

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: October 9, 2019

From: SUSAN BRANSEN, Executive Director

Reference Number: 4.1, Action

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Deputy Director

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Subject: State and Federal Legislative Matters

Issue:

Should the California Transportation Commission (Commission) accept the staff report on state legislation identified and monitored by staff as presented in Attachment A?

Recommendation:

Commission staff recommend that the Commission accept the staff report on state legislation identified and monitored by staff as presented in Attachment A.

Background:

The first year of the 2019-2020 legislative session has ended and the interim recess began on September 14th. Members are scheduled to return for the second year of the session on January 6, 2020. The Governor has until October 13th to act on bills that have been sent to his desk. All bills passed by the Legislature and not vetoed by the Governor will become law on January 1st, unless otherwise stated in the bill.

A list of bills monitored by staff is presented in Attachment A and is divided into two sections: (1) bills on which the Commission has taken a position, and (2) all other bills staff is monitoring pursuant to the Commission's bill monitoring policy.

Update on Bills on Which the Commission Has Adopted a Position

During the legislative session, the Commission adopted a support position on 10 bills. The Legislature passed six of these bills and sent them to the Governor. To date, the Governor has signed two of the six bills into law. The remaining four bills are still pending with the Governor. In addition, the Legislature passed one joint resolution that was supported by the Commission. The Commission did not oppose any bills this year.

Below is an update on the status of each of the bills and resolutions on which the Commission adopted a support position. Additional information on each bill is included in the first part of Attachment A.

Bills signed into law:

AB 252 (Daly)

Subject: National Environmental Protection Act Delegation

This bill removes the sunset date for the California Department of Transportation (Caltrans) to assume responsibilities for work required under the National Environmental Protection Act.

AB 1475 (Bauer-Kahan)

Subject: Construction Manager/General Contractor Project Delivery Method

This bill expands the authorization for regional transportation agencies to employ the Construction Manager/General Contractor project delivery tool to include any transportation project that is not on the state highway system.

Bills awaiting action by the Governor:

AB 185 (Grayson)

Subject: Joint Meetings

This bill would add the Department of Housing and Community Development to the joint meetings held by the Commission and the California Air Resources Board. This would implement a recommendation from the Commission's 2018 Annual Report.

AB 285 (Friedman)

Subject: California Transportation Plan

This bill would require Caltrans to forecast the impacts of advanced and emerging technologies over a 20-year horizon on the state transportation system, which would implement a recommendation from the Commission's 2018 Annual Report. The bill also would require the Strategic Growth Council to submit a report to the Legislature on how implementation of the California Transportation Plan and sustainable communities strategies will influence the configuration of

the state's transportation system. When the Commission adopted a support position on this bill, the bill assigned the specified reporting requirement to Caltrans. It was subsequently amended to assign the reporting requirement to the Strategic Growth Council.

AB 970 (Salas)

Subject: Transportation Grant Program

This bill would create a grant program funded from the Greenhouse Gas Reduction Fund to fund transportation to and from nonemergency medical services for older individuals and persons with a disability, for the purpose of reducing greenhouse gas emissions.

AB 1413 (Gloria)

Subject: Sales Taxes for Transportation

This bill would authorize certain local transportation authorities to impose a sales tax applicable to only a portion of its county if the tax receives approval from two-thirds of voters residing in the portion of the county to which the tax would apply. When the Commission adopted a support position on this bill, its provisions applied statewide. The bill subsequently was amended to limit it to the Placer County Transportation Planning Agency, the Solano Transportation Improvement Agency, the San Diego County Regional Transportation Commission, the San Diego Association of Governments, the San Diego Metropolitan Transit System, and the North County Transit District.

Bills that were not passed by the Legislature:**AB 371 (Frazier)**

Subject: Freight Industry Assessment

This bill would require the Governor's Office of Business and Economic Development to conduct a statewide economic growth, prosperity, and resiliency assessment of the state's freight industry. This bill was held in the Assembly Appropriations Committee.

AB 659 (Mullin)

Subject: Emerging Transportation Technology Grant Program

This bill would create the California Smart Cities Challenge Grant Program, under the purview of the Commission, for municipalities to compete for grant funding for emerging transportation technologies to serve their transportation system needs. This bill was held in the Assembly Appropriations Committee.

ACA 1 (Aguiar-Curry)

Subject: Voter Approval Threshold for Special Taxes

This measure would, subject to approval by voters at a statewide election, amend the California Constitution to lower the necessary voter threshold from two-thirds to 55 percent for a city, county, or special district to incur bonded indebtedness or impose special taxes to fund specified housing and public infrastructure projects, including transportation projects. This bill failed on the Assembly floor.

