

## Assembly Bill No. 744

### CHAPTER 541

An act to add Section 14533.4 to the Government Code, relating to data analytics.

[Approved by Governor October 8, 2023. Filed with Secretary  
of State October 8, 2023.]

#### legislative counsel's digest

AB 744, Juan Carrillo. California Transportation Commission: data, modeling, and analytic software tools procurement.

Existing law establishes the California Transportation Commission in the Transportation Agency. Existing law vests the California Transportation Commission with various powers and duties relative to the programming of transportation capital projects and allocation of funds to those projects pursuant to the state transportation improvement program and various other transportation funding programs.

This bill would require 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, as provided. On or before July 1, 2025, the bill would require the commission to develop a proposal to procure data, modeling, and analytic software tools and a process to grant access to the data it procures directly, or provide a process for direct allocation of funding to agencies for data procurement, or both of those, as provided.

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

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

(a) The adoption of 21st century data, modeling, and analytic software tools is in the best interests of state and local agencies with responsibility for implementing the state's climate goals of reducing greenhouse gas emissions.

(b) State agencies, including the Department of Transportation, the State Air Resources Board, and the California Transportation Commission, have already begun procurement programs for "big data" analytics, but lack coordination and sustainable funding for ongoing investments and determinations about the value of those programs. Regional and local agencies are also participating in procurements without ongoing sustainable funding options.

(c) In accordance with travel demand data and modeling provisions set forth in Section 11205 of the federal Infrastructure Investment and Jobs Act (IIJA) (Public Law 117-58), and in an effort to align with IIJA provisions for travel demand data and modeling, it is in the state's interest to procure data and analytical solutions that allow for solutions for vehicular transportation, active transportation, transit modes, and other modes of transportation, including both passenger and commercial freight traffic.

(d) Other benefits include evaluation and assessment of the state's progress on climate goals, roadway safety, enhancing and connecting the state's multimodal transportation network, improved outcomes in transportation, and land use equity and livability.

(e) The California Transportation Commission already plays a leadership role in the assessment and implementation of data, modeling, and analytic software tools, and should serve as a convener in assisting state and local agencies in accessing data analytic and analysis platforms and programs for the aforementioned goals.

SEC. 2. Section 14533.4 is added to the Government Code, to read:

14533.4. (a) (1) The commission shall 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.

(2) For purposes of this section, "data, modeling, and analytic software tools" may include, but are not limited to, software licenses or subscription licenses to travel demand models, models informed by global positioning system or other spatial information, and other mobility information and data, modeling, and analytic software tools related to commercial freight, demographics, census tract-level land use, transportation safety, transportation-induced emissions, consumer spending, or travel forecasts.

(b) (1) On or before July 1, 2025, the commission shall develop a proposal to procure data, modeling, and analytic software tools and a process by which the commission grants access to state and local agencies to the data it procures directly, or provide a process for direct allocation of funding to agencies for data procurement, or both.

(2) As part of the proposal or process described in paragraph (1), the commission shall identify general types of data sources, desired data outputs, and modeling parameters that may be used by state and local agencies to allow for high-level consistency of data.

(3) As part of the proposal or process described in paragraph (1), the commission may establish best practices for the use of data in transportation planning and may identify data elements that should be made available to state and local agencies wherever possible and consistently used in transportation planning. The commission may incorporate best practices or guidance provided by the secretary in accordance with the federal Infrastructure Investment and Jobs Act (Public Law 117-58).

(4) As a condition of receiving a grant of funds or access to data, modeling, and analytic software tools provided by the commission under

this section, a state or local agency shall be required to submit a report no later than August 1, 2027, to the commission about the use of the data, modeling, and analytic software tools for sustainable transportation, safety, active transportation planning, equity, affordable housing, efficient land use, air quality, or climate change-related programs.

(5) The commission shall submit a report to the Legislature no later than June 1, 2028, based on the reports received pursuant to paragraph (4) regarding the use of the data, modeling, and analytic software tools procured pursuant to this section by state and local agencies for sustainable transportation, safety, active transportation planning, equity, affordable housing, efficient land use, air quality, and climate change-related programs.

(c) For purposes of this section, “local agency” means a county, city, city and county, special district, authority, agency, any other municipal public corporation or district, or other political subdivision of the state, and agencies that have a role in transportation planning, including, but not limited to, regional transportation planning agencies, metropolitan planning organizations, and transportation authorities and commissions.

(d) (1) The requirement for submitting a report imposed under paragraph (5) of subdivision (b) is inoperative on January 1, 2030 pursuant to Section 10231.5 of the Government Code.

(2) A report to be submitted pursuant to paragraph (5) of subdivision (b) shall be submitted in compliance with Section 9795 of the Government Code.