 mile unconstructed gap between the City of Alhambra and the City of Pasadena. Many of these properties are no longer needed due to the selection of the TSM/TDM alternative. Early in 2017, Caltrans began dispensing of properties and is currently continuing with selling excess properties. Additionally, six nonprofits currently reside in properties owned by Caltrans within this corridor. This bill aims to provide these nonprofits the opportunity to purchase these properties at a more affordable rate by offering the properties for sale at “current use” rate versus a general “fair market value” rate. Using the current use rate will allow for the property value to be assessed at a rate that is comparable to its value based on the property’s current use (i.e. a nonprofit services) and not its *overall* potential value. This bill also codifies the prohibition of a freeway tunnel or surface freeway within the SR 710 North corridor.

RELATED LEGISLATION:

AB 533 (Holden, 2018) — Removed a certain portion of SR 710 from the State’s freeway or expressway system by January 1, 2024 or when the SR 710 North Project is complete, whichever is sooner. *This bill was held in the Senate Transportation and Housing Committee.*

AB 287 (Holden, 2017) — would have required Caltrans along with LA Metro to create an SR 710 North Advisory Committee; prohibited the advisory committee from considering a tunnel or freeway extension; explicitly prohibited Caltrans from building a freeway tunnel or surface freeway to fill the SR 710 gap. *This bill was held in the Assembly Transportation Committee.*

SB 400 (Portantino, Chapter 568, Statutes of 2017) — prohibited the Department of Transportation from increasing the rent of tenants who reside in surplus residential property located on State Route 710.

SB 580 (Liu, Chapter 709, Statutes of 2016) — made changes to the Roberti Act governing the sale of surplus properties in the SR 710 corridor.

SB 416 (Liu, Chapter 468, Statutes of 2014) — expedited the sale of surplus residential properties in the cities of Los Angeles, South Pasadena, and Pasadena that do not fall within the boundaries of any alternate route being considered in the North Route 710 Project Draft Environmental Impact Report/Environmental Impact Statement.

SB 204 (Liu, 2012) — authorized LA Metro along with Caltrans and jointly with specified cities, to develop and file with the commission a local alternative transportation improvement program that addresses transportation problems and opportunities in specified cities. *Vetoed by Governor Brown, who cited an ongoing review by Caltrans of their owned properties and an ongoing environmental impact report by LA Metro.*

SB 545 (Cedillo, 2009) — would have required that any solution for SR 710 between Valley Boulevard in the City of Los Angeles and Del Mar Boulevard in the City of Pasadena may not be a surface or above-grade highway. *Vetoed by Governor Schwarzenegger, calling it unnecessary as Caltrans and LA Metro worked toward a solution.*

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

POSITIONS: (Communicated to the committee before noon on Wednesday, April 3, 2019.)

SUPPORT:

The Honorable Kathryn Barger, Supervisor, Los Angeles County
 Arlington Garden in Pasadena
 City of Pasadena
 City of South Pasadena
 Cottage Co-Op Nursery School
 No 710 Action Committee
 Pasadena Heritage
 Ronald McDonald House
 Sequoyah School
 South Pasadena Preservation Foundation
 Waverly School
 Westridge School for Girls
 3 individuals

OPPOSITION:

None received.

- d) Encourage strategies to ensure vehicles are properly-sized for their purpose
- e) Encourage use of AVs as part of a multimodal transportation system
- f) Encourage the deployment of AVs to support compact infill development
- g) Encourage the deployment of AVs which increase affordable mobility options, particularly for disadvantaged communities
- h) Consider the needs of rural residents and communities

COMMENTS:

- 1) *Author's Statement.* SB 59 will ensure California plans responsibly for the potential wide-scale introduction of autonomous vehicles to prevent this innovative new technology from adding to our serious climate, clean air, and traffic challenges. Autonomous vehicles can significantly improve how Californians get around including by increasing safety. However, if not planned for deliberately, this new transportation mode could exacerbate our already daunting mobility problems leading to more traffic congestion and air pollution.
- 2) *Background.* In 2012, SB 1298 (Padilla) established conditions for the operation of automated vehicles (AV) in California. In 2014, the DMV adopted regulations for the testing of AVs on public roads requiring a test driver and established an application and approval process for a testing permit. As of April 1, 2018, there are 52 manufacturers that have this permit. In early 2018, the DMV adopted regulations for testing AVs without a driver at the wheel and for deployment of AVs in California. DMV began accepting applications for these permits on April 1, 2018.
- 3) *Uncertainty about AVs.* AVs have the potential to transform every sector of transportation. However, much is uncertain about these impacts. AVs could enhance vehicle safety by removing human error from the driving task and improve access to mobility for many people. On the other hand, AVs could create more congestion and sprawl, as it becomes more convenient to use the "free" time of riding in AVs for other tasks such as work. AVs could replace transit trips, or it could provide better first- and last-mile connectivity to increase transit use. Currently, the Legislature has limited understanding of how to plan for a "driverless" world. More recently, our unabashed support for AVs has been tempered by highly publicized accidents and misuse of AV technology, as well as concern for the impact on our workforce. This bill directs OPR to convene a wide range of stakeholders and experts to provide the

Legislature with policy recommendations on how to guide this burgeoning technology.

- 4) *Policy Coordination Needed.* The UC Davis Institute of Transportation Studies (ITS) recently issued a series of policy briefs characterizing AVs as one of the three “revolutions” in transportation, along with electrification and shared mobility (i.e., the shared use of a vehicle on as-needed basis).¹ According to ITS, these must happen concurrently in order to bring about increased access to mobility, more affordable transportation, and major reductions in greenhouse gas emissions. However, if there is just automation without shared mobility or electrification (e.g., people primarily riding in personal, gas-powered AVs), then CA could end up in a future of more vehicle miles traveled, more vehicles on the road, more sprawl, and more greenhouse gas emissions and energy use. ITS states that achieving all three revolutions together will require unprecedented levels of policy support. This bill provides the Legislature with that policy support to help coordinate how AV technology should be deployed to help improve how all Californians get around and meet the state’s climate goals.
- 5) *Double referral.* This bill was also referred to the Senate committee on Environmental Quality.

RELATED LEGISLATION:

SB 336 (Dodd; 2019) — Requires an on-board employee when public transit agencies deploy autonomous transit vehicles. *This bill is pending in the Senate Transportation Committee.*

SB 936 (Allen; 2018) — Requires OPR to convene an Autonomous Vehicles Smart Planning Task Force. *This bill failed passage in the Senate.*

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

POSITIONS: (Communicated to the committee before noon on Wednesday, Wednesday, April 3.)

¹ <https://3rev.ucdavis.edu/policybriefs/>

SUPPORT:

CALSTART

Center for Climate Change & Health

Community Environmental Council

Fossil Free California

Sierra Club California

TransForm

Union of Concerned Scientists

OPPOSITION:

TechNet

-- END --

SENATE COMMITTEE ON TRANSPORTATION

Senator Jim Beall, Chair

2019 - 2020 Regular

Bill No:	SB 140	Hearing Date:	4/9/2019
Author:	Stern		
Version:	1/17/2019		
Urgency:	No	Fiscal:	Yes
Consultant:	Randy Chinn		

SUBJECT: Specialized license plates: The Endless Summer.

DIGEST: This bill requires the State Coastal Conservancy (SCC) to apply to the Department of Motor Vehicles (DMV) to sponsor an Endless Summer specialized license plate, with a surfer design, to fund programs that promote exposure to, and preservation of, surfing, its cultural heritage, and the coastal resources upon which the surfing environment depends.

ANALYSIS:

Existing law:

- 1) Provides for a specialized license plate program, under which the DMV may issue specialized license plates only on behalf of state agencies and provided that:
 - a) The license plate has “a design or contains a message that publicizes or promotes a state agency, or the official policy, mission, or work of a state agency.” The design shall not be larger than two inches by three inches and shall be confined to the left of and below the numerical series (i.e., no full-plate designs allowed).
 - b) The agency submits a minimum of 7,500 applications and accompanying fees to the DMV for the license plate. The agency has 12 months to collect these applications and fees, but it can extend that to a maximum of 24 months if it notifies and offers to refund fees to those who applied during the first 12 months. Once a plate is issued, DMV stops issuing that plate for the agency if the number of plates drops below 7,500.
- 2) Authorizes DMV to charge, in addition to the usual registration and license fees, the following additional fees for specialized license plates: \$50 for the

initial issuance, \$40 for annual renewal, and \$98 to personalize. DMV deducts its administrative costs from the revenues generated. The net revenues derived from a specialized license plate are then available upon appropriation for the sponsoring state agency to expend exclusively on projects and programs that promote the state agency's official policy, mission, or work.

This bill:

- 1) Requires the SCC to apply to the Department of Motor Vehicles (DMV) to sponsor an Endless Summer specialized license plate, with a surfer design, to fund programs that promote exposure to, and preservation of, surfing, its cultural heritage, and the coastal resources upon which the surfing environment depends.
- 2) Stipulates projects and programs funded shall be accessible to youth from low- and middle-income households lacking access to coastal resources and to youth with disabilities.

COMMENTS:

- 1) *Author Statement.* According to the author, the "Endless Summer" license plate in Florida generates \$1.6 million annually in a state with about 50% less vehicles and a significantly lower fee. Given the deep cultural significance of surfing heritage in California, this specialty license plate will not only connect with the values of the people, but will also provide significant revenues to help bolster our beaches, clean up our coastlines, and provide coastal recreational opportunities for undeserved communities.
- 2) *Goals of the SCC.* The SCC was established in 1976 to protect and improve natural lands and waterways, help people access and enjoy the outdoors, and sustain local economies. The Conservancy has completed over 2,400 projects along the California coast line and in the San Francisco bay. These projects include preserving almost 20,000 acres of wetlands, dunes, and wildlife habitat, building hundreds of miles of trails along the coast line and assisting in the completion of more than 100 urban waterfront projects. This bill would provide funds to support a coastal conservancy awareness program that SCC would administer.

- 3) *Poor Success Rate.* Very few specialized license plate programs reach the 7,500 plate threshold. Of the 12 legislatively sponsored plates approved since 2000, only two have met the threshold.
- 4) *If At First You Don't Succeed* The author carried an identical bill last year. That bill was vetoed over a concern about the new workload for the DMV when it was dealing with long customer wait times. The Governor's veto message:

“Reducing wait times in field offices and addressing the urgent needs of customers is the top priority. The programming required to implement these bills will delay the department's ability to fully modernize its aging information technology systems. While (this) bill may have merit, it would be prudent for the Legislature to pause on additional mandates while the department works to complete programming for prior legislative mandates and system upgrades designed to reduce transaction times and improve customer service.”

Concerns about DMV wait times remain.

RELATED LEGISLATION:

SB 1455 (Stern, 2018) — Requires the State Coastal Conservancy (SCC) to apply to the Department of Motor Vehicles (DMV) to sponsor the “Endless Summer” license plate and allocates the proceeds towards project and programs that promote surfing. *This bill was vetoed.*

AB 2058 (Acosta, 2018) — Authorizes the DMV to issue personalized Gold Star Family specialized license plates. *This bill was vetoed.*

AB 1251 (Allen, 2017) — Requires the State Coastal Conservancy to apply to the DMV to sponsor an Endless Summer license plate for a coastal conservancy awareness program. *This bill died in Assembly Transportation.*

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

POSITIONS: (Communicated to the committee before noon on Wednesday, April 3, 2019.)

SUPPORT:

None received.

OPPOSITION:

None received.