SB 59 (Allen)

Subject: State Policy for Autonomous Vehicles

This bill would require the Chair of the Commission to establish an advisory committee, the California Council on the Future of Transportation, to provide the Governor and the Legislature with recommendations for changes in state policy related to autonomous, driverless, and connected vehicle technology. This bill was held in the Assembly Appropriations Committee.

Resolution chaptered by the Legislature:

SJR 5 (Beall)

Subject: Federal Transportation Funding

This measure urges the Congress and the President of the United States to provide all federal transportation funding to California and other states without delay; to work together to enact federal infrastructure legislation; and to address the shortfall in the Highway Trust Fund.

Update on Other Bills Monitored by Commission Staff

Commission staff monitored an additional 41 bills throughout the session. A complete list of these bills and their status is included in the second part of Attachment A.

Two bills that would have a direct impact on programs under the purview of the Commission are pending with the Governor:

SB 127 (Wiener). This bill would require that specified State Highway Operation and Protection Program projects include capital improvements relative to accessibility for pedestrians, bicyclists, and transit users and require the Commission to adopt related performance measures in the Transportation Asset Management Plan.

SB 277 (Beall). This bill would require the Commission to use a statutory formula for the Local Partnership Program and make other changes to the program.

Attachments:

- Attachment A: Bills monitored by Commission staff

Attachment A

Bills Supported by the Commission

AB 185 (Grayson) California Transportation Commission: transportation and transportation-related policies: joint meetings.

Status: Enrolled and pending with the Governor

Existing law requires the California Transportation Commission and the California Air Resources Board to hold at least 2 joint meetings per calendar year to coordinate their implementation of transportation policies. This bill would require the Department of Housing and Community Development to participate in those joint meetings.

AB 252 (Daly) Department of Transportation: environmental review process: federal program.

Status: Signed by the Governor into law

Current federal law requires the United States Secretary of Transportation to carry out a surface transportation project delivery program, under which the participating states may assume certain responsibilities for environmental review and clearance of transportation projects that would otherwise be the responsibility of the federal government. Current law, until January 1, 2020, provides that the State of California consents to the jurisdiction of the federal courts with regard to the compliance, discharge, or enforcement of the responsibilities it assumed as a participant in the program. This bill would extend the operation of these provisions indefinitely.

AB 285 (Friedman) California Transportation Plan.

Status: Enrolled and pending with the Governor

Commencing with the 3rd update to the California Transportation Plan (CTP) to be completed by December 31, 2025, this bill would require the California Department of Transportation (Caltrans) to include specified information in the CTP, including, among other things, a forecast of the impacts of advanced and emerging technologies over a 20-year horizon on the state transportation system. The bill would also update the CTP to require that it address updated greenhouse gas emissions reduction targets in state law. It would also require the Strategic Growth Council to submit a report to the Legislature by January 31, 2022 on how the California Transportation Plan, sustainable communities strategies, and alternative planning strategies will influence the configuration of the statewide integrated multimodal transportation system.

AB 371 (Frazier) Transportation: freight: statewide economic growth, prosperity, and resiliency assessment.

Status: Held in Assembly Appropriations Committee

This bill would require the Governor's Office of Business and Economic Development, in consultation with the California Air Resources Board, the California Transportation Commission, and the California Transportation Agency, to prepare a statewide growth, prosperity, and resiliency assessment of the California freight industry on or before December 31, 2021, and to update the assessment at least once every five years. The bill would require the assessment to identify specified information, and would require the office, in developing the assessment, to consult with representatives from a cross section of public and private sector freight stakeholders.

AB 659 (Mullin) Transportation: emerging transportation technologies: California Smart City Challenge Grant Program.

Status: Held in Assembly Appropriations Committee

This bill would establish the California Smart City Challenge Grant Program to enable municipalities to apply to the California Transportation Commission for grant funding for emerging transportation technologies to serve their transportation system needs and would specify certain program goals. The bill would require the commission to form the California Smart City Challenge Workgroup on or before July 1, 2020, to guide the commission on program matters. The bill would make implementation of the grant program contingent upon an appropriation in the annual Budget Act, not to exceed ten million dollars (\$10,000,000), and require the source of the moneys to come from Proposition 1B generally, with the specific source to be proposed by the commission.

AB 970 (Salas) California Department of Aging: grants: transportation.

Status: Enrolled and pending with the Governor

This bill would require the California Department of Aging to administer a grant program for area agencies on aging and public transit operators to fund transportation to and from nonemergency medical services for older individuals and persons with a disability, for the purpose of reducing greenhouse gas emissions. The bill would require that transportation be made available using the purchase, lease, operation, or maintenance of zero-emission or near-zero-emission vehicles with a capacity for 7, 12, or 15 passengers.

