

**Draft Orange County Transportation Authority 20253-246  
Federal Legislative Platform**

With over three million residents, Orange County is the third most populous county in California and the sixth most populous county in the nation. Orange County is one of the most densely populated areas in the country and is served by one of the nation's busiest transit systems. The Orange County Transportation Authority (OCTA) serves as the primary agency responsible for transportation planning in Orange County. OCTA manages a multimodal transportation system, overseeing a range of services including buses, Metrolink commuter rail, paratransit, and freeway improvements, as well as bicycle and pedestrian infrastructure, ensuring diverse mobility options for residents and visitors. In addition, Orange County provides highway and rail corridors that facilitate the increasing level of international trade entering the Southern California ports.

The 20253-246 Federal Legislative Platform serves as a framework document to guide ~~the Orange County Transportation Authority's (OCTA's)~~ statutory, regulatory, and administrative goals and objectives in Washington, D.C. The Key Policy Issues section offers guidance on the policy issues that will likely be the focus of the 1198<sup>th</sup> Congress, and the later sections present guiding policy statements for the other major issues that may arise. Positions on individual items not directly addressed in this document will be brought to the OCTA Board of Directors for formal action.

**Key Policy Issues in the 1198<sup>th</sup> Congress**

A number of significant transportation issues will be discussed in the 1198<sup>th</sup> Congress. OCTA will focus its advocacy efforts on the following principles:

- a) Support transportation funding investments and policy flexibilities that allow OCTA to provide essential, multimodal mobility improvements, and services in order to meet the mobility needs of Orange County;
- b) Request annual appropriations at least consistent with authorized funding levels and advanced appropriations provided in the Infrastructure Investment and Jobs Act (IIJA) are maintained in order to meet our county's critical infrastructure needs;
- c) Oppose efforts to redirect, reduce, or eliminate existing transportation funding programs, ensuring funding OCTA receives from IIJA and the Inflation Reduction Act is maintained; *(Moved from Section I and revised)*
- d) Oppose rescissions or other arbitrary funding cuts to transportation programs; *(Moved from Section II)*
- e) ~~Encourage policies and guidance that incentivize public transit ridership;~~ *(Moved to Section VI)*

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- ~~d) Support equitable policies to ensure that the inclusive public engagement, planning, and delivery of mobility improvements best serves all the residents of Orange County; (Moved to Section III)~~
- ~~e) Seek responsible revenue solutions to fund future transportation projects without adversely affecting an agency's ability to provide services; (Moved to Section I)~~
- e) Advocate for full funding of transportation programs without placing new limitations or conditions on the distribution of funds that would impede the delivery of infrastructure projects;
- ~~f) Advocate for transit and transportation agencies to be eligible for transportation funding programs under the Inflation Reduction Act; (Moved to Section I)~~
- f) Ensure that Highway Trust Fund (HTF) revenues continue to be used for transit expenditures for capital and operations;
- g) Ensure that air quality determinations and policies do not constrain funding availability or otherwise undermine OCTA's ability to deliver transportation improvements;
- ~~h) Ensure that Orange County is eligible for funding provided to meet air quality standards for the South Coast Air Basin and oppose efforts that would impact the use of transportation funding;~~
- i) Seek support for adaptation and resiliency efforts related to environment for critical transportation infrastructure;
- j) Seek funding and other solutions, such as permit streamlining, to support adaptation and resiliency efforts throughout the rail corridor;
- k) Seek support, funding, and project streamlining to manage and address sea level rise, beach erosion, landslides, and other environmental impacts along the rail corridor;
- l) Encourage federal leadership, in conjunction with state and local collaboration, in developing long-term studies related to potential track relocation in the Los Angeles – San Diego – San Luis Obispo (LOSSAN) rail corridor;
- m) Support the authority to secure direct funding for Orange County projects;
- n) Support efforts to preserve local flexibility in the administration of toll lanes and use of toll revenues;
- o) Support efforts to ensure local control is maintained in policy decisions made by local transportation agency boards in delivering, funding, and operating transportation programs and projects.;

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- p) Seek to ensure OCTA's projects and programs related to the 2028 Olympic and Paralympic Games in Los Angeles are eligible for any related funding assistance or incentives, and project delivery tools and/or regulatory relief.