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This bill:

- 1) Modifies ATP allocations by distributing 75% to MPO's, 15% to small urban and rural regions and 10% to projects of a transformative nature. Funds for small/urban regions and transformative projects are to be distributed by CTC.
- 2) Requires, rather than authorizes, CTC to adopt separate guidelines for MPOs, as specified.
- 3) Authorizes an MPO to perform its own competitive project selection process using regional guidelines adopted by CTC, or allow MPOs to request CTC to perform the competitive project selection process on the MPO's behalf, as specified.
- 4) For the funds made available to MPOs, requires CTC to allocate these funds to each MPO as a lump sum, unless the MPO requests CTC to conduct the competitive selection process on behalf of the MPO, as specified.

BACKGROUND:*Active Transportation Program (ATP)*

SB 99 (Committee on Budget and Fiscal Review, Chapter 359, Statutes of 2013) and AB 101 (Committee on Budget, Chapter 354, Statutes of 2013) established ATP. The ATP consolidates several federal and state transportation programs, including the Transportation Alternatives Program, Bicycle Transportation Account, and State Safe Routes to School, into a single program. It is administered by the Office of Active Transportation and Special Programs (OAT) in Caltrans' Division of Local Assistance. The ATP aims to increase the number of bicycling and walking trips, increase safety and mobility for bicyclists and pedestrians, reduce greenhouse gas emissions through active transportation, enhance public health, and provide benefits to disadvantaged communities.

The California Transportation Commission (CTC) is required to adopt a program of projects for the ATP by April 1st of each odd-numbered year. ATP funds must be allocated by the CTC as follows: 40% to metropolitan planning organizations (MPOs) in urban areas with populations greater than 200,000; 10% to small urban and rural areas with populations of 200,000 or less, with projects competitively awarded by the CTC to projects in these regions; and 50% to projects competitively awarded by the CTC on a statewide basis. At least 25% of funds

distributed in each of these categories must benefit disadvantaged communities. The program is currently funded at about \$200 million per year.

COMMENTS:

- 1) *Author statement.* According to the author, “ATP was established by the Legislature to fund projects that increase active modes of transportation across the state including walking and biking, increase safety for non-motorized users, reduce greenhouse gas admissions, and enhance public health. SB 1 (Beall) infused an additional \$100 million in new funding and dramatically increasing the potential impact of these important projects. It is time for a more rational approach that offers a simpler and more transparent application process, delivers bike and pedestrian safety improvements faster, and provides regions with a more predictable level of funding across the state. SB 152 will address these concerns by expediting bicycle and pedestrian improvements by shifting administrative responsibility for the metropolitan portion of the program’s funding directly to the metropolitan planning organizations and eliminating the need for each project to be allocated by the California Transportation Commission. Additionally, SB 152 will modify the formula for the distribution of funds to increase the percentage of program funds being distributed through the Regional ATP and Small Urban and Rural competitive program while refocusing the state’s share on transformative projects.”
- 2) *ATP funding cycles.* According to CTC’s March 2019 ATP progress report, for the first three ATP funding cycles CTC has awarded \$1.18 billion to 720 ATP projects. CTC is currently implementing ATP’s fourth funding cycle, which is also the first cycle including SB 1 revenues. In January of this year, CTC adopted the statewide and small urban & rural components of Cycle 4 with the MPO components currently scheduled for adoption in June 2019. Cycle four included four years of programming from 2019/20 to 2022/23. Total funding capacity for cycle four was \$464.3 million: \$237.6 million statewide, \$43.8 million small urban and rural, \$175 million for the ten large MPOs, and \$8 million for the California Conservation Corps. The fifth ATP funding cycle call for projects is anticipated to be announced by CTC in Spring 2020. Cycle 5 is expected to include about \$440 million in ATP funding made up of Federal funding, SB1 funds and State Highway Account funding. The funding/programming years are expected be from fiscal year 2021/22 to 2024/2025.
- 3) *LAO report.* On March 1st of this year, the Legislative Analyst Office (LAO) released a report to the Legislature providing a review of certain aspects of the

program. This review stemmed from a request in the fiscal year 2018-2019 state budget which asked the LAO review the types of projects funded from ATP and the extent to which funded projects are located in and directly benefit disadvantaged communities. Overall, the LAO report found that most of the funded projects were very similar across the various components (state, MPO, rural) of ATP, most of the projects benefit disadvantage communities, and key program outcomes could not be determined due to lack of accurate reporting data. The report also noted that in certain circumstances, project applicants stated that the application process is cumbersome to complete and that many agencies hire a consultant to complete the application on their behalf which, many times, due to the low cost of the project, does not pencil out to apply. Lastly, the LAO suggested that due to the similarity in projects awarded in all three categories, the existing ATP framework raises questions on whether each component is structured in a way to maximize ATP's intended benefits and suggested that due to this finding, opportunity exists to consider legislative changes.

- 4) *Stakeholder concerns.* The author introduced this bill to address some of the programmatic issues that have arisen by various transportation stakeholders. Primarily, concerns surround the significant application and reporting requirements associated with ATP as well as the requirement for individual projects from the regional program to be allocated by the CTC even though all project selection is handled at the regional level. Stakeholders have noted that the significant reporting requirements have been known to serve as a deterrent for smaller public entities with less staff/financial resources. Furthermore, for larger agencies with greater resources, many of the reporting requirements are cumbersome and duplicative. Additionally, various stakeholders assert that the statewide competitive portion of the ATP (currently 50 percent) has not been distributed in a manner that properly reflects regional needs throughout the state and has delivered very unpredictable funding levels for each region. This bill aims to provide more local control to the ATP program and includes provisions to allow projects to be nominated and selected that are in greater alignment with regional needs.
- 5) *Bill opposition.* Opponents assert that the provisions specified in this bill do not make the program stronger but rather “undermine important accomplishments of the ATP.” Additionally, opponents write that the bill fails to consider sufficient levels of funding for community needs, ignores the existing flexibility MPO possess to develop their own programs, and limits rural communities’ access to program funding.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

POSITIONS: (Communicated to the committee before noon on Wednesday,
April 3, 2019.)

SUPPORT:

Metropolitan Transportation Commission
Riverside County Transportation Commission

OPPOSITION:

California Bicycle Coalition
California Walks
Leadership Counsel for Justice and Accountability
PolicyLink
Redwood Community Action Agency
Safe Routes to School National Partnership
Walk Sacramento
Walk Long Beach

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SENATE COMMITTEE ON TRANSPORTATION

Senator Jim Beall, Chair

2019 - 2020 Regular

Bill No:	SB 211	Hearing Date:	4/9/2019
Author:	Beall		
Version:	3/19/2019 Amended		
Urgency:	No	Fiscal:	Yes
Consultant:	Manny Leon		

SUBJECT: State highways: leases.

DIGEST: This bill authorizes the State Department of Transportation (Caltrans) to enter into lease agreements with a local entity for purposes of establishing an emergency shelter or feeding program, as specified.

ANALYSIS:

Existing law:

- 1) Grants Caltrans broad authority to acquire by eminent domain any property necessary for state highway purposes.
- 2) Authorizes Caltrans to lease to public agencies or private entities the use of areas above or below state highways (known as "airspace"). Generally, leases to private entities are required to be made on the basis of competitive bids and at fair market value.
- 3) Authorizes Caltrans to make land or airspace available, with or without charge, to a public entity to accommodate needed passenger, commuter, or high-speed rail; magnetic levitation systems; and highway and non-highway mass transit facilities.
- 4) Authorizes \$1 per month leases of Caltrans airspace parcels to the City and County of San Francisco, Santa Barbara County, the City of San Diego, City of Oakland, City of San Jose, City of Los Angeles, and San Joaquin County for specified emergency shelter or feeding purposes.

This bill:

- 1) Makes findings and declarations that the provisions specified in this bill serve a public purpose.

- 2) Authorizes Caltrans to lease on a right of first refusal any airspace or real property acquired for highway purposes to a city, county, or political subdivision to be used for emergency shelter or feeding purposes, as specified.
- 3) Authorizes Caltrans to enter lease agreements for up to ten parcels in each city, county, or political subdivision at a monthly rate of no more than one-dollar and an annual administrative fee of no more than \$500.

COMMENTS:

- 1) *Author statement.* According to the author, "Caltrans currently has authority in a handful of numerous jurisdictions throughout the state to lease property for homeless shelter programs at below market rate. This authority gives these cities and counties a helpful tool to address California's significant homelessness crisis. Existing law generally obligates Caltrans to secure fair market value lease rates for airspace under freeways or other available parcels, based on the estimated highest and best use of the property. Exceptions to the fair market value requirement authorize Caltrans to lease unused parcels of land below market rates to various cities and counties for the purposes of emergency shelters and feeding programs. In each of these exceptions, the Legislature has found that below-market rate leases for these particular uses serve a public purpose. California has made it clear that addressing homelessness is a top priority. The time is now to allow for this solution statewide.

SB 211 will allow Caltrans to lease real property to cities and counties statewide for the purposes of establishing an emergency shelter or feeding program, for \$1 per month. It caps administrative fees at \$500. This will give these local jurisdictions the ability to leverage state and local assets to take bold and aggressive actions to address the state's homelessness crisis. SB 211 also protects the existing authority granted to jurisdictions in the past, allowing them to continue serving their communities without new administrative burdens."

- 2) *Special treatment for shelter/feeding programs.* The authority for Caltrans to enter into airspace leases is in existing law and Caltrans is generally obligated to secure fair market value lease rates for airspace under freeways or other available parcels, based on the estimated highest and best use of the property. Notable exceptions to the fair market value requirement authorize Caltrans to lease unused parcels of land below market rates to various cities and counties for the purposes of emergency shelters and feeding programs. In each of these exceptions, the Legislature has found that below-market rate leases for these particular uses serve a public purpose.

- 3) *Statewide remedy?* The author asserts that while cities and counties are experiencing an increase in homeless population, state and local governments will need to be provided every resource available to offer critical services to individuals in the homeless community. By taking the existing leasing authorization framework provided to various cities in California and offering the authorization statewide to local public entities, the author aims to provide cities and counties with the tools to develop additional resources to assist the homeless population.

RELATED LEGISLATION:

SB 519 (Beall, Chapter 444, Statutes of 2018) — Authorized Caltrans to offer leases to the Cities of Los Angeles and San Jose on a right of first refusal basis for any airspace under a freeway or certain real property acquired for highway purposes located in each city for purposes of an emergency shelter or feeding program for a lease amount, for up to 10 parcels, of \$1 per month, as specified.

AB 3139 (Bonta, Chapter 443, Statutes of 2018) — Authorized Caltrans to offer leases to the City of Oakland on a right of first refusal basis for any airspace under a freeway or certain real property acquired for highway purposes located in each city for purposes of an emergency shelter or feeding program for a lease amount, for up to 10 parcels, of \$1 per month, as specified.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

POSITIONS: (Communicated to the committee before noon on Wednesday, April 3, 2019.)

SUPPORT:

California State Association of Counties
City of Sacramento
Santa Clara County

OPPOSITION:

None received.

-- END --

SENATE COMMITTEE ON TRANSPORTATION

Senator Jim Beall, Chair

2019 - 2020 Regular

Bill No:	SB 340	Hearing Date:	4/9/2019
Author:	Stone		
Version:	2/19/2019		
Urgency:	No	Fiscal:	Yes
Consultant:	Manny Leon		

SUBJECT: High-speed rail bonds.

DIGEST: This bill prohibits the sale of the remaining High-Speed Rail Authority Proposition 1A bonds and requires any remaining bond proceeds to be used to pay down existing bond debt.

