



November 21, 2024

To: Legislative and Communications Committee
From: Darrell E. Johnson, Chief Executive Officer
Subject: Status Report of State Legislation Enacted in 2024

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Overview

At the conclusion of the 2024 state legislative session, 1017 bills were signed into law by Governor Newsom and chaptered by the Secretary of State, while 189 bills were vetoed. A report containing an analysis of legislation relevant to the Orange County Transportation Authority is provided.

Recommendation

Receive and file as an information item.

Discussion

2024 Legislative Session Adjourns

Following the State Legislature's adjournment, the Governor had until September 30, 2024, to either sign or veto all legislation submitted to his office. Of the 1206 bills sent to the Governor this year, 189 bills were vetoed, or 15.7 percent of the total number of bills passed by the Legislature. The Governor acted on 160 more bills this year than last year.

The Orange County Transportation Authority (OCTA) Board of Directors, legislative staff, and advocates were successful in advancing many of OCTA's interests in 2024. A detailed summary of legislation relevant to OCTA is included as Attachment A. Among the bills considered this session were the following proposals:

Status of Legislation Considered in 2024 – Notable Bills Signed

AB 2086 (Schiavo, D-Santa Clarita): Transportation funding: California Transportation Plan (CTP): public dashboard

Position: Monitor

Current law requires the California Department of Transportation (Caltrans) to prepare the CTP to submit to the Governor and the Legislature. The CTP is California's long-range transportation plan that provides a vision for how the State will meet its transportation needs consistent with the State's greenhouse gas emission goals.

AB 2086 requires that the CTP include a new financial element, which will provide a comprehensive summary of the full cost associated with implementing the plan in the long term. Specifically, it requires detailed cost summaries for the first ten years of the planning period, an analysis of available revenues throughout the entire planning period, and an assessment of what aspects of the plan are feasible based on realistic revenue projections.

AB 2086 also directs Caltrans to enhance an existing public online dashboard by January 1, 2027, to display how annual project investments from various transportation funding programs are advancing the vision and the goals of the CTP. The dashboard must also include other information, such as the status of the implementation of the short-, mid-, and long-term implementation actions included in the CTP, and must be periodically updated to ensure the data and metrics remain current.

AB 2503 (Lee, D-Milpitas): California Environmental Quality Act (CEQA): exemption: passenger rail projects

Position: Monitor

AB 2503 expands existing CEQA exemptions for transportation-related projects to include public passenger rail projects that exclusively use zero-emission trains. The exemption applies to projects located entirely within existing rail or highway rights-of-way. This authority would remain in effect until January 1, 2030.

AB 2553 (Friedman, D-Glendale): Housing development: major transit stops: vehicular traffic impact fees

Position: Monitor

AB 2553 alters existing law related to local governments that charge fees for vehicular impacts from new development to allow for reduced fees for a housing development that is located within a transit priority area. A "transit priority area" means an area within one-half mile of a major transit stop that is existing or planned. AB 2553 would revise this definition to authorize major transit stops to

be counted if they are included in the regional transportation plan or when the stops are planned for completion before or within a year from the housing development. In addition, the definition is expanded to include an intersection of two or more major bus routes with a frequency of service intervals of 20 minutes or less during the morning and afternoon peak commute periods, expanding the current definition of 15 minutes or less. The goal of this legislation is to expand the geographic scope for which these lower fees apply and encourage more housing near transit. However, the definitional changes for “major transit stop,” specifically that related to transit frequency, may impact other state statutory requirements that cite this definition.

SB 960 (Wiener, D-San Francisco): Transportation: planning: complete streets facilities: transit priority facilities

Position: Monitor

Current law requires Caltrans, in consultation with the California Transportation Commission (CTC), to prepare an asset management plan to guide selection of projects for the State Highway Operation and Protection Program (SHOPP). It also requires the CTC, in connection with the plan, to adopt targets and performance measures reflecting state transportation goals and objectives. SB 960 would add targets for "complete streets" that include bicycle, pedestrian, and transit facilities to these performance measures and plans. It also directs Caltrans to commit to four-year targets for incorporating these facilities into SHOPP projects. For SHOPP projects with complete streets facilities, Caltrans would be required to consult with various stakeholders to develop guidance on implementation. Projects in underserved communities would be required to have targeted outreach. If Caltrans does not include complete streets facilities consistent with the aforementioned guidance, the justification must be documented and posted to Caltrans' website.

SB 960 also requires Caltrans to develop a policy for implementing transit priority facilities on state highways by January 1, 2026. This must be developed in consultation with relevant stakeholders, including transit operators, local government, regional transportation planning agencies, and transit advocacy organizations. By January 1, 2027, Caltrans must adopt guidance that defines transit performance measures and identifies specific responsibilities for Caltrans in supporting the reliable, predictable, and fast movement of transit vehicles on the state highway system. Design guidance for transit priority facilities must be adopted by Caltrans by July 1, 2028. Beginning with the 2028 SHOPP, Caltrans would be required to, in locations with current or future transit priority needs, provide and improve transit priority facilities on the state highway system in a manner consistent with its most recent guidance, transit plans, and the State Highway System Management Plan.