AB 1413 (Gloria) Transportation: local transportation authorities: transactions and use taxes.

Status: Enrolled and pending with the Governor

This bill would authorize the Placer County Transportation Planning Agency, the Solano Transportation Improvement Agency, the San Diego County Regional Transportation Commission, the San Diego Association of Governments, the San Diego Metropolitan Transit System, and the North County Transit District to impose a tax applicable to only a portion of its county if approved by voters within the portion of the county to which the tax would apply vote to approve the tax, as specified, and other requirements are met, including that the revenues derived from the tax be spent within, or for the benefit of, the portion of the county to which the tax would apply. *The provisions of this bill applied statewide when the Commission adopted a support position on it. The bill was amended in September to limit it to certain areas of the state.*

AB 1475 (Bauer-Kahan) Construction Manager/General Contractor method: transportation projects.

Status: Signed into law by the Governor

Current law authorizes the California Department of Transportation to engage in a Construction Manager/General Contractor project delivery method (CM/GC method), as specified, for projects for the construction of a highway, bridge, or tunnel that has construction costs greater than \$10,000,000. Current law also authorizes regional transportation agencies, as defined, to use the CM/GC method for certain projects. This bill expands the authorization for regional transportation agencies to employ the Construction Manager/General Contractor project delivery tool to include any transportation project that is not on the state highway system.

ACA 1 (Aguiar-Curry) Local government financing: affordable housing and public infrastructure: voter approval.

Status: Failed on the Assembly floor

The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions. This measure would create an additional exception to the 1% limit that would authorize a city, county, city and county, or special district to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, including transportation infrastructure, as well as affordable housing, or permanent supportive housing, or the acquisition or lease of real property for those purposes, if the proposition

proposing that tax is approved by 55% of the voters of the city, county, or city and county, as applicable, and the proposition includes specified accountability requirements.

SB 59 (Allen) California Transportation Commission: advisory committee: autonomous vehicle technology.

Status: Held in Assembly Appropriations Committee

This bill would require the Chair of the Commission to establish an advisory committee, the California Council on the Future of Transportation, to provide the Governor and the Legislature with recommendations for changes in state policy related to autonomous, driverless, and connected vehicle technology. The council would consist of at least 22 members who represent various state and local agencies, transportation workers, and a disability rights organization, among others. The bill would require the council to submit recommendations to the Legislature no later than January 1, 2022 and at least biannually thereafter.

SJR 5 (Beall) California transportation infrastructure.

Status: Chaptered by the Legislature

This bill would urge the Congress and the President of the United States to (1) provide all federal resources promised to California and other states expeditiously and without delay, (2) work together to enact the robust bipartisan federal infrastructure legislation necessary to restore California's and other states' crumbling road and freight infrastructure, respond to growing traffic congestion, and increase investment in public transportation, most particularly, by expanding paratransit services for the elderly and those with special needs, and (3) address the shortfall in the federal Highway Trust Fund by restoring the lost purchasing power of the federal fuel tax, in order to provide the long-term funding stability necessary for California and other states.

Total Measures: 11

Additional bills monitored by Commission staff

AB 29 (Holden) State Highway Route 710.

Status: Enrolled and pending with the Governor

This bill would, on January 1, 2024, remove from the California freeway and expressway system specified in state law the portion of Route 710 between Alhambra Avenue in the City of Los Angeles and California Boulevard in the City of Pasadena. This bill also would revise state law to state that the preliminary project alternatives referred to as Alternative F-5, F-6, and F-7 in the December 2012 Alternative Analysis Report of the Los Angeles Metropolitan Transportation Authority and any other freeway or tunnel alternatives to close the Interstate 710 North Gap are no longer deemed to be feasible alternatives for consideration in any environmental review process for the Interstate 710 North Gap Closure project.

AB 74 (Ting) Budget Act of 2019.

Status: Signed into Law by the Governor

This bill makes appropriations for the support of state government for the 2019–20 fiscal year.

AB 146 (Quirk-Silva) State highways: property leases: County of Orange.

Status: 2-Year Bill

This bill would authorize the California Department of Transportation to lease airspace under a freeway, or real property acquired for highway purposes, in the County of Orange, that is not excess property, to a city located in the County of Orange, the County of Orange, a political subdivision of the state whose jurisdiction is located in the County of Orange, or another state agency for purposes of an emergency shelter or feeding program, subject to certain conditions. The bill would specifically authorize the Orange County Housing Finance Trust to enter into these leases.

AB 176 (Cervantes) California Alternative Energy and Advanced Transportation Financing Authority: sales and use taxes: exclusions.

