

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: August 14-15, 2019

From: SUSAN BRANSEN, Executive Director

Reference Number: 4.1, Action

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Subject: State and Federal Legislative Matters

Issue:

Should the California Transportation Commission (Commission):

1. Accept the staff report on the proposed state legislation identified and monitored by staff as presented in Attachment A?
2. Adopt a position of support and submit a letter (included in Attachment B) to Senator Allen on Senate Bill (SB) 59? 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 on state policy for autonomous vehicles.

Recommendation:

Commission staff recommend that the Commission:

1. Accept the staff report and provide direction on legislation of interest in Attachment A.
2. Adopt a position of support for SB 59 and approve transmission of the letter to Senator Allen included in Attachment B.

Bills Being Monitored

The deadline for policy committees to consider bills was July 12, 2019. The deadline for fiscal committees to consider bills is August 30, 2019. The last day for the Legislature to pass a bill is September 13. Bills in the possession of the Governor after this date must be signed by October 13.

Commission staff are monitoring 41 bills on which the Commission has not taken a position, pursuant to the Commission's bill monitoring policy. A summary of each of these bills is included in Attachment A. Among the bills being monitored, Commission staff recommend adopting a position of support on SB 59 (Allen). Commission staff also have comments on SB 127 (Wiener) and SB 277 (Beall).

SB 59 (Allen)

Subject: State Policy for Autonomous Vehicles

Staff Recommendation: Support

Status: Pending 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.

This bill would implement a recommendation made by the Commission in its 2018 Annual Report to the Legislature to create an advisory committee to explore approaches to the modification of state policy, rules, and laws to prepare the state for the emergence and deployment of autonomous vehicle technology.

Attachment B contains a draft support letter and copy of the bill.

SB 127 (Wiener)

Subject: Bicycle and Pedestrian Facilities on the State Highway System

Status: Pending in Assembly Appropriations Committee

This bill would require the Commission to adopt performance measures for the Transportation Asset Management Plan (TAMP) for the condition of bicycle and

pedestrian facilities, and the accessibility and safety for pedestrians, bicyclists, and transit users on the state highway system. It also would require Caltrans, starting in 2020, to include new pedestrian and bicycle facilities, or improve existing facilities, as part of State Highway Operation and Protection Program projects in areas designated as “active transportation place types” (defined as state highways located within a city or a census designated place). Caltrans would be allowed to exempt projects from this requirement if it were to document disproportionate costs compared to expected usage; an absence of future need; or adverse impacts to a user group that outweigh the benefits.

Commission staff have been working with Caltrans, the author’s office, sponsors of the bill, and other stakeholders to provide input on the proposed legislation, particularly as it relates to the requirement for the Commission to adopt performance measures for the TAMP. Commission staff have no concerns with the requirement to adopt performance measures in the TAMP for the condition of existing bicycle and pedestrian facilities. However, Commission staff are concerned that adopting performance measures for accessibility and safety are beyond the scope of the TAMP, which focuses on the physical conditions of assets. Caltrans’ State Highway System Management Plan, which details state highway needs, investments, and resulting performance projects for a 10-year period, could be a more appropriate document for assessing the accessibility and safety of the state highway system. Furthermore, Commission staff believe that input from local and regional partners are crucial in the long-term development of complete street elements in the state highway system. Commission staff have brought these concerns to the author’s attention.

SB 277 (Beall)

Subject: Local Partnership Program

Status: Pending in Assembly Appropriations Committee

This bill would specify a funding distribution for the Local Partnership Program in statute and change how program funds are overseen and disbursed. The Commission discussed this bill at its June 26, 2019 meeting and sent a letter to Senator Beall with comments. In that letter, the Commission noted that the bill needed clarifications. Specifically, the Commission’s letter noted that it was unclear how the state would hold local and regional entities accountable for the expenditure of state funds and that safeguards were needed to assure that funds are efficiently utilized and do not remain uncommitted. The Commission also noted that the legislation did not specify a distribution methodology, and it highlighted the importance of ensuring smaller agencies receive adequate funding for critical projects.

Senator Beall amended SB 277 on July 1, 2019. The amendments specified that funds are to be distributed 85 percent on a formula basis and 15 percent on a competitive

basis, with the competitive program restricted to entities with population less than 750,000. The amendments also eliminated a requirement for the Commission to establish a minimum fund share for the formula program. The amendments added a five-year limit for agencies to retain their formula fund shares but otherwise did not address the provisions related to accountability that were highlighted in the Commission's letter.

On August 9, 2019, Commission staff transmitted proposed amendments to Senator Beall in follow-up to issues previously raised by the Commission. The proposed amendments would require that the Commission allocate funds to specific projects (rather than project lists) and provide the funds on a cost reimbursement basis (rather than upfront). The amendments also would authorize the Commission to set a minimum fund share for the formula program through program guidelines. Additionally, the proposed amendments would delete the provision allowing local and regional agencies to retain formula funding for five years, thereby allowing the Commission, through its program guidelines, to develop a process that balances timely use of funds with agency needs (such as through a fund sharing process like the one used for the State Transportation Improvement Program). The amendments also would clarify language regarding state, regional and local goals; project eligibility; and the guideline development process.

While the proposed amendments submitted by staff do not modify the funding distribution in the bill (85 percent formula, 15 percent competitive), Commission staff did note in its transmittal of the amendments that the Commission had highlighted in its letter to Senator Beall the advantages of the current system of determining a funding distribution through program guidelines, as this allows for more flexibility to respond to changes in transportation needs, population, and other factors. Distributing funds through a competitive process also has advantages over a formulaic process because it increases assurance that funds are timely dedicated to important projects that are ready to proceed.

Attachment C contains a copy of the amendments submitted by Commission staff to Senator Beall.

Update on Bills on Which the Commission Has Taken a Position

To date, the Commission has taken a support or support in concept position on 10 bills. One bill has been passed by the Legislature and signed by the Governor. Seven bills are still pending in the Legislature. Two bills did not advance.

Below is an update on the status of each of the 10 bills on which the Commission has taken a position. Additional information on each bill is included in [Attachment A](#) (after the list of bills being monitored on which the Commission has not taken a position).

AB 185 (Grayson)

Subject: Joint Meetings

Commission Position: Support

Status: Pending in Senate Appropriations Committee

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. The bill has passed the Assembly and the Senate Transportation Committee. It will next be heard in the Senate Appropriations Committee.

AB 252 (Daly)

Subject: National Environmental Protection Act Delegation

Commission Position: Support

Status: Signed by the Governor

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. The bill has been passed by the Legislature and signed into law by the Governor.

