



# **AGENDA**

## ***Legislative and Communications Committee Meeting***

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### **Committee Members**

Laurie Davies, Chair  
Lisa A. Bartlett, Vice Chairwoman  
Barbara Delgleize  
Michael Hennessey  
Gene Hernandez  
Donald P. Wagner  
Gregory T. Winterbottom

Orange County Transportation Authority  
Headquarters  
Conference Room 07  
550 South Main Street  
Orange, California  
**Thursday, May 21, 2020 at 9:00 a.m.**

Any person with a disability who requires a modification or accommodation in order to participate in this meeting should contact the OCTA Clerk of the Board, telephone (714) 560-5676, no less than two (2) business days prior to this meeting to enable OCTA to make reasonable arrangements to assure accessibility to this meeting.

Agenda descriptions are intended to give members of the public a general summary of items of business to be transacted or discussed. The posting of the recommended actions does not indicate what action will be taken. The Committee may take any action which it deems to be appropriate on the agenda item and is not limited in any way by the notice of the recommended action.

All documents relative to the items referenced in this agenda are available for public inspection at [www.octa.net](http://www.octa.net) or through the Clerk of the Board's office at the OCTA Headquarters, 600 South Main Street, Orange, California.

### **Guidance for Public Access to the Board of Directors/Committee Meeting**

On March 12, 2020 and March 18, 2020, Governor Gavin Newsom enacted Executive Orders N-25-20 and N-29-20 authorizing a local legislative body to hold public meetings via teleconferencing and make public meetings accessible telephonically or electronically to all members of the public to promote social distancing due to the state and local State of Emergency resulting from the threat of Novel Coronavirus (COVID-19).

In accordance with Executive Order N-29-20, and in order to ensure the safety of the Orange County Transportation Authority (OCTA) Board of Directors (Board) and staff and for the purposes of limiting the risk of COVID-19, in-person public participation at public meetings of the OCTA will not be allowed during the time period covered by the above-referenced Executive Orders. Instead, members of the public can listen to AUDIO live streaming of the Board and Committee meetings by clicking the below link:

<http://www.octa.net/About-OCTA/Who-We-Are/Board-of-Directors/Live-and-Archived-Audio/>



**Guidance for Public Access to the Board of Directors/Committee Meeting  
(Continued)**

Public comments may be submitted for the upcoming Board and Committee meetings by emailing them to [boardofdirectors@octa.net](mailto:boardofdirectors@octa.net).

If you wish to comment on a specific agenda Item, please identify the Item number in your email. All public comments that are timely received will be part of the public record and distributed to the Board. Public comments will be made available to the public upon request.

In order to ensure that staff has the ability to provide comments to the Board Members in a timely manner, please submit your public comments **30 minutes prior to the start time of the Board and Committee meeting date.**

**Call to Order**

**Roll Call**

**Pledge of Allegiance**

Committee Chair Davies

**1. Public Comments**

**Special Calendar**

**2. Conference Call with State Legislative Advocate Moira Topp**  
Moira Topp/Lance M. Larson

An update of legislative items in Sacramento will be provided.

**Consent Calendar (Items 3 and 4)**

All items on the Consent Calendar are to be approved in one motion unless a Committee Member or a member of the public requests separate action or discussion on a specific item.

**3. Approval of Minutes**

Approval of the Minutes of the Legislative and Communications Committee meeting of April 16, 2020.



**4. Agreement for Average Vehicle Ridership Services**  
Kristopher Hewkin/Maggie McJilton

**Overview**

As part of its responsibilities in the Regional Rideshare Partnership, the Orange County Transportation Authority provides services that help employers comply with the South Coast Air Quality Management District's Rule 2202 - On-Road Motor Vehicle Mitigation Options, including tracking average vehicle ridership. A procurement was conducted in accordance with the Orange County Transportation Authority's procurement procedures for professional and technical services for a consultant to provide average vehicle ridership services. Board of Directors' approval is requested to execute the agreement.

**Recommendations**

- A. Approve the selection of Innovative TDM Solutions as the firm to provide consulting services for the Orange County Transportation Authority's Average Vehicle Ridership (AVR) Program.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No.C-0-2167 between the Orange County Transportation Authority and Innovative TDM Solutions, in the amount of \$380,000, for the initial two-year term, with two, one-year option terms.

**Regular Calendar**

**5. State Legislative Status Report**  
Alexis Leicht/Lance M. Larson

**Overview**

An update is provided on California's response to the novel coronavirus pandemic. Information is provided on the Governor's Task Force on Business and Jobs Recovery. An update is given on the Orange County Transportation's Authority's advocacy efforts. A verbal update will be provided on the Governor's May Revision.

**Recommendation**

Receive and file as an information item.



**6. Federal Legislative Status Report**  
Dustin J. Sifford/Lance M. Larson

**Overview**

An update is provided on the federal response to the novel coronavirus pandemic, and efforts to improve the Transportation Infrastructure Finance and Infrastructure Act loan program as well as efforts to improve the federal discretionary grant process.

**Recommendation**

Receive and file as an information item.

**Discussion Items**

**7. Fiscal Year 2020-21 Budget Workshop Follow-up**  
Victor Velasquez/Andrew Oftelie

Budget staff is available for follow-up questions, issues, or concerns that may have arisen at and/or since the budget workshop conducted with the Board on May 11, 2020.

**8. Chief Executive Officer's Report**

**9. Committee Members' Reports**

**10. Closed Session**

There are no Closed Session items scheduled.

**11. Adjournment**

The next regularly scheduled meeting of this Committee will be held at **9:00 a.m. on Thursday, June 18, 2020**, at the Orange County Transportation Authority Headquarters, Conference Room 07, 550 South Main Street, Orange, California.





**Committee Members Present Via Teleconference**

Laurie Davies, Chair  
Lisa A. Bartlett, Vice Chairwoman  
Barbara Delgleize  
Michael Hennessey  
Gene Hernandez  
Donald P. Wagner  
Gregory T. Winterbottom

**Staff Present**

Darrell E. Johnson, Chief Executive Officer  
Laurena Weinert, Clerk of the Board  
Sara Meisenheimer, Deputy Clerk of the Board  
James Donich, General Counsel (teleconference)

**Committee Members Absent**

None

**Call to Order**

The April 16, 2020 regular meeting of the Legislative and Communications (L&C) Committee was called to order by Committee Chair Davies at 9:05 a.m.

**Roll Call**

The Deputy Clerk of the Board conducted an attendance Roll Call and announced that there was a quorum of the L&C Committee.

**Pledge of Allegiance**

Committee Chair Davies led in the Pledge of Allegiance.

**1. Public Comments**

No public comments were received.

**Special Calendar**

**2. Conference Call with Sacramento Advocate, Moira Topp**

Moira Topp, Sacramento Advocate, reported on the following:

- The Governor has daily press conferences on health care issues, unemployment insurance, and childcare centers.
- In the first week of the novel coronavirus pandemic (COVID-19), the Legislature passed two pieces of legislation which allocated a billion dollars for the pandemic. The Governor has spent \$700 million of that billion dollars.
- There has been a great deal of spending going on.



**2. (Continued)**

- The Governor issued a letter to the Legislature stating the pandemic crisis would cost \$7 billion and a lot of those dollars will be reimbursed from the Federal Emergency Management Agency.
- The one expenditure that received a lot of attention was the Governor negotiated a purchase agreement worth a billion dollars for personal protective equipment (PPE).
- The Legislature has been working remotely and are not in session; they will be back in session on May 4, 2020.
- While the Legislature is not officially back in session until May 4, 2020, there will be three informational meetings to go over COVID-19 related expenditures.
- There is uncertainty on what is going to happen with upcoming bills and if the Legislature can legislate remotely, when they must have a physical quorum in Sacramento.
- OCTA staff and Ms. Topp, Sacramento Advocate, have been communicating as much as possible with the Orange County delegation about the impacts of transportation and sales tax implications due to COVID-19.

A discussion ensued regarding:

- The Governor's exit strategy and how historically, he has deferred decisions to be made by the locals (and at a county level). It should be assumed that the Governor will give guidance and flexibility.
- The private sector prefers more direction from the Governor on how to open for the economy.
- In the next two weeks, the Governor will give everyone more guidance.

**Consent Calendar (Items 3 through 5)**

**3. Approval of Minutes**

A motion was made by Director Hennessey, seconded by Director Delgleize, and following a roll call vote, declared passed 7-0, to approve the minutes from the Legislative and Communications meeting of February 20, 2020.



**4. Amendment to Agreement for Public Outreach Services for the Interstate 5 Central County Improvements Project Between State Route 55 and State Route 57**

A motion was made by Director Hennessey, seconded by Director Delgleize, and following a roll call vote, declared passed 7-0, to authorize the Chief Executive Officer to negotiate and execute Amendment No. 3 to Agreement No. C-5-3207 between the Orange County Transportation Authority and Hill International, Inc., in the amount of \$100,340, to exercise the option term of the agreement to provide continued community outreach services, from August 1, 2020, to July 31, 2021, increasing the maximum obligation of the agreement to a total contract value of \$501,702.

**5. Amendment to Agreement for Bus Advertising Revenue Program**

A motion was made by Director Hennessey, seconded by Director Delgleize, and following a roll call vote, declared passed 7-0, to authorize the Chief Executive Officer to execute Amendment No. 2 to Agreement No. C-5-3076 between the Orange County Transportation Authority and Outfront Media Group, LLC, to eliminate the annual minimum guarantee and adopt a payment term based solely on a revenue-sharing arrangement for the remainder of the first option term beginning April 1, 2020 through August 31, 2020.

### Regular Calendar

**6. State Legislative Status Report**

Lance Larson, Executive Director of Government Relations, gave opening comments and introduced Kristin Jacinto, Manager of State and Federal Relations, who reported on the following:

- Overview of what is included in the Staff Report and the Recommendations.
- Referenced the following attachments:
  - Attachment A outlines state actions and every executive order signed by the Governor up to the point of signing the Staff Report.
  - Attachment B is a letter sent from the Orange County Transportation Authority to the Governor.
  - Attachment C includes a list of shovel-ready projects.
- Reasons why OCTA is taking an OPPOSE position as stated in Recommendation A of the Staff Report.



**6. (Continued)**

A discussion ensued regarding:

- The reasons for an “OPPOSE UNLESS AMENDED” position instead of an OPPOSE position on Senate Bill (SB) 1363.
- The differences between SB 1363 and previous legislation by the author on a similar subject that would have directly amended how dollars are allocated to transportation projects and reprioritize how the funds were used.
- SB 1363 additional discussion included:
  - OCTA and California Association of Councils of Government have worked with the author on amending previous legislation.
  - No other transportation agency in the state has opposed these bills and OCTA may be one of the few that adopts position.
  - It will be challenging but OCTA wants to be at the table for discussions.
  - OCTA would not support the bill even if all the amendments were obtained.
- An example of SB 150, which required additional reporting on SB 375, and how OCTA initially opposed this bill due to the ties with transportation funding.
- OCTA had good conversations with the author’s office and was able to change to a neutral position on SB 1363.

A motion was made by Director Hennessey, seconded by Director Delgleize, and following a roll call vote, declared passed 6-0, to:

- A. Adopt an OPPOSE position on AB 2011 (Holden, D-Pasadena) and on SB 1390 (Portantino, D-Glendale), which would each create a new construction authority to extend the Gold Line from the City of Montclair to the Ontario International Airport.
- B. Adopt an OPPOSE UNLESS AMENDED position on SB 1363 (Allen, D-Santa Monica), which would require metropolitan planning organizations to meet vehicle miles traveled reduction targets as part of the regional transportation plan.

Committee Vice Chairwoman Bartlett was not present to vote on this item.



