

Vice-Chair
Bates, Patricia C.

Members
Dodd, Bill
Galgiani, Cathleen
McGuire, Mike
Morrell, Mike
Roth, Richard
Rubio, Susan
Skinner, Nancy
Stone, Jeff
Umberg, Thomas J.
Wieckowski, Bob

California State Senate

TRANSPORTATION



JIM BEALL
CHAIR

Chief Consultant
Randy Chinn

Principal Consultant
Manny Leon

Consultant
Amy Gilson

Assistant
Katie Bonin

State Capitol, Room 2209
(916) 651-4121
FAX: (916) 445-2209

AGENDA

Tuesday, June 11, 2019
1:30 p.m. -- John L. Burton Hearing Room (4203)

MEASURES HEARD IN FILE ORDER

Consent Calendar 1 indicated by *

Consent Calendar 2 indicated by **

- | | | | |
|-----|----------|----------------|---|
| 1. | AB 185 | Grayson | California Transportation Commission: transportation policies: joint meetings. |
| 2. | AB 252* | Daly | Department of Transportation: environmental review process: federal program. |
| 3. | AB 285 | Friedman | California Transportation Plan. |
| 4. | AB 309* | Maienschein | Vehicles that appear to be used by law enforcement: ownership or operation by public historical society, museum, or institutional collection. |
| 5. | AB 335* | Eduardo Garcia | Imperial County Transportation Commission. |
| 6. | AB 634* | Salas | Traffic control devices: roundabouts: memorial and dedication signs. |
| 7. | AB 998* | Aguiar-Curry | State scenic highways: State Route 128. |
| 8. | AB 1089* | Mark Stone | Santa Cruz Metropolitan Transit District. |
| 9. | AB 1112 | Friedman | Shared mobility devices: local regulation. |
| 10. | AB 1142 | Friedman | Regional transportation plans: transportation network companies. |
| 11. | AB 1183* | Ramos | Vessel operator: definition. |
| 12. | AB 1266 | Robert Rivas | Traffic control devices: bicycles. |
| 13. | AB 1407 | Friedman | Reckless driving: speed contests: vehicle impoundment. |
| 14. | ACR 4** | Frazier | CHP Officer Kirk Griess Memorial Highway. |
| 15. | ACR 17** | Irwin | Sergeant Ronald "Ron" Lee Helus Memorial Highway. |
| 16. | ACR 37** | Eduardo Garcia | Marine Corporal Erik H. Silva Memorial Bridge. |
| 17. | ACR 38** | Salas | Kings County Deputy Sheriff Allen Thomas Sharra Memorial Highway. |
| 18. | ACR 44** | Gallagher | Farm-to-Fork Corridor. |
| 19. | ACR 47** | Bigelow | CAL FIRE Firefighter Braden Varney Memorial Highway. |
| 20. | ACR 66** | Aguiar-Curry | Officer Natalie Corona Memorial Highway. |

SENATE COMMITTEE ON TRANSPORTATION

Senator Jim Beall, Chair

2019 - 2020 Regular

Bill No:	AB 185	Hearing Date:	June 11, 2019
Author:	Grayson		
Version:	1/10/2019		
Urgency:	No	Fiscal:	Yes
Consultant:	Amy Gilson		

SUBJECT: California Transportation Commission: transportation policies: joint meetings

DIGEST: This bill requires the Department of Housing and Community Development (DHCD) to participate in specified joint meetings of the California Transportation Commission (CTC) and the California State Air Resources Board (CARB).

ANALYSIS:

Existing law:

- 1) Directs CTC to advise and assist the Secretary of Transportation and the Legislature in formulating and evaluating state policies and plans for transportation programs in the state.
- 2) Requires CTC to include in regional transportation plan guidelines a summary of policies, practices, or projects that have been employed by metropolitan planning organizations to promote health and health equity.
- 3) Establishes CARB as the air pollution control agency in California and requires the ARB, among other things, to control emissions from a wide array of mobile sources and implement the FCAA.
- 4) Requires the CTC and CARB to hold at least two joint meetings annually to coordinate their implementation of transportation policies.

This bill requires the DHCD to participate in the two joint meetings the CTC and the CARB are required to hold annually.

COMMENTS:

- 1) *Author's Statement.* According to the author, "Smart transportation planning must take into account land use decisions, growth patterns, and the availability of jobs and housing. As the Department of Housing and Community Development's *California's Housing Future* report succinctly put it: 'continued sprawl will decrease affordability and quality of life while increasing transportation costs.' The December 2018 LAO report *Assessing California's Climate Policies—Transportation* found that state policies aimed at reducing transportation-related greenhouse gas (GHG) emissions have not been successful: 'Based on our review of available information it appears that SB 375 likely has not had major impact on vehicle miles traveled (VMT) (and, consequently, on GHG emissions).' One explanation for this outcome may be that, as households move further from job- and transit-rich areas to find more affordable homes, they are faced with longer commute times, resulting in greater pollution and GHG emissions. Greater coordination is needed between our transportation, housing, and air quality regulators. AB 185 will require DHCD to participate in the joint CARB/CTC meetings established by AB 179 (Cervantes, 2018). This change will encourage a thoughtful and coordinated approach to the triple challenge of promoting housing affordability, limiting GHG emissions, and maintaining our transportation infrastructure."
- 2) *Missions of the CTC, ARB, and DHCD.* The CTC is responsible for programming and allocating funds for the construction of highway, passenger rail, transit and active transportation improvements throughout California. The Commission also advises and assists the Secretary of the California State Transportation Agency and the Legislature in formulating and evaluating state policies and plans for California's transportation programs.

CARB is the primary state agency responsible for actions to protect public health from the harmful effects of air pollution. It guides the activities of 35 local air pollution control districts and leads state efforts to address global climate change.

The DHCD develops policies that support housing and community development; produces California's Statewide Housing Plan; works with each of the 538 regional governments to determine their housing needs, and then reviews every city and county's housing plan for compliance with law; and awards grants and loans to support affordable rental and ownership homes.

- 3) *Goal of joint meetings.* The goal of the joint meetings between the CTC and the CARB is to ensure there is adequate information sharing across the government and with the public to develop a transportation system in line with California's climate change goals. As recognized by the Sustainable Communities and Climate Protection Act of 2008 (SB 375, Steinberg, Chapter 728, Statutes of 2008), integration of land use and housing decisions with transportation is also needed to meet state climate goals. This bill required each of California's 18 regional Metropolitan Planning Organizations (MPOs) to include a new element in their long-range regional transportation plans – a Sustainable Communities Strategy (SCS) to identify strategies to reduce greenhouse gas emissions from driving. SGSs includes both land use and transportation planning to reduce emissions. However, as noted in the author's statement, assessments of the impact of SB 350 indicate that it so far has not had major impact on VMT.
- 4) *Bringing in a housing perspective.* The CTC and CARB held their first joint hearing in June 2018. Writing in support of the bill the CTC states that, "At the inaugural joint meeting between the Commission and CARB... it was evident from Commissioner, Board Member, and public comment that key state agencies and policy areas were missing from the discussion. Given the connection between transportation and housing, DHCD's participation in these joint meetings is critical for transportation policy discussion on issues such as land use decisions, growth patterns, and facility siting and permitting. For this reason, the Commission, in its 2018 Annual Report to the Legislature, recommended legislation to include DHCD in the joint meetings." This bill fulfills that recommendation.
- 5) *Proposed amendments. To ensure that California's housing needs are put on equal footing with transportation and environmental considerations, the author and committee may wish to consider amending the bill to require CTC, ARB, and DHCD to jointly hold the mandated meetings, rather than simply requiring DHCD to participate in the joint meetings convened by CTC and ARB.*

RELATED LEGISLATION:

AB 179 (Cervantes, Chapter 737, Statutes of 2017) — Among other provisions, directed the CTC and the State Air Resources Board (ARB) to hold at least two joint meetings per calendar year to coordinate their implementation of transportation policies.

SB 150 (Allen, Chapter 646, Statutes of 2017) — Required the California Air Resources Board (ARB) to prepare a report to assess the progress of the state's 18

metropolitan planning organizations (MPOs) in meeting their regional greenhouse gas emissions (GHG) targets.

AB 375 (Steinberg, Chapter 728, Statutes of 2008) — Required metropolitan planning organizations (MPOs) to include sustainable communities strategies (SCS), as defined, in their regional transportation plans (RTPs) for the purpose of reducing greenhouse gas emissions, aligns planning for transportation and housing, and creates specified incentives for the implementation of the strategies.

Assembly Votes:

Floor **76 – 0**
Appropriations **18 – 0**
Transportation **15 – 0**

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

According to the Assembly Appropriations Committee, “Costs to DHCD should be minor and absorbable.”

POSITIONS: (Communicated to the committee before noon on Wednesday, June 5, 2019.)

SUPPORT:

The California Transportation Commission
Southern California Association of Governments

OPPOSITION:

None received.

-- END --

SENATE COMMITTEE ON TRANSPORTATION

Senator Jim Beall, Chair

2019 - 2020 Regular

Bill No:	AB 252	Hearing Date:	June 11, 2019
Author:	Daly		
Version:	1/23/2019		
Urgency:	No	Fiscal:	Yes
Consultant:	Manny Leon		

SUBJECT: Department of Transportation: environmental review process: federal program

DIGEST: This bill removes sunset provisions that provides the Department of Transportation (Caltrans) the authority to carry out the National Environmental Policy Act (NEPA) Assignment Program, as specified.

ANALYSIS:

Existing law:

- 1) Specifies that Caltrans has full possession and control of state highways.
- 2) Establishes the NEPA Assignment program, under federal law, wherein states may assume federal responsibilities for NEPA actions as long as the states also assume associated risks, including responding to citizen lawsuits filed in federal court.
- 3) Authorizes Caltrans, until January 1, 2020, to waive the state's 11th Amendment sovereign immunity right and to consent to the jurisdiction of the federal court when sued by any person seeking to enforce rights pursuant to the NEPA Assignment program.

This bill removes the 2020 sunset provisions related to Caltrans' authority to waive its 11th Amendment right to sovereign immunity from lawsuits brought in federal court so that it can continue to assume the role of the US Department of Transportation (US DOT) for NEPA decision making.

COMMENTS:

- 1) *Author's statement.* According to the author, "This bill removes a sunset on existing law to allow Caltrans to continue to assume the role of the US Department of Transportation for National Environmental Policy Act (NEPA) decision-making on transportation projects. This decision-making role allows Caltrans to streamline transportation projects without compromising compliance with environmental laws and regulations. By removing the sunset on this program, this bill will save time and money for Caltrans projects."
- 2) *What is the NEPA Assignment Program?* The federal Safe, Accountable, Flexible, and Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) of 2005 established a Surface Transportation Delivery Pilot Program, later known as the NEPA Assignment. This pilot program designated California as one of five states eligible to participate in a multiyear program that delegates responsibilities of US DOT and the US Federal Highway Administration (FHWA) under NEPA to the states. These responsibilities subjected states to the same procedural and substantive requirements as if they were carried out by US DOT. The delegation of this authority to the state made Caltrans the lead agency for environmental reviews for projects subject to NEPA. To participate in the NEPA Assignment Program, participating states were required to accept the financial costs associated with the delegated authority, as well as full liability for lawsuits filed under NEPA in federal court. Therefore, in order to participate, a state had to obtain a limited waiver of its 11th Amendment sovereign immunity, thereby allowing it to be sued in federal court and providing it the ability to defend against claims that might be brought against the NEPA document.
- 3) *California's NEPA Assignment.* In 2006, as part of a larger infrastructure package, the Legislature passed AB 1039 (Núñez, Chapter 31, Statutes of 2006) which, among other things, granted the necessary waiver of sovereign immunity to Caltrans until January 1, 2009. With the waiver in place, Caltrans entered into a memorandum of understanding (MOU) with FHWA to participate in the NEPA Assignment Program effective July 1, 2007. In addition to granting the waiver of sovereign immunity, AB 1039 required Caltrans to report to the Legislature regarding the costs and benefits of the state's participation in the program. Subsequent legislation has extended the waiver until 2020. Overall, according to Caltrans, NEPA Assignment has been shown to significantly reduce environmental document processing times and to greatly accelerate transportation project delivery. The provisions specified in this bill simply remove the 2020 sunset to allow Caltrans to continue carrying out NEPA assignment in accordance with the MOU between the Department and FHWA.

RELATED LEGISLATION:

AB 28 (Frazier, Chapter 4, Statutes of 2017) — extended the sunset date to January 1, 2020 on Caltrans' limited waiver of sovereign immunity from lawsuits brought in federal court for the purposes of participation in the NEPA Assignment Program.

AB 2034 (Salas, 2016) — would have permanently provided Caltrans with a limited waiver of sovereign immunity from lawsuits brought in federal court for the purposes of participation in the NEPA Assignment Program. *This bill died in the Senate Transportation and Housing Committee.*

AB 892 (Carter, Chapter 482, Statutes of 2011) — extended the sunset date from January 1, 2012, to January 1, 2017, on Caltrans' limited waiver of sovereign immunity from lawsuits brought in federal court for the purposes of participation in the NEPA Assignment Program.

AB 2650 (Carter, Chapter 248, Statutes of 2008) — extended the sunset date from January 1, 2009, to January 1, 2012, on Caltrans' limited waiver of sovereign immunity from lawsuits brought in federal court for the purposes of participation in the NEPA Assignment Program.

AB 1039 (Núñez, Chapter 31, Statutes of 2006) — among other things, provided Caltrans a limited waiver of sovereign immunity from lawsuits brought in federal court for the purposes of participation in the NEPA Assignment Program, until January 1, 2009.

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

Assembly Votes:

Floor: 78-0

Approps: 18-0

Trans: 15-0

POSITIONS: (Communicated to the committee before noon on Wednesday, June 5, 2019.)