AB 285 (Friedman)

Subject: California Transportation Plan

Commission Position: Support

Status: Pending in Senate Appropriations Committee

This bill would, among other provisions, require Caltrans to include specified information in the California Transportation Plan, 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 has passed the Assembly and the Senate Transportation Committee. It will next be heard in the Senate Appropriations Committee.

AB 371 (Frazier)

Subject: Freight Industry Assessment

Commission Position: Support

Status: Held in Assembly Appropriations Committee

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

Commission position: Support in Concept

Status: Held in Assembly Appropriations Committee

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.

AB 970 (Salas)

Subject: Transportation Grant Program

Commission Position: Support

Status: Pending in Senate Appropriations Committee

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. The bill has passed the Assembly and the Senate Transportation Committee. It will next be heard in the Senate Appropriations Committee.

AB 1413 (Gloria)

Subject: Sales Taxes for Transportation

Commission Position: Support

Status: Pending on the Senate Floor

This bill would authorize a local transportation authority 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. The bill has passed the Assembly and is pending a vote on the Senate Floor.

AB 1475 (Bauer-Kahan)

Subject: Construction Manager/General Contractor Project Delivery Method

Commission Position: Support

Status: Pending on the Senate Floor

This bill would expand 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. The bill has passed the Assembly and is pending a vote on the Senate Floor.

ACA 1 (Aguiar-Curry)

Subject: Voter Approval Threshold for Special Taxes

Commission Position: Support

Status: Pending on the Assembly Floor

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. The measure is pending a vote on the Assembly Floor.

SJR 5 (Beall)

Subject: Federal Transportation Funding

Commission Position: Support

Status: Pending on the Assembly Floor

This measure would urge 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. The measure has passed the Senate and will next be heard on the Assembly Floor.

Attachments:

- Attachment A: Bills monitored by Commission staff
- Attachment B: SB 59 (Allen) Support letter and bill text
- Attachment C: SB 277 (Beall): Amendments submitted by Commission staff

Bills monitored by Commission staff

AB 29 (Holden) State Highway Route 710.

Status: Fiscal Committee (Second House)

This bill would remove the portion of State Route (SR) 710 located north of Route 10 from the California freeway and expressway system in state law. The bill would authorize the California Transportation Commission, after projects have been agreed upon in the SR-710 North Project Study Area, as described, to relinquish to the Cities of Alhambra, Pasadena, and South Pasadena specified portions of SR 710 under conditions established through direct consultation and agreement, and upon terms and conditions the Commission finds to be in the best interests of the state, if the California Department of Transportation and the cities enter into an agreement providing for that relinquishment

AB 74 (Ting) Budget Act of 2019.

Status: Signed into Law by the Governor

This bill would make 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: Fiscal Committee (Second House)

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, before July 1, 2020, to submit to the Legislature a report responding to the report of the Legislative Analyst's Office regarding the sales and use tax exclusion program and would require the report to address potential program overlap between the sales and use tax exclusion administered by the authority and the sale and use tax exemption administered by the California Department of Tax and Fee Administration.

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: 2-Year Bill

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: Fiscal Committee (Second House)

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: 2-Year Bill

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: Fiscal Committee (Second House)

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: Fiscal Committee (Second House)

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: Fiscal Committee (Second House)

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 (Oberholte) 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 require 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: Fiscal Committee (Second House)

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: Fiscal Committee (Second House)

This bill 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: Fiscal Committee (Second House)

This bill would establish in state government the Local-State Sustainable Investment Incentive Program, which would be administered by the Sustainable Investment Incentive 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 Sustainable Investment Incentive 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 residential and nonresidential property.

Status: Fiscal Committee (Second House)

This bill would require for surplus nonresidential properties for State Route 710 in the County of Los Angeles that purchases of those properties by tenants in good standing be offered at fair market value as determined relative to the current use of the property, if the tenant is a nonprofit organization or a city.

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

Status: Fiscal Committee (Second House)

This bill would require the Chair of the California Transportation 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.

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: Fiscal Committee (Second House)

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. The bill also would establish an Active Transportation Asset Branch within Caltrans.

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

Status: Fiscal Committee (Second House)

Current federal law apportions transportation funds to the states under various programs, including the Surface Transportation Program and the Highway Safety Improvement Program, subject to certain conditions on the use of those funds. Current law establishes the Road Maintenance and Rehabilitation Program to address deferred maintenance on the state highway system and the local street and road system, and funds that program from fuel taxes and an annual transportation improvement fee imposed on vehicles. This bill would authorize the California Department of Transportation to allow the above-described federal transportation funds that are allocated as local assistance to be exchanged for Road Maintenance and Rehabilitation Program funds.

SB 152 (Beall) Active Transportation Program.

Status: 2-Year Bill

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: Fiscal Committee (Second House)

This bill would authorize the California Department of Transportation to lease on a right of first refusal basis any airspace under a freeway, or real property acquired for highway purposes, that is not excess property, to the city or county in which the airspace or real property is located, or to a political subdivision of the city or county, for purposes of an emergency shelter or feeding program for a lease amount, for up to 10 parcels in the city or county, or political subdivision of the city or county, of \$1 per month, and a payment of an administrative fee not to exceed \$500 per year, as specified.

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

Status: Fiscal Committee (Second House)

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 to apportion (rather than allocate) funds from the Local Partnership Formula Subaccount, and it would require the commission to approve lists of projects proposed to be funded from this account. In addition, the bill would authorize eligible entities to retain funds received from the Local Partnership Formula Subaccount for up to five years.

SB 356 (McGuire) North Coast Railroad Authority: rail right-of-way: Sonoma-Marin Area Rail Transit District.

Status: Fiscal Committee (Second House)

This bill would require the North Coast Railroad Authority, within 90 days of removing all of its debts, liabilities, and contractual obligations, to convey and transfer its rights, interests, privileges, and title, lien free, relating to a specified rail right-of-way, its licenses and certificates of public convenience and necessity, any common carrier obligations held by the authority or an associated freight operator, and the railroad assets the authority owns to the Sonoma-Marin Area Rail Transit District. The bill also would require the district to create and maintain a trail that runs in, or parallel to, the right-of-way, as appropriate, and connects to the district's bicycle and pedestrian pathways to the extent feasible.

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: Fiscal Committee (Second House)

This bill would authorize the California Transportation Commission to relinquish to the City of Pismo Beach specified portions of Route 1 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.

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

Status: 2-Year Bill

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: Fiscal Committee (Second House)

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

Total Tracking Forms: 41

Bills Supported by the Commission

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

Status: Fiscal Committee (Second House)

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 D) Department of Transportation: environmental review process: federal program.