SB 1098 (Blakespear, D-Encinitas): Passenger and freight rail: Los Angeles – San Diego – San Luis Obispo (LOSSAN) Rail Corridor

Position: Monitor

SB 1098, also known as the Southern California Rail Revitalization Act requires, upon appropriation by the Legislature, the California State Transportation Agency (CalSTA) Secretary to submit a report to the Legislature, no later than two years after the appropriation is made, on the LOSSAN Rail Corridor. In preparing this report, the Secretary must consult existing plans, studies, reports, and guidance. The report must include:

- A baseline summary of transportation and environmental conditions in existence as of January 1, 2025, along the rail corridor.
- Prioritized capital improvement projects in the corridor necessary to improve current services and achieve service growth, performance, and network goals consistent with the State Rail Plan.
- Prioritized improvement projects in the corridor necessary to ensure the resiliency of both natural resources and transportation infrastructure.
- A description of administrative actions taken by CalSTA, using authority in existence before January 1, 2025, to improve operations and performance of the corridor.
- Recommendations for the corridor to connect with other passenger rail services.
- Strategies to support and improve existing rail service and increase ridership, including a description of necessary operations funding for increased service frequencies.
- Recommendations to achieve zero-emission state-supported intercity service, including an analysis of available technologies and necessary corridor infrastructure.
- Strategies and recommendations to support coastal hazard resiliency planning in the corridor.
- A description of coordination activities through the federal Corridor Identification and Development (Corridor ID) Program.

The CalSTA Secretary must also convene a working group that includes at least the following representatives: LOSSAN Rail Corridor track owners, LOSSAN Rail Corridor passenger and freight operators, the county transportation commissions of the counties of Los Angeles, Orange, Riverside, San Bernardino, and Ventura, the metropolitan planning organizations for the counties of Los Angeles, Orange, Riverside, San Diego, San Luis Obispo, Santa Barbara, and Ventura, business, community, transportation, environmental, labor, and civic organizations, the California Coastal Commission (CCC), and Caltrans' Division of Rail and Mass Transportation.

The working group must submit consensus recommendations and feedback in a report to the Legislature by February 1, 2026. The recommendations must include strategies to increase rail service coordination and reduce disruptions or delays, alternative management and operations models or structures that improve intercity and regional rail services, changes to state statutes, rules, or funding necessary to improve passenger rail services, and coordination of planning and project development through the federal Corridor ID Program. The working group must recognize the ownership and rights held in the LOSSAN Rail Corridor and it must be developed with meaningful public engagement. Also, before submitting the report, the working group must submit the recommendations and feedback to the governing boards of the LOSSAN Rail Corridor Agency, the Southern California Regional Rail Authority, and the North County Transit District for review and consideration. More information can be included in the larger aforementioned CalSTA report if there is a need for follow-up on any of these items the working group provides information on. No funding is provided for the working group or report.

Upon appropriation, SB 1098 would also require the CalSTA Secretary to submit a report to the Legislature no later than three years after an appropriation is made, and then every two years, regarding the management of the LOSSAN Rail Corridor. The report must contain information related to all of the following:

- Performance, ridership, usage, and quality of intercity, regional rail, and freight services.
- Updates to capital improvement planning.
- Progress in delivering fleet and infrastructure improvement projects.
- Improvements to service and fare coordination.
- Opportunities to increase the quality and frequency of services.
- Updates on corridor resiliency, prepared in coordination with the CCC.

SB 1098 further stipulates that the CalSTA Secretary must provide guidance and recommendations to stakeholders to ensure the performance of the LOSSAN Rail Corridor. This would include planning, as needed, related to service frequencies, equipment and fleet management, infrastructure improvement and state of good repair projects, and resiliency of the corridor.

Additional Bills of Interest with OCTA Position – Failed Passage

The following bills on which OCTA took a position failed to make it to the Governor for consideration this legislative session:

AB 2043: (Boerner, D-Solana Beach): Medi-Cal: nonmedical and nonemergency medical transportation.

Position: Support

AB 2043 would have required Managed Care Plans under Medi-Cal to establish reimbursement contracts with public transit operators for providing nonmedical and nonemergency transportation.

Despite the bill's alignment with OCTA legislative priorities, such as securing funding for paratransit operations and improving transit accessibility, AB 2043 was held in the Senate Committee on Appropriations. OCTA had previously supported similar legislation last year, AB 719 (Boerner, D-Solana Beach), which was vetoed due to the Governor's concerns about federal approval challenges. However, recent federal guidance suggests that public paratransit agencies should not bear undue costs for such services, so there may be further discussions to explore potential solutions in the future.

AB 2259 (Boerner, D-Solana Beach): Transportation: bicycle safety handbook.

Position: Support

AB 2259 would have required CalSTA to develop and distribute an annual handbook on bicycle and electric bicycle (e-bike) safety, beginning by September 1, 2025. AB 2259 aimed to enhance public knowledge of bicycle and e-bike safety, reflecting the growing importance of active transportation in Orange County and throughout California. AB 2259 would have supported OCTA's commitment to promoting a safe, multimodal transportation system. However, the bill was ultimately held in the Senate Committee on Appropriations.

AB 2535 (Bonta, D-Oakland): Trade Corridor Enhancement Program (TCEP)

Position: Oppose

AB 2535 would have imposed additional restrictions on the allocation of TCEP funds, a competitive funding program established by SB 1 (Chapter 5, Statutes of 2017) to enhance freight mobility along high-volume freight corridors. Instead of focusing on funding goods movement projects, the funding would have been prioritized on zero-emission freight infrastructure and restricted the ability to improve highways. AB 2535 was sponsored by the Greenlining Institute, with the Coalition for Clean Air, Natural Resources Defense Council, and Environment California as co-sponsors. The bill was opposed by the Riverside County Transportation Commission and Contra Costa Transportation Authority. The bill was ultimately unsuccessful, dying in committee largely due to significant concerns from labor.

Summary

A report containing an analysis of legislation enacted in 2024 affecting OCTA is provided.

Attachment

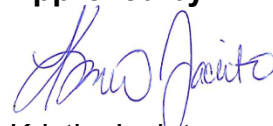
- A. Orange County Transportation Authority 2024 End of Year Legislative Report

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