**7. Federal Legislative Status Report**

Lance Larson, Executive Director of Government Relations, gave opening comments and introduced Kristin Jacinto, Manager of State and Federal Relations, who reported on the following:

- Highlighted Attachment A of the Staff Report and the signing of the Coronavirus Aid, Relief and Economic Security Act (CARES Act).
- At the drafting of this Staff Report, OCTA was expected to receive \$154 million of the CARES Act funds, but now that estimate has increased to \$157 million.
- The CARES Act is subject to guidance from the Federal Transit Administration and subject to various programming requirements.
- There continues to be discussions about future stimulus efforts when Congress returns from recess.
- Referenced Attachments B, C, and D of the Staff Report.
- A two-part rulemaking process led by the Environmental Protection Agency, could impact air quality models which are used for the adoption of the Regional Transportation Plan and could create further complications in the adoption of planning documents.

No action was taken on this receive and file information item.

**Discussion Items**

**8. Chief Executive Officer's Report**

Darrell E. Johnson, Chief Executive Officer, reported on the following:

- OCTA is still trying to be as fluid and flexible as possible during COVID-19.
- On March 30<sup>th</sup>, the OCTA store reduced its store hours from 10:00 a.m. to 2:00 p.m. Monday through Friday, and since then, there have been fewer customers, so starting next week the OCTA store will be closed on Tuesdays and Thursdays until further notice. The OCTA store will remain open on Monday, Wednesday, and Friday from 10:00 a.m. to 2:00 p.m.
- Even though most of the OCTA's administrative staff is working remotely, they are continuing the work to keep Orange County moving.
- Over the last several years, even though this crisis was not envisioned, the emergency operations planning was prepared and provided OCTA staff with the ability to work remotely.
- OCTA is using remote-work technology in several ways and on Tuesday, Mr. Johnson, CEO, hosted a second virtual CEO Connection using Microsoft Teams to communicate with staff and answer questions. More than 300 employees participated in this virtual all hands meeting.



**9. Committee Members' Reports**

There were no Committee Members' Reports.

**10. Closed Session**

There were no Closed Session items scheduled.

**11. Adjournment**

The meeting adjourned at 9:52 a.m.

The next regularly scheduled meeting of this Committee will be held at **9:00 a.m. on Thursday, May 21, 2020**, at the Orange County Transportation Authority Headquarters, 550 South Main Street, Board Room - Conference Room 07, Orange, California.

ATTEST

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Laurie Davies  
Committee Chair

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Sahara Meisenheimer  
Deputy Clerk of the Board



**May 21, 2020**

**To:** Legislative and Communications Committee

**From:** Darrell E. Johnson, Chief Executive Officer 

**Subject:** Agreement for Average Vehicle Ridership Services Provider

**Overview**

As part of its responsibilities in the Regional Rideshare Partnership, the Orange County Transportation Authority provides services that help employers comply with the South Coast Air Quality Management District's Rule 2202 - On-Road Motor Vehicle Mitigation Options, including tracking average vehicle ridership. A procurement was conducted in accordance with the Orange County Transportation Authority's procurement procedures for professional and technical services for a consultant to provide average vehicle ridership services. Board of Directors' approval is requested to execute the agreement.

**Recommendations**

- A. Approve the selection of Innovative TDM Solutions as the firm to provide consulting services for the Orange County Transportation Authority's Average Vehicle Ridership (AVR) Program.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No.C-0-2167 between the Orange County Transportation Authority and Innovative TDM Solutions, in the amount of \$380,000, for the initial two-year term, with two, one-year option terms.

**Discussion**

The Orange County Transportation Authority (OCTA) serves as the county transportation commission (CTC) for Orange County. OCTA and the following CTCs form the Regional Rideshare Partnership:

- 1. Los Angeles County Metropolitan Transportation Authority
- 2. Riverside County Transportation Commission
- 3. San Bernardino County Transportation Authority

#### 4. Ventura County Transportation Commission

The CTCs have been jointly providing regional rideshare services to employers since the Southern California Association of Governments (SCAG) ceased to provide these services in 2003. In this context, “rideshare” refers to all modes of transportation other than driving alone to work, including commuting to work by bus, train, carpool, vanpool, walking, and biking - all which reduce congestion and improve air quality.

Like other CTCs in the South Coast Air Basin, OCTA provides services that help employers comply with the South Coast Air Quality Management District’s (South Coast AQMD) Rule 2202 - On-Road Motor Vehicle Mitigation Options, which provides employers of 250 or more employees with a number of options to reduce mobile-source emissions generated from employee commutes, to comply with federal and state Clean Air Act requirements.

Employers seeking to reduce the number of vehicles traveling to their worksite(s) must survey their employees annually to calculate Average Vehicle Ridership (AVR), which, in broad terms, is calculated by the number of employees arriving to a worksite divided by the number of vehicles. The South Coast AQMD established an AVR target of 1.50 for Orange County employers, which represents an average ratio of 1.50 employees per vehicle arriving to the worksite.

Working with a consultant, OCTA facilitates the annual employer transportation survey and AVR calculation services, as well as provides individualized RideGuides to employees, to help achieve Rule 2202 compliance. OCTA’s current contract for AVR services will expire on June 30, 2020, and staff is requesting a new agreement with a consultant to continue to provide AVR services to employers.

Since 2006, OCTA has worked with a consultant to survey:

- 806 employers
- 1,786 worksites
- 791,187 commuters

Data from these surveys is stored in the regional rideshare database, jointly developed, maintained, and owned by the Regional Rideshare Partnership. OCTA and the other CTCs use the data to promote ridesharing alternatives and demonstrate the impact of ridesharing (and telecommuting) on congestion and air quality.



Based on aggregate survey results for fiscal year 2018-19 with 357 employer worksites and 73,312 employees surveyed, the following key metrics were reported to highlight the benefits of ridesharing as an alternative to driving in single-occupancy vehicles:

- vehicle miles traveled were reduced by 3,543,002 miles,
- commuters saved \$2,090,371 in vehicle operation costs, and
- total pollutants were reduced by 4,058,176 pounds.

#### Regional Rideshare Database and RideMatch.info Website

The AVR survey data contained in the regional rideshare database also provides the backbone for the regional ridematching website, RideMatch.info, which provides tools for public transit trip planning, carpool matching, and vanpool formation and retention. The database also provides viable leads to grow the OC Vanpool program, OCTA's Perk Pass Program for bus commuters, and Metrolink's Corporate Partner Pass Program. The CTC's regional rideshare database contains approximately 500,000 commuters, which is the largest ridematching database in the country.

#### Individualized RideGuides for Commuters

When completing an AVR survey, employees can opt-in to receive RideGuides with individualized ridesharing recommendations based on their home and work location, work hours, bus and train schedules, vanpool availability, and park-and-ride lot locations. Since 2006, OCTA has worked with an AVR services consultant to distribute 157,108 paper and electronic RideGuides, helping employees to rideshare and employers to reduce the number of vehicles traveling to worksites, helping to reduce congestion and improve air quality.

#### ***Procurement Approach***

This procurement was handled in accordance with OCTA Board of Directors (Board)-approved procedures for professional and technical services. In addition to cost, many other factors are considered in an award for professional and technical services. Award is recommended to the comprehensive overall proposal considering such factors as project organization and staffing, prior experience with similar projects, work plan, and a fair and reasonable price structure.

On March 11, 2020, Request for Proposals (RFP) 0-2617 was issued electronically on CAMM NET. The project was advertised on March 11 and 18, 2020, in a newspaper of general circulation. Three Addenda

were issued to make available the pre-proposal presentation and to respond to written questions. On March 31, 2020, one proposal was received from Innovative TDM Solutions.

- Qualifications of the Firm 30%
- Staffing and Project Organization 25%
- Work Plan 25%
- Cost and Price 20%

Several factors were considered in developing the evaluation criteria weights. Qualifications of the firm was weighted the highest at 30 percent to emphasize the importance of the proposing firms having qualifications for the highly specific and niche nature of the work required. Staffing and project organization and work plan were weighted at 25 percent each to ensure firms demonstrated a thorough understanding of the work required and the methods needed to deliver with satisfactory results. Cost was also important with a 20 percent weight to ensure value is received for the services provided.

On April 8, 2020, the evaluation committee reviewed the one proposal received based on the evaluation criteria. An interview with this firm was held on April 15, 2020.

In accordance with OCTA procurement policies and procedures, a single proposal received for a procurement over \$50,000 requires OCTA Internal Audit Department (Internal Audit) to conduct a review to determine if there was adequate competition. In addition, the Contracts Administration Materials Management (CAMM) Department contacted several vendors from the bid list to inquire why they did not submit proposals. One firm stated that upon further review, it was determined their services did not completely align with those requested in the RFP. Another firm determined the project did not fit its current capabilities at this time. A third firm did not submit a response to the RFP given its limited capacity. A fourth firm determined that it did not have the qualifications to be competitive, and a fifth firm did not submit a proposal because they determined that they could not deliver all the tasks included in the scope of work.

Innovative TDM Solutions, the incumbent firm, has been supporting this project for over 15 years and is providing OCTA with fair and reasonable pricing, based on historical, as well as current contract rates for these services.

### Qualifications of the Firm

Innovative TDM Solutions has demonstrated direct relevant experience and capabilities in all aspects of the services requested. The firm has demonstrated experience providing similar services to other transit agencies in addition to OCTA. Innovative TDM Solutions has been the consultant providing these services to OCTA since 2005.

### Staffing and Project Organization

Innovative TDM Solutions has proposed adequate staff resources to support the program. The project manager and key personnel proposed by the firm are all qualified and demonstrate extensive knowledge of the program requirements. The proposed project staff demonstrated familiarity with all aspects of the AVR survey process. During the interview, Innovative TDM Solutions was able to demonstrate protocols being implemented to anticipate disruptions associated with novel coronavirus (COVID-19) and ways to enhance the program for efficiency.

### Work Plan

The work plan proposed by the firm conformed to the scope of work identified in the RFP. The firm, through their proposal, also demonstrated their ability to provide the software and mechanism to see the process from beginning to end.

### Cost and Price

Innovative TDM Solutions proposed rates are similar to the current contract task fees, which OCTA pays under the current contract for AVR services.

### Procurement Summary

Based on the evaluation of the written proposal, the firm's qualifications, and the information obtained from the interview, the evaluation committee recommends the selection of Innovative TDM Solutions as the consultant for ridership program consulting services. The Innovative TDM Solutions demonstrated strong relevant experience and submitted a thorough and comprehensive proposal that was responsive to all requirements of the RFP. The agreement will be for a two-year term with a not-to-exceed amount of \$380,000 with two, one-year option terms.

Fiscal Impact

The program is funded with Federal Transit Authority (FTA) grant funds in Account No. 1841-7519-A2237-L75.

**Summary**

Based on the information provided, staff recommends the Board authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2167 with Innovative TDM Solutions in the amount of \$380,000, to provide Average Vehicle Ridership services for an initial term of two years.

**Attachment**

None.

**Prepared by:**



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Marketing Department  
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**Approved by:**



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Interim Executive Director,  
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Virginia Abadessa  
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and Materials Management  
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**May 21, 2020**

**To:** Legislative and Communications Committee  
**From:** Darrell E. Johnson, Chief Executive Officer  
**Subject:** State Legislative Status Report

**Overview**

An update is provided on California's response to the novel coronavirus pandemic. Information is provided on the Governor's Task Force on Business and Jobs Recovery. An update is given on the Orange County Transportation's Authority's advocacy efforts. A verbal update will be provided on the Governor's May Revision.

**Recommendation**

Receive and file as an information item.

**Discussion**

State Response Novel Coronavirus (COVID-19) Pandemic

On April 28, 2020, Governor Gavin Newsom unveiled a four-staged approach to reopening various sectors in California. The first stage is categorized as safety and preparedness. The second stage includes reopening of lower risk workplaces such as retail, manufacturing, logistics, and offices that have not been able to otherwise telework. The third stage incorporates higher risk workplaces such as hair salons, places of worship, and movie theaters. The final stage will be the end of the Stay-at-Home Order, which was directed in Executive Order N-33-20. On May 7, 2020, the State released guidance relating to the reopening of some lower risk workplaces outlined in stage two, which would include curbside retail as well as their immediate supply chain partners. Guidance was also released on May 7, 2020, addressing transit operations, office workspaces, and construction best practices. This guidance includes information on safety and risk management plans, employee safety and prevention training, individual employee testing and screening measures, cleaning and disinfection protocols, and physical distancing protocols. Orange County Transportation Authority (OCTA) staff have been and will continue to work to ensure the agency is consistent with these recommendations.