Status: Signed into Law by the Governor

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: Fiscal Committee (Second House)

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, among other provisions.

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

Status: 2-Year Bill

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: 2-Year Bill

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: Fiscal Committee (Second House)

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: Senate Floor

This bill would authorize a local transportation authority to impose a tax applicable to only a portion of its county if 2/3 of the voters voting on the measure 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.

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

Status: Senate Floor

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: 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.

SJR 5 (Beall) California transportation infrastructure.

Status: Assembly Floor

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: 10

Total Tracking Forms: 10

FRAN INMAN, Chair
PAUL VAN KONYENBURG, Vice Chair
BOB ALVARADO
YVONNE B. BURKE
LUCETTA DUNN
JAMES C. GHIEMMETTI
CARL GUARDINO
CHRISTINE KEHOE
JOSEPH TAVAGLIONE

STATE OF CALIFORNIA

GAVIN NEWSOM, Governor

SENATOR JIM BEALL, Ex Officio
ASSEMBLY MEMBER JIM FRAZIER, Ex Officio

SUSAN BRANSEN, Executive Director



CALIFORNIA TRANSPORTATION COMMISSION

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P. O. BOX 942873
SACRAMENTO, CA 94273-0001
(916) 654-4245
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August 14, 2019

The Honorable Ben Allen
Member of the Senate
State Capitol, Room 4076
Sacramento, CA 95814

Re: Support for Senate Bill 59

Dear Assembly Member Allen:

As part of its statutory charge, the California Transportation Commission (Commission) advises the Administration and the Legislature on state transportation policies and makes recommendations for legislation to improve California's transportation system.

The Commission adopted a position to support Senate Bill 59 at its August 14, 2019 meeting. 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 to ensure that California continues to be the world leader in autonomous, driverless, and connected vehicle technology. This legislation would implement a recommendation made by the Commission to the Legislature in its 2018 Annual Report to establish such an advisory committee to publicly tackle the oncoming impacts of advanced transportation technologies related to autonomous vehicles.

Senator Ben Allen
RE: Support for Senate Bill 59
August 14, 2019
Page 2

The Commission commends your leadership in building this task force so that autonomous vehicle technology could further the state's transportation, environmental, public health, and other policy objectives. Commissioners and staff are available to provide information that may assist you in moving this legislation forward. If we can be of assistance, please contact the Commission's Executive Director, Ms. Susan Bransen, at (916) 654-4245.

Sincerely,

FRAN INMAN
Chair

c: Commissioners, California Transportation Commission
The Honorable Jim Beall, Chair, Senate Transportation Committee
The Honorable Jim Frazier, Chair, Assembly Transportation Committee
Susan Bransen, Executive Director, California Transportation Commission
David S. Kim, Secretary, California State Transportation Agency

AMENDED IN ASSEMBLY JULY 3, 2019

AMENDED IN SENATE MAY 17, 2019

AMENDED IN SENATE APRIL 1, 2019

SENATE BILL

No. 59

Introduced by Senator Allen

December 19, 2018

~~An act to add Article 5.5 (commencing with Section 65053) to Chapter 1.5 of Division 1 of Title 7 of the Government Code, relating to autonomous vehicle technology. An act to add and repeal Chapter 1.5 (commencing with Section 14518) of Part 5.3 of Division 3 of Title 2 of the Government Code, relating to transportation.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 59, as amended, Allen. ~~Autonomous vehicle technology: Statewide policy. California Transportation Commission: advisory committee: autonomous vehicle technology.~~

Existing law creates the California Transportation Commission with various powers and duties, including the duty 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.

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 to ensure that California continues to be the world leader in autonomous, driverless, and connected vehicle technology. The bill would require the council to consist of at least 22 members, selected by the chair or designated, as

specified, who represent, among others, transportation workers, various state and local agencies, and a disability rights organization.

The bill would require the council to gather public comment on issues and concerns related to autonomous vehicles and to submit, among other things, recommendations for statewide policy changes and updates to the Legislature no later than January 1, 2022, and to submit a report of its recommendations biannually thereafter, or more frequently at the commission's discretion. The bill would require the council to create subcommittees focused on or more specific topics and to form one subcommittee led by the Office of Planning and Research focused on furthering the state's environmental, public health, and energy objectives, as specified. The bill would require the subcommittee to submit policy recommendations to the council and the Legislature by January 1, 2022, and to make those recommendations publicly available.

The bill would repeal these provisions on January 1, 2030.

~~Existing law establishes the Office of Planning and Research in the Governor's office, which serves the Governor and the Governor's cabinet for long-range planning and research and constitutes the comprehensive state planning agency. Existing law permits the operation of an autonomous vehicle on public roads for testing purposes by a driver who possesses the proper class of license for the type of vehicle being operated if specified requirements are met.~~

~~This bill would establish certain guiding principles relating to autonomous vehicles in order to ensure that these vehicles support the state's efforts to, among other things, reduce greenhouse gas emissions and encourage efficient land use. The bill would require the Office of Planning and Research to convene an autonomous vehicle interagency working group of specified state agencies, including, among others, the Transportation Agency, the Department of Transportation, the State Air Resources Board, and the Department of Motor Vehicles, to guide policy development for autonomous vehicle technology consistent with the statewide principles described above. The bill would require the working group to submit its recommendations to further these principles to the Legislature on or before January 1, 2022. The bill would also make related findings and declarations.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. The Legislature finds and declares all of the*
2 *following:*

3 *(a) California, as a technological hub for innovation, should*
4 *support the continued research and development of autonomous*
5 *vehicle technology as it has the potential to eventually contribute,*
6 *along with other transportation developments, to safety and*
7 *mobility and to other environmental, economic, public health, and*
8 *social equity benefits. Autonomous vehicle technology continues*
9 *to be developed and its full potential has yet to be realized.*

10 *(b) The deployment of autonomous vehicles, along with all other*
11 *parts of the transportation sector, should appropriately support*
12 *the state's efforts to improve road safety, reduce greenhouse gas*
13 *emissions and criteria air pollutants, reduce traffic congestion*
14 *and vehicle miles traveled, encourage efficient land use, and*
15 *increase access to mobility and economic opportunities for all*
16 *Californians.*

17 *SEC. 2. Chapter 1.5 (commencing with Section 14518) is added*
18 *to Part 5.3 of Division 3 of Title 2 of the Government Code, to*
19 *read:*

20

21 *CHAPTER 1.5. CALIFORNIA COUNCIL ON THE FUTURE OF*
22 *TRANSPORTATION*

23

24 14518. *(a) The chair of the commission shall establish an*
25 *advisory committee known as the California Council on the Future*
26 *of Transportation.*