Status: Enrolled and pending with the Governor

Current law authorizes, until January 1, 2021, the California Alternative Energy and Advanced Transportation Financing Authority to provide financial assistance in the form of a sales and use tax exclusion for projects, including those that promote California-based manufacturing, California-based jobs, advanced manufacturing, reduction of greenhouse gases, or reduction in air and water pollution or energy consumption. This bill would require the authority to evaluate a project application for the extent to which the project will create new, or result in the loss of, permanent, full-time jobs in the state, as specified.

AB 245 (Muratsuchi) California Aerospace and Aviation Commission: establishment.

Status: 2-Year Bill

This bill would establish, within the Governor's Office of Business and Economic Development, the California Aerospace and Aviation Commission consisting of 17 members, as specified, to serve as a central point of contact for businesses engaged in the aerospace and aviation industries and to support the health and competitiveness of these industries in California. The bill would require the commission to make recommendations on legislative and administrative action that may be necessary or helpful to maintain or improve the state's aerospace and aviation industries and authorize the commission to engage in various other activities in undertaking its mission and responsibilities.

AB 246 (Mathis) State highways: property leases.

Status: 2-Year Bill

This bill would authorize the California Department of Transportation to offer a lease on a right of first refusal basis of any airspace under a freeway, or real property acquired for highway purposes, located in a disadvantaged community, that is not excess property to the city or county in which the disadvantaged community is located for purposes of an emergency shelter or feeding program, or for park, recreational, or open-space purposes for a rental amount of \$1 per month, subject to certain conditions.

AB 313 (Frazier) Road Maintenance and Rehabilitation Account: University of California: California State University: reports.

Status: 2-Year Bill

This bill would require the University of California and the California State University, on or before January 1 of each year, to each submit a report to the California Transportation Agency and specified legislative committees detailing its expenditures from the Road Maintenance and Rehabilitation Account for the previous year, including, but not limited to, research activities and administration.

AB 380 (Frazier) Office of the Transportation Inspector General.

Status: Held in Assembly Appropriations Committee

This bill would eliminate the Independent Office of Audits and Investigations within the California Department of Transportation and would instead create the Independent Office of the Transportation Inspector General in state government, as an independent office that would not be a subdivision of any other government entity, to ensure that specified state agencies and all external entities that receive state and federal transportation funds are operating efficiently, effectively, and in compliance with federal and state laws. The bill would require the Governor to appoint the Transportation Inspector General for a 4-year term, subject to confirmation by the Senate, and would prohibit the Transportation Inspector General from being removed from office during the term except for good cause.

AB 449 (Gallagher) Local alternative transportation improvement program: Feather River crossing.

Status: Vetoed

Current law, in certain cases, requires the California Transportation Commission to reallocate funds from canceled state highway projects to a local alternative transportation improvement program within the same county and exempts those funds from the fair share distribution formulas that would otherwise be applicable. This bill, with respect to planned state transportation facilities over the Feather River in the City of Yuba City and the Counties of Sutter and Yuba, which facilities are no longer planned to be constructed, would authorize the affected local agencies, acting jointly with the transportation planning agency having jurisdiction, to develop and file with the California Transportation Commission a local alternative transportation improvement program that addresses transportation problems and opportunities in the area that was to be served by the canceled state facilities.

AB 676 (Frazier) California Transportation Commission: annual report.

Status: Held in Assembly Appropriations Committee

Current law requires the California Transportation Commission to adopt and submit to the Legislature, by December 15 of each year, an annual report summarizing the commission's prior-year decisions in allocating transportation capital outlay appropriations and identifying timely and relevant transportation issues facing the state. This bill would instead require the commission to adopt and submit the annual report by December 31 of each year.

AB 821 (O'Donnell) Transportation: Trade Corridor Enhancement Account: project nomination: California Port Efficiency Program.

Status: 2-Year Bill

Current law creates the Trade Corridor Enhancement Account to receive revenues attributable to 50% of a \$0.20 per gallon increase in the diesel fuel excise tax imposed by the Road Repair and Accountability Act of 2017 for corridor-based freight projects nominated by local agencies and the state. Current law makes these funds and certain federal funds apportioned to the state available upon appropriation for allocation by the California Transportation Commission for trade infrastructure improvement projects that meet specified requirements. This bill would require the commission to allocate not less than 10% of the funds that are required to be allocated to projects nominated by the California Department of Transportation to projects nominated pursuant to the California Port Efficiency Program, which this bill would create.

AB 847 (Grayson) Housing: transportation-related impact fees grant program.

