

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: October 18-19, 2023

From: TANISHA TAYLOR, Executive Director

Reference Number: 4.1, Action - ***YELLOW REPLACEMENT ITEM***

Prepared By: Justin Behrens
Deputy Director (Acting)

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Subject: State and Federal Legislative Matters

UPDATE: This replacement item updates the October 6th version to include additional outcomes of bills monitored by staff and to highlight bills signed into law that directly affect the Commission.

Recommendation:

Staff recommends the California Transportation Commission (Commission) accept the report on state legislation included as Attachment A.

Issue:

The Legislature adjourned for interim recess on September 14. Prior to adjourning, the Legislature approved two bills based on prior Commission recommendations on which the Commission had adopted support positions: Assembly Bill 251 (Ward): California Transportation Commission: vehicle weight safety study; and Assembly Bill 630 (Ramos): Department of Transportation: contracts: tribes. The Governor signed Assembly Bill 630 on September 1 and Assembly Bill 251 on October 7.

The Commission had previously adopted a support position on Senate Bill 258 (Roth): General aviation airports: funding needs assessment. This bill was held in the Assembly Appropriations Committee.

On September 13 the Governor signed Senate Bill 143 (Committee on Budget and Fiscal Review), a budget trailer bill that authorizes state bodies to meet remotely via teleconference without each member noticing their location with immediate effect until the end of calendar year 2023. On September 22 the Governor signed Senate Bill 544 (Laird), which provides similar authority under the Bagley-Keene Open Meeting Act beginning January 1, 2024, until January 1, 2026.

On October 8 the Governor also signed Assembly Bill 744 (Carrillo), which requires the Commission to convene relevant state agencies to assess the procurement and implementation of data, modeling, and analytic software tools to support the state's sustainable transportation, congestion management, affordable housing, efficient land use, air quality, economic, and climate change strategies and goals.

The Governor has until October 14 to sign or veto any remaining bills passed by the Legislature this year.

Background:

Attachment A includes the outcome of all bills monitored by Commission staff this session pursuant to the Commission's bill monitoring policy through October 9. Of the 41 measures monitored, one bill is awaiting action by the Governor, 10 bills were signed into law; one constitutional amendment was approved for voter consideration in 2024, and 29 bills did not pass out of the Legislature.

The Legislature will return from interim recess on January 3, 2024, for the second year of the 2023-24 legislative session. Bills introduced this year that were held by the Legislature in order to be considered next year will be eligible to be taken up at that time.

Attachments

- Attachment A: Legislation Monitored by Commission Staff

Legislation Monitored by Commission Staff
Active Bills (2023-24 Regular Session)
(As of October 9, 2023)

Bill	Author	Subject	Description	Status
AB 250	Rodriguez	State highways: State Route 83: reduction.	Authorizes the Commission to relinquish a portion of State Route 83 to the City of Chino, as specified.	Signed by the Governor
AB 251*	Ward	California Transportation Commission: vehicle weight safety study.	Requires the Commission to convene a task force to study the relationship between vehicle weight and injuries to vulnerable road users and degradation of road infrastructure, and to study the costs and benefits of imposing a passenger vehicle weight fee.	Signed by the Governor
AB 350*	Aguiar-Curry	Regional transportation plans: Sacramento Area Council of Governments.	Extends the deadline for the Sacramento Area Council of Governments to submit its updated regional transportation plan and sustainable communities strategy until December 31, 2025, as specified.	Signed by the Governor
AB 630	Ramos	Department of Transportation: contracts: tribes	Deletes the limitation on the activities for which Caltrans is authorized to contract with federally recognized Indian tribes, expressly authorizes Caltrans to enter into contracts with those tribes and entities owned by those tribes, and deletes the requirement that the contracts provide for limited waivers of sovereign immunity, as specified.	Signed by the Governor
AB 744*	Carrillo, Juan	California Transportation Commission: data, modeling, and analytic software tools procurement.	Requires the Commission to convene relevant state agencies to assess the procurement and implementation of data, modeling, and analytic software tools to support the state's sustainable transportation, congestion management, affordable housing, efficient land use, air quality, and climate change strategies and goals, and requires the Commission to develop a proposal to procure such tools and a process to grant access to the data it procures to local agencies by July 1, 2025.	Signed by the Governor
AB 752*	Rubio, Blanca	State highways: worker safety.	Indefinitely extends the requirement that Caltrans prescribe standards for the use of positive protection measures to ensure worker safety, as specified.	Pending action by the Governor
ACA 1*	Aguiar-Curry	Local government financing: affordable housing and public infrastructure: voter approval.	Sets voter approval requirements at 55% to impose, extend, or increase taxes, or incur bond debt to fund public infrastructure, as specified.	Submitted for voter approval in 2024
SB 538	Portantino	Department of Transportation: Chief Advisor on Bicycling and Active Transportation.	Requires the director of Caltrans to appoint a Chief Advisor on Bicycling and Active Transportation, to serve as the Department's primary advisor on all issues related to bicycle transportation, safety, and infrastructure, as specified.	Signed by the Governor
SB 544*	Laird	Bagley-Keene Open Meeting Act: teleconferencing.	Extends the authority for state bodies to hold public meetings by teleconference without a quorum of members physically present in one location until January 1, 2026, as specified.	Signed by the Governor
SB 606*	Alvarado-Gil	State highways: State Route 203: reduction.	Authorizes the Commission to relinquish a portion of State Route 203 to the Town of Mammoth Lakes, as specified.	Signed by the Governor