27 *(b) The council shall provide the Governor and the Legislature*
28 *with recommendations for changes in state policy to ensure that*
29 *California continues to be the world leader in autonomous,*
30 *driverless, and connected vehicle technology.*

31 *(c) (1) The council shall consist of all of the following members*
32 *selected by the chair of the commission, all of whom shall serve*
33 *without additional compensation:*

34 *(A) One or more individuals who represent insurance interests.*

35 *(B) One or more individuals who represent a bona fide labor*
36 *organization that represents transportation workers.*

- 1 (C) *One or more individuals who represent local government*
2 *from a rural, suburban, or urban area of the state or from an*
3 *organization that represents local governments.*
4 (D) *One or more individuals who represent a California public*
5 *research institution.*
6 (E) *One or more individuals who represent a vehicle*
7 *manufacturer or an organization that represents vehicle*
8 *manufacturers.*
9 (F) *One or more individuals who represent a technology*
10 *company that develops autonomous technology or an organization*
11 *that represents technology companies that are developing*
12 *autonomous technology.*
13 (G) *One or more individuals who represent a disability rights*
14 *organization.*
15 (H) *One or more individuals who represent a local transit*
16 *agency.*
17 (I) *One or more individuals who represent a statewide motorist*
18 *service membership organization.*
19 (J) *One or more individuals from a bicycle or pedestrian safety*
20 *organization.*
21 (K) *One or more individuals from an environmental justice or*
22 *environmental equity advocacy organization.*
23 (L) *One or more individuals from a public health, science, or*
24 *environmental organization.*
25 (2) *The following individuals shall also serve on the council,*
26 *without compensation:*
27 (A) *The Secretary of the Natural Resources Agency or the*
28 *secretary's designee.*
29 (B) *The Secretary of Labor and Workforce Development or the*
30 *secretary's designee.*
31 (C) *The Chair of the commission or the chair's designee.*
32 (D) *The Director of the Office and Planning and Research or*
33 *the director's designee.*
34 (E) *The Director of Transportation or the director's designee.*
35 (F) *The Commissioner of the California Highway Patrol or the*
36 *commissioner's designee.*
37 (G) *The Insurance Commissioner or the commissioner's*
38 *designee.*
39 (H) *The Director of Motor Vehicles or the director's designee.*

1 (I) *The Director of the Governor’s Office of Business and*
2 *Economic Development or the director’s designee.*

3 (J) *The Chair of the State Air Resources Board or the chair’s*
4 *designee.*

5 (3) *The chair of the commission shall consult with the members*
6 *of the council designated in paragraph (2) when selecting the*
7 *individuals described in paragraph (1).*

8 (d) (1) *The council shall gather public comment on issues and*
9 *concerns related to autonomous vehicles and shall submit*
10 *recommendations for statewide policy changes and updates, and*
11 *any additional research or data needed, to the Legislature no later*
12 *than January 1, 2022, and shall continue to submit a report of its*
13 *recommendations biannually thereafter, or more frequently at the*
14 *commission’s discretion.*

15 (2) *A report submitted pursuant to this subdivision shall be*
16 *submitted in compliance with Section 9795.*

17 (e) *The council shall include in its report submitted pursuant*
18 *to subdivision (d), but is not limited to including, policy*
19 *recommendations on the following topics:*

20 (1) *Safety for all road users in the near and long term, including*
21 *potential changes to traffic laws, and licensing and registration,*
22 *taking into account changes in autonomous vehicle technology*
23 *over time.*

24 (2) *Infrastructure improvements that may be needed for the safe*
25 *operation of autonomous vehicles.*

26 (3) *Improving how individuals travel, including, but not limited*
27 *to, reducing traffic congestion and vehicle miles traveled.*

28 (4) *Furthering the state’s environmental, public health, and*
29 *energy objectives, including the state’s planning priorities*
30 *described in Section 65041.1.*

31 (5) *Promoting the integration of new mobility services with*
32 *walking, bicycling, transit, and other modes of travel.*

33 (6) *Labor and economic impacts that include, but are not limited*
34 *to, potential job loss, worker displacement, and job creation.*

35 (7) *Increasing the availability of accessible mobility options,*
36 *particularly for individuals with technological, financial, cultural,*
37 *and other barriers to mobility or with different physical, sensory,*
38 *and cognitive abilities, that provide accessible physical equipment*
39 *and communication interfaces.*

40 (8) *Potential changes to insurance requirements.*

1 (f) The council shall create subcommittees focused on one or
2 more of the topics described in subdivision (e) to gather public
3 comment and provide recommendations to the council. One
4 subcommittee shall be led by the Office of Planning and Research
5 and focus on paragraph (4) of subdivision (e), taking into
6 consideration the principles established by the California
7 Multi-Agency Workgroup on Automated Vehicle Deployment for
8 Healthy and Sustainable Communities. Policy recommendations
9 developed by this subcommittee shall be submitted to the council
10 and the Legislature by January 1, 2022, and shall be made
11 available to the public.

12 (g) This chapter shall remain in effect only until January 1,
13 2030, and as of that date is repealed.

14 SECTION 1. ~~The Legislature finds and declares all of the~~
15 ~~following:~~

16 ~~(a) California, as a technological hub for innovation, should~~
17 ~~support the continued research and development of autonomous~~
18 ~~vehicle technology, as it has the potential to eventually~~
19 ~~contribute along with other transportation developments to~~
20 ~~safety, mobility, environmental, economic, public health, and social~~
21 ~~equity benefits. Autonomous vehicle technology continues to be~~
22 ~~developed and its full potential has yet to be realized.~~

23 ~~(b) Automobile crashes are a leading cause of death and 94~~
24 ~~percent of serious automobile crashes are linked to human choices~~
25 ~~or errors. Autonomous vehicle technology may help to avoid~~
26 ~~human-error crashes and significantly improve vehicle safety.~~

27 ~~(c) California leads the nation in the number of pedestrians and~~
28 ~~bicyclists killed by motor vehicles, and ranks sixth highest in such~~
29 ~~deaths per capita. Deaths of pedestrians and bicyclists from motor~~
30 ~~vehicles are increasing nationwide. Making the roads safer for~~
31 ~~pedestrians and cyclists could help to increase the use of active~~
32 ~~transportation, which is an affordable, low-impact alternative to~~
33 ~~driving that supports California's clean transportation goals and~~
34 ~~equity goals.~~

35 ~~(d) Autonomous vehicle technology could significantly~~
36 ~~transform California's entire transportation system, potentially~~
37 ~~affecting both mobility and land use patterns across the state.~~
38 ~~Depending on how autonomous vehicle technology develops, this~~
39 ~~technology could help California attain its greenhouse gas~~

1 emissions reduction, air quality improvement, and equity goals or
2 could potentially hinder these efforts.