Status: 2-year Bill

This bill would require the Department of Housing and Community Development, upon appropriation by the Legislature, to establish a competitive grant program to award grants to cities and counties to offset up to 100% of any transportation-related impact fees exacted upon a qualifying housing development project, as defined, by the local jurisdiction.

AB 905 (Chen) Department of Transportation: Highway Design Manual: fire prone areas.

Status: 2-Year Bill

This bill would require the California Department of Transportation to update its Highway Design Manual to incorporate the use of k-rails, weed mats, or other fire proofing devices in fire prone areas.

AB 1025 (Grayson) Transportation: California Transportation Commission: San Ramon Branch Corridor: reimbursement.

Status: Enrolled and pending with the Governor

In the 1980s, the California Transportation Commission allocated funds appropriated to it from the Transportation Planning and Development Account to the County of Contra Costa for the acquisition of a specified right-of-way, and for associated projects, relating to the San Ramon Branch Corridor. The resolutions allocating the funds require the county to reimburse the state if the county fails to meet specified conditions. This bill would relinquish the rights of the state to reimbursement pursuant to those resolutions. The bill also would require the County of Contra Costa to revise the bylaws of the Iron Horse Corridor Management Program Advisory Committee to: (1) include a seat for a Contra Costa Transportation Authority representative, (2) expand the management program elements to include a new, seventh element that considers proposals to study new and emerging mobility modes and technologies in the corridor, and (3) include a new task in the committee's work program to recommend a framework for acting on these proposals.

AB 1112 (Friedman) Shared mobility devices: local regulation.

Status: 2-Year Bill

This bill would authorize a local authority to regulate motorized scooters by, among other things, assessing limited penalties for moving or parking violations involving the use of motorized scooters. The bill would prohibit a local authority from subjecting the riders of shared scooters to requirements more restrictive than those applicable to riders of privately owned motorized scooters or bicycles. The bill would authorize a local authority to regulate scooter share operators by, among other things, requiring a scooter share operator to pay fees that do not exceed the reasonable cost to the local authority of regulating the scooter share operator.

AB 1142 (Friedman) Regional transportation plans: transportation network companies.

Status: Held in Senate Appropriations Committee

Existing law requires a regional transportation plan to include a policy element, an action element, a financial element, and, if the transportation planning agency is also a metropolitan planning organization, a sustainable communities strategy. Current law authorizes the policy element of transportation planning agencies with populations that exceed 200,000 persons to quantify a set of specified indicators. This bill would authorize the inclusion of two additional indicators regarding measures of policies to increase use of existing transit and percentage of trips made by transportation network companies. The bill also would require the California Public Utilities Commission to consider the needs of state and regional planning agencies and other entities with regard to data on transportation network companies.

AB 1226 (Holden) State highways: property leases: assessment.

Status: Held in Senate Appropriations Committee

This bill would authorize the California Department of Transportation to lease airspace that it owns to a city, county, or other political subdivision or another state agency for emergency shelter, feeding program, or wraparound services purposes, or any combination of these purposes, subject to specified terms and conditions.

AB 1243 (Fong) Traffic Relief and Road Improvement Act.

Status: 2-Year Bill

This bill would create the Traffic Relief and Road Improvement Program to address traffic congestion and deferred maintenance on the state highway system and the local street and road system. The bill would provide for the deposit of various existing sources of revenue in the Traffic Relief and Road Improvement Account, including revenues attributable to the sales and use tax on motor vehicles, revenues attributable to automobile and motor vehicle insurance policies from the insurer gross premiums tax, and certain miscellaneous State Highway Account revenues. The bill also would eliminate the use of weight fee revenues for state transportation general obligation bond debt service and retain those revenues in the State Highway Account. Additionally, the bill would prohibit the California Environmental Quality Act from applying to a project, or the issuance of a permit for a project, that consists of the inspection, maintenance, repair, rehabilitation, replacement, or removal of existing transportation infrastructure, or to the addition of an auxiliary lane or bikeway to existing transportation infrastructure under certain conditions.

AB 1262 (O'Donnell) California Sustainable Freight Action Plan.

Status: 2-Year Bill

This bill would require, by January 1, 2021, and every 5 years thereafter, the California Air Resources Board, the California Department of Transportation, the State Energy Resources Conservation and Development Commission, and the Governor's Office of Business and Economic Development, in collaboration with relevant stakeholders, to update the California Sustainable Freight Action Plan.

AB 1274 (Arambula) California Partnership for the San Joaquin Valley.