SUPPORT:

Self-Help Counties Coalition (Sponsor)

American Society of Civil Engineers, Region 9
American Council of Engineering Companies
Association of Bay Area Governments
Auto Club of Southern California
Auto Club of Northern California, Nevada, and Utah
California Association of Council of Governments
California State Association of Counties
California Transportation Commission
City of San Diego
City/County Association of Governments of San Mateo County
Los Angeles County Metropolitan Transportation Authority
League of California Cities
Metropolitan Transportation Commission
Orange County Transportation Authority
Professional Engineers in California Government
San Mateo County Transit District
San Mateo County Transportation Authority
Sonoma County Transportation Authority
Southern California Association of Governments
Transportation California
Urban Counties of California
United Contractors
Ventura County Transportation Commission

OPPOSITION:

None received.

-- END --

SENATE COMMITTEE ON TRANSPORTATION

Senator Jim Beall, Chair

2019 - 2020 Regular

Bill No:	AB 285	Hearing Date:	June 11, 2019
Author:	Friedman		
Version:	6/3/2019 Amended		
Urgency:	No	Fiscal:	Yes
Consultant:	Randy Chinn		

SUBJECT: California Transportation Plan

DIGEST: This bill updates requirements of the California Transportation Plan (CTP) to reflect the state's recent environmental goals.

ANALYSIS:

Existing law:

- 1) Requires Caltrans, under federal law, to develop a 20-year state and regional long-range transportation plan as a pre-requisite for receipt of federal transportation funds. The plan is required to be developed in cooperation with the state's metropolitan planning organizations, local transportation officials, Native American Tribal Governments, and other interested parties. It must be coordinated with development of the transportation portion of the State Implementation Plan, as required by the federal Clean Air Act.
- 2) Requires the most recent update to have been completed by 2015 and additional updates every five years thereafter.
- 3) Requires that the CTP consider all the following subject areas for the movement of people and freight:
 - a) Mobility and accessibility;
 - b) Integration and connectivity;
 - c) Efficient system management and operation;
 - d) Existing system preservation;
 - e) Safety and security;

- f) Economic development, including productivity and efficiency; and,
 - g) Environmental protection and quality of life.
- 4) Requires Caltrans, in developing the CTP, to address how the state will achieve maximum feasible emissions reduction to attain a statewide reduction of greenhouse gas emissions, taking into consideration the use of alternative fuels, new vehicle technology, tailpipe emissions reductions, and expansion of public transit, commuter rail, intercity rail, bicycling, and walking. Caltrans is required to identify the statewide integrated multimodal transportation system needed to achieve these results.
 - 5) Requires Caltrans to have completed an interim report by December 31, 2012, and to include an overview of all sustainable communities strategies and assess how implementation of the sustainable communities strategies will influence the configuration of the statewide integrated multimodal transportation system.
 - 6) Requires Caltrans to consult with and coordinate its activities with the California Transportation Commission (CTC), the Strategic Growth Council, State Air Resources Board, the State Energy Resources Conservation and Development Commission, air quality management districts, public transit operators, and the regional transportation planning agencies. Caltrans is also required to provide an opportunity for input by the general public.

This bill:

- 1) Updates the greenhouse gas emissions target and air quality goals that the CTP must achieve to reflect the targets and goals in current law.
- 2) Requires Caltrans to include in the CTP due in 2025, and to submit in an interim report by January 31, 2022, the following information:
 - a) An overview of all sustainable communities' strategies and alternative planning strategies and an assessment of how implementation of these strategies will influence the configuration of the statewide-integrated multimodal transportation system.
 - b) A review of the potential impacts and opportunities for coordination of specified transportation grant programs, conducted in consultation with administering agencies, and recommendations for the improvement of these grant programs or other relevant transportation funding programs to better align the programs to meet long-term common goals.

- c) A forecast of the impacts of advanced and emerging technologies, including shared, autonomous, connected, and electric transportation options, over a 20-year horizon on infrastructure, access, and transportation systems.
- 3) Adds environmental justice as one of the subject areas the CTP must consider for the movement of people and freight.
- 4) Requires Caltrans to include in the CTP due in 2025 a review of the progress made implementing past CTPs, including actions taken by each of Caltrans' districts to achieve the goals and policies outlined in the plan.

COMMENTS:

- 1) *Author's Statement.* Direct emissions from the tailpipe of cars, trucks, off-road transportation sources, intrastate aviation, and more, accounted for 39% of the inventory in 2016 (a 2% increase from 2015). Data shows that California is not on the trajectory to meet SB 375 (Steinberg), GHG emission reduction targets for the automobile and light truck sector for 2020 and 2035. This bill requires Caltrans to address in future updates to the CTP how the state will achieve its GHG reduction goals consistent with SB 32 (Pavley), and to review and develop recommendations for improvements of various grant programs to meet long-term emission reduction goals.
- 2) *Off Track.* The author has identified a serious shortcoming in California's GHG reduction programs. While California has achieved our AB 32 GHG reduction goals for 2020 ahead of schedule, this is due to substantial progress in the energy sector.¹ Unfortunately, this overall progress masks underperformance in GHG reductions from the transportation sector in meeting the SB 375 transportation sector GHG reductions. Because most of the GHG reductions have already been achieved in the energy sector, meeting the 2030 GHG reduction goal, established in SB 32 (Pavley; Chapter 249 of 2016) at 40% below 1990 levels, will require much more progress in the transportation sector.
- 3) *Big Job.* California has numerous transportation-related GHG reduction programs which are the responsibility of many state and local agencies. Some examples:

¹ California's Renewable Portfolio Standard, where the investor-owned electric utilities must ensure that not less than 50% of their electricity is generated from renewable sources by 2050, and the prohibition on coal-produced electricity are the most consequential energy policies for GHG reduction.

- a) Vehicle electrification and charging: (Air Resources Board (ARB), California Public Utilities Commission, California Energy Commission, Caltrans, numerous local programs)
- b) Low Carbon Fuel Standard: (ARB)
- c) California-specific fuel economy standards: (ARB)
- d) Sustainable communities strategies:
 - i. Housing policy (local and regional governments)
 - ii. Employment policy
 - iii. Other mode shifts
- e) VMT reduction strategies: (local governments)
- f) Transit ridership (local, regional, state agencies)
- g) Congestion relief: (local governments, Caltrans)

Given the many organizations who have a role in achieving the state's transportation-related GHG reduction goals, requiring Caltrans to describe how the state will achieve those goals is asking them to go well beyond their expertise and jurisdiction. Caltrans tried in their Transportation Plan 2040, published June 2016, but they have no authority to require any other agency to develop or implement plans.

Similarly, Caltrans is not an expert on advanced and emerging technologies, such as shared, autonomous, and electric vehicles. In order to provide the assessment required in this bill, Caltrans will need to rely on the expertise of others, such as the Department of Motor Vehicles and academic institutions.

- 4) *Suggested Amendments.* CTP recommendations are not always followed. It is sometimes difficult to identify how the recommendations in the CTP are incorporated into state and local transportation decisions. As a means of giving the CTP recommendations more weight, **the author may wish to amend the bill** to have the Governor's Office of Planning and Research annually assess state transportation activities and report to the Legislature on their consistency with the recommendations of the CTP. **The author may also wish to consider** adding ride sharing and pooling to the list of practices identified in Section 65072.2 which can reduce GHG emissions.
- 5) *Double Referral.* This measure was also referred to the Senate Environmental Quality Committee.

RELATED LEGISLATION:

SB 59 (Allen, 2019) — requires the Governor's Office of Planning and Research (OPR), in coordination with the State Air Resources Board (ARB) to convene an

autonomous vehicle (AV) interagency working group to guide policy development for autonomous passenger vehicles pursuant to specific principles, and report to the Legislature no later than January 1, 2021.

SB 64 (Liu, Chapter 711, Statutes of 2015) — directs CTC to review recommendations in the CTP and to make its own specific recommendations for transportation system improvements to the Legislature and the Governor.

SB 391 (Liu, Chapter 585, Statutes of 2009) — modified requirements of the CTP in an effort to reflect additional legislative intent related to statewide greenhouse gas emission targets.

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

From the Assembly Appropriations Committee:

- 1) Caltrans estimates contract costs of \$500,000 (special fund) over the next two years to prepare the interim report.
- 2) Unknown additional costs, if any, to prepare the 2025 CTP.

POSITIONS: (Communicated to the committee before noon on Wednesday, June 5, 2019.)

SUPPORT:

ChargePoint

OPPOSITION:

None received.

-- END --

SENATE COMMITTEE ON TRANSPORTATION

Senator Jim Beall, Chair

2019 - 2020 Regular

Bill No:	AB 309	Hearing Date:	June 11, 2019
Author:	Maienschein		
Version:	5/9/2019		
Urgency:	No	Fiscal:	No
Consultant:	Randy Chinn		

SUBJECT: Vehicles that appear to be used by law enforcement: ownership or operation by public historical society, museum, or institutional collection

DIGEST: This bill extends exemptions from the general prohibition against owning or operating a vehicle with law enforcement markings.

ANALYSIS:

Existing law:

- 1) Provides that when a motor vehicle formerly used in law enforcement is sold for use other than law enforcement, the vehicle shall be painted and any insignia or other marking of the vehicle identifying it as a traffic law enforcement vehicle shall be removed before it shall be operated on any street or highway.
- 2) Prohibits any person to own or operate a motor vehicle painted to resemble a motor vehicle used by a peace officer or traffic officer. Vehicles registered before January 1, 1979 are exempted.
- 3) Prohibits any person to own or operate a motor vehicle which is equipped with a light bar, or facsimile thereof, to resemble a motor vehicle used by a peace officer or traffic officer.
- 4) Provides exceptions from the above prohibitions for specified purposes, such as those used in movies.

This bill provides exemptions to the above existing laws for vehicles that meet all of the following conditions:

- a) The vehicle is possessed by a federal, state, or local historical society, museum, or institutional collection that is open to the public;
- b) The vehicle is secured from unauthorized operation and is only operated upon a public road or highway in relation to an event or site where the vehicle will be on display, including transportation to and from the event or display site.

COMMENTS:

- 1) *Author's Statement.* Museums and police historical societies that promote community relations are at risk of violating California Vehicle code because the obsolete police cars, which are considered some of their most visible and interesting artifacts, may be technically in violation of the Vehicle Code prohibition against ownership of facsimile law enforcement vehicles that were originally registered after 1979.
- 2) *Why?* This bill arose because in San Diego local officials determined that current law prohibited the local police historical association from displaying post-1979 marked police cars. Supporters note that antique police cars are often used at community relations events and recruiting fairs.
- 3) *Technical Amendment.* In addition to historical societies and museums, the bill allows vehicles possessed by "institutional collections" to possess marked police vehicles. It is not clear what an "institutional collection" is and there is no legal definition. **The author may wish to consider** deleting this phrase as it is unnecessary to the purpose of the bill.
- 4) *On the Streets?* The bill allows historical societies and museums to operate marked police vehicles on public roads while travelling to and from events. Public confusion will be created as those vehicles will look identical to operating police vehicles, even though those vehicles will be operated by civilians. Those vehicles will be unable to respond to calls for help. **The author may wish to consider** avoiding that confusion by adding the provision that while the vehicle is being transported to and from the event, the vehicle shall display conspicuous signage indicating that the vehicle is out of service.

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

POSITIONS: (Communicated to the committee before noon on Wednesday, June 5, 2019.)

SUPPORT:

California Association of Museums
California State Sheriffs Association
Napa Police Historical Society
PORAC
San Diego Police Historical Association

OPPOSITION:

None received.

-- END --

SENATE COMMITTEE ON TRANSPORTATION

Senator Jim Beall, Chair

2019 - 2020 Regular

Bill No:	AB 335	Hearing Date:	June 11, 2019
Author:	Eduardo Garcia		
Version:	3/27/2019		
Urgency:	No	Fiscal:	No
Consultant:	Manny Leon		

SUBJECT: Imperial County Transportation Commission

DIGEST: This bill authorizes the Imperial County Transportation Commission (ICTC) to evaluate, develop, and implement specific nontransportation programs within Imperial County.

ANALYSIS:

Existing law:

- 1) Creates ICTC as the successor agency to the Imperial Valley Association of Governments (IVAG) and assigns all assets and liabilities of IVAG to ICTC.
- 2) Establishes a governing board consisting of up to 15 members of whom 10 will be voting members, 1 designated nonvoting member, and up to 4 nonvoting, ex-officio members. The 10 voting members include one representative from each of seven incorporated cities in the county, two members of the Imperial County Board of Supervisors, and one member representing the Imperial Irrigation District.
- 3) Sets forth provisions governing administration of ICTC.
- 4) Provides that ICTC may use up to 3% of revenue from the Local Transportation Fund for administrative purposes.
- 5) Vests with ICTC the responsibility for administering Transportation Development Act provisions, governing the use of public transportation funds.
- 6) Authorizes a county to establish a SAFE, upon certain conditions, and generally provides that the county transportation commission may be designated the SAFE for that county.

- 7) Authorizes SAFEs to impose a \$1 annual fee on vehicles registered in the county.
- 8) Directs, with some exceptions, net revenues generated from the \$1 fee to be used for the implementation, maintenance, and operation of a call box system on state freeways and expressways, county expressways, unincorporated county roads, and on connecting state highway routes that are within the county.