ANALYSIS:

The California High-Speed Rail Authority (HSRA) was established by legislation in 1996 (SB 1420, Kopp, Chapter 796) to direct the development and implementation of intercity high-speed rail service that is fully coordinated with other public transportation services. In 2008, California voters approved Proposition 1A, the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century (Prop. 1A), which authorized \$9 billion in general obligation bonds for the high-speed rail project. Prop. 1A included a number of requirements the state must meet to access the bond funding for capital construction, including the identification of matching funds, the completion of a funding plan, and approval of required environmental clearance documents.

In 2009, the federal government augmented Prop. 1A bond funding with roughly \$3.4 billion in funding from the American Recovery and Reinvestment Act and other federal funding programs. HSRA committed to match these federal funds with approximately \$2.3 billion in state funding.

Of the \$9 billion total Prop 1A bond funds allocated for high-speed rail, \$4.509 billion have been appropriated thus far. HSRA has spent \$2.040 billion through December 31, 2018. HSRA plans to spend \$1.484 billion in FY2018-19: \$1.363 billion in Prop. 1A bond funds, \$0 in federal funds, and \$121 million in Cap-and-Trade funds. The Prop 1A figure includes expenditures for local assistance bookend projects. Approximately \$164.7 million in Prop 1A bond bookend funds is forecast to be spent in FY2018-19.

Existing law:

- 1) At the federal level, appropriated approximately \$3.4 billion in federal funds designated for construction of the high-speed rail project.
- 2) Establishes the HSRA and vests with it the responsibility to develop and implement a high-speed rail system in California.
- 3) Authorizes the sale of \$9 billion in general obligation bonds to partially fund the development and construction of California's high-speed rail system.
- 4) Authorizes the expenditure of an additional \$950 million in general obligation bonds for capital projects on other passenger rail lines to provide connectivity to the high-speed rail system as well as for capacity enhancements and safety improvements to those lines.
- 5) Requires the HSRA to complete and submit to the Legislature funding plans and financial analyses prior to requesting an appropriation of bond funds for eligible capital costs and prior to committing bond proceeds for expenditure for construction and real property and equipment acquisition.

This bill:

- 1) Prohibits the future sale of the remaining high-speed rail bonds (Proposition 1A, 2008) and requires the unspent proceeds from previous bond sales to be appropriated to pay down outstanding high-speed rail bond debt, as specified.
- 2) Exempts the bond funds designated for early improvement “bookend” projects from the abovementioned prohibition.

COMMENTS:

- 1) *Author statement.* According to the author, “with a continuous desire for a more efficient means of transportation throughout the state of California, both voters (via Proposition 1A, 2008) and members of the Legislature (via statute and budget bills) have repeatedly approved the funding for California High-speed Rail programs and the Commission. However, in the last few years, several polls have shown that a majority of Californians disapprove of spending on high-speed rail. A USC/LA Times poll earlier this year showed 49% of Californians want to end the project once and for all. SB 340 would end the failed High Speed rail project by stating that no further bonds shall be sold for

high-speed rail purposes pursuant Prop 1A, except as specifically provided with respect to an existing appropriation for high-speed rail purposes for early improvement projects in the Phase 1 blended system. Unspent proceeds received from outstanding bonds issued will be used to settle the debt incurred from the issuance of said bonds.”

- 2) *Fulfilling the promise.* Proponents of high-speed rail suggest that the project still technically meets the promises made to voters in 2008. In addition, some advocates argue that the project is transformative and should be pursued regardless of a potentially divergent electorate. These advocates suggest that, while voters today may not approve the project as currently envisioned, when the system is finally running and all of the benefits are realized, Californians will be thankful the state continued to pursue it in the face of its many detractors. They point to the significant opposition to construction of the Bay Area Rapid Transit (BART) system in the 1960s, which today is an integral part of the Bay Area transportation network.

Other supporters of high-speed rail argue that, despite the fact that today’s plan may not fully live up to the vision presented to voters in 2008, the large influx of construction dollars and potential jobs created in the Central Valley are too important to risk losing should the voters defeat the project at the ballot. To that end, HSRA has reported that the Authority has contracted with 480 certified small and micro businesses throughout the state and has generated \$6.8 to \$7.6 billion in economic output in the Central Valley where high-speed rail construction is ongoing. The most updated figures by HSRA note that construction of the high-speed rail project in the Central Valley has created approximately 2,600 construction jobs. With this region suffering one of the worst unemployment rates in the country, the funds from this project are stimulating much-needed relief to the Central Valley’s economy.

- 3) *Federal matching requirements.* Complicating the implementation of this bill is the fact that the federal government requires the state to match any federal funding expended on the project. The HSRA 2017 Project Update Report further reported that HSRA had secured \$3.48 billion in federal funds for high-speed rail. As of September 2017, HSRA has expended all federally allocated high-speed rail designated funds. It is unclear whether the state, if it suddenly ceased to pursue the high-speed rail project, would be in a position to pay back the federal government for some, if not all, of the federal funds expended. If that became the case, it is not clear how the state would achieve repayment without access to the Prop. 1A bond funds.

- 4) *HSR moving forward and who pays?* Since the project's construction commenced in 2015 in the Central Valley, HSRA now has over 119 miles of construction activity underway. This translates into bridges and structures being built, land being cleared, roads being upgraded, and Central Valley residents receiving well-paying employment opportunities. The impacts of eliminating the ability to access the remaining high-speed rail bonds is unknown; however, could potentially have significant ramifications for the state. In addition to the possibility of having to pay back federal dollars (over \$2 billion), HSRA has entered into a variety of contracts for construction and supporting services (such as supplies, equipment, etc.). It is unclear what state funding source would be used to cover the costs associated with these contract commitments if HSRA no longer has access to Proposition 1A funds.
- 5) *Double referral.* This bill is also referred to the Senate Governance and Finance Committee and will be heard in that committee if passed out of this committee.

RELATED LEGISLATION:

SB 414 (Vidak, 2018) — prohibited the issuing or selling of high-speed rail (HSR) bonds upon enactment and redirects remaining high-speed rail bond proceeds to state freeways and highways, local streets and roads, and local transit projects upon voter approval. *SB 414 failed passage in the Senate Transportation and Housing Committee.*

AB 1455 (Harkey, 2012) — would have reduced the amount of authorized indebtedness for HSRA to the amount contracted as of January 1, 2013 and excluded from these provisions indebtedness authorized for other rail purposes. *AB 1455 failed passage in the Assembly Transportation Committee.*

AB 1501 (Patterson, 2014) — would have prohibited HSRA from spending federal funds for which a state match is required unless state funding for the match is immediately available. *AB 1501 failed passage in the Assembly Transportation Committee.*

AB 2121 (Harkey, 2010) — would have reduced the amount of general obligation debt authorized pursuant to Prop. 1A to the amount contracted by HSRA. It was amended in the Assembly Transportation Committee to instead require HSRA to annually submit a six-year funding program and a project progress report to the appropriate policy and budget committees of the Legislature. *AB 2121 was passed by the Assembly, but died in the Senate Rules Committee.*

AB 2650 (Conway, 2014) — would have directed the Secretary of State to place on the November 2014 general election ballot a measure to prohibit further issuance and sale of any authorized bonds for high-speed rail, except for specified projects for which appropriations have already been made. It would also have redirected the proceeds of any outstanding bonds issued and sold to debt retirement, and reauthorized the issuance and sale of any unissued bonds for other transportation uses, upon legislative appropriation. *AB 2650 failed passage in the Assembly Transportation Committee.*

AB 76 (Harkey, 2011) — would have reduced the amount of authorized indebtedness for HSRA to the amount contracted as of January 1, 2012. *AB 76 failed passage in the Assembly Transportation Committee.*

AB 842 (Donnelly, 2013) — would have prohibited the expenditure of state and federal funds for high-speed rail except as necessary to meet contractual commitments entered into before January 1, 2014. *AB 842 failed passage in the Assembly Transportation Committee.*

SB 22 (La Malfa, 2011) — would have reduced the amount of indebtedness authorized by Prop. 1A to the amount contracted as of January 1, 2012. *SB 22 failed passage in the Senate Transportation and Housing Committee.*

SB 901 (Vidak, 2014) — would have required the Secretary of State to place on the November 2014 general election ballot a referendum to prohibit the sale of additional high-speed rail bonds. It would also have authorized the net proceeds from outstanding bonds to be redirected, upon appropriation, to retirement of high-speed rail bond debt and would have prohibited expenditure of bond funds, or issuance of additional bonds, for high-speed rail until November 2014. *SB 901 failed passage in the Senate Transportation and Housing Committee.*

SBX1 3 (Vidak, 2015) — similar to this bill, would have redirected high-speed rail bond proceeds to state freeways and highways, and local streets and roads, upon voter approval. *SBX1 3 failed passage in the Senate Transportation and Infrastructure Committee in the 1st Extraordinary Session.*

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

POSITIONS: (Communicated to the committee before noon on Wednesday, April 3, 2019.)

SUPPORT:

None received.

OPPOSITION:

None received.

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SENATE COMMITTEE ON TRANSPORTATION

Senator Jim Beall, Chair

2019 - 2020 Regular

Bill No: SB 371 **Hearing Date:** 4/9/2019
Author: Caballero
Version: 3/25/2019 Amended
Urgency: No **Fiscal:** No
Consultant: Randy Chinn

SUBJECT: Schoolbuses: stop requirements.

DIGEST: This bill authorizes school districts to install automated school bus video enforcement system for school bus passing violations.

ANALYSIS:

Existing law:

- 1) Requires the driver of any vehicle, upon meeting or overtaking from either direction, any school bus displaying a flashing red light signal and stop signal arm, to stop until the light stops flashing. Stopping is not required if the bus is stopped on a multi-lane or divided roadway and the vehicle is traveling in the opposite direction.
- 2) Authorizes school bus drivers who witness a violation to report that violation to a local law enforcement agency, who shall issue a letter of warning to the registered owner of the vehicle.
- 3) Requires school bus drivers to activate an amber warning light 200 feet before the school bus stop, deactivate the amber warning light after reaching the school bus stop, and activate the flashing red light signal system when the school bus is stopped for the purpose of loading or unloading pupils, with specific exemptions. The amber and red lights shall not be activated any other time.
- 4) Requires, in instances where traffic is not controlled by a traffic officer or traffic control signal, school bus drivers to escort all pupils up through grade 8 who need to cross the highway and to hold a "STOP" sign.

This bill:

Authorizes school districts to install and operate an automated video enforcement system to enforce violations of the existing law requiring drivers to stop at school busses displaying flashing red lights described above.

Requires a school bus equipped with an automated video enforcement system to be equipped with a sign on the rear of the school bus that reads as follows:

“STOP WHEN LIGHTS ARE FLASHING – IT’S THE LAW
VIDEO ENFORCED STOP”

A school district adopting an automated video enforcement system may:

- a) Contract with private vendors. Those vendors may not share the video with any other entity except law enforcement.
- b) Develop agreements with law enforcement and governing bodies of cities and counties regarding responsibilities and costs associated with the system, including the use of the base fine.

If a school district adopts an automated video enforcement system:

- a) The video image shall capture only the vehicle make, model, color, and license plate.
- b) The video image shall contain a clear view of vehicles passing the school bus on either side.
- c) The date and time the recording was made.
- d) An indicator showing the activation of the amber lights, flashing red lights, stop signal arm deployment, and brake activation.
- e) The video image shall be destroyed within 90 days if no violation is recorded.
- f) The video images shall not be included in the driving record of the vehicle driver.
- g) The district shall have a public communication plan to alert the public of the video system at least 30 days before deployment.
- h) During the first 90 days of the deployment of the video system, a vehicle owner captured by the system shall receive a warning letter and not a citation.