Status: 2-Year Bill

By executive order in 2005, and continued in existence by executive orders in 2006, 2008, and 2010, the California Partnership for the San Joaquin Valley was established as a public-private

partnership to, among other things, identify projects and programs that will improve the economic vitality of the San Joaquin Valley. This bill would establish in statute the California Partnership for the San Joaquin Valley for the same purposes. The bill would incorporate language of the executive orders to, among other things, require the partnership to identify projects and programs that will improve the economic vitality of the San Joaquin Valley. Serving on the California Transportation Commission establishes eligibility for appointment by the Governor to a specified class of voting directors in the partnership.

AB 1277 (Obernolte) Transportation projects: oversight committees.

Status: 2-Year Bill

This bill would require a public agency undertaking a publicly funded major transportation infrastructure construction project that is estimated to cost \$500,000,000 or more to form an oversight committee subject to applicable open meeting laws and to develop and use risk management plans throughout the course of the project. The bill would requires the oversight committee (1) to be composed of specified individuals, (2) to act as the authority for critical decisions regarding the project, and (3) to have sufficient staff to support decision making.

AB 1374 (Fong) Department of Transportation: state highways.

Status: 2-Year Bill

Current law establishes the California Department of Transportation (Caltrans) and the California Transportation Commission and provides that Caltrans has full possession and control of all state highways and all property and rights in property acquired for state highway purposes and authorizes and directs Caltrans to lay out and construct all state highways between the termini designated by law and on the locations as determined by the commission. This bill would make nonsubstantive changes to these provisions.

AB 1402 (Petrie-Norris) Active Transportation Program.

Status: 2-Year Bill

This bill would require the California Department of Transportation, instead of the California Transportation Commission, to award Active Transportation Program funds to projects in the statewide and small urban and rural region distribution categories and to adopt a program of projects for those distribution categories. The bill would require that 75% of available funds be awarded to metropolitan planning organizations in urban areas with populations greater than 200,000, in proportion to their relative share of the population, 15% to small urban and rural regions with populations of 200,000 or less, competitively awarded by the department to

projects in those regions, and 10% to projects competitively awarded by the department, in consultation with the commission, on a statewide basis.

AB 1430 (Garcia, Eduardo) State government: public investment opportunities: cost-effective definition.

Status: 2-Year Bill

Current law authorizes the California Public Utilities Commission, the California Air Resources Board, the California Transportation Commission, and the California Labor and Workforce Development Agency to invest public moneys on various project and programs. Current law requires some of those investments to be cost effective. This bill would require these agencies, by January 1, 2021, to provide a joint assessment of options for redefining the term “cost-effective” to the Legislature for the purposes of prioritizing public investment opportunities.

AB 1456 (Kiley) State highways: Route 193: relinquishment.

Status: Enrolled and pending with the Governor

Existing law acknowledges the relinquishment of a portion of Route 193 in the City of Lincoln, and requires the city to install and maintain signs directing motorists to the continuation of Route 193 and to other routes, and to ensure the continuity of traffic flow on the relinquished portion of Route 193. This bill would repeal those requirements on the city. The bill also would authorize the California Transportation Commission to relinquish to the City of Lincoln the portion of Route 193 within its city limits, upon terms and conditions the commission finds to be in the best interests of the state, if the California Department of Transportation and the city enter into an agreement providing for that relinquishment.

AB 1568 (McCarty) Housing law compliance: prohibition on applying for state grants.

Status: 2-Year Bill

Current law prescribes requirements for the preparation of a housing element, including a requirement that a planning agency submit a draft of the element or an amendment to the Department of Housing and Community Development. Current law requires the department to review the draft and report its written findings, including whether the draft substantially complies with the law. This bill would, on or before January 1, 2025, prohibit a city or county found to be in violation of the housing element law from applying for a state grant, unless (1) the fund source of the state grant is constitutionally protected under a provision related to state taxes and fees on motor vehicles and motor vehicle fuels, or (2) the state grant funds, if awarded to the city or county, would assist the city or county in complying with the housing element law.

AB 1810 (Committee on Transportation) Transportation: omnibus bill.

Status: Enrolled and pending with the Governor

This bill would authorize the California Transportation Commission to relinquish to the City of Whittier and the County of Los Angeles the portion of Route 72 within their respective jurisdictional limits if the city and the county and the Department of Transportation enter into an agreement providing for the relinquishment, as specified. *This bill was amended in August to remove the provision that would exclude the California Transportation Commission from the California Transportation Agency, establish it as an entity in state government, and require it to act in an independent oversight role, as well as make other changes related to transportation.*

SB 5 (Beall) Affordable Housing and Community Development Investment Program.

Status: Enrolled and pending with the Governor

This bill would establish in state government the Affordable Housing and Community Development Investment Program, which would be administered by the Affordable Housing and Community Development Investment Committee. The bill would authorize a city, county, city and county, joint powers agency, enhanced infrastructure financing district, affordable housing authority, community revitalization and investment authority or transit village development district to apply to the committee to participate in the program and would authorize the committee to approve or deny applications for projects meeting specific criteria.