This bill:

- 1) Authorizes ICTC to evaluate, develop, and implement nontransportation programs that it determines would provide local benefits by consolidating and sharing costs and resources, by facilitating cooperation, or by operating under ICTC's management, including:
 - a) Animal control services;
 - b) Waste management services;
 - c) Emergency response services; and
 - d) Multiagency communication services during countywide natural disasters.
- 2) Requires a majority vote of, and the adoption of a resolution by, ICTC's board prior to its development or implementation of a nontransportation program.
- 3) Authorizes ICTC to apply for, and receive, money and grants to carry out its functions.
- 4) Restricts the use of transportation funds for nontransportation purposes.
- 5) Authorizes ICTC to function as the service authority for freeway emergencies (SAFE) in Imperial County upon adoption of a resolution by the board and ratification of the resolution by the County Board of Supervisors and city councils of the cities having a majority of the population in the county.

COMMENTS:

- 1) *Author's statement.* According to the author, "AB 335 expands the potential duties of the Imperial County Transportation Commission to include non-transportation activities in order to address regional needs across Imperial County. This will allow further improvements and cooperation by consolidating administrative function and funding responsibilities administered by the same member agencies of ICTC."

- 2) *ICTC*. ICTC was established under SB 607 (Ducheny), Chapter 56, Statutes of 2009. The ICTC Board is currently composed of ten voting members and one non-voting member: consisting of two members of the Imperial County Board of Supervisors, one member from each incorporated city (seven) within Imperial County who are elected officials, one member of the Board of Directors of the Imperial Irrigation District, and one non-voting member appointed by the Governor representing Caltrans. On top of serving as the regional transportation planning agency, ICTC carries out the following transportation services and programs:
- a) Imperial Valley Transit (IVT) System and its Inner City Circulator Service: Blue, Green, and Gold Lines.
 - b) MedTrans (Non-Emergency Medical Demand Response Service to San Diego)
 - c) IVT ACCESS (Americans with Disabilities Act - ADA Paratransit Service)
 - d) IVT RIDE (curb to curb transit service for seniors)
 - e) Local sales tax project administration: Measure D Sales Tax Program
- 3) *Expansion*. The provisions specified in this bill will authorize ICTC to work in collaboration with other local public entities to determine if ICTC is the appropriate entity to administer and implement various non-transportation services in Imperial County.

Additionally, this bill authorizes ICTC to operate as the SAFE for Imperial County. The primary purpose of SAFE is emergency motorist aid. SAFE's programmatic funding is derived by a \$1 annual fee imposed on registered vehicles in participating counties. Statewide, SAFE's manage the construction, maintenance, and operation of approximately 14,000 emergency call boxes on 6,000 miles of California freeways and expressways. Currently, for Imperial County, 120 call boxes along Interstate 8 from the Arizona border to San Diego County line are operational and the system averages 250 calls per month. Currently, Imperial County administers the SAFE program. This bill would allow SAFE's administration and implementation to be shifted to ICTC.

- 4) This bill has broad support from local public entities in Imperial County and is sponsored by ICTC.

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

POSITIONS: (Communicated to the committee before noon on Wednesday,
June 5, 2019.)

SUPPORT:

Imperial County Transportation Commission (sponsor)
California Association of Council of Governments
City of Brawley
City of Calexico
City of El Centro
City of Imperial
Imperial County

OPPOSITION:

None received.

-- END --

SENATE COMMITTEE ON TRANSPORTATION

Senator Jim Beall, Chair

2019 - 2020 Regular

Bill No:	AB 634	Hearing Date:	June 11, 2019
Author:	Salas		
Version:	2/15/2019		
Urgency:	No	Fiscal:	Yes
Consultant:	Amy Gilson		

SUBJECT: Traffic control devices: roundabouts: memorial and dedication signs

DIGEST: This bill requires roundabouts to be included in the list of highway facility types that may be used for memorial or dedication signing as designated in the California Manual on Uniform Traffic Control Devices (MUTCD).

ANALYSIS:

Existing law:

- 1) Assigns to the California Department of Transportation (Caltrans) the responsibility of operating and maintaining state highways, including the installation and maintenance of highway signs.
- 2) Requires Caltrans to, after consulting with local agencies and holding public hearings, adopt rules and regulations prescribing uniform standards and specifications for all official traffic control devices in the MUTCD.
- 3) Enables the Legislature to, through a concurrent resolution, request that Caltrans erect signs showing special designation upon receiving donations from non-state sources covering the cost, consistent with the signing requirements for the state highway system.

This bill requires roundabouts to be included in the list of highway facility types that may be used for memorial or dedication signing as designated in the California MUTCD, adopted pursuant to Section 21400 of the Vehicle Code.

COMMENTS:

- 1) *Author's Statement.* According to the author, "AB 634 will require that roundabouts be added as a type of highway facility that may be used for memorial or dedication signing. Other highway facilities that can be named include highways and freeways, bridges, interchanges, rest areas, and vista

points. A roundabout can also help define a community by displaying art or designs on the central island that represents local heritage.”

- 2) *Roundabouts*. Caltrans defines a roundabout as an intersection where traffic travels around a central island in a counterclockwise direction. Vehicles entering or exiting the roundabout must yield to vehicles, bicyclists, and pedestrians.
- 3) *The California MUTCD*. Existing law requires Caltrans, after consultation with local agencies and public hearings, to adopt rules and regulations prescribing uniform standards and specifications for traffic control devices in the state. Caltrans established the California Traffic Control Devices Committee (CTCDC) to fulfill this mandate. The committee is made up of representatives from Caltrans, the California Highway Patrol, and local governments, and also consults with technical advisors. The CTCDC reviews rules and regulations and makes recommendations to the Caltrans director, who ultimately adopts and publishes rules and regulations in the California MUTCD.

The California MUTCD incorporates the Federal Highways Administration’s MUTCD and includes additional policies on traffic control devices approved in California. The federal MUTCD’s section on memorial or dedication signing relates is general while the California MUTCD additionally contains specific standards for memorial or dedication signing of bridges, freeway and highway segments, rest areas, interchanges, and vista points.

- 4) *Memorial signing options*. The Legislature commonly adopts resolutions naming bridges, freeway and highway segments, rest areas, interchanges, and vista points to honor a deceased person for extraordinary public service. However, California law does not prohibit memorialization of other types of highway facilities. While the committee is not aware of any instances to date where the Legislature has memorialized a roundabout, SCR 114 (Gaines, Chapter 102, Statutes of 2014) designated the intersection of State Highway Route 49 and Elm Avenue in the City of Auburn as the James E. Machado Memorial Intersection. Furthermore, a section of state highway going through a roundabout could already be named under the standards in the current California MUTCD.
- 5) *Need for expert review?* The California MUTCD is updated yearly through a public, regulatory process. Anyone may propose a change to the California MUTCD for consideration by the experts on the CTCDC. However, this bill would short circuit this process by directly requiring roundabouts to be included in the list of highway facility types that may be used for memorial or dedication

signing. This committee has previously held bills that would have required significant changes to the California MUTCD, instead directing the CTCDC to review the relevant policy. For example, SB 632 (Cannella, 2015) would have authorized a local authority to establish a 15 mph prima facie speed limit in a school zone. This bill was held in Senate Transportation and Housing Committee, which instead directed the CTCDC to review distances and effective periods of school zones.

That being said, the change required by this bill is relatively minor, and is not opposed by either the California Highway Patrol or Caltrans.

- 6) *Necessity or safety concerns?* While the goals of this bill could be achieved without this legislation, as written, it provides sufficient leeway for the CTCDC to develop standards and guidance on where roundabout memorial signs should be placed (e.g. either on the roundabout itself or in the lead up to the roundabout) to alleviate safety concerns that could arise from being overly prescriptive.

RELATED LEGISLATION:

SB 632 (Cannella, 2015) — Would have authorized a local authority to establish a 15 mph prima facie speed limit in a school zone. This bill was held in Senate Transportation and Housing.

SCR 114 (Gaines, Chapter 102, Statutes of 2014) — Designates the intersection of State Highway Route 49 and Elm Avenue in the City of Auburn as the James E. Machado Memorial Intersection.

AB 612 (Nazarian, 2014) — Required a local agency to establish minimum yellow light intervals at red light camera intersections at one second longer than the yellow light change intervals provided in the California MUTCD. This bill was gut and amended and died in Assembly Transportation.

AB 678 (Gaines, Chapter 747, Statutes of 2007) — Required Caltrans to, among other provisions, place signs encouraging people not to drink and drive and memorializing victims of drunk driving along state highways and to adopt program guidelines for the application and placement of these signs.

Assembly Votes:

Floor 72 – 0
Appropriations 14 – 0
Transportation 10 – 0

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

According to the Assembly Appropriations Committee, “negligible costs to Caltrans. Under current law and practice, the Legislature may request Caltrans erect signs showing special designation, the cost of which are typically covered by third-party donations from non-state sources covering the cost. In addition, Caltrans, which updates the CMUTCD annually, would add roundabouts, as required by this bill, during its next regular update to the CMUTCD.”

POSITIONS: (Communicated to the committee before noon on Wednesday, June 5, 2019.)

SUPPORT:

American GI Forum of California
AMVETS-Department of California
American Legion-Department of California
California Association of County Veterans Service Officers
California State Commanders Veterans Council
City of Delano
City of Lemoore
Military Officers Association of America-California Council Chapters

OPPOSITION:

None received.

-- END --

SENATE COMMITTEE ON TRANSPORTATION

Senator Jim Beall, Chair

2019 - 2020 Regular

Bill No:	AB 998	Hearing Date:	June 11, 2019
Author:	Aguiar-Curry		
Version:	2/21/2019		
Urgency:	No	Fiscal:	Yes
Consultant:	Manny Leon		

SUBJECT: State scenic highways: State Route 128

DIGEST: This bill designates State Route (SR) 128 as a route in the state scenic highway system.

ANALYSIS:

Existing law:

- 1) Establishes the State Scenic Highway Program and requires the California Department of Transportation (Caltrans) to administer the program.
- 2) Designates certain State Routes on the state's highway system as part of the state scenic highway system.
- 3) Authorizes Caltrans to revoke designation of a scenic highway if specific standards are not maintained, such as regulating land use and controlling outdoor advertising.

This bill includes SR 128 into the state scenic highway system.

COMMENTS:

- 1) *Author's statement.* According to the author, "Highway 128 runs over 144 miles from the coast in Mendocino County, through Napa and Sonoma Counties, to end in the historic city of Winters in Yolo County. It goes through rich farmland, unique vineyards, and stately orchards. It passes natural sites like the Old Ornbau Hot Springs and the Vaca Mountains, and there are Michelin Star restaurants and world-class resorts along the Highway. AB 998 is the first step to designate Highway 128 as a State Scenic Highway, which will promote tourism and enhance community identity and pride in the region. These

communities have been impacted by recent wildfires, and a scenic highway designation will attract visitors to these rural areas that have been rebuilding and recovering. Local agencies and groups are ready to start the application process for the State Scenic Highway Program, but first, the legislature must add Highway 128 to the list of eligible highways via this bill.

- 2) *Scenic Highway System.* The Legislature established the State Scenic Highway Program in 1963 under Caltrans' purview and required that a "Master Plan" be adopted that lists highways that are eligible for scenic designation. The highways deemed eligible are currently in statute and were selected by Caltrans based upon five factors: (1) intrinsic scenic value and experiences that the route would provide; (2) the diversity of experience, such as the transition between different landscape regions or climatic areas that travel on the route would furnish; (3) the degree to which the route would link specific scenic, historical, and recreational points or areas of interest; (4) the relationship of these routes to urban areas, taking into account the opportunities for weekend and one-day sightseeing trips by large numbers of people; and, (5) the opportunities for bypassing, or leaving periodically, major trans-state or inter-regional routes.

The purpose of the Scenic Highway Program is to protect and enhance the natural scenic beauty of California highways and adjacent corridors, through special conservation treatment. Upon receiving designation, program benefits include: protecting the scenic corridor from encroachment of incompatible land uses such as junkyards, dumps, concrete plants, and gravel pits; mitigating activities within the corridor that detract from its scenic quality by proper siting, landscaping, or screening; and, prohibiting billboards and regulating on-site signs so that they do not detract from scenic views.

- 3) *Eligibility Process.* A local agency (such as a city or county) that possesses a scenic highway eligible corridor within its jurisdiction may prepare a corridor management plan that describes the land use and other relevant planning actions that it will implement to retain the area's scenic quality. If this plan meets specific criteria, Caltrans will designate the identified portion of the route as "scenic" and include special signs along designated routes and also identify the routes on maps produced by the California Office of Tourism. Upon formal designation, current law requires local agencies to take actions that may be necessary to protect the scenic appearance of the corridor - the band of land generally adjacent to the highway right of way - including, but not limited to: (1) regulation of land use and intensity of development; (2) detailed land and site planning; (3) control of outdoor advertising; (4) careful attention to and control of earthmoving and landscaping; and, (5) the design and appearance of structures and equipment.

- 4) *SR 128*. SR-128 begins at Route 1 near the mouth of the Navarro River at the Pacific Ocean. The highway travels upriver through the coast redwood forests of Navarro River Redwoods State Park and through the vineyards and apple orchards of the Anderson Valley towards Boonville. Near Alexander Valley, SR-128 joins U.S. Route 101 heading south for a few miles. SR-128 splits off at Geyserville and crosses Knights Valley on the way to Napa Valley, where it joins SR-29 at Calistoga. After passing through the town of St. Helena, SR-128 splits from SR-29 at Rutherford and climbs east over dry ridges above Lake Berryessa to the Sacramento Valley. In Winters, the route's constructed portion ends at Interstate 505.

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

POSITIONS: (Communicated to the committee before noon on Wednesday, June 5, 2019.)

SUPPORT:

California Travel Association
City of Winters
Green River Brewing and Taproom
Sonoma County Tourism
Visit Mendocino County
Visit Napa Valley
Visit Yolo!
Winters Chamber of Commerce
Yolo County

OPPOSITION:

None received.