**I. TRANSPORTATION FUNDING**

Current federal law does not require the appropriation of authorized HTF dollars. Therefore, the annual appropriations process will continue to play an important role in funding OCTA's programs and projects. OCTA will continue to advocate for the largest possible amount and share of appropriations funding to ensure adequate resources to meet the infrastructure needs of Orange County.

OCTA will continue to aggressively pursue discretionary funding for transportation projects within the statutory and regulatory requirements of funding programs and the current funding status of OCTA's capital program. Other funding priorities for OCTA include:

- a) Support sustainable transportation funding levels that allow OCTA to continue to improve mobility in and around Orange County;
- ~~b) Oppose efforts to redirect, reduce, or eliminate existing transportation funding programs; (Moved to Key Policy Issues Section)~~
- b) Support funding for the Capital Investment Grants program to allow for an expansion of bus and rail transit projects;
- c) Ensure that federal funding is available for capital purposes to the extent not needed for direct operating costs;
- d) Support funding, with increased flexibility, for safety and security grant programs in order to protect Orange County's transportation system, including highways, transit operations and facilities, rail lines, and related software systems;
- e) Support funding for regional commuter and intercity passenger rail corridors in Orange County California;
- f) Support funding to develop training information programs to instruct on the use of new technology and address workforce needs at transit and transportation agencies;
- ~~g) Seek to ensure OCTA's projects and programs related to the 2028 Olympic and Paralympic Games in Los Angeles are eligible for any related funding incentives and project delivery tools; (Moved to Key Policy Issues Section and revised)~~

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- ~~i) Support efforts to reinstate the state suballocation process regarding the distribution of federal formula funding; (Moved to Section II)~~
- ~~j) Support funding and incentives to develop free or reduced fare transit programs without impacting existing programs or creating unfunded mandates. (Moved to Section VI)~~
- g) Advocate for transit and transportation agencies to be eligible for transportation funding programs under the Inflation Reduction Act; (Moved from the Key Policy Issues Section)
- h) Seek responsible revenue solutions to fund future transportation projects without adversely affecting an agency's ability to provide services. (Moved from the Key Policy Issues Section)

**II. ~~IIJA~~ IMPLEMENTATION      SURFACE      TRANSPORTATION  
REAUTHORIZATION**

The IIJA (Pub. L. No. 1147-58) authorized over \$567 billion over five years for programs. With the IIJA as law, OCTA ~~will~~ has focused much of its advocacy efforts ~~in the 118<sup>th</sup> Congress~~ on implementation efforts that allow state and local government agencies to move forward with a federal partner on critical transportation projects. Now with the IIJA set to expire on September 30, 2026, OCTA will dually prioritize implementation while also advocating for its priorities related to enacting long-term reauthorization legislation. As such, OCTA will advocate for the following policies:

- a) Support the greatest possible share of funding for California and OCTA, focusing on increasing formula funds;
- b) Support increased flexibility in transportation funding programs to promote greater local decision-making in the planning process;
- c) Ensure a long-term partnership with the federal government that helps OCTA address transit capital and operating revenue ~~shortfalls~~ needs;
- d) Oppose unfunded federal mandates that further reduce the resources of state and local transportation agencies;
- e) Oppose policies that undermine or limit local control over land use decisions;
- f) Ensure fair suballocations of funding to account for additional costs, increased administrative responsibilities, and the potential for increased liabilities to which the agency may be subject;

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- g) Oppose limitations or other arbitrary conditions on discretionary transportation grant programs that prevent an equitable distribution of transportation resources;
- ~~h) Support policies to encourage the safe development, demonstration, deployment, and operation of connected and automated vehicle technologies; [Moved to Section III and combined with subsection (e) from Section IX]~~
- ~~i) Oppose rescissions or other arbitrary funding cuts to transportation programs; (Moved to the Key Policy Issues Section)~~
- h) Support policies that encourage ridesharing, teleworking, vanpool and related congestion relief programs for Orange County commuters;
- i) Oppose any effort to further reduce transportation funding for OCTA or California, advocating for a fair and equitable share;
- j) Support efforts to reinstate the state suballocation process regarding the distribution of federal formula funding; (Moved from Section I)
- k) Support funding to address the current climate-related vulnerabilities on the LOSSAN Rail Corridor to prevent future service disruptions.