Bill	Author	Subject	Description	Status
SB 617	Newman	Public contracts: progressive design-build: local and regional agencies.	Authorizes transit districts, municipal operators, consolidated agencies, joint powers authorities, regional transportation agencies, and local or regional agencies to use the progressive design-build process for projects until January 1, 2029, as specified.	Signed by the Governor
SB 695*	Gonzalez	Department of Transportation: state highway system: public data portal.	Requires Caltrans to prepare and make available annually on its website specified information and data about projects on the state highway system from the prior fiscal year beginning January 1, 2026, and to present this information and data to the Commission each year. Requires Caltrans to make specified data and information about previous, planned, and pending projects on the state highway system available on its website by January 1, 2025.	Signed by the Governor

Total Active Measures: 12

Note: Measures marked with "*" were amended since most recent staff report.

Legislation Monitored by Commission Staff
Inactive Bills (2023-24 Regular Session)
(As of October 9, 2023)

Bill	Author	Subject	Description
AB 6	Friedman	Transportation planning: regional transportation plans: Solutions for Congested Corridors Program: reduction of greenhouse gas emissions.	Requires the California Air Resources Board (CARB) to establish additional greenhouse gas reduction targets for each region of the state for 2035 and 2045 and modifies the process for preparing and approving sustainable communities strategies. Requires each project nomination in the Commission's Solutions for Congested Corridors program to demonstrate how the project would contribute to achieving the state's greenhouse gas emission reduction targets.
AB 7*	Friedman	Transportation: planning: project selection process.	Requires the California State Transportation Agency (CalSTA), the California Department of Transportation (Caltrans), and the Commission to incorporate specified principles from the Climate Action Plan for Transportation Infrastructure into their existing program funding guidelines and planning processes to the extent applicable and cost effective by January 1, 2025. Requires the California Transportation Plan to include a financial element and an analysis of how CalSTA, Caltrans, and the Commission are achieving principles outlined in the Climate Action Plan for Transportation Infrastructure, the federal Infrastructure Investment and Jobs Act of 2021, and the federal Justice40 initiative.
AB 16	Dixon	Motor Vehicle Fuel Tax Law: adjustment suspension.	Authorizes the Governor to suspend an annual inflation adjustment to the motor vehicle fuel tax if, by January 10 of that year, the Governor notifies the Legislature, and the Department of Finance submits a proposal that would maintain the same level of funding for transportation purposes as would have been generated had the scheduled adjustment not been suspended.
AB 53	Fong, Vince	Motor Vehicle Fuel Tax Law: suspension of tax.	Suspends the motor vehicle fuel tax for one year and requires all savings be passed on to the end consumer. (This bill was also introduced as AB 2 in the 1st. Extraordinary Session)
AB 69	Waldron	Transportation: traffic signal synchronization: roadway improvement projects.	Authorizes moneys from the Greenhouse Gas Reduction Fund to be allocated for traffic signal synchronization projects, as specified.
AB 295	Fong, Vince	Department of Transportation: maintenance projects.	Requires Caltrans to expedite roadside maintenance for special projects related to roadside maintenance and the removal and clearing of material, as provided.
AB 340	Fong, Vince	California Environmental Quality Act: grounds for noncompliance.	Requires the alleged grounds for a lead agency's noncompliance with the California Environmental Quality Act (CEQA) to be presented to the agency in writing at least 10 days before the public hearing on the project before the issuance of a notice of determination.