-- END --

- 2) Requires Santa Cruz METRO to obtain a minimum of three quotations, either written or oral, that permit the comparison of prices and terms in either of the following circumstances:
 - a) In the case of the purchase of supplies, equipment, or materials, if the expected cost of procurement required exceeds \$5,000 and does not exceed \$50,000; or,
 - b) In the case of the construction of facilities and works, if the expected cost of procurement required exceeds \$5,000 and does not exceed \$10,000.
- 3) Deletes a requirement that allows a member of Santa Cruz METRO's board of directors (board member) who is the appointee of any legislative body and is a member of that legislative body to serve only as long as the appointee is a member of the legislative body. Instead, clarifies that such an appointee that leaves the legislative body may continue to serve as a board member until a qualified successor is appointed, unless the legislative body takes express action to unseat the appointee.
- 4) Requires each board member to be reimbursed for the actual and necessary expenses incurred in the performance of the board member's duties, including for attending each meeting of the board and each committee meeting, as determined by the board. Specifies that a board member's reimbursement for attending a meeting shall not exceed \$100, and each member's reimbursements shall not exceed \$400 in any month.

COMMENTS:

- 1) *Author's statement.* According to the author, "AB 1089 is a district bill that will update the enabling statutes of the Santa Cruz Metropolitan Transit District to better reflect the current service needs of Santa Cruz County. Updating these provisions will help keep the district board from having vacancies, update board member compensation, and provide a procurement tool that will enable the district to pursue solutions that are the best long term fit."
- 2) *Santa Cruz Metro.* Santa Cruz Metro was created in 1968 as a special district within Santa Cruz County under a specified taxing authority. Transit service was initially to the cities of Santa Cruz, Capitola and Live Oak. Santa Cruz Metro subsequently extended service to Watsonville, Scotts Valley and the San Lorenzo Valley in 1974. In 1979, voters approved a measure to change the financing of Santa Cruz Metro from a property tax to a 1/2 cent sales tax. Santa

Cruz Metro currently operates 25 bus transit routes in the Santa Cruz region. Santa Cruz Metro also operates the Highway 17 Express bus service to Santa Clara County in cooperation with the Santa Clara Valley Transportation Authority, AMTRAK, CalTrans and the Capitol Corridor Joint Powers Authority.

A board of eleven directors and two ex-officio directors, representing the University of California and Cabrillo College, governs Santa Cruz Metro. Eleven members are appointed by the following entities: County of Santa Cruz (five members), the City of Santa Cruz (two members), the City of Watsonville (two members), and one member each from the cities of Capitola and Scotts Valley.

- 3) *Outdated provisions.* According to Santa Cruz Metro, the requirement to use the existing low bid contracting method coupled with the current \$25K threshold for the purchase of supplies, equipment, and materials sometimes prevents the agency from obtaining the most modern or cost-effective services or equipment available. Many times is not the most resourceful use of public funds and detrimental to the transit-riding public. Allowing Santa Cruz Metro to use best value contracting and raising the threshold to account for inflationary cost increases will provide procurement staff more flexibility and ensure maximum value for the district's users and the wider taxpaying community. This measure also makes minor and sensible changes to Santa Cruz Metro's governing board requirements to ensure board positions do not remain vacant for extended periods of time.

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

Assembly Votes:

Floor: 77-0
Approps: 16-0
L. Gov: 8-0

POSITIONS: (Communicated to the committee before noon on Wednesday,
June 5, 2019.)

SUPPORT:

Santa Cruz Metro (Sponsor)

OPPOSITION:

None received.

-- END --

SENATE COMMITTEE ON TRANSPORTATION

Senator Jim Beall, Chair

2019 - 2020 Regular

Bill No:	AB 1112	Hearing Date:	June 11, 2019
Author:	Friedman		
Version:	5/7/2019		
Urgency:	No	Fiscal:	No
Consultant:	Amy Gilson		

SUBJECT: Shared mobility devices: local regulation

DIGEST: This bill limits the data a local authority may require a shared mobility device provider to provide to the local authority and the kinds of regulations a local authority may place on a shared mobility service provider or user.

ANALYSIS:

Existing law:

General powers of local governments:

- 1) Provides that a county or city may make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws. (California Constitution Article XI, Section 7)
- 2) Authorizes local governments to require businesses operating in their jurisdictions to obtain a license and impose related licensing fees. (Business and Professions Code §16000 and §16100)

Powers of local governments with respect to mobility device regulation:

- 3) Authorizes local authorities to regulate the registration of motorized scooters. (Vehicle Code (VEH) §21225)
- 4) Authorizes a local authority to regulate the parking and operation of a motorized scooter on pedestrian or bicycle facilities and local streets and highways. (VEH §21225)
- 5) Authorizes a local authority to regulate the registration of bicycles and the parking and operation of bicycles on pedestrian or bicycle facilities, provided such regulation is not in conflict with state law. (VEH §21206).

- 6) Permits motorized scooters to be operated on a bicycle path or trail or bikeway unless the local authority prohibits that operation by ordinance (VEH §21230)
- 7) Allow a local authority to authorize the operation of a motorized scooter on streets with a speed limit of up to 35 miles per hour (mph). (VEH §21235)

Motorized scooters:

- 8) Defines a “motorized scooter” as a two-wheeled device that has handlebars and a floorboard that is designed to be stood upon while riding, and is powered by an electric motor. (VEH §407.5)
- 9) Requires a person operating a motorized scooter to ride in a bicycle lane, where available, as specified (VEH 21229) or, if upon a highway at a speed less than the normal speed of traffic, to ride as close as practicable to the right edge of the roadway, except as specified (VEH §21228).
- 10) Requires an operator of a motorized scooter to wear a helmet if they are under the age of 18. (VEH §21235)
- 11) Requires an operator of a motorized scooter to have a valid driver’s license or instruction permit. (VEH §21235)
- 12) Prohibits a motorized scooter from operation on sidewalks, except as necessary to enter or leave adjacent property. (VEH §21235)
- 13) Prohibits a person from leaving a motorized scooter lying on its side on any sidewalk, or park a motorized scooter on a sidewalk in any other position, so that there is not an adequate path for pedestrian traffic. (VEH §21235)

Regulations on bicycles:

- 14) Requires any person operating a bicycle upon a roadway at a speed less than the normal speed of traffic moving in the same direction at that time to ride as close as practicable to the right-hand curb or edge of the roadway, except as specified. (VEH §21202)
- 15) Requires a person operating a bicycle to ride in a bicycle lane, where available, except as specified. (VEH §21208)
- 16) Specifies that no person shall leave a bicycle lying on its side on any sidewalk, or shall park a bicycle on a sidewalk in any other position, so that there is not an adequate path for pedestrian traffic. Authorizes local authorities to prohibit

bicycle parking in designated areas of the public highway, provided that appropriate signs are erected. (VEH §21210)

- 17) Authorizes local authorities to regulate the operation of bicycles on public sidewalks. (VEH §21100)

Privacy:

- 18) Establishes the California Electronic Communications Privacy Act (CalECPA), which, among other provisions, prohibits a government entity from compelling the production of or access to electronic device information from any person or entity other than the authorized possessor of the device, except in limited circumstances as specified. (Penal Code (PEN) §1546 et seq.)
- 19) Defines “electronic device information” as any information stored on or generated through the operation of an electronic device, including the current and prior locations of the device. (PEN §1546)
- 20) Established the California Consumer Privacy Act of 2018 and provides various rights to consumers pursuant to the act, including the right to opt-out of the sale of the consumer’s personal information if over 16 years of age, and the right to opt-in, as specified, if the consumer is a minor. (Civil Code §1798.140 et seq.)

This bill:

- 1) States that the Legislature finds and declares that a basic level of statewide standards for local regulation of shared mobility devices encourages innovation and ensured basic expectations for consumers.
- 2) States that, except as expressly stated, it is not the intent of the Legislature that this division limit regulations a local authority may otherwise implement beyond the minimum standards outlined in this division.
- 3) Defines “aggregate” as data that relates to a group of trips, from which the start points, stop points, routes, and times of individual trips have been removed and that cannot be used, or combined with other information to isolate details of an individual trip.
- 4) Defines “deidentified” as information that cannot reasonably identify, relate to, describe, be capable of being associated with, or be linked, directly or indirectly, to a particular consumer, provided that any entity that uses deidentified information meets specified criteria.

- 5) Defines a “shared mobility device” as an electrically motorized board, a motorized scooter, an electric bicycle, a bicycle, or other similar personal transportation device that is made available to the public by a shared mobility service provider for shared use and transportation in exchange for financial compensation via a digital application or other electronic digital platform.
- 6) Defines a “shared mobility service provider” as a person or entity, other than a government agency, that offers, makes available, or provides a shared mobility device in exchange for financial compensation or membership via a digital application or other electronic or digital platform.
- 7) Defines “trip data” as deidentified and aggregated data elements related to trips taken by users of a shared mobility device including, but not limited to, Global Positioning System, timestamps, or route data.
- 8) Defines “individual trip data” as data elements related to trips taken by users of a shared mobility device including, but not limited to, Global Positioning System, time stamp, or route data that are not deidentified and aggregate.
- 9) Specifies that individual trip data is “electronic device information” as defined in CalECPA.
- 10) Requires all shared mobility devices operated in the state to include a single unique alphanumeric ID assigned by the provider that is visible from a distance of five feet, as specified.
- 11) Authorizes a local authority to require a shared mobility device provider, as a condition for operating a shared mobility device program, to provide to the local authority trip data for all trips within the jurisdiction of the local authority on any shared mobility device.
- 12) Prohibits individual trip data from being shared with the local authority except as required under CalECPA.
- 13) Prohibits a local authority, in regulating shared mobility devices and providers, from imposing any unduly restrictive requirements that have the effect of prohibiting the operation of all shared mobility providers in its jurisdiction.
- 14) Specifies that a local authority may require a shared mobility provider, as a condition for operating a shared mobility device fleet, to deploy shared mobility devices in accordance with requirements including, but not limited to:

- a) Fleet caps that reasonably limit the number of share mobility devices permitted to operate within its jurisdiction;
 - b) Reasonable insurance and indemnification requirements
 - c) Required or incentivized deployment in specified regions of its jurisdiction, based on factors including, but not limited to, economic indicators, to ensure equitable access, provided that the local authority shall correspondingly reduce or eliminate associated fees and costs;
 - d) Limits on maximum device speed, provided that such limits on roads and bicycle lanes shall not be below applicable statewide speed limits;
 - e) Fees based on the reasonable and necessary costs incurred by the local authority as a result of administering shared mobility device programs within its jurisdiction.
- 15) Prohibits local authorities from subjecting the users of shared mobility devices to requirements more restrictive than those applicable to the riders of personally owned similar transportation devices, including, but not limited to, personally owned electric bicycles and electric scooters.
- 16) States the intent of the Legislature to promote and encourage the use of zero-emission shared mobility devices, which have been proven to be an environmentally sustainable replacements for automotive trips.
- 17) States that the Legislature finds and declares that uniformity in certain aspects of local regulation of shared mobility devices is of vital statewide importance.
- 18) Applies the above provisions to all cities and counties, including charter cities and counties.

COMMENTS:

- 1) *Author Statement.* According to the author, “AB 1112 establishes a basic level of statewide standards for local regulation of motorized scooters to ensure clarity in the law to enable zero-emission transportation, reduce traffic congestion, and increase safety on the road. AB 1112 also establishes uniform regulations regarding the use of data collected by shared mobility device providers and shared with local governments. Trip data is useful for local governments to determine how shared mobility devices will be best utilized in a community. Trip data can help ensure that appropriate lanes are created to deal with congestion and appropriate docking stations are installed in high-use areas to ensure that sidewalks are minimally impacted for pedestrians.”
- 2) *Roll-out of new shared mobility options.* New shared mobility options, such as

motorized scooters and electric bicycles, promise convenient, low-carbon first and last-mile solutions, and other benefits that may help reduce green house gas emissions and congestion. For example, fifty percent of respondents to a user survey conducted by Santa Monica reported that their most recent shared mobility trips displaced a car trip. Docked bicycle share programs have been around for years. More recently, dockless bicycles and electric scooters, which may be left wherever the user ends their trip, have been developed. To access a shared mobility device, a user typically creates an online account with a provider, looks for and ‘unlocks’ one of the provider’s devices through a smart phone application, and takes it for a trip on a per-minute rate.

State law establishes various rules for the operation of mobility devices, shared or otherwise, including prohibiting them from being left lying on their side on any sidewalk such that there is not an adequate path for pedestrian traffic. However, local authorities have broad authority to regulate these devices, including requiring providers to obtain a license and imposing related licensing fees. In the wake of unregulated deployment of dockless, shared motorized scooters in 2018, many local authorities, including in Los Angeles and San Francisco, moved quickly to develop regulations while others instituted temporary bans on the motorized scooters. Responding to the novelty of shared mobility device deployment, the LA Department of Transportation, City of Santa Monica, Oakland Department of transportation, San Francisco Municipal Transportation Authority, and City of San José Department of Transportation argue in their letter of opposition that, “as all five cities’ pilot programs are currently underway, [they] believe it is premature for the State to take action in this area.”

- 3) *This sharing model promises greater convenience for users, but has created challenges for many local authorities.* These include 1) dealing with unexpected deployment of devices; 2) adapting their transportation infrastructure, regulation, planning, and enforcement capabilities to accommodate a much more diverse array of mobility devices and to accommodate a user base which may be less familiar with how to safely operate the devices and with rules of the road; and 3) ensuring equitability of access to shared mobility programs.

For example, after the unregulated launch of a shared motorized scooters in Beverly Hills, the police department began issuing warnings and citations to riders not wearing helmets, for driving on sidewalks in prohibited areas, or for not possessing a valid driver’s license while riding. They responded to injury-causing accidents involving motorized scooters and removed scooters from sidewalks and streets when they blocked traffic. Citing “concern for public safety and a lack of any advanced planning and outreach by the motorized

scooter companies” the Beverly Hills City Council voted to “prohibit the devices from being placed in any public right-of-way or on public property, operated in any public-right-of-way or on public property, or offered for use anywhere in the City” and began impounding the devices.