3 ~~(e) Research funded through the National Cooperative Highway
4 Research Program Project 20-102, Impacts of Connected Vehicles
5 and Automated Vehicles on State and Local Transportation
6 Agencies, projects that autonomous vehicles could lead to changes
7 in land use patterns that could either support or undermine efforts
8 to fight climate change and reduce sprawl and vehicle miles
9 traveled (VMT).~~

10 ~~(f) According to research conducted by the Institute of
11 Transportation Studies at the University of California at Davis,
12 autonomous vehicles could increase vehicle travel by 15 to 20
13 percent by 2050. This would contribute to more greenhouse gas
14 emissions, a worsening of air quality, and increased traffic
15 congestion. The same research also suggests that widespread
16 on-demand travel, when supported by substantial ride sharing and
17 electric vehicles, can potentially reduce car travel by over 50
18 percent, reduce carbon emissions from transportation by 80 percent,
19 and cut the cost of transportation infrastructure and operations by
20 40 percent by 2050.~~

21 ~~(g) For many families, especially those without access to a car,
22 public transportation, biking, and walking are the critical link to
23 employment, education, childcare facilities, and other important
24 services. California should continue to invest in public
25 transportation, as well as safe routes for biking, walking, and other
26 micro-mobility options. Autonomous vehicle technology should
27 be developed to complement and support these modes.~~

28 ~~(h) Potential positive impacts of autonomous vehicles can be
29 maximized and potential negative impacts resulting from
30 autonomous vehicles can be mitigated and, in some cases,
31 eliminated if policies are developed to promote deployment of
32 autonomous vehicles in high-capacity shared fleets, encourage
33 pooled rides, encourage electrification of autonomous vehicles,
34 and expand high-quality public transportation and infrastructure
35 and programs for active transportation.~~

36 ~~(i) The State Air Resources Board's 2017 Scoping Plan proposed
37 implementing a process for intrastate agency and regional and
38 local transportation coordination on autonomous vehicles to ensure
39 shared policy goals in achieving safe, energy efficient, and low~~

1 ~~carbon autonomous vehicle deployment that also contribute to~~
2 ~~VMT reductions.~~

3 ~~(j) The 2018 Zero Emission Vehicle (ZEV) Action Plan~~
4 ~~Priorities Update calls on the Office of Planning and Research and~~
5 ~~the State Air Resources Board to lead an autonomous vehicle~~
6 ~~interagency group to determine policies necessary to ensure that~~
7 ~~the rise of autonomous transportation benefits all Californians;~~
8 ~~both environmentally and economically, and to consider the~~
9 ~~intersection of autonomous and ZEV technology, as well as the~~
10 ~~implications of autonomous vehicles on land use and VMT.~~

11 ~~SEC. 2. Article 5.5 (commencing with Section 65053) is added~~
12 ~~to Chapter 1.5 of Division 1 of Title 7 of the Government Code,~~
13 ~~to read:~~

14
15 ~~Article 5.5. Autonomous Passenger Vehicles for Healthy and~~
16 ~~Sustainable Communities~~

17
18 ~~65053. (a) The Office of Planning and Research shall convene~~
19 ~~an autonomous vehicle interagency working group to guide policy~~
20 ~~development for autonomous passenger vehicle technology~~
21 ~~consistent with the principles described in Section 65054.~~

22 ~~(b) The following entities shall participate in the interagency~~
23 ~~working group:~~

24 ~~(1) The Transportation Agency.~~

25 ~~(2) The Department of Transportation.~~

26 ~~(3) The Department of Motor Vehicles.~~

27 ~~(4) The Governor's Office of Business and Economic~~
28 ~~Development.~~

29 ~~(5) The Strategic Growth Council.~~

30 ~~(6) The State Air Resources Board.~~

31 ~~(7) Representatives of local government as determined by the~~
32 ~~Office of Planning and Research.~~

33 ~~(c) The Office of Planning and Research may invite other~~
34 ~~organizations to participate, as well as create advisory groups.~~

35 ~~(d) On or before January 1, 2022, the working group shall submit~~
36 ~~to the Legislature recommendations to further the principles~~
37 ~~described in Section 65054. In developing these recommendations,~~
38 ~~the working group shall do all of the following:~~

1 ~~(1) Examine specific policy options, including both mandates~~
2 ~~and incentives, and identify actions that require further statutory~~
3 ~~authority.~~

4 ~~(2) Identify additional research and data needs.~~

5 ~~(3) Provide an opportunity for input by the general public.~~

6 ~~(4) Consider other agency processes or programs that are~~
7 ~~ongoing and data points that are being collected.~~

8 ~~65054. To ensure autonomous passenger vehicles support the~~
9 ~~state's efforts to improve road safety, reduce greenhouse gas~~
10 ~~emissions and criteria air pollutants, reduce traffic congestion and~~
11 ~~vehicle miles traveled, encourage efficient land use, and access to~~
12 ~~mobility and economic opportunities for all Californians, the~~
13 ~~following shall be the principles guiding the working group~~
14 ~~established in Section 65053:~~

15 ~~(a) Reduce motor vehicle crashes and improve road safety for~~
16 ~~all users.~~

17 ~~(b) Maximize ridesharing and shared use of autonomous~~
18 ~~passenger vehicles by encouraging pooling and prioritizing pooled~~
19 ~~vehicles' mobility.~~

20 ~~(c) Shift the use of autonomous passenger vehicles to~~
21 ~~zero-emission technology as quickly as is feasible.~~

22 ~~(d) Deploy autonomous passenger vehicles in ways that reduce~~
23 ~~overall emissions from all vehicles on the road consistent with the~~
24 ~~state's climate and environmental goals.~~

25 ~~(e) Integrate autonomous passenger vehicles as part of, and~~
26 ~~complementary to, a multimodal transportation system, including~~
27 ~~public transit, walking, and biking, that moves people and goods~~
28 ~~to destinations quickly and efficiently and that is, taken as a whole,~~
29 ~~more energy efficient, space efficient, environmentally benign,~~
30 ~~and beneficial to human health.~~

31 ~~(f) Support compact infill development rather than accelerating~~
32 ~~sprawl, recognizing there are many factors that contribute to sprawl,~~
33 ~~and further the implementation of robust policies that support the~~
34 ~~state planning priorities described in Section 65041.1.~~

35 ~~(g) Increase the availability of affordable mobility options,~~
36 ~~particularly for low-income and disadvantaged communities, and~~
37 ~~increase accessibility for individuals with physical and cognitive~~
38 ~~impairments.~~