All images captured by the automated video enforcement system shall be confidential, encrypted and available only to the school district, contractor, law enforcement, or offender except by subpoena.

A driver of a school bus equipped with an automated school bus video enforcement system shall not incur any increased liability for the operation of that system.

A school district may not use the video from an automated school bus video enforcement system for any purpose other than enforcing the requirement to stop at school busses displaying flashing red lights. The video may not be used for employee surveillance or discipline.

COMMENTS:

- 1) *Author Statement.* The goal of SB 371 is to encourage drivers to stop in order to cut down the number of children struck by violators of the school bus stop law. The fact that children today are struck by drivers who do not follow the law indicates that more needs to be done to enforce it to keep children safe. This bill provides school districts with another tool to ensure children are safe inside both school and its vicinity.
- 2) *Need for the Bill.* The bill sponsors believe that motorists frequently disobey the school bus laws. They note a survey by the National Association of State Directors of Pupil Transportation Services finding 21,000 violation daily in California in 2017, a number which has been roughly consistent since 2012. However, this high number of violations does not correspond with high numbers of accidents or injuries. The California Highway Patrol's (CHP) database of accidents has identified no fatalities, only 16 injuries, and 85 collisions in the past 10 years.¹ This is consistent with a 2015 report by the National Highway Traffic Safety Administration which found that 116 school-age pedestrians were killed in school-transportation-related crashes nationwide from 2004-2013, or 12 annually, of which 62% were struck by school busses.² Based on these accident data, the risk of student injury while crossing is very low, and most of that risk is from the school bus itself.
- 3) *Penalties are Severe.* The total fine for a first violation, including all associated fees, is a minimum of \$746 and a maximum of \$1,156. It also adds a point to the driver's record. (As with many traffic violations, the court may permit a violator to instead participate in traffic school for a first offense.) This severe penalty runs counter to the Legislature's recent efforts to recognize the disproportionate financial impact of the justice system on people of modest

¹ Supporters of this bill maintain that the CHP database is flawed and substantially understates student deaths and injuries, based on an analysis by the University of California at Berkeley Safe Transportation Research Center. Staff has been unable to validate this analysis.

² Traffic Safety Facts 2004-2013 Data; U.S. Department of Transportation National Highway Traffic Safety Administration; June 2015.

means, such as by reducing parking fines and tickets and restricting the use of cash bail.

- 4) *Targeting the Vehicle, not the Driver.* This bill limits the video recording to information about the vehicle. Recording information about the driver and passengers is prohibited. Assessing fines to the vehicle is an enforcement mechanism for parking violations. It has also been used for automated enforcement of stop signs. However, traffic violations typically accrue to the driver, not the vehicle. This bill raises enforcement questions in that the same violation may result in different penalties depending on whether the violation is caught by a law enforcement officer, who would cite the driver, or by video camera, which would cite the vehicle. It is also unclear how a point on a driver license could be enforced on a vehicle.
- 5) *No discretion.* Automated enforcement removes the discretion of law enforcement. Unique circumstances may cause a driver to fail to stop because stopping may be unsafe, such as if that driver was being tailgated or the sightlines coming around a curve made it difficult to see the school bus. Current law establishes a specific protocol that school bus drivers must follow before turning on the flashing red lights so that following cars are warned that the bus is stopping. Without that warning, it would be unfair to issue a ticket. There may also be unusual circumstances which may cause drivers to pass a stopped school bus, such as if the school bus driver left the red lights flashing inadvertently after the students crossed the road, for example while dealing with an on-board bus situation. A law enforcement officer must have sufficient video evidence to see the context of the potential violation before issuing the ticket. *The author has agreed to amend the bill to provide for proper law enforcement review before issuing the ticket.*
- 6) *Better Signage.* School busses have signs on the back telling drivers that they must stop when red lights are flashing. No such signage is required when approaching busses from the front. The very high number of observed violations is a clear indication of a driving public unaware of the law. The author should consider requiring signage on the front of the bus.
- 7) *Making Money.* Automated traffic enforcement has a poor history, sometimes used to raise revenue rather than ensure public safety. Automated stop sign enforcement has targeted drivers for trivial and technical violations, providing a revenue source for the sponsoring agency and its contractor. Red light cameras have the same unfortunate history with some jurisdictions shortening the yellow light intervals to create more violations. Experience with automated enforcement led to revisions in the law to diminish the financial incentives to

issue tickets. *The author has agreed to add language with a similar effect to this bill.*

- 8) *Nothing to See Here.* The bill allows access to the generated video only for purposes of enforcing the requirement to stop when the red warning lights are flashing. However, if a student is injured and video evidence is available, it seems reasonable and necessary that the evidence should be used to investigate the cause of the injury. As noted above, most of the student pedestrian deaths were caused by school busses. In addition, school bus drivers have specific responsibilities under current law for ensuring the safety of younger students crossing streets. The author should consider revising this language.
- 9) *The (Very) Long Arm of the Law.* The bill authorizes school districts to equip their schoolbuses with stop signs that extend up to six feet from the side of the schoolbus when the bus is driven on two-lane highways and highways in rural areas. While this may be helpful in stopping traffic and has been used in at least one school district in another state, it may also pose a traffic hazard. Before deploying such devices, the author should require the CHP to perform an evaluation.
- 10) *Triple Referral.* If approved by this committee the bill will be heard next in the Education Committee. If successful there, it will be subsequently heard in the Judiciary Committee.
- 11) *Fiscal Amendments Jeopardize the Bill.* Because this bill is triple referred and non-fiscal, any amendments taken by this committee which turn this into a fiscal bill will make it extremely difficult for the subsequent two committees to hear the bill before the fiscal deadline.

RELATED LEGISLATION:

AB 852 (Caballero, 2018) — Authorized a school bus video enforcement system. This bill died in the Senate.

AB 2360 (Alejo, 2016) — Authorized a school bus video enforcement system. This bill died in the Assembly.

FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No

POSITIONS: (Communicated to the committee before noon on
Wednesday, April 3, 2019.)

SUPPORT:

California Coalition for Children's Safety and Health
California School Employees Association

OPPOSITION:

National Motorists Association
Safer Streets L.A.

SENATE COMMITTEE ON TRANSPORTATION

Senator Jim Beall, Chair

2019 - 2020 Regular

Bill No:	SB 402	Hearing Date:	4/9/2019
Author:	Borgeas		
Version:	2/20/2019		
Urgency:	No	Fiscal:	Yes
Consultant:	Manny Leon		

SUBJECT: Vehicles: off-highway vehicle recreation: County of Inyo.

DIGEST: This bill extends a pilot program in Inyo County relative to off-highway motor vehicles (OHV).

ANALYSIS:

Existing law:

- 1) Prohibits, generally, OHV's from being driven upon any public highway or street, except to cross a highway under certain circumstances, or when a highway is closed due to snow.
- 2) Requires drivers of OHVs that are operated on combined-use road segments to comply with all provisions of the California Vehicle Code, including possessing a valid driver's license, obeying speed laws, possessing evidence of insurance, and wearing a helmet while on a motorcycle.
- 3) Prohibits the operation of OHVs on roads after dark.
- 4) Authorizes Inyo County to permit combined use on road segments within its jurisdiction of up to 10 miles in length, as specified. This authority is granted on a pilot basis with a sunset date of January 1, 2020.
- 5) Requires Inyo County, by January 1, 2019, to submit a report to the Legislature with findings related to the abovementioned pilot program.

This bill:

- 1) Extends Inyo County's authority to implement the pilot program until January 1, 2025.

- 2) Requires Inyo County to submit an additional report to the Legislature, subject to the same requirements of the original report, by January 1, 2024.

COMMENTS:

- 1) *Author's statement.* According to the author, "Inyo County primarily consists of publicly administered land; only 1.6% of the county's over 10,000 square miles is privately owned. Inyo County's current pilot project is an important travel management tool that protects the natural beauty of the area and connects off-highway vehicle (OHV) riders to fuel, food and lodging in neighboring towns. Inyo County has the second-lowest population density in California, with 1.8 people per square mile and relies heavily on its several million tourists per year — many of which utilize OHVs to navigate its remote areas. The combined use routes currently being operated under this pilot project have not had a detrimental impact on public safety. SB 402 is necessary to continue a valuable travel management tool in Inyo County for an additional five years."
- 2) *What are OHV's?* OHVs encompass a variety of vehicle types, including motorcycles, snowmobiles, sand buggies, dune buggies, all-terrain vehicles (ATVs), Jeeps, and recreational utility vehicles (also known as utility terrain vehicles or side-by-sides) that are intended to be operated or used exclusively off the highways. They are therefore not subject to the same registration and safety equipment requirements as vehicles that are routinely used on public streets.
- 3) *Pilot program.* On December 11, 2018, the County of Inyo submitted its report of the pilot program to the Legislature. The report notes that a total of seven combined-use routes were approved for the pilot program with three opening in 2015 and the remaining four opening up in 2017. Regarding safety, the report indicated no accidents occurred or citations were issued on the seven roads studied in the program. With respect to ridership, the seven roads did not experience an increase in OHV use in comparison to other maintained roads. The report also stated the pilot has not affected non-motorized recreation such as equestrian trails; and as for road monitoring, the report notes several instances where OHV's were operating on the road shoulder. Ultimately, the report found that a small number of OHV's were driving on the combined-use designated roads.
- 4) *More time, more routes, more reporting?* Supporters of this measure contend that the pilot program has not been implemented for a sufficient period to fully assess the program's impact to the community. Opponents assert the program has not proven to be effective, enforcement is minimal, and the overall

community is not requesting a program extension. While a second extension for an additional five years does raise some questions, the pilot program did in fact experience implementation delays. An extension with the existing program with no modifications, expansions, etc. does seem reasonable. However, the Legislature may wish to question any future extensions beyond 2025.

5) *Double Referral.* This bill is also referred to the Senate Committee on Natural Resources and Water.

RELATED LEGISLATION:

SB 1345 (Berryhill, Chapter 217, Statutes of 2016) — Extended the sunset of the OHV/combined road use pilot program on Inyo County to 2020.

AB 628 (Conway, Chapter 532, Statutes of 2011) — Allowed Inyo County to designate road segments up to 10 miles in length for combined use on a pilot basis.

AB 2338 (Conway, 2010) — Would have allowed Inyo County to designate road segments over three miles in length for combined use. *This bill was vetoed by the Governor.*

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

POSITIONS: (Communicated to the committee before noon on Wednesday, April 3, 2019.)

SUPPORT:

Inyo County Board of Supervisors
Rural County Representatives of California

OPPOSITION:

Center for Biological Diversity
Sierra Club California
35 Individuals

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SENATE COMMITTEE ON TRANSPORTATION

Senator Jim Beall, Chair

2019 - 2020 Regular

Bill No:	SB 460	Hearing Date:	4/9/2019
Author:	Beall		
Version:	2/21/2019		
Urgency:	No	Fiscal:	Yes
Consultant:	Randy Chinn		

SUBJECT: Vehicles: biennial registration.

DIGEST: This bill authorizes the Department of Motor Vehicles (DMV) to establish a two-year vehicle registration.

ANALYSIS:

Existing law requires annual vehicle registration renewal.

This bill authorizes biennial vehicle registration beginning no earlier than January 1, 2020.