- 4) *Shared mobility service providers argue that local authorities sometimes subject them to regulations that threaten the viability of their operations as a condition for operating in their jurisdiction.* For example, they point to: 1) requirements that, if a city garbage truck hit a scooter rider, that the scooter provider is liable; 2) to fees on shared scooters thirty times or more what the state charges shared cars; and 3) to requirements as to where scooters must be deployed regardless of ridership, and then charging fees for deployment of those unprofitable scooters.

In their letters in support of the bill, Uber and Bird argue that the bill establishes guidelines to ensure clarity in the law and regulatory consistency across local governments, which would facilitate the expansion of shared mobility device use in California. Uber further argues that this bill “can establish clear rules for the data sharing relationships established around this new industry” given the “sensitive geolocation data... so that trust can be built around appropriate sharing relationships and use cases.”

- 5) *This bill restricts the type of data cities can require of a shared mobility service provider: Consideration of privacy versus regulatory/planning needs.* As heard in the Assembly Transportation Committee, this bill would have allowed broad sharing of data between shared service mobility providers and local authorities, subject to certain privacy provision. However, the analysis of the Assembly Privacy and Consumer Protection Committee argues that individual trip data (such as real-time monitoring of shared mobility device trips); is subject to CalECPA and therefore may not be shared with the government absent a warrant or subpoena. Therefore, amendments taken in Assembly Privacy and Consumer Protection Committee authorize local authorities to require trip data (which is deidentified and aggregated) from shared mobility service providers but prohibit local authorities from requiring individual trip data.

The City of Los Angeles currently requires that shared mobility service providers provide extensive data as a condition of operation in the city, including individual trip data. The city put significant investment into developing the technology, called the Mobility Data Specification (MDS), which enables this data sharing. In his letter of opposition to this bill, Los Angeles Mayor Eric Garcetti states that these data are needed “to monitor compliance with its regulations, ensure compliance with the ADA, address

constituent complaints, and evaluate and enforce equitable distribution of services” and that “by limiting cities’ data requirements to aggregated trip data,” the bill would essentially make the city’s regulations unenforceable.

In their letter of opposition to the bill, the City of San José, which also uses MDS, says that, along with other provisions of the bill, narrowing data sharing to aggregate trip data, would be detrimental to their “equity standards that ensure low income residents can access micromobility devices; Rebalancing programs which redistribute devices to underserved communities; Speed caps to provide riders and pedestrians safety as they travel; and Locational data that is used to inform city staff and operators when a device must be serviced or removed.”

Importantly, the bill is unclear on the status of data that may fall neither under the definition of “trip data” (which is deidentified and aggregated) or “individual trip data,” such as the locations of shared mobility devices that are not “on trip” i.e. currently engaged by a user, the maintenance status and history of shared mobility devices, or general socioeconomic and demographic data of users. Though individual trip data may be useful to local authorities, given the specific regulatory, equity, and planning needs locals authorities have described, it is possible that permitting them to access these data in addition to aggregated trip data would be sufficient.

- 6) *This bill restricts local authority to regulate shared mobility device use and service providers: Consideration of local control versus potentially unduly restrictive requirements.* Under existing law, local authorities have broad discretion to regulate shared mobility device use and shared mobility service providers, including to shape the terms under which a shared mobility provider may operate in their jurisdiction. However, as described above, some providers claim that the terms to which they are subjected are unreasonable, undercut their profitability, or are so onerous that they have effect of banning shared mobility devices.

The second half of the bill limits the requirements a local authority may place on shared mobility service providers. It prohibits a local authority from imposing “any unduly restrictive requirements that have the effect of prohibiting the operation of all shared mobility providers in its jurisdiction” and from “subjecting the users of shared mobility devices to requirements more restrictive than those applicable to users of” similar privately owned devices. This “unduly restrictive” provision could be interpreted as prohibiting a local authority from banning shared mobility devices entirely. Furthermore, in some circumstances, it may be reasonable to regulate use of shared and privately owned devices differently, for example, requiring shared device users to leave

their device in a particular areas while allowing private device owner to lock up wherever they find an available bike rack.

On the other hand, the bill authorizes a local authority to “impose fees based on the reasonable and necessary costs incurred by the local authority as a result of administering shared mobility device programs within its jurisdiction” and to impose a number of other requirements. However, under existing law, local authorities already have the authority to impose all the requirements laid out in this section. In reality, these provisions include two specific limitations on local authorities. First, it requires local authorities to “correspondingly reduce or eliminate association fees and costs” if the authority chooses to “requir[e] or incentiviz[e] deployment in specific regions of the local authority’s jurisdiction, based on factors including, but not limited to, economic indicators, in order to ensure equitable access to shared mobility devices.” Second, it prohibits local authorities from placing limits on maximum device speed that fall below applicable statewide speed limits. It is unclear why these two specific aspects of shared mobility device regulation should be singled out for state regulation while all other specifics are left up to local authorities.

7) *Committee concerns.*

- a) **Does the bill prohibit local authorities from requiring data such as the location of shared mobility devices that are not “on trip”?** As written, the bill clearly authorizes local authorities to require shared mobility service providers to provide trip data (which is deidentified and aggregated) and prohibits local authorities from requiring individual trip data, but it is silent on other types of data that local authorities may need for enforcement, equity, and planning purposes. These include, but are not limited to, the locations of shared mobility devices that are not in use, the number of devices in use, and the maintenance status and history of shared mobility devices.
- b) **Does the bill prohibit a local authority from banning scooters?** It is ambiguous whether the bill allows local authorities to ban shared micromobility devices or, in the absence of a ban, whether local authorities may impose a regulations that effectively function as a ban. This should be clarified.
- c) **Does requiring that a device’s unique identifier be visible from a distance of five feet suffice?** The bill requires that all shared mobility devices operated in the state include a single unique alphanumeric ID that is visible from a distance of five feet, but this may not be sufficient for blind people or people with low vision.

- d) **What information may local authorities without explicit shared mobility device programs require?** The bill authorizes a local authority to require specified data as a condition for operating a shared mobility device program within a local jurisdiction, however if it unclear whether a local jurisdiction which does not explicitly permit an operator in their jurisdiction could require that specified data for trips which may take place in their jurisdiction anyways.
- e) **This bill places two specific limitation on local regulatory authority.** Within a section that otherwise authorizes cities to enact certain regulation, the bill limits how local authorities may enact programs to ensure equitable access to shared mobility devices and limits how local authorities can regulate shared mobility device speed limits. It is unclear why these two specific aspects of shared mobility device regulation should be singled out for state regulation while all other specifics are left up to local authorities.
- f) **Should it be up to local authorities to determine whether there may be instances where restrictions on use of shared mobility devices and use of private devices should differ?** The bill prohibits local authorities from “subjecting the users of shared mobility devices to requirements more restrictive that those applicable to users of” similar privately owned devices. However, in some circumstances, it may be reasonable to regulate use of shared and privately owned devices differently, for example, requiring shared device users to leave their device in a particular areas while allowing private device owner to lock up wherever they find an available bike rack.
- 8) *Triple referral.* This bill is triple referred to the Senate Transportation, Government and Finance, and Judiciary Committees. AB 1286 (Muratsuchi), which also addresses scooter regulations, is doubled referred to the Senate Judiciary Committee and to the Senate Government and Finance Committee.

RELATED LEGISLATION:

AB 1286 (Muratsuchi, 2019) — prohibits the agreement between the shared mobility provider and a user from containing a provision by which the user waives, releases, or in any way limits their legal rights or remedies. Requires shared mobility service providers to carry specified liability insurance and a local authority that authorizes a provider to operate within its jurisdiction to adopt rules governing the use of shared mobility devices, as specified. This bill is double referred to the Senate Judiciary Committee and to the Senate Government and

Finance Committee.

AB 2989 (Flora, Chapter 552, Statutes of 2018) — made changes to the restrictions related to the operation of motorized scooters.

AB 604 (Olsen, Chapter 777, Statutes of 2015) — defined “electrically motorized skateboards” and required these devices to meet certain operational requirements.

AB 1096 (Chiu, Chapter 568, Statutes of 2015) — defined various classes of electric bicycles and establishes parameters for their operation in California.

SB 441 (Chesbro, Chapter 722, Statutes of 1999) — defined “motorized scooters” and required these devices to meet certain operational requirements.

Assembly Votes:

Floor	73-1
Privacy and Consumer Protection	11-0
Trans	12-1

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

POSITIONS: (Communicated to the committee before noon on Wednesday, June 5, 2019.)

SUPPORT:

- Bay Area Council
- Bird
- California Hispanic Chambers of Commerce
- Central Coast Health Network
- Circulate San Diego
- Clinicas Del Camino Real
- Clinicas Del Valle De Salinas
- Congress of Racial Equality
- Electronic Frontier Foundation
- Environmental Defense Fund
- Fast Link DTLA
- Fixing Angelenos Stuck In Traffic
- Interfaith Movement For Human Integrity
- Internet Association
- Los Angeles Metropolitan Churches
- LULAC Dist. 17 Ventura County

Lyft
National Action Network Los Angeles
National Asian American Coalition
National Diversity Coalition
Sierra Club California
Silicon Valley Leadership Group
Southern Christian Leadership Conference of Southern California
TechNet (logo on coalition letter but not undersigned)
Uber Technologies, Inc./Jump
Up for Growth

OPPOSITION:

California Walks
City of Anaheim
City of Long Beach
City of Los Angeles
City of Oakland
City of Pasadena
City of Riverside
City of Sacramento
City of San Diego
City of San Francisco
City of San José
City of San José Department of Transportation
City of Santa Ana
City of Santa Monica
City of Thousand Oaks
Consumer Attorneys of California
Disability Rights Education and Defense Fund
Eric Garcetti, Mayor of the City of Los Angeles
League of California Cities
Los Angeles Department of Transportation
Oakland Department of Transportation
San Francisco Municipal Transportation Agency
4 Individuals
California walks
Safe Routes Partnership
Investing in Place
California Bicycle Coalition
People for Mobility Justice
Transform
National resources Defense Council

CA Council of the Blind

CONCERNS:

The Greenlining Institute

-- END --

- 5) Requires each MPO to develop a sustainable communities strategy (SCS), as part of its RTP, to coordinate transportation and land use planning to meet its regional target for the reduction of GHG emissions.
- 6) Requires CARB to set regional targets, every eight years, for MPOs for GHG emissions reductions from the automobile and light truck sector for 2020 and 2035. Authorizes CARB to review and update the targets after four years, if needed.
- 7) Requires CARB to work with the affected region on the target setting process and authorizes MPOs to recommend a target for the region.
- 8) Requires an MPO to submit its adopted SCS to CARB for review and evaluation as specified.
- 9) Requires CARB to prepare a report to assess the progress made by each MPO in meeting the regional GHG reduction targets set by the board every four years to align with target setting.
- 10) Establishes the Passenger Charter-Party Carriers' Act which provides for the regulation of charter-party carriers of passengers by CPUC and includes specific requirements for liability insurance coverage, background checks, and other regulatory matters applicable to TNCs and their participating drivers.

This bill:

- 1) Authorizes MPOs with a population over 200,000 to include performance indicators to measure travel by TNCs, if appropriate data is available, in the Policy Element of the RTP.
- 2) Authorizes MPOs with populations over 200,000, to include performance indicators for policies to increase the use of existing transit in the Policy Element of the RTP; including but not limited to:
 - a) Frequency of public transit;
 - b) Parking facilities near existing public transit;
 - c) Microtransit options to supplement existing public transit; and
 - d) Safe facilities for storage of active transportation equipment.
- 3) Requires CPUC to consider the needs of MPO's, regional transportation agencies, and state agencies relative to TNC impacts and developing

sustainable community strategies when collecting TNC data as required for existing CPUC TNC regulated programs, as specified.

COMMENTS:

- 1) *Author's statement.* According to the author, "California is not on track to meet its climate goals for the transportation sector. One of the significant issues identified in the Air Resources Board 2018 Sustainable Communities and Climate Protection Act progress report is the lack of available information on the impact of Transportation Network Companies (TNCs), such as Uber and Lyft, on vehicle miles travelled and public transit utilization. Transportation data is not being collected at a resolution necessary to understand how people's travel patterns have shifted. AB 1142 will address these data gaps in California's strategies to reduce transportation emissions by requiring California's Regional Transportation Plans to measure: (i) trips made by TNCs, and (ii) community specific barriers that reduce utilization of public transit."
- 2) *Transportation planning in California.* All of California's MPOs and RTPAs are required by federal and state law to conduct long range planning to set forth a clearly identified defined vision and goals for transportation in the region and to ensure effective decision making to further the vision and goals. California currently has 18 federally designated MPOs and 26 state-created RTPAs. The long-range plan, known as the RTP, is an important policy document that is based on the unique needs and characteristics of a region and communicates the regional vision to the state and federal government. The RTP considers a minimum 20-year horizon and should be integrated with the local jurisdiction's land use plans. MPOs and RTPAs are required to update the RTP every four or five years, depending on a region's clean air attainment. The CTC develops guidelines that govern the content and requirements for the RTP so that it conforms to both federal and state law.
- 3) *SCS.* A significant component of the RTP is the SCS. As a part of the strategy to meet the state's climate goals the Legislature passed SB 375 (Steinberg, Chapter 728, Statutes of 2008). SB 375 aligns transportation planning, land use and housing to link these elements when developing communities. SB 375 authorizes CARB to set GHG emissions reduction targets for each of the state's 18 MPO regions. The MPO's work with CARB, exchanging technical data, to set the targets, including recommending a target for their region. MPOs are required to adopt an SCS as part of their RTP to demonstrate how their region will meet the target. Importantly, if an MPO through the development of an SCS, determines they will not be able to reach the target, the MPO may develop

an alternative planning strategy that identifies the principal impediments to meeting the targets.