Bill	Author	Subject	Description
AB 364	Bryan	Street furniture data: statewide integrated data platform.	<p>Requires Caltrans, in collaboration with the Commission, state-created transportation entities, local agencies, metropolitan planning organizations, the Office of Planning and Research, and the State Department of Public Health to develop guidelines for data sharing, documentation, public access, quality control, and promotion of open-source and accessible platforms and decision support tools related to street furniture data and submit a report describing these guidelines to the Legislature every three years.</p> <p>Requires Caltrans to designate the Office of Planning and Research's Integrated Climate Adaptation and Resiliency Program Technical Advisory Council to advise on the development of the initial and subsequent guidelines and review the reports related to those guidelines, as specified.</p>
AB 382	Cervantes	High-occupancy vehicle lanes: County of Riverside.	Requires CalSTA, on or before January 1, 2025, to report to the transportation policy committees of the Legislature on the feasibility and appropriateness of limiting the use of high-occupancy vehicle lanes in Riverside County as specified, and on the feasibility and appropriateness of removing any double parallel solid lines to restrict the entrance into or exit from those lanes on or before January 1, 2025.
AB 540	Wicks	Social Service Transportation Improvement Act: coordinated transportation services agencies.	<p>Requires the coordination, rather than the consolidation, of social service transportation services under the Social Service Transportation Improvement Act and would recharacterize consolidated transportation service agencies in the Act as coordinated transportation service agencies.</p> <p>Increases the transportation improvement fee imposed on each vehicle based on its market value by \$10 per vehicle and continuously appropriates those revenues for allocation to counties for accessible transportation services for seniors and disabled persons.</p>
AB 612	Berman	State parks: Pedro Point.	Requires Caltrans to sell and transfer certain surplus state property it owns in the City of Pacifica to the Department of Parks and Recreation for state park purposes.
AB 627	Jackson	Heavy-duty trucks: grant program: operating requirements.	Prohibits the operation of a heavy-duty diesel-fueled vehicle within the city limits of any city identified by CARB as containing a certain type of disadvantaged community beginning January 1, 2035 and requires the South Coast Air Quality Management District to establish a statewide program to provide grants to operators of diesel-fueled heavy-duty trucks to replace diesel trucks, as specified.
AB 692	Patterson, Jim	California Environmental Quality Act: exemption: egress route projects: fire safety.	Exempts from CEQA egress route projects undertaken by a public agency to improve emergency access to and evacuation from a subdivision without a secondary egress route until January 1, 2030, if the State Board of Forestry and Fire Protection has recommended the creation of a secondary access to the subdivision and certain conditions are met.