COMMENTS:

- 1) *Author Statement.* The author introduced this bill to deal with long customer wait times at the DMV. By doubling the period for which a vehicle registration is valid, the number of vehicle registration transactions should be reduced, thereby freeing up DMV resources to deal with the issuance of REAL ID licenses. The author intends that this bill contain any statutory changes needed by the DMV to improve its customer service and to provide any necessary legislative direction.
- 2) *Every Other Year.* A recent Department of Finance (DOF) audit (discussed below) notes that if customers were required to renew their vehicle registration less frequently, field offices may see a reduction in the quantity of customers visiting each year.¹ Since about 40% of DMV office visits are for vehicle registration — the other 60% is for driver licenses and ID cards — a biannual vehicle registration has the potential to be impactful. Implementing biennial vehicle registration will entail some programming effort by the DMV, meaning

¹ This observation also includes extending the validity of driver licenses and identification cards. California Department of Finance, Office of State Audits and Evaluations; California Department of Motor Vehicles Performance Audit; report No. 19-2740-032; March 2019; page 13.

that it is unlikely to have an impact before the REAL ID deadline. Workload savings will come in the second year of implementation.

- 3) Implementation of biennial vehicle registration should consider the following:
 - a) The vehicle registration bill also includes fees for some local government fees, so biennial registration will affect their cash flow.
 - b) Denial of vehicle registration is also an enforcement tool for smog check and failure to pay parking penalties.
 - c) Some customers may find it difficult to pay for two years of registration fees, though DMV partners may be able to help.

About a dozen states offer multi-year vehicle registration, including Arizona, Colorado and New York.

- 4) *Summertime Blues*. The unacceptable customer wait times at the DMV resulting from the implementation of the federal REAL ID requirements have been well documented in hearings by this committee, monthly reports from the DMV to the Joint Legislative Budget Committee, and the media. Since the summer of 2018, when wait times often exceeded several hours, the DMV has improved its performance and reduced those wait times to pre-REAL ID levels, facilitated by significant budget increases.
- 5) *Not Out of the Woods, Not by a Long Shot*. The federal REAL ID requirements greatly increase the DMV's workload because these licenses require an in-person visit to the DMV as well as significant extra documentation. Beginning in October 2020 a REAL ID, or some other acceptable identification such as a passport, will be required to fly or to enter federal facilities. The volume of REAL ID applications is expected to double to 6 million annually, presenting a real challenge for a DMV that is struggling to meet current volumes.
- 6) *Opportunities for Improvement*. At the request of Governor Brown, in 2018 the DOF conducted a performance audit of the DMV. The audit objectives were to assess the efficiency and effectiveness of the DMV's operations, make recommendations to improve its practices, and evaluate the DMV's information technology system. In 2019, Governor Newsom appointed the Secretary of the Governmental Operations Agency to chair a strike team to lead a comprehensive modernization and reinvention of the DMV and make recommendations for new long-term leadership and reform.

The results of the DOF audit were released on March 27, 2019. It is highly critical of virtually every aspect of the DMV that it examined, from planning for REAL ID to educating customers to training employees to managing workload to its information technology systems. Notably, some of the new practices and procedures that were touted to this committee were poorly and spottily implemented. The audit recommends 92 corrective actions, some of which directly affect REAL ID issuance and others, which are longer term.

- 7) The DMV agreed with DOF's findings. They will file a detailed Corrective Action Plan (CAP) within 60 days of the audit publication, including milestones and target dates to correct all deficiencies. The CAP will then be updated every six months until all planned actions have been implemented.
- 8) *Strike Team Activity.* The Strike Team recently released an update on their activities. Their key strategy is to reduce avoidable visits to DMV field offices by 1) creating more options for obtaining DMV services through kiosks, on-line, and by phone; and 2) better educate customers on the required documentation for a REAL ID. They are also assessing how the REAL ID process can be streamlined.
- 9) *More Resources Requested.* On March 29, 2019, the DOF submitted a request for \$168 million to add 180 new employees, keep 900 temporary employees, improve training, upgrade some information technology and create a customer information program.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

POSITIONS: (Communicated to the committee before noon on Wednesday, April 3, 2019.)

SUPPORT:

None received.

OPPOSITION:

None received.

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SENATE COMMITTEE ON TRANSPORTATION

Senator Jim Beall, Chair

2019 - 2020 Regular

Bill No:	SB 504	Hearing Date:	4/9/2019
Author:	Monning		
Version:	3/25/2019		
Urgency:	No	Fiscal:	Yes
Consultant:	Manny Leon		

SUBJECT: State highways: Route 1: relinquishment.

DIGEST: This bill allows the California Transportation Commission (CTC) to relinquish segments of State Route (SR) 1 in the City of Pismo Beach.

ANALYSIS:

Existing law:

- 1) Identifies the California state highway system through a description of segments of the state's regional and interregional roads that are owned and operated by the Department of Transportation (Caltrans).
- 2) Defines a "state highway" as any roadway that is acquired, laid out, constructed, improved, or maintained as a state highway according to legislative authorization.
- 3) Specifies that it is the intent of the Legislature for the routes of the state highway system to connect the communities and regions of the state and that they serve the state's economy by connecting centers of commerce, industry, agriculture, mineral wealth, and recreation.
- 4) Provides that any expansion or deletion of the state highway system occurs through a statutory process requiring the CTC to make findings that it is in the best interest of the state to include or delete a specified portion of roadway from the system.

This bill:

- 1) Authorizes CTC, upon a determination that it is the best interest of the state to do so and upon an agreement between Caltrans and the City of Pismo Beach, to relinquish that portion of SR 1 that lies within the applicable city limits.
- 2) Provides that the relinquishments will become effective on the date following the county recordation of the relinquishment resolutions containing CTC's approval of the specified terms and conditions.
- 3) Specifies that, following the effective date of relinquishment, the relinquished segments will no longer be state highways and may not be considered for future adoption as state highways.
- 4) Requires the City of Pismo Beach that to maintain signs within its jurisdiction directing motorists to the continuation to SR 1

COMMENTS:

- 1) *Author statement.* According to the author, "For a number of years, the City of Pismo Beach has been discussing the possibility of a relinquishment of State Route (SR) 1 with Caltrans District 5. SR 1 is located within the Pismo Beach City limits for approximately 2.5 miles. The City would like to have additional control over the roadway to make improvements that will help with mobility, safety, active transportation, tourism, economic development and defining the City's unique character. Having reached a point in discussions with Caltrans where an agreement is on terms of relinquishment are almost complete, the City would like to pursue legislative authorization for the California Transportation Commission (CTC) to consider relinquishment of SR 1 to the City of Pismo Beach."
- 2) *Relinquishments.* Each session, the Legislature passes and the governor signs numerous bills authorizing CTC to relinquish segments of the state highway system to local jurisdictions. Relinquishment transactions are generally preceded by a negotiation of terms and conditions between the local jurisdiction and Caltrans. Once an agreement has been established, CTC typically approves the relinquishment and verifies its approval via a resolution.
- 3) *SR 1.* Approximately 2.5 miles of SR 1 are requesting to be relinquished in the City of Pismo Beach. According to the sponsors of the bill, the City of Pismo beach is working with CTC to relinquish portions of SR 1 within the city limits to make improvements that will help with mobility, safety, active transportation, and tourism with the goal to better accommodate motorists,

bicyclists, and pedestrians. Additionally, many of the abovementioned improvements are part of the City's Circulation Element within the General Plan adopted by the Pismo Beach City Council and are contingent on the City's successful acquisition of the roadway.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

POSITIONS: (Communicated to the committee before noon on Wednesday, April 3, 2019.)

SUPPORT:

City of Pismo Beach

OPPOSITION:

None received.

-- END --

SENATE COMMITTEE ON TRANSPORTATION

Senator Jim Beall, Chair

2019 - 2020 Regular

Bill No:	SB 526	Hearing Date:	4/9/2019
Author:	Allen		
Version:	2/21/2019		
Urgency:	No	Fiscal:	Yes
Consultant:	Randy Chinn		

SUBJECT: Regional transportation plans: greenhouse gas emissions: State Mobility Action Plan for Healthy Communities.

DIGEST: This bill, among other things, requires the California Transportation Commission (CTC), for State Transportation Improvement Plan (STIP) projects located within the jurisdiction of a Metropolitan Planning Organization (MPO) that ARB has determined is not on track to meet its 2035 greenhouse gas (GHG) emission reduction targets, to assign a lower priority to a project that increases Vehicle Miles Traveled (VMT) and GHG emissions than a project that reduces VMT and GHG emissions.

ANALYSIS:

Existing federal law:

- 1) Requires any urbanized area with a population greater than 50,000 to establish a metropolitan planning organization (MPO) that, among other things, is responsible to ensure that regional transportation planning is cohesive across local jurisdictions.

Existing state law:

- 1) Requires, under the California Global Warming Solutions Act of 2006 (also known as AB 32), the California Air Resources Board (ARB) to (1) determine the 1990 statewide greenhouse gas (GHG) emissions level and approve a statewide GHG emissions limit that is equivalent to that level to be achieved by 2020; and (2) ensure that statewide GHG emissions are reduced to at least 40% below the 1990 level by December 31, 2030 (i.e., SB 32).
- 2) Requires transportation planning agencies to prepare and adopt regional plans that, with specifications, achieve a coordinated and balanced regional

transportation system.

- 3) Requires, as a part of the regional transportation plan, a sustainable communities strategy (SCS), with specifications, to be prepared by each MPO.
- 4) Establishes a process for, and requires, ARB to provide regional transportation planning agencies with GHG emissions reductions targets that must be included in their SCS. Nothing in an SCS shall be interpreted as superseding or interfering with the exercise of the land use authority of cities and counties.

This bill:

- 1) This bill requires the CTC, for State Transportation Improvement Plan (STIP) projects located within the jurisdiction of an MPO that ARB has determined is not on track to meet its 2035 GHG emission reduction targets, to assign a lower priority to a project that increases Vehicle Miles Traveled (VMT) and GHG emissions than a project that reduces VMT and GHG emissions.
- 2) Requires each MPO to submit data to ARB that describing how transportation funds have been spent in relation to the SCS and describes whether that spending has lead to an increase or decrease in VMT.
- 3) Requires ARB to notify the CTC as to which regions are not meeting their GHG emission reduction targets, as specified.
- 4) Requires an SCS to include near- and long-term steps that can help a region attain their GHG emission reduction targets, as specified.
- 5) Establishes an interagency working group, to be administered by the Strategic Growth Council (SGC), with the following membership:
 - a) The members of SGC.
 - b) The Secretary for Environmental Protection (CalEPA).
 - c) The Secretary of the Natural Resources Agency.
 - d) The Secretary of Transportation.
 - e) The Secretary of the Department of Housing and Community Development.
 - f) The Chair of ARB.
 - g) The Chair of the California Transportation Commission.
 - h) The Director of the Office of Planning and Research.
 - i) The Director of the State Department of Public Health.