- 4) *SB 150*. SB 150 (Allen), Chapter 646, Statutes of 2017, requires CARB to prepare a report every four years to assess the progress of MPO's in meeting their regional GHG targets. The first SB 150 report was issued by CARB in December 2018. CARB concluded that California is not on track to meet GHG reductions expected under SB 375. CARB identified challenge areas for SCS implementation and included suggestions on ways to overcome the challenges.
- 5) *Updating criteria*. This bill allows for additional criteria to be considered by MPOs for transportation planning purposes. Specifically, the Policy Element within RTPs currently allows MPOs with a population over 200,000 to consider using a variety of performance monitoring indicators to measure RTP performance. These indicators include, but are not limited to, measures of mobility and traffic congestion, road and bridge maintenance and rehabilitation needs, etc. This bill will allow MPOs to also consider/evaluate indicators relative to TNC's and efforts to increase the utilization of public transit within an MPO's planning jurisdiction.
- 6) *CPUC data collection*. Currently, CPUC is authorized to collect data from TNCs for a variety of regulatory purposes and programs. While CPUC is in possession of that ridership data, it has been noted by transportation agencies that obtaining sufficient data from CPUC to accurately model TNC GHG impacts for their SCSs has been challenging. This challenge was also noted in CARB's report required by SB 150. The provisions in this bill aim to serve as the first step in providing a remedy to this challenge.
- 7) *Double referred*. Recent amendments introduced related to PUC now require the bill to be referred to the Senate Energy, Utilities, and Communications Committee if the bill is passed out of this committee.

Related Legislation:

SB 150 (Allen, Chapter 646, Statutes of 2017) — requires CARB to prepare a report every four years to assess the progress of the MPOs in meeting their regional GHG targets.

SB 375 (Steinberg, Chapter 728, Statutes of 2008) — aligns transportation planning, land use and housing to reshape development in communities to help achieve the state's climate goals by requiring ARB to set regional targets for GHG emissions reductions from passenger vehicle use.

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

Assembly Votes:

Floor: 78-0

Trans: 15-0

POSITIONS: (Communicated to the committee before noon on Wednesday,
June 5, 2019.)

SUPPORT:

American Society of Civil Engineers, Region 9
Local Government Commission

OPPOSITION:

None received.

-- END --

SENATE COMMITTEE ON TRANSPORTATION

Senator Jim Beall, Chair

2019 - 2020 Regular

Bill No: AB 1183

Hearing Date: June 11, 2019

Author: Ramos

Version: 4/30/2019

Urgency: No

Fiscal: Yes

Consultant: Randy Chinn

SUBJECT: Vessel operator: definition

DIGEST: This bill expands the definition of “operator” of a vessel beyond the person steering the vessel while underway.

ANALYSIS:

Existing law:

- 1) Defines vessel as any watercraft used as a means of transportation on water, except a seaplane.
- 2) Defines the operator of a vessel as the person on board and steering while the vessel is underway.
- 3) Restricts the operation of a vessel to a person 16 years or older if the vessel is powered by a 15 horsepower motor or greater, with the exception of a sailboat under 30 feet long, except in certain unique circumstances.
- 4) Authorizes a person between 12 and 15 years old to operate a vessel powered by a 15 horsepower motor or greater, or a sailboat over 30 feet long, if accompanied by a person who is at least 18 years of age and who is attentive and supervising the operation of the vessel.

This bill expands the definition of “operator” to include the person aboard a vessel who meets any of the following:

- a) Is steering the vessel while underway.
- b) Is responsible for the operator of the vessel while underway.
- c) Is at least 18 years of age and is attentive and supervising the operation of the vessel by a person between 12 and 15 years old.

COMMENTS:

1) *Author's Statement.* AB 1183 ensures that those who engage in reckless and dangerous behavior on our state's waterways can be held to account. Because of dangerous loopholes in the law, the adult who is supposed to be supervising the operation of the vessel cannot be held criminally liable for operating a vessel under the influence nor for other violations should an unlicensed, underage person be driving the boat. Since it is not uncommon to find minors operating a vessel under the supervision of an adult who is also under the influence, tragic cases of operator negligence or other violations can go unpunished due to these loopholes. This bill clarifies the definition of 'operator' in the Harbors and Navigation Code to additionally include the person on board who is responsible for the operation of the vessel while underway and the adult who is attentive and supervising the operation of the vessel by a person 12, 13, 14, or 15 years of age."

2) *Purpose.* This bill is intended to close a loophole in existing law. The genesis is a tragic case described by the bill sponsor:

A 14-year-old operator ran over and killed a 12-year-old and the supervising adult on the vessel was found to be under the influence. Given the deficiency in statute, the district attorney declined to file charges on the "supervising" adult because the definition of "operator" is too narrow. While the supervising adult is responsible for the safe operation of the vessel, he could not be charged because he was not technically steering the vessel, which is required in the Code's definition of "operator."

3) *Who is In Charge?* Driver's (e.g. operators) bear the responsibility for the operation of motor vehicles. This is true even for a minor driver with a learner's permit who is operating under the supervision of an adult. Under current law, the same is true for vessels. However, when a 12 – 15 year old is driving under the supervision of a responsible adult, this bill makes the adult responsible. There is some precedent for this. The Captain of a naval vessel is responsible for the operation of that vessel, even though he is not steering the vessel. Federal law defines "operator" as "the person who is in control or in charge of a vessel while it is in operation". Under this bill, an adult will truly be responsible for supervising the children he or she allows to operate the vessel.

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

From the Assembly Appropriations Committee: The sponsor of this bill, The California State Sheriff's Association, contends this bill will enable law enforcement to better enforce the state's boating and vessel operation laws, thereby improving the safety of the state's waterways. Presumably, therefore, law enforcement will issue more violations for unsafe boating, generally, under this bill than it otherwise would. Generally, this increased law enforcement activity will fall to local officials. While this increased activity may result increased costs, the state is not required to reimburse local government for costs related to enforcement the law.

POSITIONS: (Communicated to the committee before noon on Wednesday, June 5, 2019.)

SUPPORT:

California State Sheriffs Association

OPPOSITION:

None received.

-- END --

SENATE COMMITTEE ON TRANSPORTATION

Senator Jim Beall, Chair

2019 - 2020 Regular

Bill No: AB 1266 **Hearing Date:** June 11, 2019
Author: Robert Rivas
Version: 4/2/2019
Urgency: No **Fiscal:** Yes
Consultant: Amy Gilson

SUBJECT: Traffic control devices: bicycles

DIGEST: This bill allows a bicycle to travel straight through an intersection, instead of making a right-hand turn, if there is a striped bicycle lane between the right-turn only lane and the travel lane, and requires the California Department of Transportation (Caltrans) to develop standards for implementation.

ANALYSIS:

Existing law:

- 1) Specifies that a person riding a bicycle has the rights and is subject to the provisions applicable to the driver of a vehicle, except as specified (VEH §21200).
- 2) Requires any person riding a bicycle upon a roadway at a speed less than the normal speed of traffic to ride as close as practicable to the right-hand edge of the roadway except under any of the following circumstances:
 - a) When passing another bicycle or vehicle.
 - b) When preparing for a left turn.
 - c) When reasonably necessary to avoid conditions (including, but not limited to, fixed or moving objects, vehicles, bicycles, pedestrians, animals, surface hazards, or substandard width lanes) that make it unsafe to continue along the right-hand edge.
 - d) When approaching a place where a right turn is authorized. (VEH §21202)
- 3) Requires the driver of a motor vehicle to make the approach to a right-hand turn and to make the right-hand turn from as close as practicable to the right-hand edge of the roadway. (VEH §22100)

- 4) Requires the driver of a motor vehicle to drive into the bicycle lane prior to making their turn whenever it is necessary to cross a bicycle lane that is adjacent to their lane of travel to make a turn. (VEH §22100)
- 5) Assigns to Caltrans the responsibility of operating and maintaining state highways, including the installation and maintenance of highway signs. (VEH §21350)
- 6) Requires Caltrans to, after consulting with local agencies and holding public hearings, adopt rules and regulations prescribing uniform standards and specifications for all official traffic control devices in the MUTCD (VEH §21400).
- 7) Provides that only those official traffic control devices conforming to the standards promulgated by the State Department of Transportation shall be placed on a highway, except as specified. (VEH §21401)

This bill:

- 1) Authorizes a bicycle to travel straight through an intersection if there is a striped bike lane between the right-turn only lane and the adjacent through lane with appropriate pavement markings to ensure that bicycles may travel to the left of vehicles turning right.
- 2) Requires CalTrans to develop standards for lane striping, pavement markings, and appropriate regulatory signs to implement these provisions.

COMMENTS:

- 1) *Author's Statement.* According to the author, "AB 1266 promotes bike safety and guidance on the road and requires CalTrans to develop standard lane markings for cyclists when approaching an intersection. This bill authorizes the use of a shared bike and right hand turn lane as is suggested by the National Association of City Transportation Officials (NACTO) guidance manual as the best way to maintain direction and a safe space for cyclists to travel when the bike lane would otherwise end prior to an intersection. This legislation clarifies existing law and requires CalTrans to establish a consensus for local agencies to follow in order to implement the best safety measures when installing design treatments at intersections."
- 2) *Bicycle rules of the road.* Cyclists are subject to the same rules of the road as drivers, except where specific rules are laid out in statute (VEH §21200). Any

cyclists traveling below the speed of traffic is required to ride in a bicycle lane or as close as possible to the right hand edge of the roadway as practical if a bicycle lane is not available, except, for example, when turning left, moving around an obstruction or slower cyclist, or approaching a place where a right turn is authorized.

- 3) *Cyclists approaching an intersection.* In the absence of a bicycle lane, many cyclists may thread the needle between the right-hand turn lane and the adjacent go-straight lane. However, legally, like cars, cyclists should proceed through an intersection in a go-straight lane and are prohibited from going through an intersection from the right-turn lane. Cyclists traveling in a bicycle lane that disappears, converting into a right-turn lane before an intersection, must merge left into the go-straight lane, proceed through the intersection, and then, if the bicycle lane resumes after the intersection, merge right back into the bicycle lane.

This is counterintuitive to many cyclists, and this bill intends to address this issue by directing Caltrans to develop standards for lane striping, pavement marking, and appropriate regulatory signs for bicyclists traveling straight through and intersection.

- 4) *Development of standards for traffic control devices.* Traffic control devices include all signs, signals, markings, and other devices used to regulate, warn, or guide traffic, placed on, over, or adjacent to a street, highway, pedestrian facility, bikeway, or private road open to public travel by authority of a public agency or official having jurisdiction, or, in the case of a private road, by authority of the private owner or private official having jurisdiction.

The Federal Highway Administration compiles national standards for all traffic control devices, including road markings, highway signs, and traffic signals in the Manual on Uniform Traffic Control Devices for Streets and Highways (federal MUTCD). Federal regulations allow states to adopt state MUTCDs that incorporate state-specific policies, as long as the state MUTCD conforms as a minimum to the standard statements included in the federal MUTCD.

- 5) *California MUTCD.* California develops its own state MUTCD. No devices other than those adopted may be used in California. Existing law assigns the responsibility for standards used in California to Caltrans. To develop these standards, contained in the California MUTCD, Caltrans established the California Traffic Control Devices Committee (CTCDC). This committee was formed official in 1968, but its predecessor, the State Sign Committee, dates all the way back to 1933. The CTCDC includes representatives the Caltrans, the

California Highway Patrol, the League of California Cities, the County Supervisors Association of California, the Automobile Club of Southern California and the California State Automobile Association. The Institute of Transportation Studies and the regional office of the Federal Highway Administration serve the Committee as technical advisors. The California MUTCD is updated through an annual regulatory process.

- 6) *Deficiencies among current options for bicycle lane markings?* The California MUTCD currently contains multiple designs for bicycle lanes approaching an intersection with a right turn only lane. However, each of these include dedicated through lanes, bicycle lanes, and right turn lanes. The author's office argues, however, "some municipalities address" the problem of bicycle lanes disappearing at intersections "by installing a shared bicycle lane in the left portion of the right turn lane." According to the National Association of City Transportation Officials (NACTO), this design "preserves positive guidance for bicyclists in a situation where the bicycle lane would otherwise be dropped prior to an intersection," and, "guides bicyclists to ride in part of the turning lane, which tends to have lower speed traffic than the adjacent through lane, allowing higher speed through traffic to pass unimpeded." It would also avoid the need to adjust lane, parking, or road widths to accommodate a full bicycle lane, but some argue that it may raise safety concerns. This shared bicycle lane/right-turn lane design is not currently included in the California MUTCD or the federal MUTCD. Therefore, it is not authorized for use in California and, without consideration from the CTCDC with technical guidance from the FHWA, unclear whether this design would conform to federal minimum standards.
- 7) *Need for clear expectations for cyclists.* Cyclists and motorists alike benefit from traffic control devices that provide clear directions to travelers. By requiring Caltrans to take another look at relevant designs, this bill may expand the tool box of bicycle lane design options in the state.

RELATED LEGISLATION:

AB 697 (Ting, 2019) — Recast provisions requiring a person operating a bicycle ride as close as practicable to the right-hand curb or edge of the roadway. This bill was amended to relate to higher education.

SB 760 (Wiener, 2018) — Would have allowed Caltrans and local agencies to consider additional street design guides such as the NACTO *Urban Street Design Guide*. SB 760 was approved by the Senate in this form, but was then gut and

amended into a different bill in Assembly Transportation, which was not heard in that committee at the request of the author.