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As part of the Administration's response to the COVID-19 pandemic, Governor Newsom signed Executive Order N-62-20 on May 6, 2020, which expands workers' compensation benefits for workers who contract COVID-19 during the Stay-at-Home Order by creating a rebuttable presumption that workers who contract COVID-19 on the job are eligible for such relief. In order to receive this benefit, there must be a positive test or confirmed diagnosis of COVID-19 within 14 days of performing labor at their place of work and will be effective from March 19, 2020, through July 4, 2020. Employers will be granted a 30-day window for rebuttal and investigation. It is expected that the Department of Industrial Relations will have forthcoming guidance related to this order. OCTA staff is coordinating with other transit agencies within the State on the implications of this order and implementation.

For the first time since the State Legislature recessed, the Senate and Assembly each held virtual budget subcommittee hearings to begin informing an unprecedented state budget process amidst the COVID-19 pandemic. The California Department of Finance (DOF) previously announced that it will operate using a baseline budget and has also directed state agencies to immediately reduce spending. Currently, the DOF is working on revenue projections to inform changes in the Governor's May Revise but will lack specifics since the tax deadline has been extended. It is highly anticipated that while the Legislature will move forward with the traditional May Revise and Constitutionally prescribed June budget deadline, there will be budget adjustments in August, or a potential special session later in the year, to account for revised revenue projections. The DOF estimates roughly \$7 billion will be spent for the COVID-19 pandemic response, to which they expect the Federal Emergency Management Agency will reimburse a significant portion. In addition, while the State is better positioned to weather the budget uncertainty, given the approximately \$17.5 billion it has in reserves, it is unlikely that this will be enough to sustain the revenue loss impacts. The Legislative Analyst's Office (LAO) stated that California has entered into a recession and will see significant decreases in revenue across the board that will likely extend for multiple budget cycles.

Legislators in both committees were primarily concerned with the lack of communication between them and the Governor's office on expenditures being made from the \$1 billion appropriation the Legislature made through SB 89 (Chapter 2, Statutes of 2020), including the procurement and distribution process of personal protective equipment. Members also raised questions and sought details regarding the \$1 billion BYD contract the State executed to secure 200 million N95 masks. On May 6, 2020, Governor Newsom stated that he has asked staff to accelerate the process of releasing the contract.

On April 27, 2020, the Assembly Budget Subcommittee Number 6 on Budget Process, Oversight, and Program held an additional informational hearing on

COVID-19 Recovery and Economic Stimulus. Panelists again gave an update on various state actions and their continued efforts to anticipate budgetary impacts. Legislative Analyst, Gabe Petek, stated that California's economy is expected to drop by ten percent in terms of gross domestic product; however, unemployment is expected to decrease much more significantly. Additionally, the LAO has projected that revenues will drop by \$35 billion, which is approximately one-quarter of the State's general fund. Several California transit agencies, including the OCTA, were able to communicate key priorities at this hearing, such as concerns about the expected decline in sales and gas tax revenue, importance of public transit in moving essential workers, and the role transportation can play in a potential state economic stimulus. On May 7, 2020 the DOF released an updated budget memo indicating revenue declines created by the COVID-19 pandemic will result in a \$54.3 billion budget deficit, which is 37 percent of General Fund spending authorized in the 2019 Budget Act and nearly three and a half times the revised balance in the Rainy Day Fund of \$16 billion. Other items of note in this budget memo include a projected decrease of sales and use taxes by 27.2 percent and a projected unemployment rate of 18 percent.

On May 6, 2020, the Senate held a Special Committee on Pandemic Emergency Response specifically focusing on testing and contact tracing during the COVID-19 pandemic. This committee has been charged with reviewing the State's response to the COVID-19 pandemic and will continue to meet throughout the coming months to ensure the State is well-positioned to respond quickly and appropriately by making policy recommendations. Orange County delegation members on this committee include Senator Pat Bates (R-Laguna Hills) and Senator Tom Umberg (D-Santa Ana).

The State Assembly reconvened on May 4, 2020 to begin in-person committee hearings while the State Senate returned on May 11, 2020. On May 6, 2020 the Legislature released various changes to their legislative calendar. A copy of the revised legislative calendar for the State Assembly is included as Attachment A and for the State Senate is included as Attachment B. The Constitutionally defined deadlines including adjournment and the budget remain unchanged. In order to have an expedient policy committee process, several committee chairs are limiting the amount of bills they are hearing.

#### Governor's Task Force on Business and Jobs Recovery

Given the significant economic uncertainty moving forward, the Governor announced the formation of a Task Force on Business and Jobs Recovery (Task Force), co-chaired by the Governor's Chief of Staff, Ann O'Leary, and environmentalist and businessman, Tom Steyer. The Task Force includes representatives from industries such as business, labor, healthcare, and senior members from the State Legislature as well as former California Governors. The entire membership of this committee is included as Attachment C. The Task

Force has been charged with developing actions the government and business can take for the State to recover from the pandemic impacts and will meet through the remainder of the year. Most recently, they contributed to organizing the four-staged approach on how to reopen California's businesses, schools, and childcare centers.

On April 24, several members of the Legislature sent a letter to Ann O'Leary and Tom Steyer as co-chairs of the Task Force, recommending three core areas the Task Force should focus their efforts. A copy of the letter is included as Attachment D. The first area is to leverage all available sources of funding, which includes suggestions like augmenting climate resilience bond proposals and renewing federal assistance for state and local governments, joint powers authorities, transportation agencies, special districts and businesses through state financing authorities like the Infrastructure Bank. The second area concentrates on job creation and project delivery through reducing barriers to entry. Examples include permitting and procurement challenges for the electric vehicle supply chain and impediments to construction for pre-approved, shovel-ready projects like transit-oriented affordable housing. The third, and final, area advocates for ensuring a just recovery though keeping workers employed with a livable wage and benefits, support for small businesses, expanding the social safety net, and utilizing state benefits to target efforts in disadvantaged communities.

#### Update on Orange County Transportation Authority Advocacy Efforts

OCTA continues to provide input to stakeholders and state delegation members to ensure transportation is at the table as the State responds to the COVID-19 pandemic. In particular, OCTA has been working closely with the California Transit Association (CTA) to coordinate a detailed assessment of current and projected challenges. These points were organized into a letter that was sent to the Legislature, discussing statutory and regulatory relief measures to support transit agencies. A copy of this letter is included as Attachment E. On April 16, 2020, OCTA sent a letter to each of Orange County's State legislative delegation members to communicate its support of the CTA's priorities, which included re-evaluating the distribution of Local Transportation Fund revenues to transit agencies, authorizing the use of Low Carbon Transit Operations Program, and State of Good Repair funding to support all operating and capital expenses associated with COVID-19 relief, and postponing the implementation of the California Air Resources Board's Innovative Clean Transit regulation. This letter is included as Attachment F.

#### Governor's May Revise

On May 14, 2020, the Governor is expected to release his proposed May Revise for the Fiscal Year 2020-21 State budget. Staff will provide a verbal update on the proposal at the Legislative and Communications Committee meeting.



**Summary**

An update is provided on California's response to the novel coronavirus pandemic. An overview is provided on the Governor's Task Force on Business and Jobs Recovery. An update is given on the Orange County Transportation's Authority's advocacy efforts. Updates are also provided on the legislative calendar and budget process.

**Attachments**

- A. 2020 Tentative Assembly Legislative Calendar
- B. 2020 Tentative Senate Legislative Calendar
- C. Governor's Task Force on Business and Jobs Recovery
- D. Letter to Ann O'Leary, Chief of Staff, and Tom Steyer, Co-Chair, Task Force on Business and Jobs Recovery, dated April 24, 2020
- E. Letter from California Transit Association to the Honorable Gavin Newsom, Governor, State of California, the Honorable Anthony Rendon, Speaker, California State Assembly, and the Honorable Toni Atkins, President Pro Tempore, California State Senate, dated April 7, 2020, re: Statutory and Administrative/Regulatory Relief Measures to Support Transit Agencies
- F. Letter from Steve Jones, Chairman, Orange County Transportation Authority, to the Honorable Pat Bates, California State Assembly, dated April 16, 2020, re: Statutory and Administrative/Regulatory Relief Measures to Support Transit Agencies
- G. Orange County Transportation Authority Legislative Matrix

**Prepared by:**



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**Approved by:**



Lance M. Larson  
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Government Relations  
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2020 TENTATIVE ASSEMBLY LEGISLATIVE CALENDAR

COMPILED BY THE OFFICE OF THE ASSEMBLY CHIEF CLERK  
Revised 5-6-20

DEADLINES

- Jan. 1** Statutes take effect (Art. IV, Sec. 8(c)).
- Jan. 6** Legislature reconvenes (J.R. 51(a)(4)).
- Jan. 10** Budget must be submitted by Governor (Art. IV, Sec. 12(a)).
- Jan. 17** Last day for **policy committees** to hear and report to **fiscal committees** fiscal bills introduced in their house in the odd-numbered year (J.R. 61(b)(1)).
- Jan. 20** Martin Luther King, Jr. Day.
- Jan. 24** Last day for any committee to hear and report to the **floor** bills introduced in that house in the odd-numbered year. (J.R. 61(b)(2)). Last day to submit **bill requests** to the Office of Legislative Counsel.
- Jan. 31** Last day for each house to pass bills introduced in that house in the odd-numbered year (J.R. 61(b)(3)) (Art. IV, Sec. 10(c)).

JANUARY							
	S	M	T	W	TH	F	S
				1	2	3	4
Wk. 1	5	6	7	8	9	10	11
Wk. 2	12	13	14	15	16	17	18
Wk. 3	19	20	21	22	23	24	25
Wk. 4	26	27	28	29	30	31	

FEBRUARY							
	S	M	T	W	TH	F	S
Wk. 4							1
Wk. 1	2	3	4	5	6	7	8
Wk. 2	9	10	11	12	13	14	15
Wk. 3	16	17	18	19	20	21	22
Wk. 4	23	24	25	26	27	28	29

MARCH							
	S	M	T	W	TH	F	S
Wk. 1	1	2	3	4	5	6	7
Wk. 2	8	9	10	11	12	13	14
Wk. 3	15	16	17	18	19	20	21
Wk. 4	22	23	24	25	26	27	28
Wk. 1	29	30	31				

APRIL							
	S	M	T	W	TH	F	S
Wk. 1				1	2	3	4
Spring Recess	5	6	7	8	9	10	11
Wk. 2	12	13	14	15	16	17	18
Wk. 3	19	20	21	22	23	24	25
Wk. 4	26	27	28	29	30		

MAY							
	S	M	T	W	TH	F	S
Wk. 4						1	2
Wk. 1	3	4	5	6	7	8	9
Wk. 2	10	11	12	13	14	15	16
Wk. 3	17	18	19	20	21	22	23
Wk. 4	24	25	26	27	28	29	30
Wk. 1	31						

- Feb. 17** Presidents' Day.
- Feb. 21** Last day for bills to be **introduced** (J.R. 61(b)(4), J.R. 54(a)).
- Mar. 3** Primary Election.
- Mar. 20** Joint Recess begins upon adjournment (A.C.R. 189, Resolution Chapter 15, Statutes of 2020).
- Mar. 27** Cesar Chavez Day observed.
- May 4** Assembly reconvenes from Joint Recess (A.C.R. 189, Resolution Chapter 15, Statutes of 2020).
- May 22** Last day for **policy committees** to hear and report to fiscal committees **fiscal bills** introduced in the Assembly (J.R. 61(b)(5)).
- May 25** Memorial Day.
- May 29** Last day for **policy committees** to hear and report to the floor **nonfiscal** bills introduced in the Assembly (J.R. 61(b)(6)).