- j) The Executive Director of SGC.
 - k) Four representatives from regional and local governments (two chosen each by the ARB Chair and the CTC).
- 6) Requires the interagency working group to develop and implement a State Mobility Action Plan for Healthy Communities (SMAPHC) to ensure that regional growth and development is designed and implemented in a manner that will help achieve the state's environmental, equity, climate, health, and housing goals.
- 7) Requires the interagency working group to identify actions in the SMAPHC needed to achieve the reductions in VMT necessary to meet specified GHG emission reduction targets. These actions shall:
- a) Overcome identified obstacles to aligning state transportation funds with climate, health, equity, and conservation goals.
 - b) Plan and implement development in specified communities that meets regional GHG emission reduction goals.
 - c) Provide increased and equitable travel options that supports infill development and offers economic development, access to jobs and other opportunities, and access to affordable housing, as specified.
 - d) Promote innovative mobility options that fosters greater livability, access to destinations, and compact infill development rather than accelerating sprawl, as specified.
 - e) Protect disadvantaged communities, renters, low-income people, and other vulnerable populations from displacement.
 - f) Identify responsible parties at the state, regional, and local levels to implement reductions in VMT and GHG emissions.
 - g) Identify any obstacles, including, but not limited to, data gaps at the regional and local level that inhibit monitoring the progress toward and compliance with specified GHG emission reduction goals.
 - h) Requires the interagency working group to establish definitive timelines and an investment strategy to meet VMT and GHG emission reduction goals, as specified.

- 8) Requires the SMAPHC to be completed by December 31, 2020, and be submitted to the Legislature, as specified. By September 1, 2024 and every four years thereafter, the interagency working group shall update the SMAPHC based on ARB's assessment of regional progress toward specified GHG emission reduction goals, as specified.

BACKGROUND:

- 1) *GHG Emissions Goals*. AB 32 (Núñez and Pavley, Chapter 488, Statutes of 2006), also known as the California Global Warming Solutions Act of 2006, requires ARB to determine the 1990 statewide GHG emissions level and approve a statewide GHG emissions limit that is equivalent to that level, to be achieved by 2020, and to adopt GHG emissions reductions measures by regulation.

In 2015, Governor Brown issued Executive Order B-30-15, which set a target of reducing statewide GHG emissions to 80% below 1990 levels by 2050, and an interim statewide GHG emissions reduction target of 40% below 1990 levels by 2030. SB 32 (Pavley, Chapter 249, Statutes of 2016) codified the 2030 GHG emissions reductions target in the Governor's Executive Order.

- 2) *SB 375 (Steinberg, Chapter 728, Statutes of 2008)*. SB 375, also known as The Sustainable Communities and Climate Protection Act of 2008, requires ARB to set regional targets for GHG emissions reductions from passenger vehicle use. In 2010 ARB established these targets for 2020 and 2035 for each region covered by one of the state's MPOs and updated those targets in 2018. The updated targets call for the four largest MPOs to reduce their per capita GHG emissions from passenger vehicle use by 19% by 2035 compared to 2005.

SB 375 also requires each of California's MPOs to prepare an SCS as part of its regional transportation plan (RTP). The SCS contains land use, housing, and transportation strategies that, if implemented, would allow the region to meet its GHG emission reduction targets. Once adopted by the MPO, the RTP/SCS guides the transportation policies and investments for the region. ARB must review the adopted SCS to confirm and accept the MPO's determination that the SCS, if implemented, would meet the regional GHG targets. If the combination of measures in the SCS would not meet the regional targets, the MPO must prepare a separate APS to meet the targets.

ARB estimates that the 2020 and 2035 targets of the SB 375 program represent reductions of greenhouse gas emission from passenger vehicles and light trucks of over three million metric tons of carbon dioxide per year in 2020 and 15

million metric tons of carbon dioxide per year in 2035.

- 3) *State Transportation Improvement Program (STIP)*. The STIP is a multi-year capital improvement program of transportation projects, both highway and transit. STIP projects comes from the Regional Transportation Improvement Plans (RTIPs) prepared by the regional agencies and the Interregional Transportation Improvement Plan (ITIP) prepared by Caltrans. Local agencies, who are land-use planning agencies, work through their Regional Transportation Planning Agency (RTPA), County Transportation Commission, or MPO, as appropriate, to nominate projects for inclusion in the STIP. State STIP funds are subject to Constitutional protections which limit their use. For transit purposes they can only be used for planning and construction of fix mass transit guideways. They cannot be used for transit operational or rolling stock purchases.
- 4) *Vehicle Miles Traveled (VMT)*. According to ARB, California must reduce VMT, among other things, to meet the SB 32 target. Strategies that reduce VMT also provide numerous co-benefits, including improved public health outcomes, household cost savings, reduced energy and water consumption, reduced consumption of natural and working lands, and increased access to economic opportunity, as well as the many benefits of cleaner air due to reduced pollution from vehicles. California's MPOs are developing their second generation of Sustainable Communities Strategies, describing alignments in land use and transportation planning to reduce the need for light duty vehicle travel, under SB 375.

VMT is effected by many things in addition to land use planning. Probably the most significant driver is the health of the economy. As the economy grows people drive more. Gas prices also effect VMT as lower gas prices increase VMT. In some areas VMT has increased because of Transportation Network Companies (e.g. Uber and Lyft).

COMMENTS:

- 1) *Author Statement*. According to the author, ARB has found that California will not achieve the necessary GHG emission reductions to meet mandates for 2030 and beyond without significant changes to how communities and transportation systems are planned, funded, and built. In a recent report titled "2018 Progress Report: California's Sustainable Communities and Climate Protection Act," ARB found that emissions from the transportation sector continue to rise despite increases in fuel efficiency and decreases in the carbon content of fuel.

SB 526 implements recommendations from this report and seeks to better align state transportation funding with climate goals

- 2) *What's the Problem?* The ARB's 2018 Progress Report referenced above finds that California has hit its statewide 2020 climate target ahead of schedule. However, the report finds that California will not achieve the necessary GHG emissions reductions expected under SB 375 for 2020, and that the interim 2030 goals won't be met without significant changes to how communities and transportation systems are planned, funded and built.¹ Despite all the MPOs having ARB-approved SCSs to reduce GHG emissions by amounts established by ARB, real world GHG emissions attributed to VMT have not declined as expected. ARB attributes this to lower gas prices, lower unemployment, more employment opportunities and increasing auto ownership. ARB makes preliminary findings that increased VMT and falling transit ridership may also result from lower income households moving away from high-quality transit areas because of cost. ARB therefore concludes that the state is not on track to meet the GHG reductions expected under SB 375 for 2020.
- 3) *ARB Makes a Fix.* In response to their 2018 Progress Report, on March 21, 2019, ARB directed its staff to explore 7 actions to implement many of its recommendations:
 - a) Expand research and decision-support tools to give communities greater information to support infill development
 - b) Develop and map indicators of neighborhood access to clean transportation options;
 - c) Consider new pilots that further advance access to clean mobility;
 - d) Identify areas where additional funding is needed to meet the demand for expanding clean transportation and mobility programs;
 - e) Support research into how new mobility options change travel behavior and into best practices for incentivizing zero-emission, high-occupancy new mobility options;
 - f) Outline recommendations to strengthen SB 375 implementation;
 - g) Partner with other agencies and academics to address research gaps;

Given the ARBs actions, its direction to staff to outline recommendations to strengthen SB 375 implementation, and the development of the SMAPAC, which will consider the full spectrum of issues needed to comprehensively examine how to reduce VMT, it may be premature to impose a legislative fix.

¹ 2018 Progress Report; California's sustainable Communities and Climate Protection Act; November 2018; California Air Resources Board; p. 5.

- 4) *STIP Stick*. This bill creates an enforcement mechanism for areas which ARB finds not to be on track to meet its 2035 GHG reduction targets by requiring the CTC to decrease the priority of STIP projects which increase VMT compared to projects which decrease VMT. The effect is that highway capacity improvements, which decrease congestion and increase highway capacity, will not be funded but projects which increase transit or biking will. The STIP is the only state funding source for highway capacity improvements. STIP expenditures are also constitutionally restricted pursuant to Article XIX: State STIP funds may not be spent for transit operation or rolling stock.

A consequence of lowering the priority of projects which increase VMT is that certain safety projects will also have a lower priority as those projects often increase VMT. Grade separations are critical safety projects, but they increase VMT because they cause traffic to flow better. The same is true for auxiliary lanes, which give stalled vehicles a place to pull over.

The threat of withholding transportation funding to accomplish policy goals is inconsistent with what voters were promised with the passage of SB 1 in 2017 and the defeat of Proposition 6 in 2018. While it is tempting to use this newfound leverage to advance worthy policy goals, it risks upsetting voters who won't get the benefits they were promised. *The author and committee may wish to delete this provision.*

- 5) *Failure has Many Fathers*. Failure to reduce VMT could have many causes, as noted in the ARB 2018 Progress Report: a booming economy, gas price declines, unattractive transit options, low income residents moving to transit-poor areas. These causes are largely outside the responsibility of MPOs. To punish an MPO for failing to meet goals over which it has only modest influence seems both unfair and unproductive, as it won't help achieve the VMT reduction goals. It also transforms the ARB's goal into a requirement, going beyond the provisions of SB 375. Some believe that pressuring the MPOs will in turn bring pressure on local governments, who make the land use decisions. That seems too indirect and unfocussed, punishing an MPO, and therefore all of its constituent members, for the actions of a subset of those members.
- 6) *Alternative Sticks and Carrots*. Supporting the success of SB 375 to help meet our SB 32 greenhouse gas reduction goals is important, and doing so in ways which are cost effective and can be replicated in other jurisdictions is most useful. There are additional alternative ways to reduce VMT which should be considered: Encouraging greater transit use and alternative forms of transit, supporting car pooling, encouraging working remotely, and congestion pricing

to name a few. More generally, the path to the necessary answers is described in the ARB 2018 Progress Report as a collaborative effort by local, sub-regional, regional and state governmental bodies, which brings together the full range of authorities. The issues are complicated and interrelated, making it difficult to prescribe a comprehensive solution without such an effort.

- 7) *Working Group*. The SMAPHC is a recommendation from the ARB 2018 Progress Report. The bill requires the working group to implement the SMAPHC, rather than recommend changes to state policymakers as the ARB recommends. Instead of delegating authority to an unelected working group, the author may wish to consider having the working group report back to the legislature.
- 8) *Technical Fixes*. The interagency working group includes the SGC but the bill also redundantly includes the Secretary of the Environmental Protection Agency, Secretary of the Natural Resources Agency, the Secretary of Transportation, and the Director of the Office of Planning and Research. The redundant inclusions should be struck. In addition, the Department of Housing and Community Development is led by a Director, not a Secretary. That should be corrected.
- 9) *Triple Referral*. This bill was heard in the Environmental Quality Committee on April 3 and passed 5-2. If the bill passes this committee, it will be heard next in the Housing Committee.

RELATED LEGISLATION:

SB 150 (Allen, Chapter 646, Statutes of 2017) — requires ARB to monitor a region's progress in achieving the GHG emissions reductions targets in their Sustainable Communities Strategies.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

POSITIONS: (Communicated to the committee before noon on Wednesday, April 3, 2019.)

SUPPORT:

Alliance of Nurses for Healthy Environments
 American Lung Association
 Asthma Coalition of Kern County

Asthma Coalition of Los Angeles County
California Thoracic Society
Center for Climate Change & Health
Central California Asthma Collaborative
Family Allergy Asthma Clinic
Kern County Medical Society
Maternal and Child Health Access
PSR
Regional Asthma Management & Prevention

OPPOSITION:

California Association of Councils of Government
Orange County Transportation Authority

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SENATE COMMITTEE ON TRANSPORTATION

Senator Jim Beall, Chair

2019 - 2020 Regular

Bill No:	SB 625	Hearing Date:	4/9/2019
Author:	Hill		
Version:	2/22/2019		
Urgency:	No	Fiscal:	No
Consultant:	Manny Leon		

SUBJECT: Party buses: cannabis.