AB 694 (Ting, 2017) — Would have recast provisions requiring a person operating a bicycle ride as close as practicable to the right-hand curb or edge of the roadway. This was not heard in the Assembly Transportation Committee at the request of the author.

AB 2509 (Ting, 2016) — Would have expanded the allowable exceptions to the requirement that a person operating a bicycle ride as close as practicable to the right-hand curb, including when riding in a Class I, II, or IV bikeway; when riding in a Class III bikeway within the path of a shared lane marking; or when riding beside another bicycle. This bill died in Senate Transportation and Housing Committee.

AB 1193 (Ting, Chapter 495, Statutes of 2014) — Added a new category of bikeway named cycletracks or separated bikeways, also known as Class IV bikeways; clarified Caltrans is required to establish minimum safety design criteria for each category of bikeways and provide consideration for the safety of vulnerable populations; and authorized a local agency to utilize other minimum safety criteria if specified conditions are met.

Assembly Votes:

Floor	68 – 0
Appropriations	16 – 0
Transportation	13 – 0

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

According to the Assembly Appropriations Committee, “Minor, absorbable costs to Caltrans. The bill specifies work for Caltrans. However, this is consistent with the type of work Caltrans undertakes per existing law.”

POSITIONS: (Communicated to the committee before noon on Wednesday, June 5, 2019.)

SUPPORT:

- California Bicycle Coalition (Sponsor)
- League of Cities

OPPOSITION:

None received.

-- END --

SENATE COMMITTEE ON TRANSPORTATION

Senator Jim Beall, Chair

2019 - 2020 Regular

Bill No: AB 1407

Hearing Date: June 11, 2019

Author: Friedman

Version: 3/27/2019

Urgency: No

Fiscal: Yes

Consultant: Randy Chinn

SUBJECT: Reckless driving: speed contests: vehicle impoundment

DIGEST: This bill authorizes law enforcement to impound a vehicle for up to 30 days if the vehicle's registered owner is convicted of reckless driving or engaging in a speed contest while operating the vehicle, as specified.

ANALYSIS:

Existing law:

- 1) Provides that any person who drives a vehicle upon a highway in willful or wanton disregard for the safety of persons or property is guilty of reckless driving.
- 2) Provides that a person convicted of reckless driving shall be imprisoned for not less than five days nor more than 90 days or by a fine of not less than \$145 nor more than \$1,000, or both.
- 3) Provides that any person shall not engage in a motor vehicle speed contest on a highway. A person convicted of engaging in a motor vehicle speed contest shall be imprisoned for not less than 24 hours nor more than 90 days or by a fine of not less than \$355 nor more than \$1,000 or both. If the vehicle used is related to the convicted person, the vehicle may be impounded for not more than 30 days.

This bill:

- 1) Provides that for a first conviction of reckless driving, if the vehicle used is owned by the convicted person, that vehicle may be impounded for up to 30 days.

- 2) Provides that for a second conviction of reckless driving or engaging in a speed contest, the vehicle shall be impounded for 30 days.
- 3) Relative to speed contests, authorizes an officer to issue a notice to correct for a violation of a mechanical or safety requirement and require that the correction be made within 30 days after the date the vehicle is released from impound.
- 4) Authorizes the court to decline to impound the vehicle if it finds undue hardship.

COMMENTS:

- 1) *Author's Statement.* In order to combat reckless driving and street racing, law enforcement entities have turned to evidence-based penalties like extended vehicle impoundments that have proven to change driver behavior. The mandatory 30-day impoundment for repeat offenders and the required removal of any illegal modifications to the vehicle within AB 1407 provides a reasonable solution to a growing threat to public safety in communities across California.
- 2) *What's the Evidence?* The author cites a 2000 analysis by the National Highway Traffic Safety Administration which considered California's impoundment program, which commenced in 1995. That analysis "suggest(s) that vehicle impoundment is effective in reducing the driving risk posed by suspended, revoked, and unlicensed drivers who are apprehended and whose vehicles are seized. (T)he vehicle impoundment laws have a specific deterrent effect on the individuals affected by them, but so far do not show a general deterrent effect on everyone else."
- 3) An undated analysis by the Centers for Disease Control and Prevention (CDC) surveyed studies of the effectiveness of vehicle impoundment laws nationwide. They found that six published studies have evaluated vehicle impoundment laws. Of these, three reported positive findings that "[v]ehicle impoundment reduces recidivism while the vehicle is in custody and to a lesser extent after the vehicle has been released" (UNC Highway Safety Research Center, 2011, p. 1-34). Two found relatively little change, and one reported overall reductions in a few traffic safety measures, but these could not be attributed exclusively to vehicle impoundment.
- 4) *Modifications.* Since many vehicles that are used in speed contests are modified to enhance the vehicle's performance, this bill also authorizes law enforcement

to issue a notice to correct the violation of a mechanical or safety requirement and require that the correction be made within 30 days after the vehicle is released from impound. Vehicle modifications include, but are not limited to, intake systems, exhaust systems, and/or installments of turbo kits.

- 5) *Financial hardship.* To help mitigate potential impacts to family members who may rely on the vehicle for transportation, this bill provides the court with the ability to reduce the impoundment period if impounding the vehicle would result in undue hardship to the registered owner's family.
- 6) *Discretion.* The opponent is concerned that the bill limits the discretion of the court to only choosing whether or not to impound; the court has no discretion to reduce the duration of the impoundment.
- 7) *Previous Version Vetoed.* Governor Brown vetoed nearly identical bills in 2017 and 2015. In his 2017 veto message, the Governor said:
 - a) “This bill requires courts to impose a mandatory 30-day vehicle impoundment for a second or subsequent case of reckless driving or engaging in an illegal speed contest.
 - b) I vetoed a similar bill in 2015, because I believed that current law already allows judges - who see and evaluate first-hand the facts of each case – to impound cars for up to 30 days when circumstances warrant.
 - c) I continue to believe that there is no reason for this law except to supplant sound judicial discretion with robotic and abstract justice – something I don't support.”
- 8) *Double Referral.* This bill has been double referred to the Senate Public Safety committee.

RELATED LEGISLATION:

AB 1393 (Friedman, 2017) and SB 510 (Hall, 2015) — would have required a vehicle that is determined to have been involved in a speed contest or engaged in reckless driving to be impounded for 30 days, as specified. These bills were vetoed.

SB 67 (Perata, Chapter 727, Statutes of 2007) — reenacted provisions that were allowed to sunset that provide for vehicle impoundments when a person is arrested for reckless driving, exhibition of speed, or a speed contest. (See next bill.)

SB 1489 (Perata, Chapter 411, Statutes of 2002) — gave law enforcement the authority to seize and impound a vehicle for no more than 30 days when a person was arrested for reckless driving, exhibition of speed, or a speed contest. This bill sunsets on January 1, 2007.

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

POSITIONS: (Communicated to the committee before noon on Wednesday, June 5, 2019.)

SUPPORT:

AAA Northern California
Automobile Club of Southern California
California State Sheriffs' Association

OPPOSITION:

ACLU

-- END --

SENATE COMMITTEE ON TRANSPORTATION

Senator Jim Beall, Chair

2019 - 2020 Regular

Bill No:	ACR 44	Hearing Date:	June 11, 2019
Author:	Gallagher		
Version:	3/26/2019		
Urgency:	No	Fiscal:	Yes
Consultant:	Amy Gilson		

SUBJECT: Farm-to-Fork Corridor

DIGEST: This resolution designates the portion of State Route 99 as the “Farm-to-Fork Corridor.”

ANALYSIS:

The committee has adopted a policy regarding the naming of state highways or structures. Under the policy, the committee will consider only those resolutions that meet all of the following criteria:

- 1) The person being honored must have provided extraordinary public service or some exemplary contribution to the public good and have a connection to the community where the highway or structure is located.
- 2) The person being honored must be deceased.
- 3) The naming must be done without cost to the state. Costs for signs and plaques must be paid by local or private sources.
- 4) The author or co-author of the resolution must represent the district in which the facility is located, and the resolution must identify the specific highway segment or structure being named.
- 5) The segment of highway being named must not exceed five miles in length.
- 6) The proposed designation must reflect a community consensus and be without local opposition.
- 7) The proposed designation may not supersede an existing designation unless the sponsor can document that a good faith effort has uncovered no opposition to rescinding the prior designation.

This resolution designates the portion of State Route 99 from just past the junction with State Route 70 (post mile R8.109) to the undercrossing (UC No. 18-25) at the Garden Highway (post mile 11.975) near the town of Nicolaus in the County of Sutter as the "Farm-to-Fork Corridor." It requests that the Department of Transportation determine the cost of appropriate signs and, upon receiving donations from non-state sources sufficient to cover the cost, to erect those signs.

COMMENTS:

- 1) *Purpose.* The author introduced this resolution to recognize that "a significant portion of the world's high quality agricultural commodities and produce are derived from and transported through northern California via State Route 99."
- 2) *Background.* The City of Sacramento is known as "America's Farm-to-Fork Capital. Farmers in the Counties of Butte, Sutter, Tehama, and Yuba provide fresh agricultural commodities, and high-quality agricultural commodities and produce are frequently transported to the City of Sacramento and the greater United States via State Route 99.

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

POSITIONS: (Communicated to the committee before noon on Wednesday, June 5, 2019.)

SUPPORT:

None received.

OPPOSITION:

None received.

-- END --

SENATE COMMITTEE ON TRANSPORTATION
Senator Jim Beall, Chair
2019 - 2020 Regular

Bill No:	ACR 17	Hearing Date:	June 11, 2019
Author:	Irwin		
Version:	4/29/2019		
Urgency:	No	Fiscal:	Yes
Consultant:	Amy Gilson		

SUBJECT: Sergeant Ronald "Ron" Lee Helus Memorial Highway

DIGEST: This resolution designates a specified portion of State Highway Route 101 in the County of Ventura as the Sergeant Ronald "Ron" Lee Helus Memorial Highway.

ANALYSIS:

The committee has adopted a policy regarding the naming of state highways or structures. Under the policy, the committee will consider only those resolutions that meet all of the following criteria:

- 1) The person being honored must have provided extraordinary public service or some exemplary contribution to the public good and have a connection to the community where the highway or structure is located.
- 2) The person being honored must be deceased.
- 3) The naming must be done without cost to the state. Costs for signs and plaques must be paid by local or private sources.
- 4) The author or co-author of the resolution must represent the district in which the facility is located, and the resolution must identify the specific highway segment or structure being named.
- 5) The segment of highway being named must not exceed five miles in length.
- 6) The proposed designation must reflect a community consensus and be without local opposition.

- 7) The proposed designation may not supersede an existing designation unless the sponsor can document that a good faith effort has uncovered no opposition to rescinding the prior designation.

This measure designates a specified portion of State Highway Route 101 in the County of Ventura as the Sergeant Ronald "Ron" Lee Helus Memorial Highway. The measure would request that the Department of Transportation determine the cost of appropriate signs showing this special designation and, upon receiving donations from non-state sources covering that cost, erect those signs.

COMMENTS:

- 1) *Purpose.* The author introduced this resolution to so that "we can continue to be reminded of Sgt. Helus' legacy of service and sacrifice to our community."
- 2) *Background.* Sergeant Ronald "Ron" Lee Helus of the Ventura County Sheriff's Department was born and raised in Canoga Park, California, to Richard and Lois Helus on July 21, 1964.

Helus began his career with the County of Ventura upon entering the sheriff's academy in 1989. He was a member of the Class of 1990, which began with 24 sheriff's recruits and graduated 10. Through Helus' discipline, dedication, and work ethic, he was one of the successful few who made it all the way from the initial application process to graduation. He was a member of Ventura County's prestigious SWAT team for eight years, a member of the Firearms Cadre and a Range Master for 12 years, and he also worked as a concealed carry weapons (CCW) training instructor and self-defense instructor at Black Hawk Karate.

On November 7, 2018, Helus was shot after responding to an active shooter at the Borderline Bar and Grill in Thousand Oaks. He heard gunfire coming from inside the bar, which was occupied by nearly 200 college students, and he and a California Highway Patrol officer made the courageous decision to enter the bar and immediately confront the shooter to protect as many civilians as possible. Sergeant Helus passed away on November 8. He was approximately one year from retiring from the Ventura County Sheriff's Department. He is survived by his wife Karen Archie and his son Jordan.

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

POSITIONS: (Communicated to the committee before noon on Wednesday, June 5, 2019.)

SUPPORT:

City of Thousand Oaks
Greater Conejo Chamber of Commerce
Los Angeles County Professional Peace Officers Association
Ventura County

OPPOSITION:

None received.

-- END --

SENATE COMMITTEE ON TRANSPORTATION

Senator Jim Beall, Chair

2019 - 2020 Regular

Bill No:	ACR 37	Hearing Date:	June 11, 2019
Author:	Eduardo Garcia		
Version:	3/19/2019		
Urgency:	No	Fiscal:	Yes
Consultant:	Amy Gilson		

SUBJECT: Marine Corporal Erik H. Silva Memorial Bridge

DIGEST: This resolution designates the Alamo River Bridge on the Evan Hewes Highway (State Route 115) at the entry to the City of Holtville, California, as the Marine Corporal Erik H. Silva Memorial Bridge.

ANALYSIS:

The committee has adopted a policy regarding the naming of state highways or structures. Under the policy, the committee will consider only those resolutions that meet all of the following criteria:

- 1) The person being honored must have provided extraordinary public service or some exemplary contribution to the public good and have a connection to the community where the highway or structure is located.
- 2) The person being honored must be deceased.
- 3) The naming must be done without cost to the state. Costs for signs and plaques must be paid by local or private sources.
- 4) The author or co-author of the resolution must represent the district in which the facility is located, and the resolution must identify the specific highway segment or structure being named.
- 5) The segment of highway being named must not exceed five miles in length.
- 6) The proposed designation must reflect a community consensus and be without local opposition.