\*Holiday schedule subject to final approval by Rules Committee.

## 2020 TENTATIVE ASSEMBLY LEGISLATIVE CALENDAR

COMPILED BY THE OFFICE OF THE ASSEMBLY CHIEF CLERK

Revised 5-6-20

JUNE							
	S	M	T	W	TH	F	S
Wk. 1		1	2	3	4	5	6
Wk. 2	7	8	9	10	11	12	13
No Hrgs.	14	15	16	17	18	19	20
Summer Recess	21	22	23	24	25	26	27
Summer Recess	28	29	30				

**June 5** Last day for **fiscal committees** to hear and report to the **floor** bills introduced in the Assembly (J.R. 61 (b)(8)).

**June 15** Budget Bill must be passed by midnight (Art. IV, Sec. 12(c)).

**June 15-19 Assembly Floor session only.** No committee may meet for any purpose except for Rules Committee, bills referred pursuant to Assembly Rule 77.2, and Conference Committees (J.R. 61(b)(10)).

**June 19** Last day for the Assembly to pass bills introduced in that house (J.R. 61(b)(11)).

**Summer Recess** begins for the Assembly upon adjournment, provided Budget Bill has been passed (J.R. 51(b)(2)).

**June 25** Last day for a legislative measure to qualify for the Nov. 3 General Election ballot (Elections Code Sec. 9040).

JULY							
	S	M	T	W	TH	F	S
Summer Recess				1	2	3	4
Summer Recess	5	6	7	8	9	10	11
Wk. 3	12	13	14	15	16	17	18
Wk. 4	19	20	21	22	23	24	25
Wk. 1	26	27	28	29	30	31	

**July 3** Independence Day observed.

**July 13** Legislature reconvenes from **Summer Recess** (J.R. 51(b)(2)).

**July 31** Last day for **policy committees** to hear and report **fiscal bills** to fiscal committees (J.R. 61(b)(13)).

AUGUST							
	S	M	T	W	TH	F	S
Wk. 2							1
Wk. 3	2	3	4	5	6	7	8
Wk. 4	9	10	11	12	13	14	15
No Hrgs.	16	17	18	19	20	21	22
No Hrgs.	23	24	25	26	27	28	29
No Hrgs.	30	31					

**Aug. 7** Last day for **policy committees** to meet and report bills (J.R. 61(b)(14)).

**Aug. 14** Last day for **fiscal committees** to meet and report bills (J.R. 61(b)(15)).

**Aug. 17 – 31 Floor session only.** No committee may meet for any purpose except Rules Committee, bills referred pursuant to Assembly Rule 77.2, and Conference Committees (J.R. 61(b)(16)).

**Aug. 21** Last day to **amend** bills on the floor (J.R. 61(b)(17)).

**Aug. 31** Last day for each house to pass bills (Art. IV, Sec 10(c), J.R. 61(b)(18)).  
**Final Recess** begins upon adjournment (J.R. 51(b)(3)).

### IMPORTANT DATES OCCURRING DURING FINAL RECESS

#### 2020

Sept. 30 Last day for Governor to sign or veto bills passed by the Legislature before Sept. 1 and in the Governor's possession on or after Sept. 1 (Art. IV, Sec. 10(b)(2)).

Oct. 1 Bills enacted on or before this date take effect January 1, 2021. (Art. IV, Sec. 8(c)).

Nov. 3 General Election.

Nov. 30 Adjournment *sine die* at midnight (Art. IV, Sec. 3(a)).

Dec. 7 2021-22 Regular Session convenes for Organizational Session at 12 noon. (Art. IV, Sec. 3(a)).

#### 2021

Jan. 1 Statutes take effect (Art. IV, Sec. 8(c)).

\*Holiday schedule subject to final approval by Rules Committee.

**2020 TENTATIVE LEGISLATIVE CALENDAR**

COMPILED BY THE OFFICE OF THE SECRETARY OF THE SENATE

Revised April 23, 2020

**DEADLINES**

JANUARY						
S	M	T	W	TH	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

FEBRUARY						
S	M	T	W	TH	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29

MARCH						
S	M	T	W	TH	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

APRIL						
S	M	T	W	TH	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

MAY						
S	M	T	W	TH	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

- Jan. 1** Statutes take effect (Art. IV, Sec. 8(c)).
- Jan. 6** Legislature Reconvenes (J.R. 51(a)(4)).
- Jan. 10** Budget must be submitted by Governor (Art. IV, Sec. 12(a)).
- Jan. 17** Last day for **policy committees** to hear and report to **fiscal committees** fiscal bills introduced in their house in the **odd-numbered year** (J.R. 61(b)(1)).
- Jan. 20** Martin Luther King, Jr. Day.
- Jan. 24** Last day for any committee to hear and report to the **floor** bills introduced in that house in the odd-numbered year (J.R. 61(b)(2)).  
Last day to **submit bill requests** to the Office of Legislative Counsel.
- Jan. 31** Last day for each house to **pass bills introduced** in that house in the odd-numbered year (Art. IV, Sec. 10(c)), (J.R. 61(b)(3)).
- Feb. 17** Presidents' Day.
- Feb. 21** Last day for bills to be **introduced** (J.R. 61(b)(4)), (J.R. 54(a)).
- Mar. 16.** Legislature in recess, ACR 189, Resolution Chapter 15, Statutes of 2020
- Mar. 27** Cesar Chavez Day observed
- May 11.** Senate Reconvenes
- May 25.** Memorial Day
- May 29.** Last day for **policy committees** to hear and report to **fiscal committees** fiscal bills introduced in their house (J.R. 61(b)(5)).

\*Holiday schedule subject to Senate Rules committee approval.

**2020 TENTATIVE LEGISLATIVE CALENDAR**

COMPILED BY THE OFFICE OF THE SECRETARY OF THE SENATE  
Revised April 23, 2020

JUNE						
S	M	T	W	TH	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

**June 5.** Last day for **policy committees** to hear and report to the floor non-fiscal bills introduced in their house (J.R. 61(b)(6)). Last day for policy committees to meet prior to June 8 (J.R. 61(b)(7)).

**June 15.** **Budget Bill** must be **passed by midnight** (Art. IV, Sec. 12(c)(3)).

**June 19.** Last day for **fiscal committees** to hear and report to the floor bills introduced in their house (J.R. 61(b)(8)). Last day for **fiscal committee's** to meet prior to June 29 (J.R.61(b)(9)).

**June 22-26. Floor Session Only.** No committees, other than conference or Rules committees, may meet for any purpose (J.R. 61(b)(10)).

**June 25.** Last day for a legislative measure to qualify for the November 3 General Election ballot (Election code Sec. 9040).

**June 26.** Last day for each house to pass bills introduced in that house (J.R. 61(b)(11)).

JULY						
S	M	T	W	TH	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

**July 2.** **Summer Recess** begins upon adjournment provided Budget Bill has been passed (J.R. 51(b)(2)).

**July 3.** Independence Day observed.

**July 13.** Legislature reconvenes from **Summer Recess** (J.R. 51(b)(2)).

**July 31.** Last day for **policy committees** to hear and report **fiscal bills** to fiscal committees (J.R. 61(b)(13)).

AUGUST						
S	M	T	W	TH	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

**August 7.** Last day for **policy committees** to meet and report bills (J.R. 61(b)(14)).

**Aug. 14** Last day for **fiscal committees** to meet and report bills (J.R. 61(b)(15)).

**Aug. 17 – 31 Floor Session only.** No committees, other than conference and Rules committees, may meet for any purpose (J.R. 61(b)(16)).

**Aug. 21** Last day to **amend bills** on the Floor (J.R. 61(b)(17)).

**Aug. 31** Last day for **each house to pass bills**, except bills that take effect Immediately or bills in Extraordinary Session (Art. IV, Sec. 10(c)), (J.R. 61(b)(18)). **Final recess** begins upon adjournment (J.R. 51(b)(3)).

\*Holiday schedule subject to Senate Rules committee approval.

**IMPORTANT DATES OCCURRING DURING FINAL RECESS**

**2020**

- Sept. 30 Last day for Governor to sign or veto bills passed by the Legislature before Sept. 1 and in the Governor's possession on or after Sept. 1 (Art. IV, Sec. 10(b)(2)).
- Nov. 3 General Election
- Nov. 30 Adjournment *Sine Die* at midnight (Art. IV, Sec. 3(a)).
- Dec. 7 12 m. convening of 2021-22 Regular Session (Art. IV, Sec. 3(a)).

**2021**

- Jan. 1 Statutes take effect (Art. IV, Sec. 8(c)).
- Jan. 4 Legislature reconvenes (JR 51(a)(1)).