SB 7 (Portantino) State Highway Route 710: surplus nonresidential property.

Status: Enrolled and pending with the Governor

This bill would, on January 1, 2024, remove from the California freeway and expressway system specified in state law the portion of Route 710 between Alhambra Avenue in the City of Los Angeles and California Boulevard in the City of Pasadena. The bill would authorize the California Transportation Commission to relinquish to the City of Pasadena the specified portions of Route 710 within its city limits, upon terms and conditions the commission finds to be in the best interests of the state, if the department and the city enter into an agreement providing for that relinquishment. The bill also makes other changes related to Route 710 and surplus nonresidential property.

SB 87 (Committee on Budget and Fiscal Review) Transportation.

Status: Signed into Law by the Governor

Proposition 1B of 2006 makes the moneys in the Trade Corridors Improvement Fund (TCIF) available for allocation by the California Transportation Commission for infrastructure improvements along federally designated Trade Corridors of National Significance or along other corridors that have a high volume of freight movement. This bill would require the Commission to establish a competitive funding program to provide funds to California Department of Transportation or regional transportation planning agencies, or both, for short-line railroad projects such as railroad reconstruction, maintenance, upgrade, or replacement, using TCIF program savings available as of May 1, 2020.

SB 127 (Wiener) Transportation funding: active transportation: complete streets.

Status: Enrolled and pending with the Governor

The bill would require the California Transportation Commission, in connection with the California Department of Transportation's (Caltrans) asset management plan, to adopt performance measures that include conditions of bicycle and pedestrian facilities, accessibility and safety for pedestrians, bicyclists, and transit users, and vehicle miles traveled on the state highway system. The bill would require that specified State Highway Operation and Protection Program projects include capital improvements relative to accessibility for pedestrians, bicyclists, and transit users.

SB 137 (Dodd) Federal transportation funds: state exchange programs.

Status: Enrolled and pending with the Governor

Existing federal law apportions transportation funds to the states under various programs and provides for the allocation of certain of those funds to local entities. Existing law provides for the exchange of federal and state transportation funds between local entities and the state under certain circumstances. This bill would authorize the Department of Transportation to allow the above-described federal transportation funds that are allocated as local assistance to be exchanged for nonfederal State Highway Account funds appropriated to the department on a dollar-for-dollar basis for federal local assistance funds received by a city, county, or city and county, as specified. The bill would require, among other things, the total amount of federal funds exchanged to not exceed \$100,000,000 during each federal fiscal year. The bill would also require the department to consult with the League of California Cities and the California State Association of Counties on implementation.

SB 152 (Beall) Active Transportation Program.

Status: Held in Senate Appropriations Committee

Current law establishes the Active Transportation Program for the purpose of encouraging increased use of active modes of transportation, such as biking and walking. Existing law requires specified funds for the program to be appropriated to the California Department of Transportation (Caltrans) and allocated to eligible projects by the California Transportation Commission. This bill would require that 60% of available funds be awarded to projects selected by metropolitan planning organizations (MPO) in urban areas with populations greater than 200,000, 15% to fund projects in small urban and rural regions, and 25% to projects competitively awarded by the commission on a statewide basis. With respect to the funds made available to MPOs, the bill would require the commission to allocate those funds as a lump sum to Caltrans for disbursement to each MPO for projects selected by the applicable MPO, unless the MPO requests the commission to conduct the competitive selection process on its behalf. The bill also would authorize the commission to allocate to Caltrans a portion of the funds in the small urban and rural and the statewide components. The bill would make the provisions of the bill apply only to the 5th and successive funding cycles of the Active Transportation Program.

SB 211 (Beall) State highways: leases.

Status: Signed into law by the Governor

This bill would authorize the Department of Transportation to offer for lease to a city, county, political subdivision of a city or county, or state agency airspace and real property acquired for highway purposes that meets certain requirements for purposes of a temporary emergency shelter or feeding program. The bill would require the entity that enters into the lease to pay certain costs to the department including \$1 per month for the lease and an annual administrative fee of up to \$5,000, or no more than the department's cost of administering the lease, not to exceed \$15,000. The bill would authorize the lease to be terminated without penalty if the department determines the airspace or real property is needed for departmental purposes, as specified. The bill would require the lease to contain other specified terms and conditions. The bill would repeal these provisions on January 1, 2029.

SB 277 (Beall) Road Maintenance and Rehabilitation Program: Local Partnership Program.