1 ~~(h) Promote the transportation needs of rural residents and~~
2 ~~communities in a manner that improves access to destinations and~~
3 ~~goods without increasing sprawl.~~

4 ~~65054.5. For the purposes of this article, “autonomous~~
5 ~~passenger vehicle” means a “passenger vehicle” as defined in~~
6 ~~Section 465 of the Vehicle Code that is also an “autonomous~~
7 ~~vehicle” as defined in Section 38750 of the Vehicle Code.~~

O

Proposed Amendments for Senate Bill 277

Below is a summary of amendments proposed by California Transportation Commission (Commission) staff for Senate Bill 277 (Beall), followed by a marked-up version of the legislation (as amended on July 1, 2019). Commission staff's proposed amendments are highlighted in yellow and underlined/bolded. The amendments are intended to address issues raised in the Commission's June 26, 2019 letter to Senator Beall regarding the legislation.

While the proposed amendments do not modify the funding distribution in the bill (85 percent formula, 15 percent competitive), the Commission did highlight in its letter the advantages of the current system of determining a funding distribution through program guidelines, as this allows for more flexibility to respond to changes in transportation needs, population, and other factors. Distributing funds through a competitive process also has advantages over a formulaic process because it increases assurance that funds are timely dedicated to important projects that are ready to proceed.

Amendment Description	Provision(s) Amended	Reason
Require that the Commission program and allocate funds to specific projects.	Deleted the word "apportionment" throughout and replaced with "allocate" and/or "program". Deleted 2033.1 (e), which requires the approval of project lists.	Dedicating funds to specific projects (rather than project lists) and providing the funds on a cost reimbursement basis (rather than upfront) will ensure stronger accountability and transparency over state tax dollars generated by the Road Repair and Accountability Act of 2017.
Authorize the Commission to set a minimum fund share for the formula program through program guidelines.	Added 2033.1 (c) (4)	The current minimum share is \$100,000. Ensuring small agencies receive adequate funding through the program is important for their ability to deliver critical transportation projects.

Attachment C

<p>Delete language authorizing local and regional agencies to retain formula shares for five years.</p>	<p>Deleted 2033.1 (c) (3) (C)</p>	<p>Based on experience with the Proposition 1B State-Local Partnership Program, millions of dollars annually may not be timely put to use on important transportation projects. (For example, about \$300 million in Proposition 1B funds available in earlier years were not committed to projects until the 5th and final year of the program.) The Commission, through its guidelines, will develop a process that balances timely use of funds with agency needs. For example, the Commission could implement a STIP-type sharing program.</p>
<p>Require that projects further state and local goals.</p>	<p>Added a new 2033.1 (c) (3) (C)</p>	<p>It is important that a program that is a partnership between the state and local agencies address both state and local goals.</p>
<p>Clarify project eligibility.</p>	<p>Deleted 2033.1 (d) Amended 2033.1 (c) (3) (B)</p>	<p>Current language on project eligibility is confusing and references to the State Constitution are unnecessary.</p>
<p>Clarify guideline development process.</p>	<p>Amended 2033.1 (c) (1)</p>	<p>Current language requires the Commission to develop guidelines “in conjunction” with specified agencies. Since the Commission is responsible for adopting program guidelines, the phrase “in consultation” is the appropriate term.</p>

AMENDED IN ASSEMBLY JULY 01, 2019
AMENDED IN ASSEMBLY JUNE 04, 2019
AMENDED IN SENATE MARCH 18, 2019

CALIFORNIA LEGISLATURE— 2019–2020 REGULAR SESSION

SENATE BILL

NO. 277

Introduced by Senator Beall
(Principal coauthor: Assembly Member Frazier)

February 13, 2019

An act to amend Section 2032 of, to amend and repeal Section 2033 of, and to add Section 2033.1 to, the Streets and Highways Code, relating to transportation.

BILL TEXT

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1.

Section 2032 of the Streets and Highways Code is amended to read:

2032.

(a) (1) After deducting the amounts appropriated in the annual Budget Act, as provided in Section 2031.5, two hundred million dollars (\$200,000,000) of the remaining revenues deposited in the Road Maintenance and Rehabilitation Account shall be set aside annually for eligible entities. The Controller shall each month set aside one-twelfth of this amount, except in fiscal year 2017–18, the Controller shall set aside one-eighth of this amount, to accumulate a total of two hundred million dollars (\$200,000,000) in each fiscal year. The Controller may adjust the amount in the final month or months of each fiscal year if necessary to achieve the annual amount specified in this subdivision.

(2) Eligible projects under this subdivision include, but not are limited to, sound walls for a freeway that was built before 1987 without sound walls and with or without high-occupancy vehicle lanes if the completion of the sound walls has been deferred due to lack of available funding for at least 20 years and a noise barrier scope summary report has been completed within the last 20 years.

(3) Notwithstanding Section 13340 of the Government Code, the funds available under this subdivision in each fiscal year are hereby continuously appropriated for ~~apportionment on a formula basis to eligible entities~~ or allocation by the commission for road maintenance and rehabilitation and other transportation improvement projects pursuant to Section 2033 or 2033.1, as applicable.

(4) For purposes of this subdivision, an “eligible entity” means a local or regional transportation agency that has responsibility for funding, procuring, or constructing transportation improvements within its jurisdiction, and that does either of the ~~following~~: *following, as further specified in subdivision (b) of Section 2033.1:*

(A) Has sought and received voter approval for the imposition of taxes or fees dedicated solely to transportation improvements and administers those taxes or fees.

(B) Has imposed uniform developer fees, as defined by subdivision (b) of Section 8879.67 of the Government Code.

(b) After deducting the amounts appropriated in the annual Budget Act pursuant to Section 2031.5 and the amount allocated in subdivision (a), beginning in the 2017–18 fiscal year, one hundred million dollars (\$100,000,000) of the remaining revenues shall be available annually for expenditure, upon appropriation by the Legislature, on the Active Transportation Program created pursuant to Chapter 8 (commencing with Section 2380) of Division 3 to be allocated by the California Transportation Commission pursuant to Section 2381. The Controller shall each month set aside one-twelfth of this amount, except in the 2017–18 fiscal year, when the Controller shall set aside one-eighth of this amount, to accumulate a total of one hundred million dollars (\$100,000,000) in each fiscal year. The Controller may adjust the amount in the final month or months of each fiscal year if necessary to achieve the annual amount specified in this subdivision.