**III. TRANSPORTATION PLANNING AND PROGRAMMING**

In the 119<sup>th</sup> Congress, OCTA will continue to support the implementation of the IIJA while finding ways to complement the programs and provisions authorized under federal law. During this time, OCTA will advocate for the following issues:

- a) Pursue continued eligibility of Congestion Mitigation Air Quality program funding for ~~three to five years~~ of operating expenses associated with any fixed-guideway or eligible bus projects;
- b) Support expanded use of alternative delivery methods for federally-funded transportation projects;
- ~~c) Support environmental process improvements and stewardship efforts by the relevant federal agencies to expedite project delivery and accelerate the creation of jobs;~~
- c) Support expedited review and payments to local agencies and their contractors for project development, right-of-way acquisition, and construction activities;
- d) Support efforts to authorize, fund, and streamline the delivery of bicycle and pedestrian projects in Orange County;

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- e) Advocate for policies to encourage, when possible, a “complete streets” approach to multimodal project planning in order to expedite project delivery;
- ~~g) Support shifting the approval of Regional Transportation Plan amendments involving Transportation Control Measures from the Environmental Protection Agency back to the Federal Highway Administration while allowing for an adequate consultation process;~~
- f) Support flexibility and increased local decision-making authority regarding the operation of high-occupancy vehicle (HOV) lanes in order to reduce or eliminate the unintended consequences resulting from Section 166 of the Federal Highway Act or any similar policy regulating degradation of HOV lanes;
- g) Encourage cooperation between local, state, and federal partners to mitigate or eliminate any policy that places burdensome requirements on operators related to degradation of facilities and performance;
- h) Support streamlining and greater flexibility of Federal Buy America requirements including increased clarification on market availability and technical feasibility of the Build America, Buy America Act requirements created in the IIJA to prevent any unintended disruption to projects and programs;
- i) Support efforts to clarify roles and responsibilities related to toll enforcement policies to allow for interoperability between toll facilities while affirming user privacy;
- j) Encourage policies on the planning, delivery, and operation of tolling projects that are aligned with the flexibility provided in California State law;
- ~~k) Support equitable policies to ensure that inclusive public engagement, planning, and delivery of mobility improvements best serves all the residents of Orange County; (Moved from the Key Policy Issues Section)~~
- ~~l) Support a collaborative approach to understanding the capital infrastructure and operational needs of local and state transportation agencies, as well as private sector partners, in the testing, development, demonstration, deployment, and operation of autonomous and connected vehicle technologies, while encouraging policies that ensure their safe implementation. [Moved from Section IX and combined with subsection (h) in Section II]~~

**IV. FISCAL REFORMS ~~&~~ AND ISSUES**

Transportation infrastructure projects are critical drivers in job creation and business development. Several Legislative and regulatory proposals can impact the ability of transportation agencies would have economic impacts, both positive and negative, affecting the delivery of transportation to deliver these infrastructure projects that

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~~create jobs and spur further business development in Orange County. Expediting project delivery serves as a key tool for driving economic growth and stimulating activity.~~ Regarding these developments, OCTA will:

- a) Oppose policies that would divert revenues generated by locally-approved sales taxes to programs and projects that are not included in the sales tax ordinance;
- b) Support removing barriers to the release of transportation funding, including allowing local agencies to advance projects with local funds in order to limit lengthy ~~amendment~~ processes that delay project delivery;
- c) Support expansion, streamlining, and further development of innovative project finance methods, including the Transportation Infrastructure Finance and Innovation Act loan program;
- d) Support fiscally-sound proposals to adequately address the HTF's structural deficit, including initiatives to address the impact of low- and zero-emission vehicles on transportation funding;
- ~~e) Support the equitable collection and distribution of sales tax revenue from out-of-state, online retailers (*South Dakota v. Wayfair, Inc.*);~~
- e) Support tax policies that reduce costs or provide additional flexibility in OCTA's financial and operational activities;
- ~~f) Support policies that expedite the delivery of transportation improvements or the development of business opportunities in order to create jobs and economic activity in Southern California; (*Incorporated into overview paragraph of this Section*)~~
- f) Support a stable source of proposed future revenues that provides adequate resources for future transportation needs;
- g) Oppose subjecting public transportation providers to gas tax liability or other fees that increase operating costs;
- h) Support efforts to ensure that all users of the national transportation system pay their "fair share" to maintain and improve the system;
- i) Support additional funding and regulatory flexibility to facilitate the use of alternative mobility providers.