Bill	Author	Subject	Description
AB 761	Friedman	Transit Transformation Task Force.	<p>Requires CalSTA to establish and convene the Transit Transformation Task Force to include representatives from Caltrans, the Controller's office, various local agencies, academic institutions, nongovernmental organizations, and other stakeholders, on or before July 1, 2024, and requires the Task Force to develop a structured, coordinated process for early engagement of all parties to develop policies to grow transit ridership and improve the transit experience for all users of those services.</p> <p>Requires CalSTA, in consultation with the Task Force, to prepare and submit a report of findings based on the task force's efforts to the appropriate policy and fiscal committees of the Legislature on or before January 1, 2025 and authorizes CalSTA to consult with the Commission to use its work on the needs assessment prepared pursuant to SB 1121 (Gonzalez, Chapter 508, Statutes of 2022) regarding the identification of future transit capital and operational needs. <i>[Note: A similar bill was enacted by the transportation budget trailer bill (SB 125, Committee on Budget and Fiscal Review, Chapter 54, Statutes of 2023).]</i></p>
AB 824	Calderon	Highway greening: statewide strategic plan.	Requires Caltrans to complete a statewide strategic plan to achieve at least a 10% increase of green highways, as defined, in urban areas, disadvantaged communities, and low-income communities by 2035 and requires the Department to submit the plan to the Legislature on or before June 30, 2025.
AB 832	Cervantes	California Transportation Commission: membership.	Requires at least one of the Governor-appointed members of the Commission to have expertise in transportation issues and professional experience that includes experience working in, or representing, disadvantaged communities.
AB 833	Rendon	Freeway caps.	Requires Caltrans to prepare a plan for adding caps to freeway segments that divide disadvantaged, underrepresented, urban communities, by January 1, 2030, as specified.
AB 980	Friedman	Active Transportation Program: report.	Requires an applicant that receives funding under the Active Transportation Program to submit a report to the Commission describing how the project met active transportation goals within one year of completing the project.
AB 981	Friedman	State highways: pilot highway maintenance and rehabilitation demonstration projects.	Requires Caltrans to use cold in-place recycling or partial depth recycling on 12 projects each year from 2025 to 2032, to use full depth recycling on 5 projects each year from 2027 to 2032 and to submit an annual report to the Legislature regarding these projects.
AB 1464	Connolly	Richmond-San Rafael Bridge.	Requires Caltrans and the Bay Area Toll Authority, if they develop a project to open a third lane on the westbound level of the Richmond-San Rafael Bridge to motor vehicle traffic, to consider operating the bridge with a moveable "zipper" barrier, as specified.
AB 1525	Bonta	Transportation projects: priority populations.	<p>Requires CalSTA, Caltrans, and the Commission to jointly develop and adopt criteria and an evaluation process for purposes of jointly evaluating each project funded by those agencies in relation to priority populations by July 1, 2025 and begin evaluating all new proposed projects by those criteria beginning July 1, 2025, as specified.</p> <p>Beginning July 1, 2026, and every three years thereafter, requires CalSTA, Caltrans, and the Commission to jointly establish a percentage of 60% or more of funds allocated for projects to be allocated to projects serving priority populations, as specified.</p>

Bill	Author	Subject	Description
AB 1580	Carrillo, Juan	Air pollution: electric vehicle infrastructure.	Requires the California Energy Commission and Caltrans to jointly develop and update a California National Electric Vehicle Infrastructure Program Roadmap that is consistent with federal requirements and guidance provided by the federal National Electric Vehicle Infrastructure Formula Program, as specified.
SB 5	Nguyen, Janet	Motor Vehicle Fuel Tax Law: limitation on adjustment.	Limits the annual inflation adjustment to the motor vehicle fuel tax to a maximum of 2% for adjustments made on or after July 1, 2023.
SB 30	Umberg	Transportation: zero-emission vehicle signage.	Requires Caltrans, in coordination with the Governor's Office of Business and Economic Development and the California Energy Commission, to develop and design light-duty zero-emission vehicle charging and fueling station signage to be placed along state highways, as specified.
SB 32	Jones	Motor vehicle fuel tax: greenhouse gas reduction programs: suspension.	Suspends the imposition of the motor vehicle fuel tax and the Low Carbon Fuel Standard regulations and exempts suppliers of transportation fuels from regulations for the use of market-based compliance mechanisms for one year, and requires all savings be passed on to the end consumer. (This bill was also introduced as SB 1 in the 1st Extraordinary Session)
SB 258	Roth	General aviation airports: funding needs assessment.	Requires the Commission to prepare a funding needs assessment for the state's general aviation airports including a forecast of the expected revenue to pay for the costs identified in the needs assessment, any shortfall in revenue to cover the costs, and recommendations on how any shortfall should be addressed, and submit the needs assessment to the Legislature on or before January 1, 2026.
SB 517	Gonzalez	Economic development: movement of freight.	Authorizes the Governor's Office of Business and Economic Development to serve as the coordinating entity to steer the growth, competitiveness, and sustainability for freight and the supply chain across the state and requires the Governor to appoint a freight coordinator with specified duties.
SB 532	Wiener	San Francisco Bay area toll bridges: tolls: transit operating expenses.	Requires the Bay Area Toll Authority to increase the state-owned bridge toll rate in the San Francisco Bay area by \$1.50, as adjusted for inflation, and requires the revenues collected from this toll to be transferred to the Metropolitan Transportation Commission for allocation to transit operators that are experiencing a financial shortfall.
SB 670	Allen	State Air Resources Board: vehicle miles traveled: maps.	Requires CARB, in consultation with the Office of Planning and Research and Caltrans, to develop a methodology for assessing and spatially representing light-duty vehicle miles traveled and to develop maps accordingly to display average light-duty vehicle miles traveled per capita in the state at the local, regional, and statewide level, as provide.

Total Inactive Measures: 29

Note: Measures marked with "***" were amended since most recent staff report.