(c) After deducting the amounts appropriated in the annual Budget Act pursuant to Section 2031.5 and the amounts allocated in subdivisions (a) and (b), beginning in the 2017–18 fiscal year, four hundred million dollars (\$400,000,000) of the remaining revenues shall be available annually for expenditure, upon appropriation by the Legislature, by the department for bridge and culvert maintenance and rehabilitation. The Controller shall each month set aside one-twelfth of this amount, except in the 2017–18 fiscal year, when the Controller shall set aside one-eighth of this amount, to accumulate a total of four hundred million dollars (\$400,000,000) in each fiscal year. The Controller may adjust the amount in the final month or months of each fiscal year if necessary to achieve the annual amount specified in this subdivision.

(d) After deducting the amounts appropriated in the annual Budget Act pursuant to Section 2031.5 and the amounts allocated in subdivisions (a), (b), and (c), beginning in the 2017–18 fiscal year, twenty-five million dollars (\$25,000,000) of the remaining revenues shall be transferred annually to the State Highway Account for expenditure, upon appropriation by the Legislature, to supplement the freeway service patrol program. The Controller shall each month set aside one-twelfth of this amount, except in the 2017–18 fiscal year, when the Controller shall set aside one-eighth of this amount, to accumulate a total of twenty-five million dollars (\$25,000,000) in each fiscal year. The Controller may adjust the amount in the final month or months of each fiscal year if necessary to achieve the annual amount specified in this subdivision.

(e) After deducting the amounts appropriated in the annual Budget Act pursuant to Section 2031.5 and the amounts allocated in subdivisions (a), (b), (c), and (d), in the 2017–18, 2018–19, 2019–20, 2020–21, and 2021–22 fiscal years, from revenues in the Road Maintenance and Rehabilitation Account that are not subject to Article XIX of the California Constitution, five million dollars (\$5,000,000) shall be appropriated in each fiscal year to the California Workforce Development Board to assist local agencies to implement policies to promote preapprenticeship training programs to carry out the projects that are funded by the account pursuant to Section 2038. Funds appropriated pursuant to this subdivision in the Budget Act but remaining unexpended at the end of each applicable fiscal year shall be reappropriated for the same purposes in the following year’s Budget Act, but all funds appropriated or reappropriated pursuant to this subdivision in the Budget Act shall be liquidated no later than June 30, 2027.

(f) After deducting the amounts appropriated in the annual Budget Act pursuant to Section 2031.5 and the amounts allocated in subdivisions (a), (b), (c), (d), and (e), beginning in the 2017–18 fiscal year, twenty-five million dollars (\$25,000,000) of the remaining revenues shall be available annually for expenditure, upon appropriation by the Legislature, by the department for local planning grants, as described in Section 2033.5. The Controller shall each month set aside one-twelfth of this amount, except in the 2017–18 fiscal year, when the Controller shall set aside one-eighth of this amount, to accumulate a total of twenty-five million dollars (\$25,000,000) in each fiscal year. The Controller may adjust the amount in the final month or months of each fiscal year if necessary to achieve the annual amount specified in this subdivision.

(g) After deducting the amounts appropriated in the annual Budget Act pursuant to Section 2031.5 and the amounts allocated in subdivisions (a), (b), (c), (d), (e), and (f), beginning in the 2017–18 fiscal year and each fiscal year thereafter, from the remaining revenues, five million dollars (\$5,000,000) shall be available, upon appropriation, to the University of California for the purpose of conducting transportation research and two million dollars (\$2,000,000) shall be available, upon appropriation, to the California State University for the purpose of conducting transportation research and transportation-related workforce education, training, and development. Before the start of each fiscal year, the Secretary of Transportation and the chairs of the Assembly Committee on Transportation and the Senate

Committee on Transportation and Housing may set out a recommended priority list of research components to be addressed in the upcoming fiscal year.

(h) Notwithstanding Section 13340 of the Government Code, the balance of the revenues deposited in the Road Maintenance and Rehabilitation Account are hereby continuously appropriated as follows:

(1) Fifty percent for allocation to the department for maintenance of the state highway system or for purposes of the state highway operation and protection program.

(2) Fifty percent for apportionment to cities and counties by the Controller pursuant to the formula in clauses (i) and (ii) of subparagraph (C) of paragraph (3) of subdivision (a) of Section 2103 for the purposes authorized by this chapter.

SEC. 2.

Section 2033 of the Streets and Highways Code is amended to read:

2033.

(a) On or before January 1, 2018, the commission, in cooperation with the department, transportation planning agencies, county transportation commissions, and other local agencies, shall develop guidelines for the allocation of funds pursuant to subdivision (a) of Section 2032.

(b) The guidelines shall be the complete and full statement of the policy, standards, and criteria that the commission intends to use to determine how these funds will be allocated.

(c) The commission may amend the adopted guidelines after conducting at least one public hearing.

(d) The guidelines may include streamlining of project delivery by authorizing local or regional transportation agencies to seek commission approval of a letter of no prejudice that allows the agency to expend its own funds in advance of an allocation of funds by the commission, and to be reimbursed at a later time for eligible expenditures. A letter of no prejudice shall only be available to local or regional transportation agencies for moneys that have been identified for future allocation to the applicant agency. Moneys designated pursuant to subdivision (a) of Section 2032 shall ~~only~~ be reimbursed *only* when there is funding available in an amount sufficient to make the reimbursement.

(e) The guidelines developed pursuant to this section shall ~~only~~ apply *only* to programming cycle 1 and 2 of the formulaic program, as described in commission resolution G-17-33, and programming cycle 1 of the competitive program, as described in commission resolution G-17-33.

(f) This section shall remain in effect only until January 1, 2024, and as of that date is repealed.

SEC. 3.

Section 2033.1 is added to the Streets and Highways Code, to read:

2033.1.

(a) ~~(1) On~~ For purposes of **programming apportioning** and allocating the funds that are continuously appropriated in each fiscal year pursuant to subdivision (a) of Section 2032, the commission shall segregate the funds into two separate subaccounts as follows:

(1) Eighty-five percent of the funds shall be deposited into the Local Partnership Formula Subaccount, which is hereby created.

(2) Fifteen percent of the funds shall be deposited into the Small Counties and Uniform Developer Fees Competitive Subaccount, which is hereby created.

(b) (1) The commission shall **apportion allocate** the funds in the Local Partnership Formula Subaccount to eligible entities, as defined in subparagraph (A) of paragraph (4) of subdivision (a) of Section 2032, pursuant to the formula established in subdivision **(fd)** and in accordance with the other applicable requirements of this section.