DIGEST: This bill allows for the ingestion of cannabis products by a passenger in a bus, taxicab, or limousine under certain conditions.

ANALYSIS:

Existing law:

- 1) Prohibits a passenger in a motor vehicle being driven upon a highway from drinking any alcoholic beverage or smoking or ingesting any cannabis product.
- 2) Exempts passengers in any bus, taxicab, or limousine, as specified, from the abovementioned prohibition.

This bill:

Allows for the ingestion of cannabis products by a passenger in a bus, taxi, or limousine under the following conditions:

- a) No passengers are in the vehicle under age 21.
- b) The driver is sealed off from the passenger compartment, as specified.

COMMENTS:

- 1) *Author statement.* According to the author, "SB 625 makes it illegal for a passenger in a party bus, limo, taxi, or transportation network company (TNC) to smoke or vape cannabis unless the driver's compartment is sealed off and separately ventilated. The purpose of the bill is to ensure that the driver is not impaired if cannabis smoke is consumed in one of these for-hire vehicles. The

bill also prohibits anyone under age 21 from being on board if cannabis smoke is present.”

- 2) *Prop. 64*. The passage of Proposition 64 in 2016 legalized recreational marijuana possession and use, with certain restrictions, for people 21 and older. The proposition language specifically declared that it should not be interpreted to permit possession of an open container of marijuana while driving or, similarly to California’s medical marijuana laws, to permit smoking or ingesting marijuana while driving or riding as a passenger in any transportation vehicle. However, the proposition only specified a penalty for the open container provision, but did not provide a penalty for smoking or ingesting marijuana while driving or riding as a passenger. In order remedy this issue, SB 65 (Hill, Chapter 232, Statutes of 2017) was enacted to prohibit the smoking or ingestion of marijuana, or any marijuana product while driving, or while riding as a passenger in a motor vehicle.
- 3) *Marijuana Tourism*. Since the passage of Prop 64, marijuana tourism has developed as an emerging industry. “Cannabis tours” provide paying passengers a service that generally includes being transported typically in a bus to various cannabis dispensaries, commercial marijuana grow operations, and edible kitchens amongst other locations. These transport services are currently operating throughout California.
- 4) *Unexpected Loophole*. The author asserts that with the passage of Proposition 64 and SB 65 a loophole remains that allows passengers to consume cannabis products on buses with passengers under 21 and with drivers operating a vehicle without any barrier to protect the driver from second-hand smoke. The author claims this bill is needed to close the loophole and bring cannabis-related prohibitions in alignment with alcohol-related violations.
- 5) *Effective Solution?* While the author’s intent to close a potential loophole is well intended, it is currently unclear how the provisions specified in this bill would be enforced. Currently, the California Highway Patrol (CHP) is the state entity that inspects party buses and limousines. However, the bill, in its current form, is unclear on providing specifics in defining “sealed off.” Furthermore, it is unclear what criteria would CHP use to determine if the vehicle is sufficiently sealed off between passengers and the driver. Lastly, SB 109 (Chapter 725, Statutes 2013) and SB 611 (Chapter 860, Statutes of 2014) provided various fire extinguisher and emergency exit requirements for limousines. Depending on the type of vehicle, it is unclear if the provisions specified in this bill would inadvertently put a vehicle in violation of SB 109

and SB 611 requirements. If this bill passes out of this committee, the author may wish to work with CHP to remedy these policy issues.

- 6) *Double referred.* This bill is also referred to the Senate Energy, Utilities and Communications Committee and will be heard in that committee if the bill is passed out of this committee.

RELATED LEGISLATION:

SB 65 (Hill, Chapter 232, Statutes of 2017) — Prohibits the smoking or ingestion of marijuana, or any marijuana product while driving, or while riding as a passenger in a motor vehicle.

SB 109 (Corbett, Chapter 752, Statutes of 2013) — Required modified limousines to have at least two doors and one or two push-out windows to serve as emergency exits, as specified.

SB 611 (Hill, Chapter 860, Statutes of 2014) — required all modified limousines, to be equipped with two fire extinguishers and requires the California Highway Patrol to develop and implement an inspection program for modified limousines, as specified.

FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No

POSITIONS: (Communicated to the committee before noon on Wednesday, April 3, 2019.)

SUPPORT:

California Cannabis Industry Association
Loopr, LLC
West Coast Cannabis Tours

OPPOSITION:

None received.

SENATE COMMITTEE ON TRANSPORTATION

Senator Jim Beall, Chair

2019 - 2020 Regular

Bill No: SB 628 **Hearing Date:** 4/9/2019
Author: Caballero
Version: 2/22/2019
Urgency: No **Fiscal:** Yes
Consultant: Manny Leon

SUBJECT: Prunedale Bypass: disposition of excess properties: relinquishment: State Route 183.

DIGEST: This bill directs proceeds from the sale of excess property originally purchased for the Prunedale Bypass to various other highway projects in the State Highway 101 corridor in Monterey County, and also relinquishes a portion of State Route 183 (SR 183) to the City of Salinas, as specified.

ANALYSIS:

Existing law:

- 1) Defines a "state highway" as any roadway that is acquired, laid out, constructed, improved, or maintained as a state highway pursuant to constitutional or legislative authorization.
- 2) Statutorily identifies state highway system routes.
- 3) Specifies that it is the intent of the Legislature that the prescribed routes of the state highway system connect communities and regions of the state and that they serve the state's economy by connecting centers of commerce, industry, agriculture, mineral wealth, and recreation.
- 4) Allows the State Department of Transportation (Caltrans) to acquire any real property that it considers necessary for state highway purposes.
- 5) Allows Caltrans, whenever it determines that any real property acquired by the state for highway purposes is no longer necessary for those purposes, to sell or exchange it in the manner and upon terms, standards, and conditions established by the California Transportation Commission.

- 6) Requires Caltrans, to the greatest extent possible, to offer to sell or exchange excess real property within one year from the date that it determines the property is excess.
- 7) Requires, generally, state and local agencies, prior to disposing of excess lands, first to offer property for sale or lease to local public agencies, housing authorities, or redevelopment agencies within whose jurisdiction the property is located. Requires Caltrans to give priority first to entities agreeing to use the land for low- or moderate-income housing then to entities for open-space purposes, school facilities construction, enterprise zone purposes, and infill opportunities, in that order.
- 8) Directs the proceeds from the sale of excess property to be deposited first to the State Highway Account (SHA) and then transferred to the Transportation Debt Service Fund to pay debt service on general obligation transportation bonds.

This bill:

- 1) Directs proceeds from the sale of surplus property originally purchased for the Prunedale Bypass to the SHA for highway projects in the State Highway 101 corridor in Monterey County, and exempts these proceeds from the north/south split and county share formulas.
- 2) Authorizes the California Transportation Commission (CTC) to relinquish a portion of SR 183 in the City of Salinas within its jurisdiction.

COMMENTS:

- 1) *Author's statement.* According to the author, "it is the intent of SB 628 to re-dedicate the revenues from the Prunedale Bypass right-of-way to serve their original purpose, which was to make transportation safety and congestion relief improvements in Monterey County. If signed into law, this measure would provide much needed funding for long-deferred highway improvements in Monterey County."
- 2) *Priority shift.* Initially planned in the 1950s, the Prunedale Bypass Project was intended to re-route State Highway 101 around the community of Prunedale to alleviate congestion caused by local and transient traffic. In preparation for the project and in an effort to preserve right-of-way related to the project, Caltrans purchased over 140 parcels of land totaling 353 acres. However, the Prunedale Bypass has since been abandoned and is no longer in the area's long-range plans.

Over the past several years, transportation agencies in this region have moved forward with incremental improvements to address growing congestion and safety concerns. The Prunedale Improvement Project is the most ambitious of these incremental improvements. The purpose of the project is to improve safety along State Highway 101 and intersecting local roadways, improve traffic flow along the corridor, and improve accessibility to area homes, businesses, and services. The Prunedale Improvement Project represents only a portion of the broader improvements envisioned in the Prunedale Bypass project. This bill aims to utilize revenue from any excess property sold from the original Prunedale Bypass project to transportation improvement projects along the same corridor. Total revenue that could be generated from property sales could total anywhere from \$5 million to \$12 million.

- 3) *Prior allocations.* In prior years, the Legislature has taken action to retain funds in certain corridors from the sale of property from another transportation projects within the same region. Specifically, SB 791 (Corbett, Chapter 705, Statutes of 2008) authorized the use of revenues from the sale of excess properties for projects in a local alternative-transportation improvement program that replaced the long-planned Hayward Bypass on State Route (SR) 238 and improvements to SR 84. More recently, SB 416 (Liu, Chapter 468, Statutes of 2013) directed the revenue from the sale of surplus properties in the SR 710 corridor in Los Angeles County to local transportation improvements.

It is important to note that SB 628 provides Caltrans the opportunity to fully vet the potential use of unused properties and to hold on to properties that it may use in the near future. SB 628 merely directs the proceeds from any of the Prunedale Bypass properties Caltrans does in fact sell to improvement projects within the State Highway 101 corridor.

- 4) *Relinquishments.* Each session, numerous bills authorizing CTC to relinquish segments of the state highway to local jurisdictions are passed by the Legislature and signed by the Governor. Relinquishment transactions are generally preceded by a negotiation of terms and conditions between the local jurisdiction and Caltrans. Once an agreement has been established, the Legislature authorizes CTC to relinquish the segment and CTC then approves the relinquishment and verifies its approval via resolution. The final step is for the Legislature to delete these segments from current law.

This bill is consistent with Caltrans' policies that encourage the relinquishment of state highways that do not serve regional or statewide transportation needs.

Recipient agencies often seek relinquishment of state highways so that they can have greater control over the facility, which often serves as a local street.

- 5) *SR-183*. SR 183 is a 10.9-mile long highway that starts in the City of Salinas and ends at SR 1 near Castroville. A portion of SR 183 runs straight through the center of Salinas. The author asserts the relinquishment is necessary to allow the City of Salinas to make surrounding infrastructure improvements associated with the planned intermodal transit center in the City.

RELATED LEGISLATION:

AB 696 (Caballero, 2017) — similar to SB 628, would have directed proceeds from the sale of surplus property originally purchased for the Prunedale Bypass to various other highway projects in the State Highway 101 corridor in Monterey County. *AB 696 was vetoed by Governor Brown.*

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

POSITIONS: (Communicated to the committee before noon on Wednesday, April 3, 2019.)

SUPPORT:

Transportation Agency for Monterey County (sponsor)
Association of Monterey Bay Area Governments
City of King
City of Gonzales
City of Monterey
City of Salinas
City of Soledad
City of Pacific Grove
County of Monterey
Farm Bureau of Monterey County
Grower-Shipper Association of Central California
Monterey County Farm Bureau
Monterey Peninsula Chamber of Commerce
Monterey-Salinas Transit District

OPPOSITION:

None received.

SENATE COMMITTEE ON TRANSPORTATION

Senator Jim Beall, Chair

2019 - 2020 Regular

Bill No:	SB 648	Hearing Date:	4/9/2019
Author:	Chang		
Version:	2/22/2019		
Urgency:	No	Fiscal:	No
Consultant:	Randy Chinn		

SUBJECT: Unmanned aircraft systems: accident notification.

DIGEST: This bill requires the operator of an Unmanned Aircraft System (UAS), or drone, involved in an accident to immediately land the drone and provide specific identifying information to the injured individual or property owner.