**Governor's Task Force on Business and Jobs Recovery**

**Co-Chairs**

**Ann O'Leary:** Chief of Staff, Office of the Governor

**Tom Steyer:** Chief Advisor to the Governor on Business & Jobs Recovery

**Honorary Task Force Members**

**The Honorable Edmund G. Brown Jr.**

**The Honorable Arnold Schwarzenegger**

**The Honorable Gray Davis**

**The Honorable Pete Wilson**

**Task Force Members**

**Eleni Kounalakis:** Lieutenant Governor, State of California

**Toni G. Atkins:** President pro Tempore, California State Senate

**Anthony Rendon:** Speaker, California State Assembly

**Shannon Grove:** Minority Leader, California State Senate

**Marie Waldron:** Minority Leader, California State Assembly

**Gregory A. Adams:** Chairman & CEO, Kaiser Foundation Health Plan, Inc. & Hospitals

**Willie Adams:** President, ILWU

**Laura Albers:** CEO, Williams-Sonoma, Inc.

**Jack Allen:** CEO, Proterra

**Aida Álvarez:** Former Administrator, U.S. Small Business Administration

**Theodore Balestreri:** Chairman, California Restaurant Association

**Dan Beckerman:** President & CEO, AEG

**Marc Benioff:** Chair, CEO & Founder, Salesforce Inc.

**Angela Glover Blackwell:** Founder in Residence, PolicyLink

**Catherine Blakemore:** Executive Director (retired), Disability Rights California

**Jared Blumenfeld:** Secretary, California Environmental Protection Agency

**Keely Bosler:** Director, California Department of Finance

**E. Toby Boyd:** President, California Teachers Association

**Father Gregory Boyle:** Founder, Homeboy Industries

**Scott Bremerman:** President, West Region, United Parcel Service

**Stacy Brown-Philpot:** CEO, TaskRabbit

**Michael S. Burke:** CEO, AECOM

**Don Cameron:** General Manager & Vice President, Terranova Ranch

**Rick Caruso:** Founder & CEO, Caruso Management

**Lourdes Castro Ramirez:** Secretary, California Business, Consumer Services and Housing Agency

**Amelia Ceja:** President, Ceja Vineyards

**Priscilla Chan:** Co-Founder & Co-CEO, Chan Zuckerberg Initiative

**Tim Cook:** CEO, Apple

**Jack Dangermond:** Co-Founder & President, Environmental Systems Research Institute

**Oscar De La Torre:** Business Manager, Northern California District Council of Laborers

**Lloyd Dean:** CEO, Dignity Health

**Chris Dombrowski:** Acting Director, Governor's Office of Business and Economic Development

**Dorene C. Dominguez:** Chairman & CEO, The Vanir Group of Companies, Inc.

**Ron Fong:** President & CEO, California Grocers Association

**Sarah Friar:** CEO, Nextdoor

**Dr. Mark Ghaly:** Secretary, California Health and Human Services Agency

**John Grant:** President, UFCW, Local 770

**Peter Guber:** Chairman & CEO, Mandalay Entertainment

**Emile Haddad:** Chairman & CEO, FivePoint

**Dan Hart:** President & CEO, Virgin Orbit

**Mary Kay Henry:** President, SEIU

**Antonia Hernández:** President & CEO, California Community Foundation

**Ron Herrera:** President, Los Angeles County Federation of Labor

**Marillyn A. Hewson:** Chairman, President & CEO, Lockheed Martin Corporation

**Ben Horowitz:** Co-Founder & General Partner, Andreessen Horowitz

**Robbie Hunter:** President, State Building and Construction Trades Council of California

**Bob Iger:** Executive Chairman, The Walt Disney Company

**Paul Jacobs:** Chairman & CEO, XCOM

**Belinda Johnson:** Former COO & Board Member, Airbnb and Board Member, PayPal

**Pamela Kan:** President, Bishop-Wisecarver

**Sarah Krevans:** President & CEO, Sutter Health

**Derrick Kualapai:** International Representative, United Association of Plumbers and Pipefitters

**Janet Lamkin:** California State President, United Airlines

**Dr. Natasha Lee, DDS:** Owner, Better Living Through Dentistry

**Monica Lozano:** President & CEO, College Futures Foundation

**James Manyika:** Senior Partner, McKinsey & Company

**Rose Marcario:** CEO & President, Patagonia

**George Marcus:** Chairman, Marcus & Millichap

**Dr. Magda Marquet:** Co-Founder & Co-CEO, Alma Life Sciences

**Ana Matosantos:** Cabinet Secretary, Office of the Governor

**Doug McCarron:** President, United Brotherhood of Carpenters

**Ken McNeely:** President, Western Region, AT&T

**Mary Meeker:** Founder & General Partner, Bond Capital

**Hamid Moghadam:** Chairman of the Board of Directors & CEO, Prologis

**Brian Niccol:** CEO, Chipotle

**Irma Olguin, Jr.:** CEO & Co-Founder, Bitwise Industries

**Cynthia A. Parker:** President & CEO, BRIDGE Housing  
**Dr. Manuel Pastor:** Director, USC Program for Environmental and Regional Equity (PERE)  
**Garrett Patricio:** COO, Westside Produce  
**Charles Phan:** Owner & Executive Chef, The Slanted Door  
**Pedro Pizarro:** President & CEO, Edison International  
**Ruth Porat:** Senior VP/CFO, Alphabet Inc.  
**John Pritzker:** Founding Partner & Director, Geolo Capital  
**Art Pulaski:** Executive Secretary-Treasurer & Chief Officer, California Labor Federation  
**Ken Ramirez:** Chairman, San Manuel Band of Mission Indians  
**Jacqueline Reses:** Head of Square Capital, Square  
**Stephen Revetria:** President, Giants Enterprises  
**Jessica Rodriguez:** CMO & President of Entertainment, Univision  
**Teresa Romero:** President, United Farm Workers  
**Dr. Robert Ross:** President & CEO, California Endowment  
**Fred Ruiz:** Founder, Ruiz Foods  
**Maria Salinas:** President & CEO, Los Angeles Area Chamber of Commerce  
**Ted Sarandos:** Chief Content Officer, Netflix  
**Lee Saunders:** President, AFSCME  
**Jeff Shell:** CEO, NBCUniversal  
**Christina Sistrunk:** President & CEO, Aera Energy  
**Dr. Patrick Soon-Shiong:** Owner, LA Times  
**Dr. KR Sridhar:** Founder & CEO, Bloom Energy  
**Julie Su:** Secretary, California Labor and Workforce Development Agency  
**Gene T. Sykes:** Managing Director, Goldman Sachs & Co.  
**Sonia Syngal:** CEO, Gap, Inc.  
**D. Taylor:** President, UNITE Here  
**Elaine Trevino:** President, Almond Alliance of California  
**April Verrett:** President, SEIU 2015  
**Jeff Weiner:** CEO, LinkedIn  
**Janet Yellen:** Former Chair, Federal Reserve  
**Allan Zaremborg:** President & CEO, California Chamber of Commerce  
**Gillian Zucker:** President, Business Operations, LA Clippers





April 24, 2020

Ms. Ann O’Leary, Chief of Staff  
Mr. Tom Steyer, Co-Chair, Task Force on Business and Jobs Recovery  
Office of Governor Gavin Newsom  
1303 10<sup>th</sup> Street, Suite 1174  
Sacramento, CA 95814

Dear Ms. O’Leary and Mr. Steyer,

First, thank you. Governor Newsom and his Administration’s leadership through the COVID-19 crisis have saved countless lives. We laud the establishment of his Task Force on Business and Jobs Recovery and offer some initial thoughts, and a willingness to assist, in developing a resilient recovery plan in concert with our leadership.

The massive financial disruption unleashed by COVID-19 necessitates immediate relief across a wide variety of job sectors, especially those hit hardest by social distancing orders, like the retail, entertainment and hospitality industries. Hundreds of thousands of workers have been impacted and are falling into poverty without an inclusive and comprehensive safety net — and this descent will only worsen without direct and sustained intervention.

In architecting our economic recovery in California, we would urge you to consider a recovery plan that in the short-term prioritizes the essentials - food, housing and job security. For the long-term, the investments we make and the additional jobs we create must be high-quality and durable enough to survive a dynamic future of work under increasingly high-risk climate and public health conditions.

These risks are not hypothetical. In recent weeks, superstorms from Texas to North Carolina to Florida have destroyed lives and communities already decimated by COVID-19. Climate

disasters will likely compound the crisis in California in the coming months as we enter mega-drought and wildfire season.<sup>i</sup>

We know that rolling back critical environmental protections is not the path forward. By failing to meet our climate goals, we would not only bankrupt our state – we would drive countless species into extinction and erode the foundation that makes California golden. Now more than ever, we must uphold California’s commitment to a livable and prosperous future.

Based on past stimulus efforts, as well as the success of various housing, education, transportation, water, disaster and resource bonds, we know the clean economy – transportation, housing, energy, water, manufacturing, waste, and natural and working lands – is one of the most cost-effective, resilient job creation sectors economy-wide.<sup>ii</sup> Given our fiscal limitations, we also encourage you to consider policy changes that incentivize clean economy job creation.

We will be submitting a more detailed framework in the coming weeks and look forward to working with you to refine details, but until then, please consider focusing on three core areas to achieve a resilient recovery:

- **Leveraging All Available Sources of Funding** by significantly augmenting climate resilience bond proposals; renewing federal assistance for state and local governments, joint powers authorities, transportation agencies, special districts and businesses through state financing authorities like the Infrastructure Bank; enhancing tax increment financing mechanisms; and unlocking private capital through creative public asset securitization.
- **Accelerating Job Creation through Expedited Project Delivery** by reducing barriers to entry, such as discriminatory fees and interconnection delays, that stifle the creation of high-quality jobs from clean economy projects for long-term energy storage, distributed generation, microgrids and other renewable and zero-emission grid resilience projects; permitting and procurement challenges for the electric vehicle supply chain, from lithium recovery to electric vehicle charging infrastructure; and impediments to construction for pre-approved, shovel-ready projects like transit-oriented affordable housing, water resilience and waste recycling.
- **Ensuring a Just Recovery** by focusing on keeping workers employed, with livable wages and benefits, providing improved support to small businesses, broadening the social safety net and targeting state benefits toward the most disadvantaged communities that already face immense challenges to their environment, health, education and opportunity.

Thank you for your consideration. We look forward to partnering on a just and resilient recovery.

Sincerely,



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Henry Stern, Senate District 27



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Eduardo Garcia, Assembly District 56



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Laura Friedman, Assembly District 43



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Bill Monning, Senate District 17



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Ben Allen, Senate District 26



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Richard Bloom, Assembly District 50



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Robert Wieckowski, Senate District 10



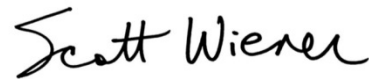
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Jim Beall, Senate District 15



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Bill Dodd, Senate District 3



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Scott Wiener, Senate District 11



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Connie Leyva, Senate District 20



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Robert Rivas, Assembly District 30



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Tasha Boerner Horvath, Assembly District 76



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Todd Gloria, Assembly District 78



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Anthony Portantino, Senate District 25



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Maria Elena Durazo, Senate District 24



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Ash Kalra, Assembly District 27



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Nancy Skinner, Senate District 9



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Rebecca Bauer-Kahan, Assembly District 16



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Bob Archuleta, Senate District 32

CC: Senator Toni Atkins, President Pro Tempore of the Senate  
Assemblymember Anthony Rendon, Speaker of the Assembly

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<sup>i</sup> While California refines its understanding of the economic implications of future climate disasters in the Fifth Climate Assessment, a snapshot of our state’s risk exposure can be found in a 2015 report, *From Boom to Bust? Climate Risk in the Golden State* by the Risky Business Project.

<sup>ii</sup> One notable effort that successfully reduced climate risk and resulted in resilient job creation is the American Recovery and Reinvestment Act of 2009, which boosted gross domestic product overall by 2 to 3 percent, where the clean energy investment provisions alone supported about 1 million job-years from 2009-15, including an innovative loan program that is now cash-positive, yielding an ongoing revenue source and a return for taxpayers.

Other efforts to consider include the 2006 “Rebuilding California” Propositions 1A-E and Proposition 84, Proposition 39 of 2012, Proposition 1 of 2014, and Proposition 68 of 2016. As a general rule of thumb, FEMA estimates every dollar spent on disaster preparedness saves six dollars over time, and according to a recent University of Massachusetts at Amherst study, for every billion dollars spent on public works, we create about 20,000 jobs.



Connecting us.

April 7, 2020

The Honorable Gavin Newsom, Governor  
State of California  
State Capitol, Suite 1173  
Sacramento, CA 95814

The Honorable Toni Atkins, President Pro Tempore  
California State Senate  
State Capitol, Room 205  
Sacramento, CA 95814

The Honorable Anthony Rendon, Speaker  
California State Assembly  
State Capitol, Room 209  
Sacramento, CA 95814

**RE: Statutory and Administrative/Regulatory Relief Measures to Support Transit Agencies**

Dear Governor Newsom, President pro Tem Atkins, and Speaker Rendon:

On behalf of the California Transit Association, thank you for your leadership during the public health crisis, your staffs' attention to our industry's needs, and for your steadfast support of California's essential workers still relying on public transit agencies to move about.

As you well know, the COVID-19 pandemic precipitated an existential crisis facing transit agencies statewide, as fare revenue losses and the escalating cost of front-line efforts to maintain public health severely threatened agency fiscal solvency and operational capacity. With your support, California was able to capture significant new emergency funding in the federal Coronavirus Aid, Relief and Economic Security (CARES) Act to help maintain transit service levels in the near-term, ensuring that many essential workers throughout our state have the means to travel as needed. Over the mid- to long-term, our members anticipate that additional funding will be necessary to backfill for revenue lost from the expected decline in sales tax revenue, to prevent from becoming permanent service cuts made in response to state and local directives, and to stave off future cuts that could further set transit service back. We are working with our members to scope the anticipated revenue losses on the horizon, as well as any need for more state and federal supplemental funding. When we have completed that work, we look forward to engaging with you to discuss the various options before the state.

In the meantime, we respectfully commend to you a variety of near-term and low- to no-cost actions the Administration and the Legislature can take today to reduce transit agency costs and ensure transit agencies direct their current funding and staff capacity to advancing public health as they maintain the transit service still needed for Californians that must travel but have no other option.

The attachment accompanying this transmittal letter includes a series of statutory and administrative/regulatory relief measures – sourced from our member agencies – that would, among other things:

- Temporarily eliminate counterproductive financial penalties for non-compliance with various transit funding efficiency measures;
- Create more flexibility in the use of existing transit funding; and,
- Temporarily postpone the time-lines for various enforcement actions, regulatory milestones and the use of funding requirements that would otherwise shift agency resources away from the core mission during the crisis.

Again, we thank you for your leadership through these uncertain times and we welcome the opportunity to further discuss our proposed relief measures with you. Our paramount concern is preserving lifeline and essential mobility options during this crisis; and we look forward to working with you to restore public transportation in California to the national model it was before the pandemic.