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**V. RAIL PROGRAMS**

Metrolink is Southern California's commuter rail system that links residential communities to employment and activity centers. Orange County is served by three Metrolink lines: the Orange County Line, the Inland Empire-Orange County Line, and the 91/Perris Valley Line. OCTA owns 48 miles of rail right-of-way in Orange County on which Metrolink operates. OCTA's rail capital budget supports improvements to the regional commuter rail system in Orange County, and under existing policy, OCTA is the primary construction lead on major capital improvements to the regional commuter rail system on its right-of-way.

In addition to Metrolink services, Orange County is also served by the state-supported Pacific Surfliner intercity passenger rail service traveling between San Luis Obispo and San Diego. The Pacific Surfliner is operated by Amtrak, ~~and managed by the Los Angeles San Diego San Luis Obispo Rail Corridor Agency (LOSSAN Agency). OCTA has served as the managing agency for the LOSSAN Agency since 2013 and assumed full administrative and management responsibility for Pacific Surfliner service in June 2015 via an interagency transfer agreement with the State of California.~~ OCTA serves as the managing agency for this service, continues to serve in this capacity, providing all necessary administrative support to the LOSSAN Agency.

Other rail systems could also travel through Orange County at some point in the future, including additional intercity rail service. OCTA will continue to monitor the development of additional service to ensure that it does not adversely affect other transportation funding sources. Other rail policy priorities include the following:

- a) Support funding for rail safety programs, including funding for operation and maintenance of Positive Train Control (PTC) safety technology and other safety enhancements;
- b) Support efforts to ensure that any alternative safety technology is interoperable with, and contains the same safety benefits as, the PTC system implemented on passenger rail corridors in Southern California;
- c) Support the availability of technical resources, such as wireless spectrum, to fully implement rail safety technology;
- d) Oppose increasing the current rail passenger liability cap and work with regional partners to ensure that any changes to the cap take into account the limited resources of passenger rail providers;
- e) Monitor the ongoing waiver process in relation to implementing the California Air Resources Board's In-Use Locomotive Regulation.



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**VI. TRANSIT PROGRAMS**

OCTA will continue with its focus on providing safe, reliable, and efficient transit services in Orange County. Federal transit funding is provided on both a formula and competitive basis. Discretionary funding under the IIJA has been highly competitive for transit programs. As future demand for transit funding increases due to environmental regulations and increased capital and operations costs put further strain on existing resources, creating more opportunities for predictable transit funding will continue to be a priority for OCTA. Specifically, OCTA will focus on the following:

- a) Encourage policies and guidance that incentivize public transit ridership; (Moved from the Key Policy Issues Section)
- b) Support funding and incentives to develop free- or reduced-fare transit programs without impacting existing programs or creating unfunded mandates; (Moved from the Key Policy Issues Section)
- c) Monitor policies regarding zero-emission transit fuels to ensure they remain technology neutral; (Moved from Section IX)
- d) Support the continuation and expansion of tax incentives for using compressed natural gas, hydrogen, and other zero-emission transit fuels; (Moved from Section IX)
- e) Support efforts to create a more competitive marketplace for zero-emission transit buses to help drive down costs and create a better supply chain.

**VII. GOODS MOVEMENT**

The twin Ports of Los Angeles and Long Beach are considered two of “America’s Gateway” and the nation’s busiest ports. The maintenance, improvement, and modernization of our region’s goods movement infrastructure must continue to be a national priority if our region is to remain competitive with the rest of the world and responsive to the consumer needs of Southern California. ~~The need for the Southern California region to remain competitive is further underscored by the expansion and modernization efforts of foreign competitors.~~ Even though the IIJA continued to provide funding for goods movement projects and programs, revenue streams remain insufficient to fund the projects needed to offset the costs of moving these goods considering the many years of underinvestment. OCTA’s advocacy efforts regarding goods movement will continue to emphasize the following:

- a) Pursue new, stable, dedicated, and secure sources of funding for goods movement infrastructure;
- b) Ensure that the benefits of newly-funded projects also take into account mitigation factors to impacted communities;

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- c) Support a collaborative approach, including engaging with private sector partners, in developing and implementing the needed sustainable goods movement infrastructure programs and projects;
- d) Support regionally-significant grade separation projects that improve the flow of goods and people throughout Southern California;
- e) Support local control of goods movement infrastructure and freight mobility projects;
- f) Support additional funding and policy reforms to aid in expediting transportation projects to address supply chain concerns;
- g) Ensure eligibility for funding and programs is available to all transportation modes that benefit regional goods movement.