Status: Enrolled and pending with the Governor

Current law continuously appropriates \$200,000,000 annually from the Road Maintenance and Rehabilitation Account for allocation by the California Transportation Commission for a program commonly known as the Local Partnership Program to local or regional transportation

agencies that have sought and received voter approval of taxes or that have imposed certain fees, which taxes or fees are dedicated solely for road maintenance and rehabilitation and other transportation improvement projects. This bill would require the commission to annually deposit 85% of these funds into the Local Partnership Formula Subaccount, which the bill would create, and 15% of these funds in the Small Counties and Uniform Developer Fees Competitive Subaccount, which the bill would create. The bill would require the Commission, in consultation with transportation planning agencies, county transportation commissions, and other local agencies, to develop separate guidelines for the distribution or allocation of the funds in each subaccount that, among other things, establish the types of eligible projects consistent with specified requirements.

SB 356 (McGuire) Sonoma-Marín Area Rail Transit District.

Status: 2-Year bill

This bill would give the board of governors of the Sonoma-Marín Area Rail Transit District the duty and power to, among other things, own, operate, manage, and maintain a freight rail system within the district and fix rates, rentals, charges, and classifications of freight service operated by the district. The bill would also give the board of governors of the district the duty and power to consider potential alternatives to help address the housing needs of current and future employees. The bill would repeal the requirement that the district obtain coverage for itself and its employees under certain federal laws.

SB 358 (Committee on Transportation) Transportation Omnibus.

Status: Enrolled and pending with the Governor

This bill would require, for an eligible city or county that has not met its minimum expenditure requirement for the Local Streets and Road Program, the Controller to withhold from its apportionment for a fiscal year following an audit an amount up to the amount of funds that the city or county received during the fiscal year that was audited. The bill would require that the amount withheld be reallocated or reapportioned to other cities or counties who meet the minimum expenditure requirement in one annual payment, as specified, and would also require, if the amount to be apportioned is less than the amount to be withheld, that the city or county reimburse the state for the difference between the amount withheld and the apportionment that was received in the fiscal year that was audited. The bill would require, if the city or county is ineligible for an apportionment, the city or county to reimburse the state in an amount equal to the allocation or apportionment it received in the fiscal year that it was audited. The bill would authorize the Controller to adopt rules, regulations, and procedures necessary to carry out the purposes of these provisions.

SB 498 (Hurtado) Trade Corridors Improvement Fund: grant program: short-line railroads.

Status: 2-Year Bill

This bill would require the California Transportation Commission to establish a competitive grant program in the 2020–21 and 2021–22 fiscal years for the California Department of Transportation and regional transportation planning agencies, or both, to fund short-line railroad projects such as railroad reconstruction, maintenance, upgrade, or replacement. The grant program would be funded from Trade Corridor Improvement Fund program savings.

SB 504 (Monning) State highways: Route 1: relinquishment.

Status: Signed into law by the Governor

This bill authorizes the California Transportation Commission to relinquish to the City of Pismo Beach specified portions of Route 1 within its city limits if the California Department of Transportation and the city enter into an agreement providing for that relinquishment.

SB 526 (Allen) Regional transportation plans: greenhouse gas emissions: State Mobility Action Plan for Healthy Communities.

Status: Held in Senate Appropriations Committee

Current law requires the California Air Resources Board (CARB), by September 1, 2018, and every 4 years thereafter, to prepare a report that assesses progress made by each metropolitan planning organization (MPO) in meeting the regional greenhouse gas emission reduction targets set by CARB. This bill would require CARB to adopt a regulation that requires an MPO to provide any data that CARB determines is necessary to fulfill the requirements of the above-described report and to determine if the MPO is on track to meet its 2035 greenhouse gas emission reduction target. The bill also would require the action element prepared by an MPO to identify near and long-term steps to be taken to implement a sustainable communities strategy and it would require the MPO to monitor progress toward implementing these steps and to report that progress to CARB. Additionally, the bill would establish an interagency working group to be administered by the Strategic Growth Council and to be composed of a specified membership, including the Chair of the California Transportation Commission, to develop and implement a State Mobility Action Plan for Healthy Communities.

SB 628 (Caballero) Prunedale Bypass: disposition of excess properties: relinquishment: State Route 183.

Status: Enrolled and pending with the Governor

This bill would require the net proceeds from the sale of any excess properties originally acquired for a replacement alignment for State Highway Route 101 in the County of Monterey, known as the former Prunedale Bypass, to be reserved in the State Highway Account for programming and allocation by the California Transportation Commission, with the concurrence of the California Transportation Agency for Monterey County, for other state highway projects in that county, as specified. The bill would exempt these funds from the distribution formulas otherwise applicable to transportation capital improvement funds.

Total Measures: 41