If you have any questions, please contact me at 916-893-9299.

Sincerely



Joshua W. Shaw  
Executive Director

cc: The Honorable Betty Yee, Controller, State of California  
The Honorable Jim Beall, Chair, Senate Transportation Committee  
The Honorable Holly Mitchell, Chair, Senate Budget and Fiscal Review Committee  
The Honorable Jim Frazier, Chair, Assembly Transportation Committee  
The Honorable Phil Ting, Chair, Assembly Budget Committee  
David Kim, Secretary, California State Transportation Agency  
Toks Omishakin, Director, California Department of Transportation  
Richard Corey, Executive Officer, California Air Resources Board  
Members, Executive Committee, California Transit Association

## COVID-19 Response: Statutory & Administrative/Regulatory Relief Measures for Public Transportation Agencies

### Statutory Relief Measures:

1. **Institute hold harmless provision for calculation and allocation of State Transit Assistance Program, STA-State of Good Repair and Low Carbon Transit Operations Program allocations (Local Revenue Basis Only).**

**Justification:** For 50% of all funds allocated under these three programs, current law requires the State Controller to calculate funding apportionments for each eligible transit agency based on the ratio that the transit agency's local revenue bears to the total local revenue of all eligible transit agencies within the area of jurisdiction of each agency's transportation planning agency, county transportation commission or regional board.

Due to the COVID-19 pandemic, transit agencies statewide are experiencing significant declines in local revenue (largely passenger fares so far, but this will soon include reduced local-option sales taxes), but these impacts are not being experienced uniformly and to the same degree between transit agencies. This requirement, left unaddressed, will lead to unwarranted and potentially significant redistribution of funding apportionments between agencies in the jurisdiction of the same transportation planning agency, county transportation commission or regional board. This requirement, which chiefly guides apportionments for the State Transit Assistance Program, also guides apportionments for the STA-State of Good Repair Program and the Low Carbon Transit Operations Program.

This proposal provides transit agencies predictability, by directing the State Controller to: "freeze" for the budget year and the year after that the local revenue allocation factors used most recently before the pandemic; and, to allocate to transit agencies funds under these three programs using those exact same allocation factors (i.e. as opposed to updating the factors each year, which would redistribute the funds in unanticipated ways).

Please note: While this proposal pegs the factors to the data to be published by the State Controller this August, 2020, which may seem like data that would naturally be "affected" adversely by the local transit fare revenue impacts of the pandemic, in fact the State Controller will be publishing this August data submitted by transit agencies from the close of their fiscal year 2018-19 (i.e. as of June 30, 2019). This data set is thus the latest data available that will not be adversely affected by the pandemic. Current law would usually then direct the State Controller to update the local revenue ratios each quarter after the first quarter's allocation; this proposal also "freezes" in place that process, which otherwise would start to be adversely affected by the pandemic's impacts on local transit revenue.

**Proposed Amendment:**

**Section 99314.8 of the Public Utilities Code** is amended to read:

(a) Notwithstanding any other law, for ~~the third and fourth quarters of the 2015-16 fiscal year, and for all four quarters of the 2016-17~~ **2020-21 and 2021-2022** fiscal years, the Controller shall calculate and publish the allocation of all funds made **available** pursuant to Section 99314 to each transportation planning agency and county transportation commission, the San Diego Metropolitan Transit Development Board, the member agencies of the Altamont Commuter Express Authority, and the member agencies of the Southern California Regional Rail Authority based on the **same individual operator ratios published by the Controller in its State Transit Assistance Allocation transmittal memo dated August 2020.** ~~same list of operators and the same individual operator ratios published by the Controller in its original Fourth Quarter State Transit Assistance Allocation transmittal memo for the 2014-15 fiscal year, unless the Controller has subsequently published revisions or adjustments to its original Fourth Quarter State Transit Assistance Allocation transmittal memo for the 2014-15 fiscal year, in which case the revised or adjusted list of operators and individual operator ratios shall be used.~~

~~(b) Each transportation planning agency and county transportation commission, and the San Diego Metropolitan Transit Development Board may apply the individual operator ratios calculated for the third quarter of the 2015-16 fiscal year pursuant to this section to any undistributed funds remaining from the first and second quarters of the 2015-16 fiscal year.~~

~~(be) Upon allocation of funds pursuant to this section to each transportation planning agency and county transportation commission, the San Diego Metropolitan Transit Development Board, the member agencies of the Altamont Commuter Express Authority, and the member agencies of the Southern California Rail Authority, the Controller shall publish the amount of funding applicable to each operator.~~

**(c) This section applies to Section 75230 of the Public Resources Code and Section 99312.1 of the Public Utilities Code.**

**2. Temporarily suspend the financial penalties associated with the Transportation Development Act's requirements that transit agencies obtain specified fixed percentages of their operating budgets from passenger fares.**

**Justification:** Current law requires transit agencies to obtain specified fixed percentages of their operating budgets from passenger fares (often called "farebox recovery ratio requirements") in order to receive their full share of the Transportation Development Act's Local Transportation Fund (LTF) revenues. Transit agencies that fail to meet this requirement face financial penalties, which reduce the LTF funding available to them for capital and operations.

Given the COVID-19 pandemic, this requirement, which was originally established to ensure transit agencies deliver cost-effective transit service, will instead penalize transit agencies that are experiencing – *through no fault of their own* – unprecedented declines in transit ridership and fare revenue or that are eliminating fares entirely to facilitate social distancing between transit operators and riders.



**Proposed Amendment:**

**Section 99268.9 of the Public Utilities Code is amended to read:**

99268.9. (a) Except as otherwise provided in subdivision (b), if an operator was allocated funds under this article during a fiscal year in which it did not maintain the required ratio of fare revenues to operating cost, the operator's eligibility to receive moneys from the local transportation fund and allocations pursuant to Sections 99313.3 and 99314.3 shall be reduced during a subsequent penalty year by the amount of the difference between the required fare revenues and the actual fare revenues for the fiscal year that the required ratio was not maintained. The penalty year shall be the fiscal year that begins one year after the end of the fiscal year during which the required ratio was not maintained.

...

**(c) Notwithstanding this section, no transportation planning agency or county transportation commission, nor the San Diego Metropolitan Transit Development Board, shall impose the financial penalties described in subdivision (a) in or due to fare ratios calculated and maintained in an operator's fiscal year 2019-20 or 2020-21.**

**(d) Subdivision (c) of this section shall become inoperative commencing January 1, 2022.**

3. **Temporarily suspend the financial penalties associated with the State Transit Assistance Program's requirement that transit agencies' operating cost per revenue vehicle hour may not exceed operating cost per revenue vehicle hour adjusted by regional CPI, year over year.**

**Justification:** Current law requires transit agencies to hold operating cost per revenue vehicle hour constant year-over-year, as adjusted for inflation, in order to apply their share of State Transit Assistance Program funds fully toward operations. Transit agencies that fail to meet this requirement face financial penalties, which limit the funding from their total share that could be applied to operations (i.e. these dollars may only be used for capital expenditures).

Given the COVID-19 pandemic, this requirement, which was originally established to ensure transit agencies deliver cost-effective transit service, will instead penalize transit agencies that are experiencing – *through no fault of their own* – sudden increases in maintenance and sanitation costs for transit vehicles to protect public health.

**Proposed Amendment:**

**Section 99314.6 of the Public Utilities Code is amended to read:**

- (a) Except as provided in [Section 99314.7](#), the following eligibility standards apply:
- (1) Except as provided in paragraph (3), funds shall be allocated for operating or capital purposes pursuant to [Sections 99313](#) and [99314](#) to an operator if the operator meets either of the following efficiency standards:
    - (A) The operator shall receive its entire allocation, and any or all of this allocation may be used for operating purposes, if the operator's total operating cost per revenue vehicle

hour in the latest year for which audited data are available does not exceed the sum of the preceding year's total operating cost per revenue vehicle hour and an amount equal to the product of the percentage change in the Consumer Price Index for the same period multiplied by the preceding year's total operating cost per revenue vehicle hour.

(B) The operator shall receive its entire allocation, and any or all of this allocation may be used for operating purposes, if the operator's average total operating cost per revenue vehicle hour in the latest three years for which audited data are available does not exceed the sum of the average of the total operating cost per revenue vehicle hour in the three years preceding the latest year for which audited data are available and an amount equal to the product of the average percentage change in the Consumer Price Index for the same period multiplied by the average total operating cost per revenue vehicle hour in the same three years.

...  
**(e) Notwithstanding this section, an operator shall be exempt from meeting either efficiency standard under subdivision (a)(1) for the 2020-21 and 2021-2022 fiscal years and may expend funds for operating or capital purposes pursuant to Sections 99313 and 93314 during that period.**

**4. Authorize use of Low Carbon Transit Operations Program dollars to support all operating and capital expenses associated with COVID-19 relief.**

**Justification:** Current law requires transit agencies to use Low Carbon Transit Operations Program dollars *only* to enhance or expand their transit service, increase transit mode share, or for the purchase of zero-emission buses and the installation of necessary equipment and infrastructure. These limits on the use of LCTOP funds were established by the State Legislature to ensure that these dollars, sourced from the Greenhouse Gas Reduction Fund, deliver year-over-year climate benefits.

The COVID-19 pandemic's impact on fare revenue and expected impact on sales tax revenue has resulted in transit agencies dramatically curtailing service hours and cutting deeply service lines. Transit agencies require flexibility in the dollars already allocated to them to maintain existing service and stave off additional service cuts during this crisis, which could lead to GHG increases.

**Proposed Amendment:**

**Section 75230 of the Public Resources Code is amended to read:**

(a) The Low Carbon Transit Operations Program is hereby created to provide operating and capital assistance for transit agencies to reduce greenhouse gas emissions and improve mobility, with a priority on serving disadvantaged communities.

...  
**(v) A recipient transit agency shall be exempt from the requirements of this section for 2020-21 and 2020-22 and may expend program moneys allocated for the 2019-20, 2020-21 and 2021-22 fiscal years and any unspent program moneys allocated in a previous fiscal year on operating or capital expenses to maintain service and backfill lost revenue due to the coronavirus public health emergency, including the purchase of personal protective equipment, and paying the administrative leave of operations personnel due to reductions in service.**

**5. Authorize State Transit Assistance Program-State of Good Repair dollars to support all operating and capital expenses associated with COVID-19 relief.**

**Justification:** Current law requires transit agencies to use State Transit Assistance – State of Good Repair dollars only to maintain or repair their existing transit vehicle fleet or existing transit facilities, including rehabilitation or modernization of existing vehicles or facilities; design, acquisition, and construction of new vehicles or facilities that improve existing transit services; or, to complement local efforts for repair and improvement of local transportation infrastructure.

The COVID-19 pandemic’s impact on fare revenue and expected impact on sales tax revenue has resulted in transit agencies dramatically curtailing service hours and deeply cutting service lines. Transit agencies require flexibility in the dollars already allocated to them to maintain existing service and to stave off additional service cuts during this crisis.

**Proposed Amendment:**

**Section 99312.1 of the Public Utilities Code is amended to read:**

(a) Revenues transferred to the Public Transportation Account pursuant to Sections 6051.8 and 6201.8 of the Revenue and Taxation Code for the State Transit Assistance Program are hereby continuously appropriated to the Controller for allocation as follows:

- (1) Fifty percent for allocation to transportation planning agencies, county transportation commissions, and the San Diego Metropolitan Transit Development Board pursuant to Section 99314.
- (2) Fifty percent for allocation to transportation agencies, county transportation commissions, and the San Diego Metropolitan Transit Development Board for purposes of Section 99313.

...