(2) The commission shall allocate the funds in the Small Counties and Uniform Developer Fees Competitive Subaccount through a competitive grant program to eligible entities, as defined in subparagraph (A) of paragraph (4) of subdivision (a) of Section 2032 that have a population of less than 750,000, and to eligible entities, as defined in subparagraph (B) of paragraph (4) of subdivision (a) of Section 2032, in accordance with the applicable requirements of this section. For the purpose of calculating population, the commission shall use the most recent information available from the Department of Finance.

(c) (1) On or before April 1, 2020, the commission, in ~~conjunction consultation~~ with transportation planning agencies, ~~and~~ county transportation commissions, and ~~in consultation with~~ other ~~local~~ agencies, shall develop ~~separate~~ guidelines for the ~~apportionment or programming and allocation, as applicable,~~ of funds ~~pursuant to subdivision (a) of Section 2032,~~ deposited in the Local Partnership Formula Subaccount and the Small Counties and Uniform Developer Fees Competitive Subaccount.

(2) ~~The Each set of~~ guidelines shall be the complete and full statement of the policy, standards, and criteria that the commission intends to use to determine how ~~these the~~ funds ~~in each subaccount~~ will be ~~programmed and allocated. apportioned.~~

(3) ~~The Each set of~~ guidelines shall do, but are not limited to doing, all of the ~~following regarding the appointment of these funds: following:~~

~~(A) Identify guaranteed minimum apportionment for eligible entities.~~

~~(B)~~

(A) Identify eligible local matching funds.

~~(C) Establish an apportionment formula for these funds.~~

~~(D)~~

(B) Establish the types of eligible projects consistent with ~~subdivision (b)(d) paragraph (2) and paragraph (3) of subdivision (a) of Section 2032.~~

~~(E)~~

~~(C) Authorize an eligible entity to retain its apportionment from the Local Partnership Formula Subaccount to accumulate and use that apportionment in a subsequent year for a larger expenditure. An eligible entity may only retain its apportionment for five years.~~

~~(C) Require that projects further state, regional, and local objectives.~~

~~(4) The guidelines for the allocation of funds deposited in the Local Partnership Formula Subaccount may~~

~~(45) The guidelines may include streamlining of project delivery by authorizing eligible entities to seek commission approval of a letter of no prejudice that allows the entity to expend its own funds in advance of an apportionment allocation of funds by the commission, and to be reimbursed at a later time for eligible expenditures. A letter of no prejudice shall only be available to eligible entities for moneys that have been identified for future apportionment allocation to the applicant entity. Moneys designated pursuant to subdivision (a) of Section 2032 shall only be reimbursed only when there is funding available in an amount sufficient to make the reimbursement.~~

~~(56) The commission may amend the adopted guidelines after conducting at least one public hearing.~~

~~(b)~~

~~(d) A project is eligible to receive funding pursuant to subdivision (a) of Section 2032 if it is eligible pursuant to subdivision (b) of Section 2030 and is consistent with Section 2 of Article XIX of the California Constitution.~~

~~(e)~~

~~(e) (1) In order to receive an apportionment of funds pursuant to subdivision (a) of Section 2032 from the Local Partnership Formula Subaccount from the commission in a funding cycle, an eligible entity shall~~

~~projects proposed to be funded with these funds shall include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement.~~

~~(2) The commission shall approve a project list submitted by an eligible entity pursuant to paragraph (1) unless a project identified in the project list is not consistent with project eligibility requirements.~~

~~(d) For purposes of this section, "eligible entity" has the same meaning as defined in subdivision (a) of Section 2032.~~

~~(d) To establish the apportionments fund shares from the Local Partnership Formula Subaccount for each eligible entity, the commission shall do all of the following before the commencement of a funding cycle:~~

~~(1) Determine the total amount of annual revenue generated from voter-approved sales taxes, voter-approved parcel or property taxes, and voter-approved bridge tolls dedicated to transportation improvements according to the most~~

recent available data reported to the Department of Tax and Fee Administration, the Controller, or the Bay Area Toll Authority.

(2) Establish a northern California and southern California share by attributing the proportional share of revenues from voter-approved sales taxes, voter-approved parcel or property taxes, and voter-approved bridge tolls dedicated to transportation improvements and imposed in counties in northern California to the northern share, and by attributing the proportional share of revenues from voter-approved sales taxes imposed in counties located in southern California to the southern share. The determination of whether a county is located in northern or southern California shall be based on the definitions set forth in Section 187.

(3) Program funds made available to the southern share, based on the determination in paragraph (2), shall be **apportioned programmed** to each eligible entity responsible for programming and allocating revenues from the sales tax in proportion to the following:

(A) Seventy-five percent based on the population of the county in which the entity is located compared to the total population of southern California counties with voter-approved sales taxes dedicated to transportation improvements. For the purpose of calculating population, the commission shall use the most recent information available from the Department of Finance.

(B) Twenty-five percent based on the total amount of sales tax revenue generated from the total number of sales tax measures dedicated to transportation improvements administered by an eligible entity compared to the total amount of sales tax revenue generated from voter-approved sales tax measures dedicated to transportation improvements in southern California. For the purpose of calculating sales tax revenue, the commission shall use the most recent information available from Department of Tax and Fee Administration.

(4) Program funds made available to the northern share, based on the determination in paragraph (2), shall be **apportioned programmed** as follows:

(A) Program funds generated by voter-approved bridge tolls and voter-approved parcel or property taxes dedicated to transportation improvements shall be **apportioned programmed** to the entity responsible for programming and allocating revenues from the toll or tax based on the proportional share of revenues generated by the toll or tax by that entity in comparison to the total revenues generated by voter-approved sales taxes, voter-approved parcel or property taxes, and voter-approved bridge tolls dedicated to transportation improvements in northern California.

(B) Program funds generated by voter-approved sales taxes dedicated to transportation improvements shall be **apportioned programmed** to each eligible entity responsible for programming and allocating revenues from the sales tax in proportion to the following:

(i) Seventy-five percent based on the population of the county in which the entity is located compared to the total population of northern California counties with voter-approved sales taxes dedicated to transportation improvements. For the purpose of calculating population, the commission shall use the most recent information available from the Department of Finance.

(ii) Twenty-five percent based on the total amount of sales tax revenue generated from the total number of sales tax measures dedicated to transportation improvements administered by an eligible entity compared to the total amount of sales tax revenue generated from voter-approved sales tax measures dedicated to transportation improvements in northern California. For the purpose of calculating sales tax revenue, the commission shall use the most recent information available from the Department of Tax and Fee Administration.

~~(e) The guidelines developed pursuant to this~~

(g) This section shall apply to programming cycles beginning after the programming cycles described in subdivision (e) of Section 2033, as it read on January 1, 2020.