- 7) The proposed designation may not supersede an existing designation unless the sponsor can document that a good faith effort has uncovered no opposition to rescinding the prior designation.

This resolution designates the Alamo River Bridge on the Evan Hewes Highway (State Route 115) at the entry to the City of Holtville, California, as the Marine Corporal Erik H. Silva Memorial Bridge. It requests that the Department of Transportation determine the cost of appropriate signs and, upon receiving donations from non-state sources sufficient to cover the cost, to erect those signs.

COMMENTS:

- 1) *Purpose.* The author introduced this resolution to honor the life and service of Marine Corporal Erik H. Silva.
- 2) *Background.* Marine Corporal Erik H. Silva was born on September 10, 1980, in Brawley, California, and grew up in the City of Holtville, California, an agricultural town located in California's Imperial Valley. He graduated from Holtville High School in 1998. Silva was the youngest of four children and was the third sibling to serve in the United States Armed Forces with his older brother Isaac Silva serving a total of 12 years in the United States Air Force and the California Army National Guard while his older sister Gloria Silva served 10 years in the United States Navy. An infantry rifleman, Marine Corporal Silva died in combat when his platoon was ambushed in Iraq during Operation Iraqi Freedom on April 3, 2003. He was just 22 years old and nearly six months short of completing his first enlistment before being honorably discharged to then seek a career with the Department of the California Highway Patrol.

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

POSITIONS: (Communicated to the committee before noon on Wednesday, June 5, 2019.)

SUPPORT:

American G.I. Forum Of California
American Legion Auxiliary Bradley Keffer Unit 138
American Legion, Department Of California
Amvets, Department Of California
California Association Of County Veterans Service Officers
California State Commanders Veterans Council
City of El Centro
County Of Imperial Sheriff'S Office

Military Officers Association Of America, California Council Of Chapters

Private citizen one

Private citizen three

Private citizen two

Supervisor Raymond R. Castillo, County of Imperial, District 5

Vietnam Veterans Of America, California State Council

OPPOSITION:

None received.

-- END --

SENATE COMMITTEE ON TRANSPORTATION

Senator Jim Beall, Chair

2019 - 2020 Regular

Bill No: ACR 38

Hearing Date: June 11, 2019

Author: Salas

Version: 2/21/2019

Urgency: No

Fiscal: Yes

Consultant: Amy Gilson

SUBJECT: Kings County Deputy Sheriff Allen Thomas Sharra Memorial Highway

DIGEST: This resolution would designate a portion of State Route 41 in the County of Kings as the Kings County Deputy Sheriff Allen Thomas Sharra Memorial Highway.

ANALYSIS:

The committee has adopted a policy regarding the naming of state highways or structures. Under the policy, the committee will consider only those resolutions that meet all of the following criteria:

- 1) The person being honored must have provided extraordinary public service or some exemplary contribution to the public good and have a connection to the community where the highway or structure is located.
- 2) The person being honored must be deceased.
- 3) The naming must be done without cost to the state. Costs for signs and plaques must be paid by local or private sources.
- 4) The author or co-author of the resolution must represent the district in which the facility is located, and the resolution must identify the specific highway segment or structure being named.
- 5) The segment of highway being named must not exceed five miles in length.
- 6) The proposed designation must reflect a community consensus and be without local opposition.

- 7) The proposed designation may not supersede an existing designation unless the sponsor can document that a good faith effort has uncovered no opposition to rescinding the prior designation.

This resolution would designate a portion of State Route 41 in the County of Kings as the Kings County Deputy Sheriff Allen Thomas Sharra Memorial Highway. The measure would request the Department of Transportation to determine the cost of appropriate signs showing this special designation and, upon receiving donations from non-state sources covering that cost, to erect those signs.

COMMENTS:

- 1) *Purpose.* According to the author, "Deputy Sheriff Alan Thomas Sharra brought distinction to his country as a veteran of the United States Navy and as a sergeant in the National Guard. He served in law enforcement for nice years before he was killed in a line of duty accident while responding to assist one of his fellow deputies. I am proud to honor and recall his commitment to our country and community."
- 2) *Background.* Deputy Sheriff Allen Thomas Sharra was born March 26, 1968 in Pittsburgh, Pennsylvania to James and Anna Sharra where he attended Bishop Canevin High School and graduated in 1986. Upon graduating from high school, Allen joined the United States Navy, where he served as an avionics mechanic. He served until August 1995, when he was honorable discharged.

In 1993, Sharra became a reserve police officer for the City of Huron and attended the Tulare-Kings Counties Basic Peace Officer Academy at College of the Sequoias, graduating in December 1998. Upon graduation from the police academy, Sharra was hired by Sheriff Ken Marvin of the County of Kings on April 8, 1999, as a deputy sheriff.

Deputy Sheriff Allen Thomas Sharra was killed in an automobile accident in the line of duty when his patrol car ran off a roadway and into a ditch; an Explorer scout who was on a ride along with Deputy Sharra at the time was able to radio for help, but Deputy Sharra was pronounced dead at the scene. Deputy Sharra was responding to assist another officer who had located a stolen car in a cotton field. He had served in law enforcement for nine years. Deputy Sheriff Allen Thomas Sharra is survived by his wife Gina, his daughter Melissa, his son Richard, his parents, James and Anna Sharra, his stepmom Robin, his stepson Carl Hatfield, and his stepsister Paula.

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

POSITIONS: (Communicated to the committee before noon on Wednesday,
June 5, 2019.)

SUPPORT:

Peace Officers Research Association of California
Los Angeles County Professional Peace Officers Association

OPPOSITION:

None received.

-- END --

SENATE COMMITTEE ON TRANSPORTATION

Senator Jim Beall, Chair

2019 - 2020 Regular

Bill No:	ACR 44	Hearing Date:	June 11, 2019
Author:	Gallagher		
Version:	3/26/2019		
Urgency:	No	Fiscal:	Yes
Consultant:	Amy Gilson		

SUBJECT: Farm-to-Fork Corridor

DIGEST: This resolution designates the portion of State Route 99 as the “Farm-to-Fork Corridor.”

ANALYSIS:

The committee has adopted a policy regarding the naming of state highways or structures. Under the policy, the committee will consider only those resolutions that meet all of the following criteria:

- 1) The person being honored must have provided extraordinary public service or some exemplary contribution to the public good and have a connection to the community where the highway or structure is located.
- 2) The person being honored must be deceased.
- 3) The naming must be done without cost to the state. Costs for signs and plaques must be paid by local or private sources.
- 4) The author or co-author of the resolution must represent the district in which the facility is located, and the resolution must identify the specific highway segment or structure being named.
- 5) The segment of highway being named must not exceed five miles in length.
- 6) The proposed designation must reflect a community consensus and be without local opposition.
- 7) The proposed designation may not supersede an existing designation unless the sponsor can document that a good faith effort has uncovered no opposition to rescinding the prior designation.

This resolution designates the portion of State Route 99 from just past the junction with State Route 70 (post mile R8.109) to the undercrossing (UC No. 18-25) at the Garden Highway (post mile 11.975) near the town of Nicolaus in the County of Sutter as the "Farm-to-Fork Corridor." It requests that the Department of Transportation determine the cost of appropriate signs and, upon receiving donations from non-state sources sufficient to cover the cost, to erect those signs.

COMMENTS:

- 1) *Purpose.* The author introduced this resolution to recognize that "a significant portion of the world's high quality agricultural commodities and produce are derived from and transported through northern California via State Route 99."
- 2) *Background.* The City of Sacramento is known as "America's Farm-to-Fork Capital. Farmers in the Counties of Butte, Sutter, Tehama, and Yuba provide fresh agricultural commodities, and high-quality agricultural commodities and produce are frequently transported to the City of Sacramento and the greater United States via State Route 99.

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

POSITIONS: (Communicated to the committee before noon on Wednesday, June 5, 2019.)

SUPPORT:

None received.

OPPOSITION:

None received.

-- END --

SENATE COMMITTEE ON TRANSPORTATION

Senator Jim Beall, Chair

2019 - 2020 Regular

Bill No: ACR 47

Hearing Date: 6/11/2019

Author: Bigelow

Version: 4/12/2019

Urgency: No

Fiscal: Yes

Consultant: Amy Gilson

SUBJECT: CAL FIRE Firefighter Braden Varney Memorial Highway

DIGEST: This resolution designates a portion of State Route 140 as the CAL FIRE Firefighter Braden Varney Memorial Highway.

ANALYSIS:

The committee has adopted a policy regarding the naming of state highways or structures. Under the policy, the committee will consider only those resolutions that meet all of the following criteria:

- 1) The person being honored must have provided extraordinary public service or some exemplary contribution to the public good and have a connection to the community where the highway or structure is located.
- 2) The person being honored must be deceased.
- 3) The naming must be done without cost to the state. Costs for signs and plaques must be paid by local or private sources.
- 4) The author or co-author of the resolution must represent the district in which the facility is located, and the resolution must identify the specific highway segment or structure being named.
- 5) The segment of highway being named must not exceed five miles in length.
- 6) The proposed designation must reflect a community consensus and be without local opposition.
- 7) The proposed designation may not supersede an existing designation unless the sponsor can document that a good faith effort has uncovered no opposition to rescinding the prior designation.

This resolution designates the portion of State Route 140 between its junction with State Route 49 (postmile 22.080) and Triangle Road (postmile 26.290) in the County of Mariposa as the CAL FIRE Firefighter Braden Varney Memorial Highway. It requests that the Department of Transportation determine the cost of appropriate signs and, upon receiving donations from non-state sources sufficient to cover the cost, to erect those signs.

COMMENTS:

- 1) *Purpose.* The author introduced this resolution to honor the memory of Braden Varney, who “lost his life fighting the Ferguson fires last year.”
- 2) *Background.* Department of Forestry and Fire Protection Heavy Fire Equipment Operator Braden Varney passed away in the line of duty on July 14, 2018, at 36 years of age, while battling the Ferguson Fire in Mariposa County, California.

Braden Varney was born in Mariposa County on May 12, 1982 and raised there. He was a 10-year veteran of the Department of Forestry and Fire Protection, having followed in the footsteps of his late father, Gordie Varney, another department heavy fire equipment operator who also perished in the line of duty. On July 14, 2018, Braden was operating his bulldozer on the Ferguson Fire in Mariposa County and, during the early morning hours, his bulldozer experienced a rollover that resulted in Braden’s passing. He is survived by his mother, Lynn; loving wife, Jessica; daughter, Maleah; son, Nolan; and sister, Chale.

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

POSITIONS: (Communicated to the committee before noon on Wednesday, June 5, 2019.)

SUPPORT:

None received.

OPPOSITION:

None received.

-- END --

SENATE COMMITTEE ON TRANSPORTATION

Senator Jim Beall, Chair

2019 - 2020 Regular

Bill No:	ACR 66	Hearing Date:	6/11/2019
Author:	Aguiar-Curry		
Version:	5/20/2019		
Urgency:	No	Fiscal:	Yes
Consultant:	Amy Gilson		

SUBJECT: Officer Natalie Corona Memorial Highway

DIGEST: This resolution designates the portion of Interstate 5 as the Officer Natalie Corona Memorial Highway.

ANALYSIS:

The committee has adopted a policy regarding the naming of state highways or structures. Under the policy, the committee will consider only those resolutions that meet all of the following criteria:

- 1) The person being honored must have provided extraordinary public service or some exemplary contribution to the public good and have a connection to the community where the highway or structure is located.
- 2) The person being honored must be deceased.
- 3) The naming must be done without cost to the state. Costs for signs and plaques must be paid by local or private sources.
- 4) The author or co-author of the resolution must represent the district in which the facility is located, and the resolution must identify the specific highway segment or structure being named.
- 5) The segment of highway being named must not exceed five miles in length.
- 6) The proposed designation must reflect a community consensus and be without local opposition.
- 7) The proposed designation may not supersede an existing designation unless the sponsor can document that a good faith effort has uncovered no opposition to rescinding the prior designation.

This resolution designates the portion of Interstate 5 from Greenbay Road OC #15.60, at postmile R3.149, to Salt CR #15-5, at postmile R7.991, in the County of Colusa as the Officer Natalie Corona Memorial Highway. It requests that the Department of Transportation determine the cost of erecting appropriate signs, consistent with the signing requirements for the state highway system, showing this special designation and the badge of the Davis Police Department and, upon receiving donations from non-state sources covering that cost, to erect those signs.

COMMENTS:

- 1) *Purpose.* According to the author, “this resolution designates a portion of interstate 5 in Arbuckle as the ‘Officer Natalie Corona Memorial Highway’ as a way to honor her life and acknowledge the positive impact she made in her community.”
- 2) *Background.* Officer Corona was from Arbuckle, California, a long-time employee and volunteer at the Arbuckle Parks and Recreation Department. After graduating in 2014 from Pierce High School, where she was selected as homecoming queen, Officer Corona earned an associate’s degree in administration of justice from Yuba College and began working as a Community Service Officer for the Davis Police Department in 2016. She graduated from the Sacramento training academy in July 2018, and was sworn into the Davis Police Department on August 2, 2018. While handling a three-vehicle minor injury accident on Thursday, January 10, 2019, in Davis, California, Officer Corona was ambushed by a gunman not associated with the accident. She as 22 years old and is survived by her parents, Merced and Lupe, and her sisters, Jackie, Cathy, and Cindy.

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

POSITIONS: (Communicated to the committee before noon on Wednesday, June 5, 2019.)

SUPPORT:

Rural County Representatives of California
Peace Officers’ Research Association of California
City of Davis Police Department

OPPOSITION:

None received.

-- END --