**(g) A recipient transit agency shall be exempt from the requirements of this section for 2020-21 and 2021-22 and may expend program moneys allocated for the 2019-20, 2020-21 and 2021-22 fiscal years and any unspent program moneys allocated in a previous fiscal year on operating or capital expenses to maintain service and backfill lost revenue due to the coronavirus public health emergency, including the purchase of personal protective equipment, and paying the administrative leave of operations personnel due to reductions in service.**

**6. Postpone Transportation Development Act and Senate Bill 1 audit requirements.**

**Justification:** Current law requires transit agencies to regularly submit audits to their regional planning agency, transit development board or county transportation commission and the state, detailing how funds from the Transportation Development Act were expended and reporting on the efficiency, effectiveness, and economy of their operations. These audits are time- and resource-intensive, requiring coordination between multiple divisions within a transit agency.

Due to the COVID-19 pandemic, transit professionals are focused primarily on maintaining the fiscal solvency and operational capacity of their transit systems and protecting public health. These requirements would shift limited financial and staff resources from these critical functions when transit agencies can least afford it.

**Proposed Amendments:**

**Section 99245 of the Public Utilities Code is amended to read:**

**(a)** Each transportation planning agency, transit development board created pursuant to Division 11 (commencing with Section 120000), and county transportation commission shall be responsible to ensure that all claimants to whom it directs the allocation of funds pursuant to this chapter shall submit to it an annual certified fiscal audit conducted by an entity other than the claimant.

A report on the audit shall be submitted to the transportation planning agency, transit development board, county transportation commission, and to the Controller within 180 days after the end of the fiscal year. However, the responsible entity may grant an extension of up to 90 days as it deems necessary. The report shall include a certification that the funds allocated to the claimant pursuant to this chapter were expended in conformance with applicable laws and rules and regulations. Except for the first report, the report shall also include the audited amounts for the fiscal year prior to the fiscal year audited.

**(b) Notwithstanding this section, no transportation planning agency, transportation development board, or county transportation commission shall require a claimant to whom it directs allocation of funds pursuant to this chapter to submit to it an annual certified fiscal audit described in subdivision (a) for the 2019-20 fiscal year before June 30, 2021.**

**Section 99246 of the Public Utilities Code is amended to read:**

(a) The transportation planning agency shall designate entities other than itself, a county transportation commission, a transit development board, or an operator to make a performance audit of its activities and the activities of each operator to whom it allocates funds. The transportation planning agency shall consult with the entity to be audited prior to designating the entity to make the performance audit.

...

**(f) Notwithstanding this section, no performance audit otherwise required to be prepared pursuant to this section and otherwise required to be submitted to the director as described in subdivision (c) and made available to the public as described in subdivision (e) in calendar year 2020 shall be required to be submitted to the director and made available to the public any earlier than June 30, 2021.**

## Administrative/Regulatory Relief Measures:

### 1. Expedite Caltrans's release of Federal Transit Administration 5310 and 5311 funds for rural operators.

**Justification:** Under federal law, Caltrans is the designated recipient of federal transit funding for non-urban areas. Caltrans is charged with allocating this funding to non-urban transit agencies, known as subrecipients, by entering into standard agreements with them or through a process of reimbursement. Typically, it takes between 12 and 18 months for transit agencies to receive their share of federal funds after submitting a claim to Caltrans.

Caltrans still has some federal funds on hand, allocated through the most recent federal process, which have not been allocated to transit agencies. And, the federal government recently passed the CARES Act, authorizing another \$3.74 billion in emergency relief funding for California transit agencies, a great deal of which will be processed by Caltrans.

The COVID-19 pandemic requires urgent action by the state to process these claims, streamline coordination between responsible state agencies, authorize safer claims handling, and to frontload investment to transit agencies wherever possible. These urgent actions will help transit agencies maintain existing transit service levels during the crisis.

#### **Proposed Administrative Changes:**

- a. Dedicate additional Caltrans staff to completing or amending standard agreements and reviewing future reimbursement requests for FTA 5310 and FTA 5311 funds. Expedite coordination between program manager, Caltrans Accounting department, and the State Controller's Office.

Relevant agency-department: CalSTA; Caltrans; State Controller's Office

- b. Authorize e-signatures in place of wet signatures for standard agreements for FTA 5311 funds.

Relevant agency-department: State Controller's Office; CalSTA; Caltrans

- c. Authorize upfront payment of an appropriate percentage (25% to 50% is recommended) of FTA 5311 funds directly to eligible recipients and postpone semi-annual reporting requirements. The balance of money should be apportioned by Caltrans after the department receives billing and documentation verifying funding has been used for COVID 19 expenses.

Relevant agency-department: Federal Transit Administration; Caltrans

## 2. Provide temporary flexibility in LCTOP and STA-SOGR funding.

**Justification:** See 'Justification' under Statutory Relief Measures 4 and 5.

**Proposed Administrative Changes:**

- a. Authorize a recipient transit agency under the Low Carbon Transit Operations Program to expend program moneys on operating or capital expenses to maintain service and backfill lost revenue due to the coronavirus public health emergency, including the purchase of personal protective equipment, and paying the administrative leave of operations personnel due to reductions in service.

Relevant agency-department: CalSTA; ARB

- b. Authorize a recipient transit agency under the State Transit Assistance-State of Good Repair Program to expend program moneys on operating or capital expenses to maintain service and backfill lost revenue due to the coronavirus public health emergency, including the purchase of personal protective equipment, and paying the administrative leave of operations personnel due to reductions in service.

Relevant agency-department: CalSTA; Caltrans

## 3. Temporarily suspend requirements that Transportation Development Act claims go to transit governing boards before submitting to Regional Transportation Planning Agency.

**Justification:** The California Code of Regulations authorizes RTPAs to impose requirements on transit agencies for the processing of TDA funding claims. Pursuant to this authorization, RTPAs statewide require transit agencies to submit their TDA claims to transit agency governing boards before submitting them to the RTPA.

Due to the COVID-19 pandemic, transit governing boards are meeting less frequently and generally to address only the most pressing concerns of their systems. This requirement, left unaddressed, may slow the receipt of critical funding at transit agencies. Transit agency staff should be allowed to process and submit these claims to RTPAs during the crisis, to speed the flow of needed funds.

**Proposed Administrative Change:**

- a. Direct Caltrans to update guidance to RTPAs statewide to temporarily suspend the imposition of any requirement for TDA claims to be approved by a transit agency's governing board before submitting to RTPA.

Relevant agency-department: CalSTA; Caltrans

#### 4. Temporarily suspend enforcement of expired Class B licenses.

**Justification:** The California Highway Patrol, based on direction from the Department of Motor Vehicles, has issued guidance to California law enforcement personnel encouraging them to exercise flexibility and discretion when reviewing DL/ID and VR records. This directive is in effect through May 15, 2020 and will be re-evaluated closer to that date.

While DMV offices are closed for most functions, transit agencies with operators holding expired Class B licenses require certainty from the state so they can plan, and adjust as necessary, the provision of transit service during the crisis.

**Proposed Administrative Change:**

- a. Direct DMV-CHP to exercise discretion for an additional 60 days (for a total of 120 days) in their enforcement of expired commercial driver's licenses

Relevant agency-department: CalSTA; DMV; CHP

#### 5. Temporarily suspend California Highway Patrol audits of vehicles, and drug and alcohol testing & operations.

**Justification:** The California Highway Patrol conducts audits of transit agency vehicle fleets and operations on an annual basis, comprised of three components: a mechanical audit of vehicles, audit of drug and alcohol testing, and an audit of operators (i.e. drivers).

A transit agency designated for an audit during the COVID-19 pandemic may face challenges in complying while maintaining transit service, as these audits generally take several days to complete and can require significant staff time and paperwork. This concern is compounded by the fact that many transit agencies are anticipating significant staff shortages.

**Proposed Administrative Change:**

- a. Direct CHP to suspend audits of vehicles, drug and alcohol testing & operations for 120 days

Relevant agency-department: CalSTA; CHP [possibly in concert with the Federal Motor Carrier Safety Administration]

#### 6. Postpone implementation of the California Air Resources Board's Innovative Clean Transit regulation, beginning with the June 30 deadline for large agency rollout plans.

**Justification:** The California Air Resources Board's Innovative Clean Transit regulation requires large transit agencies (100 > vehicles in maximum annual service) to soon submit rollout plans detailing their proposed transition to zero-emission transit bus technology. These plans must be approved the transit agency's governing board before they are submitted to ARB.

Due to the COVID-19 pandemic, the transit professionals who would normally conduct the in-person site visits with consulting teams, utility companies and bus manufacturers for critical project scoping and plan refinement are currently unable to do so. Moreover,



executive staff and the governing boards who would usually approve such plans are also meeting less frequently for non-emergency items.

***Proposed Regulatory Change:***

- a. Within the Innovative Clean Transit regulation, postpone the deadline for the submittal of rollout plans by large agencies from June 30, 2020 to December 31, 2020.

Relevant agency-department: ARB

**7. Postpone development and implementation of the California Air Resources Board's Commercial Harbor Craft regulation.**

***Justification:*** The California Air Resources Board is beginning the development of a new regulation affecting commercial harbor craft. These vehicles are operated by several transit agencies in the state for passenger service, including the Golden Gate Bridge, Highway and Transportation District, Long Beach Transit and the San Francisco Water Emergency Transit Authority. Comments on the regulatory concept are due to ARB by April 30.

Due to the COVID-19 pandemic, transit professionals are focused primarily on maintaining the fiscal solvency and operational capacity of their transit systems and protecting public health. This artificial deadline would shift limited financial and staff resources from these critical functions when transit agencies can least afford it.

***Proposed Regulatory Change:***

- a. Postpone the development of the commercial harbor craft regulation until *at least* January 1, 2021.

Relevant agency-department: ARB

**8. Extend the expenditure deadline for Low Carbon Transit Operations Program awards.**

***Justification:*** The COVID-19 pandemic has slowed the delivery of transit projects and transit vehicles funded by the Low Carbon Transit Operations Program. If expenditure deadlines are not extended, transit agencies will be forced to forfeit awards from the Low Carbon Transit Operations Program, just when agencies are focused primarily on maintaining the fiscal solvency and operational capacity of their transit systems and protecting public health.

***Proposed Regulatory Change:***

- a. Extend the expenditure deadline for Low Carbon Transit Operations Program awards.

Relevant agency-department: CalSTA; Caltrans





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## CHIEF EXECUTIVE OFFICE

Darrell E. Johnson  
Chief Executive Officer

April 16, 2020

The Honorable Pat Bates  
California State Assembly  
State Capitol, Room 3048  
Sacramento, California 95814

**RE: Statutory and Administrative/Regulatory Relief Measures to Support Transit Agencies**

Dear Senator Bates:

On behalf of the Orange County Transportation Authority (OCTA), thank you for your steadfast support of the vital services we provide and the essential workers throughout Orange County (OC) who still rely on transit to move them to and from their jobs, while keeping health and safety our top priority during the current coronavirus (COVID-19) pandemic.

As is the case with the entire transportation sector, OCTA is incurring unforeseen costs, financial hardship, and facing significant operational burdens in responding to this unprecedented national crisis, losing approximately \$3 million each month in lost fare revenues. Since the beginning of the COVID-19 pandemic, OC Bus ridership dropped by a little over 70 percent, and paratransit services have dropped over 90 percent. Starting March 23, OCTA made the difficult decision to implement a Sunday service schedule, which is about 40 percent of normal service levels, for every day of the week. At the beginning of April, OCTA also implemented rear-door boarding on its fixed-route service, furthering social distance protections on our buses.

Fortunately, California was able to capture significant new emergency funding in the federal Coronavirus Aid, Relief and Economic Security (CARES) Act to help maintain transit service levels in the near-term, ensuring that many essential workers throughout our state have the means to travel, as needed. This funding also enables OCTA to protect our frontline employees and OC Bus riders through distributing facial coverings to employees and procuring additional cleaning supplies to increase sanitation and social distancing efforts as directed by our local, state, and federal public health officials.