ANALYSIS:

Existing federal law:

- 1) Requires, under FAA rules, federal registration of a UAS before the first flight outdoors for any UAS weighing more than 0.55 pounds (250 grams) and less than 55 pounds (approx. 25 kilos), including payloads such as on-board cameras or packages, and requires UAS owners to be at least 13 years old to register and to provide name, address, and email. Upon registration, UAS owners receive a Certificate of Aircraft Registration/Proof of Ownership along with a unique identification number, which must be marked or affixed to the UAS.
- 2) Requires UASs to be flown within sight, during daylight hours and with a minimum weather visibility of at least three miles. The maximum allowable altitude is 400 feet and maximum speed is 100 miles per hour.
- 3) Prohibits UASs from being flown over anyone nor under a covered structure.

Existing state law establishes a Division of Aeronautics within the California Department of Transportation.

Existing laws and regulation prohibit the use of UASs in certain places including airports, certain federal buildings, certain national and state parks, forest fires, and correctional facilities, to name a few.

This bill:

Requires the operator of a UAS, or drone, involved in an accident to immediately land the drone and do one of the following:

- a) Provide their valid identification, name and current residence address to the injured individual.
- b) Locate the property owner and provide the operator's name and address, and present valid identification if requested.
- c) Leave in a conspicuous place on the damaged property a written notice giving the name and address of the operator, and a statement of the circumstances of the accident. The operator shall also notify the appropriate law enforcement agency.

If the operator is a commercial operator, the operator shall also provide the name and address of the employer or place of business.

COMMENTS:

- 1) *Author Statement.* Drones, or Unmanned Aircraft Systems (UAS), have become more prevalent for a variety of purposes. The FAA projects that there will be an increase of recreational drones to 2.4 million by 2022. Under California law, motor vehicle drivers are required to stop and provide identification and contact information if they are involved in a car accident that causes injury and/or property damage. SB 648 applies the same principles to drones.
- 2) *Background.* Moving beyond hobbyists and the military, drones are increasingly a part of commercial and recreational activities. In fields as diverse as agriculture, filmmaking, electric utility service, and public safety, drones can monitor, track, and provide surveillance in many useful and previously undoable ways. Amazon and Google are experimenting with using drones to speed package delivery; UPS has used drones to deliver blood samples in North Carolina. Drones have become easier to use and have become less costly. As of early 2018 the FAA has registered over one million drones, though many observers believe the actual number of drones is much higher than that. After very rapid sales growth, drone sales are expected to flatten over the next few years.
- 3) *FAA Proposes Relaxed Regulations.* The FAA has established fairly restrictive operating rules for drones. It is proposing relaxing current restrictions on drone use, including flying at night and over people. Proposed new rules are expected this year.

As the federal government seeks to relax drone restrictions and drones are increasingly used as delivery vehicles, the likelihood of accidents grows. This bill provides for some accountability by those who cause an injury or property damage to others.

- 4) *Penalties.* This bill does not impose a penalty for violating its provisions. *The author proposes* to add a civil penalty of up to \$250 per infraction. This is similar to the penalty contained in an almost identical bill from 2016, AB 1662 (Chau). Establishing a penalty provides an incentive for compliance. This amendment may cause the bill to be heard by the Public Safety Committee.
- 5) *Addressing Concerns.* The author has heard concerns from the drone industry that the provision requiring the drone owner notify law enforcement of an accident is unnecessary and inconsistent with the provisions for notification of a vehicle accident. To allay those concerns *the author proposes* deleting from page two, line 37 beginning with “and a statement ...” through the end of that paragraph. The concern is reasonable, as is the amendment.
- 6) *Technical Amendment.* The bill makes reference to an obsolete code section. To correct this the author proposes to delete from page three, line nine through the end of the bill.

RELATED LEGISLATION:

AB 1662 (Chau, 2016) — Requires the operator of any unmanned aircraft system (UAS) involved in an accident resulting in injury to an individual or damage to property to perform certain duties. *This bill was vetoed.*

SB 807 (Gaines, Chapter 834, Statutes of 2016) — Provides local public entities, and public employees of local public entities, with immunity from civil liability for any damage to an unmanned aircraft or unmanned aircraft system if the damage was caused while the local public entity and employee was providing, and the unmanned aircraft system was interfering with, the operation, support, or enabling of specified emergency services.

SB 868 (Jackson, 2016) — Establishes rules on where and how remote piloted aircraft (i.e., drones) may operate. *Failed passage in the Assembly Privacy and Consumer Protection Committee*

AB 1820 (Quirk, 2016) — Regulates the use of unmanned aircraft systems by law enforcement agencies. *Failed passage in the Senate Judiciary Committee*

AB 2148 (Holden, 2016) — Makes it unlawful to operate an unmanned aircraft system in or over lands managed by the state Department of Parks and Recreation and Department of Fish and Wildlife and prohibits the use of drones to take, or assist in the take, of fish and wildlife, with specified exceptions. *This bill was vetoed.*

AB-2320 (Calderon and Low, 2016) — Includes using an unmanned aircraft system in a number of statutes prohibiting behavior by an individual. *This bill was vetoed.*

AB-2724 (Gatto, 2016) — Requires specific information about federal flight regulations to be provided to purchasers of drones, drone operators to procure adequate protection against liability, and certain drones to be equipped with technology to avoid flying within five miles of an airport. *This bill was vetoed*

FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No

POSITIONS: (Communicated to the committee before noon on Wednesday, April 3, 2019.)

SUPPORT:

BAPS Swaminarayan Sanstha

OPPOSITION:

None received.

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SENATE COMMITTEE ON TRANSPORTATION

Senator Jim Beall, Chair

2019 - 2020 Regular

Bill No:	SB 685	Hearing Date:	4/9/2019
Author:	Galgiani		
Version:	2/22/2019		
Urgency:	No	Fiscal:	Yes
Consultant:	Manny Leon		

SUBJECT: Organ and tissue donation registry: driver's license application.

DIGEST: This bill requires the Department of Motor Vehicles (DMV) to notify California Organ and Tissue Registry of a person who chooses to no longer be registered, as specified.

ANALYSIS:

Existing law:

- 1) Establishes the Uniform Anatomical Gift Act which authorizes the creation of a not-for-profit entity to be designated as the California Organ and Tissue Donor Registrar and further requires that entity to establish and maintain the Donate Life California Organ and Tissue Donor Registry (registry) for persons who have identified themselves as organ and tissue donors upon their death.
- 2) Requires an application for an original or renewal driver's license or identification card to contain a space for the applicant to enroll in the Donate Life California Organ and Tissue Donor Registry and requires the application to include specified check boxes for an applicant to indicate whether to add the applicant's name to the registry.
- 3) Requires the back of the application to include a specified disclosure statement informing the applicant that by marking 'Yes' in the check boxes the applicant is legally authorizing the recovery of organs and tissues in the event of his or her death.
- 4) Requires a person who wishes to be removed from the registry to contact the registry directly.

This bill:

- 1) Requires DMV to notify the registry of a person who has previously requested to be placed on the organ donor registry that chooses to be removed from the registry.
- 2) Makes several changes to the required content on the application for an original or renewal driver's license or identification card, as specified.

COMMENTS:

- 1) *Author statement.* According to the author, "there are currently more than 113,000 individuals waiting for an organ transplant in the United States and nearly 22,000 of those people are living in California, with an organ transplant being their only remaining medical option. One person can save eight lives and enhance 75 others through organ, eye and tissue donation. SB 685 would update the space on the original, renewal driver's license, or identification card application's space reserved to enroll Californians on the Organ and Tissue Donor Registry. These updates create clarity for individuals who wish to register and allow Californians to remove themselves from the registry directly at the DMV. Best practices have been formed on the national level as well as through Donate Life California, as it relates to how to ask the donor question and communicate with potential registrants. This communication is vital to increasing our donor lists with the goal of saving lives."
- 2) *Organ Donation Laws in California.* Existing law authorizes the recovery of an individual's organs and tissues in the event of their death. Those under the age of 18 require parental consent to be an organ donor. Individuals over the age of 18 can give consent by registering as an organ donor with Donate Life California, directly or through the DMV. An individual organ donor can remove their name from the registry or limit the scope of their organ donations by visiting and making changes on the Donate Life website.

However, not registering as an organ donor does not guarantee your organs will not be donated. Existing law authorizes others, such as a family member, to make the decision after death, so long as you have not expressly forbade organ donation in writing or you are known to be part of a religion that expressly prohibits organ donation. This bill adds an additional disclosure statement on the driver's license application form to clarify this point.

- 3) *DMV Donor Registrations.* According to the Donate Life California 2018 annual report, "the vast majority of registrations in state donor registries come through DMV and driver's license partners." The report further noted that the donor designation rate (the percentage of individuals who say "yes" to register

when conducting a DMV transaction) for 2017 was 34% and the state's overall donor designation population share was 47%.

- 4) *Current process is unclear.* Over the years, DMV customers have reported that by selecting "I do not wish to register" on the application, they were expecting to be taken off the Registry. However, DMV only sends the names of those who select "Yes" to Donate Life. Those who want to remove their names from the Registry must do so by directly going to the Donate Life website. This bill aims to remedy this issue by implementing several best practice procedures recently established by the organ donation community including providing an applicant the opportunity to opt out of the donor registry when conducting business at DMV.

RELATED LEGISLATION:

SB 987 (Galgiani, 2018) — makes minor changes to the check boxes on the Department of Motor Vehicle (DMV)'s driver's license and ID application form asking applicants to become organ and tissue donors, and adds a disclosure statement to the back of the form regarding the choice not to register as an organ donor.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

POSITIONS: (Communicated to the committee before noon on Wednesday, April 3, 2018.)

SUPPORT:

Donate Life California (sponsor)

OPPOSITION:

None received.

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infrastructure, respond to growing traffic congestion, and increase investment in public transportation, most particularly, by expanding paratransit services for the elderly and those with special needs, and;

- 3) Address the shortfall in the federal Highway Trust Fund by restoring the lost purchasing power of the federal fuel tax, in order to provide the long-term funding stability necessary for California and other states.

COMMENTS:

- 1) *FAST Act.* Signed into law in December of 2015, the FAST Act provided \$305 billion nationwide from 2016 through 2020 for a variety of highway, intermodal, and mass transit programs. Funding for transportation planning, goods movement, and highway safety improvements are also included. According to the Federal Highway Administration, total FAST Act apportionments for California over the four-year authorization period will be approximately \$19.4 billion with California averaging \$3.8 billion annually.
- 2) *SB 1.* In April 2017, the Legislature passed and the Governor signed SB 1, a transportation funding package that is estimated to annually generate \$5.2 billion that will primarily be allocated to road repair and rehabilitation, transit improvements, and congestion relief. Specifically, throughout the state, SB 1 funds will be directly allocated to cities and counties for road repairs, local transit agencies for transit improvements, and regional transportation agencies may apply for funds that provide congestion relief.
- 3) *Federal role.* The author asserts that for some time now, the federal government has failed to serve as sufficient funding partners relative to funding California's transportation infrastructure needs. The author notes, while federal authorizations occur every five to ten years, the overall funding levels are insufficient to cover the nation and California's transportation infrastructure demands. Furthermore, the purchasing power of the federal gas tax has significantly decreased since the last time it's been augmented over twenty years ago. This Resolution aims to urge the federal government to serve as funding partners and enact a federal transportation infrastructure package sufficient to adequately assist in funding the nation and California's transportation infrastructure needs.

FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No

POSITIONS: (Communicated to the committee before noon on Wednesday, April 3, 2019.)

SUPPORT:

None received.

OPPOSITION:

None received.

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