**VIII. TRANSPORTATION SECURITY AND EMERGENCY PREPAREDNESS**

OCTA continues cooperative efforts with neighboring transit agencies, Urban Area Security Initiative partners, state and federal Homeland Security and Emergency Preparedness grant partners, and local jurisdictions to enhance the security and resiliency of Orange County's transportation system. OCTA will pursue the following priorities to ensure that the agency's safety, security, and emergency preparedness needs are met:

- a) Support increased funding for training, increased ~~surveillance~~security, and emergency preparedness improvements with adequate flexibility to ensure that local agencies can effectively use the resources to ~~also ensure a more resilient transportation system~~ support all modes of transportation;
- b) Support a funding distribution that considers all risk threats, including natural disasters, acts of terrorism, and other man-made disasters, as estimated by the Department of Homeland Security, in cooperation with state and local officials;
- c) Support programs that facilitate cooperation with security and emergency preparedness officials to refine and improve information exchange protocols, emergency preparedness systems, and regional data coordination;
- d) Support efforts to provide funding incentives and policy flexibility to facilitate programs to provide safe working conditions for coach operators and transit personnel;
- e) Support efforts to provide sufficient funding for transit agencies to implement physical security, mandated employee screenings, and cybersecurity directives while also incorporating transit agency technical expertise in developing regulatory guidelines and procedures.

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**IX. ENVIRONMENTAL ~~&AND~~ ENERGY ISSUES**

Federal environmental policies affecting OCTA include the National Environmental Protection Act, the Clean Air Act, the Clean Water Act, and the Endangered Species Act. Therefore, policies to further develop environmental and energy-efficient goals will likely have an impact on OCTA's operations. With such proposals in mind, OCTA will:

- ~~a) Seek opportunities to expedite and improve the efficiency of the environmental process without impairing substantive environmental requirements; *[Incorporated into subsection (e) of this section]*~~
- a) Seek funding to meet state and local environmental quality requirements, including requirements for zero-emission buses, alternative fueling stations, and future greenhouse gas reduction requirements;
- ~~c) Support the continuation and expansion of tax incentives for using compressed natural gas, hydrogen, and other zero-emission transit fuels; *(Moved to Section VI)*~~
- ~~d) Monitor proposals to address the environmental impacts of greenhouse gases to ensure that any new environmental requirements are accompanied by additional funding necessary to implement those requirements; *(Moved to Section VI)*~~
- b) Support expedited review for project development, right-of-way acquisition, and construction activities, without impairing substantive environmental requirements;
- c) Ensure adequate funding and flexibility in the application of resiliency, natural infrastructure, or other climate-related policies to the delivery of mobility improvements, as opposed to mandates that would constrain transportation resources;.
- ~~g) Monitor policies regarding zero-emission transit fuels to ensure they remain technology neutral. *(Moved to Section VI)*~~

**IX. REGULATORY REQUIREMENTS**

OCTA must also monitor several other administrative requirements, including new and expanded regulatory definitions that may affect the agency's operations. As such, OCTA will:

- a) Support expedited and improved federal reporting and monitoring requirements to ensure efficiency and usefulness of data while also eliminating redundant state and federal requirements;

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- b) Oppose regulatory proposals that unreasonably subject OCTA to burdensome bureaucratic requirements or increased operational costs, making it harder to deliver projects and improve mobility in Orange County;
- c) Oppose policies adversely affecting the agency's ability to effectively address labor relations, employee rights, benefits, and working conditions, such as health, safety, and ergonomic standards;
- d) Oppose policies that limit state or local pension benefit reforms;
- e) ~~Support a collaborative approach to understanding the capital infrastructure and operational needs of local and state transportation agencies, as well as those of private sector partners, in the testing and deployment of autonomous vehicles and related technologies. (Moved to Section III)~~