While the funding provided under the CARES Act is critical to meet near-term operations issues, OCTA anticipates several challenges moving forward, including projected decreases in sales tax revenue that may mirror decreases that took place during the Great Recession, directly impacting transit operations

The Honorable Pat Bates

April 16, 2020

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moving forward. In addition, statutory and regulatory mandates put in place before the COVID-19 pandemic present additional barriers as OCTA begins to work toward planning for the reintroduction of service post-pandemic. With this in mind, OCTA supports the various statutory and administrative/regulatory relief measures the California Transit Association have proposed, attached to this letter. These near-term and low- to no-cost actions will ensure OCTA can direct our current funding and staff capacity to advancing public health as we maintain the transit service still needed for Californians. In particular, OCTA supports the following relief measures:

- **Re-evaluate the distribution of Local Transportation Fund (LTF) revenues to transit agencies, accounting for sharp increase in online sales.** Current LTF distribution is based on the place of distribution, rather than where the sale occurs. As the population increasingly turns online to procure essentials, this will significantly decrease available transit funding from the LTF to Orange County due to the low number of distribution centers within the county. Currently LTF funds about 50 percent of OCTA's operations.
- **Postpone implementation of the California Air Resources Board's Innovative Clean Transit regulation.** In responding to the COVID-19 crisis, our transit operations' focus has been on mitigating those impacts. Technology procurements mandates should be delayed so that transit agencies can focus their efforts on operational needs and response after the outbreak is contained. Costly mandates will simply take away from getting service back on the ground.
- **Authorize use of Low Carbon Transit Operations Program (LCTOP) and State of Good Repair (SGOR) funding to support all operating and capital expenses associated with COVID-19 relief.** Granting more flexibility under these funding sources will relieve near-term stresses on our current operation. Allocation directly to transit agencies, with expanded eligibility and streamlined approval processes, will allow agencies to immediately use funding for their systems.
- **Institute hold harmless provision for calculation and allocation of State Transit Assistance Program, SOGR Repair and LCTOP allocations (Local Revenue Basis Only).** Freezing the allocation factors used most recently before the pandemic, for this budget year and the next, will provide transit agencies much needed predictability in these funding streams.

The Honorable Pat Bates

April 16, 2020

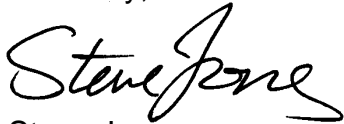
Page 3

- **Temporarily suspend the financial penalties associated with the Transportation Development Act's requirements that transit agencies obtain specified fixed percentages of their operating budgets from passenger fares.** Similar to the flexibility provided to the education system, OCTA recommends removing financial penalties for non-compliance with farebox recovery requirements as our ridership continues to decrease.

Again, we thank you for your leadership through these uncertain times and welcome the opportunity to further discuss the proposed relief measures with you. If you have any questions about this request, please do not hesitate to contact Lance Larson, Executive Director of Government Relations, at (714) 560-5908, or Kristin Jacinto, Manager of State and Federal Relations, at (714) 560-5754.

Thank you for your consideration.

Sincerely,



Steve Jones  
Chairman

SJ:al  
Attachment

c: Orange County State Legislative Delegation  
David S. Kim, Secretary, California State Transportation Agency  
Chad Edison, Chief Deputy Secretary for Rail and Transit, California State Transportation Agency  
Betty T. Yee, Controller, California State Controller's Office  
Keely Bosler, Finance Director, State of California Department of Finance  
Joshua Shaw, Executive Director, California Transit Association  
Darrell E. Johnson, Chief Executive Officer, OCTA  
Platinum Advisors, LLC  
Topp Strategies, LLC

April 7, 2020

The Honorable Gavin Newsom, Governor  
State of California  
State Capitol, Suite 1173  
Sacramento, CA 95814

The Honorable Toni Atkins, President Pro Tempore  
California State Senate  
State Capitol, Room 205  
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**RE: Statutory and Administrative/Regulatory Relief Measures to Support Transit Agencies**

Dear Governor Newsom, President pro Tem Atkins, and Speaker Rendon:

On behalf of the California Transit Association, thank you for your leadership during the public health crisis, your staffs' attention to our industry's needs, and for your steadfast support of California's essential workers still relying on public transit agencies to move about.

As you well know, the COVID-19 pandemic precipitated an existential crisis facing transit agencies statewide, as fare revenue losses and the escalating cost of front-line efforts to maintain public health severely threatened agency fiscal solvency and operational capacity. With your support, California was able to capture significant new emergency funding in the federal Coronavirus Aid, Relief and Economic Security (CARES) Act to help maintain transit service levels in the near-term, ensuring that many essential workers throughout our state have the means to travel as needed. Over the mid- to long-term, our members anticipate that additional funding will be necessary to backfill for revenue lost from the expected decline in sales tax revenue, to prevent from becoming permanent service cuts made in response to state and local directives, and to stave off future cuts that could further set transit service back. We are working with our members to scope the anticipated revenue losses on the horizon, as well as any need for more state and federal supplemental funding. When we have completed that work, we look forward to engaging with you to discuss the various options before the state.

In the meantime, we respectfully commend to you a variety of near-term and low- to no-cost actions the Administration and the Legislature can take today to reduce transit agency costs and ensure transit agencies direct their current funding and staff capacity to advancing public health as they maintain the transit service still needed for Californians that must travel but have no other option.

The attachment accompanying this transmittal letter includes a series of statutory and administrative/regulatory relief measures – sourced from our member agencies – that would, among other things:

- Temporarily eliminate counterproductive financial penalties for non-compliance with various transit funding efficiency measures;
- Create more flexibility in the use of existing transit funding; and,
- Temporarily postpone the time-lines for various enforcement actions, regulatory milestones and the use of funding requirements that would otherwise shift agency resources away from the core mission during the crisis.

Again, we thank you for your leadership through these uncertain times and we welcome the opportunity to further discuss our proposed relief measures with you. Our paramount concern is preserving lifeline and essential mobility options during this crisis; and we look forward to working with you to restore public transportation in California to the national model it was before the pandemic.

If you have any questions, please contact me at 916-893-9299.

Sincerely



Joshua W. Shaw  
Executive Director

cc: The Honorable Betty Yee, Controller, State of California  
The Honorable Jim Beall, Chair, Senate Transportation Committee  
The Honorable Holly Mitchell, Chair, Senate Budget and Fiscal Review Committee  
The Honorable Jim Frazier, Chair, Assembly Transportation Committee  
The Honorable Phil Ting, Chair, Assembly Budget Committee  
David Kim, Secretary, California State Transportation Agency  
Toks Omishakin, Director, California Department of Transportation  
Richard Corey, Executive Officer, California Air Resources Board  
Members, Executive Committee, California Transit Association

## COVID-19 Response: Statutory & Administrative/Regulatory Relief Measures for Public Transportation Agencies

### Statutory Relief Measures:

1. **Institute hold harmless provision for calculation and allocation of State Transit Assistance Program, STA-State of Good Repair and Low Carbon Transit Operations Program allocations (Local Revenue Basis Only).**

**Justification:** For 50% of all funds allocated under these three programs, current law requires the State Controller to calculate funding apportionments for each eligible transit agency based on the ratio that the transit agency's local revenue bears to the total local revenue of all eligible transit agencies within the area of jurisdiction of each agency's transportation planning agency, county transportation commission or regional board.

Due to the COVID-19 pandemic, transit agencies statewide are experiencing significant declines in local revenue (largely passenger fares so far, but this will soon include reduced local-option sales taxes), but these impacts are not being experienced uniformly and to the same degree between transit agencies. This requirement, left unaddressed, will lead to unwarranted and potentially significant redistribution of funding apportionments between agencies in the jurisdiction of the same transportation planning agency, county transportation commission or regional board. This requirement, which chiefly guides apportionments for the State Transit Assistance Program, also guides apportionments for the STA-State of Good Repair Program and the Low Carbon Transit Operations Program.

This proposal provides transit agencies predictability, by directing the State Controller to: "freeze" for the budget year and the year after that the local revenue allocation factors used most recently before the pandemic; and, to allocate to transit agencies funds under these three programs using those exact same allocation factors (i.e. as opposed to updating the factors each year, which would redistribute the funds in unanticipated ways).

Please note: While this proposal pegs the factors to the data to be published by the State Controller this August, 2020, which may seem like data that would naturally be "affected" adversely by the local transit fare revenue impacts of the pandemic, in fact the State Controller will be publishing this August data submitted by transit agencies from the close of their fiscal year 2018-19 (i.e. as of June 30, 2019). This data set is thus the latest data available that will not be adversely affected by the pandemic. Current law would usually then direct the State Controller to update the local revenue ratios each quarter after the first quarter's allocation; this proposal also "freezes" in place that process, which otherwise would start to be adversely affected by the pandemic's impacts on local transit revenue.

**Proposed Amendment:**

**Section 99314.8 of the Public Utilities Code** is amended to read:

(a) Notwithstanding any other law, for ~~the third and fourth quarters of the 2015-16 fiscal year, and for all four quarters of the 2016-17~~ **2020-21 and 2021-2022** fiscal years, the Controller shall calculate and publish the allocation of all funds made **available** pursuant to Section 99314 to each transportation planning agency and county transportation commission, the San Diego Metropolitan Transit Development Board, the member agencies of the Altamont Commuter Express Authority, and the member agencies of the Southern California Regional Rail Authority based on the **same individual operator ratios published by the Controller in its State Transit Assistance Allocation transmittal memo dated August 2020.** ~~same list of operators and the same individual operator ratios published by the Controller in its original Fourth Quarter State Transit Assistance Allocation transmittal memo for the 2014-15 fiscal year, unless the Controller has subsequently published revisions or adjustments to its original Fourth Quarter State Transit Assistance Allocation transmittal memo for the 2014-15 fiscal year, in which case the revised or adjusted list of operators and individual operator ratios shall be used.~~

~~(b) Each transportation planning agency and county transportation commission, and the San Diego Metropolitan Transit Development Board may apply the individual operator ratios calculated for the third quarter of the 2015-16 fiscal year pursuant to this section to any undistributed funds remaining from the first and second quarters of the 2015-16 fiscal year.~~

~~(be) Upon allocation of funds pursuant to this section to each transportation planning agency and county transportation commission, the San Diego Metropolitan Transit Development Board, the member agencies of the Altamont Commuter Express Authority, and the member agencies of the Southern California Rail Authority, the Controller shall publish the amount of funding applicable to each operator.~~

**(c) This section applies to Section 75230 of the Public Resources Code and Section 99312.1 of the Public Utilities Code.**

**2. Temporarily suspend the financial penalties associated with the Transportation Development Act's requirements that transit agencies obtain specified fixed percentages of their operating budgets from passenger fares.**

**Justification:** Current law requires transit agencies to obtain specified fixed percentages of their operating budgets from passenger fares (often called "farebox recovery ratio requirements") in order to receive their full share of the Transportation Development Act's Local Transportation Fund (LTF) revenues. Transit agencies that fail to meet this requirement face financial penalties, which reduce the LTF funding available to them for capital and operations.

Given the COVID-19 pandemic, this requirement, which was originally established to ensure transit agencies deliver cost-effective transit service, will instead penalize transit agencies that are experiencing – *through no fault of their own* – unprecedented declines in transit ridership and fare revenue or that are eliminating fares entirely to facilitate social distancing between transit operators and riders.

**Proposed Amendment:**

**Section 99268.9 of the Public Utilities Code is amended to read:**

99268.9. (a) Except as otherwise provided in subdivision (b), if an operator was allocated funds under this article during a fiscal year in which it did not maintain the required ratio of fare revenues to operating cost, the operator's eligibility to receive moneys from the local transportation fund and allocations pursuant to Sections 99313.3 and 99314.3 shall be reduced during a subsequent penalty year by the amount of the difference between the required fare revenues and the actual fare revenues for the fiscal year that the required ratio was not maintained. The penalty year shall be the fiscal year that begins one year after the end of the fiscal year during which the required ratio was not maintained.

...

**(c) Notwithstanding this section, no transportation planning agency or county transportation commission, nor the San Diego Metropolitan Transit Development Board, shall impose the financial penalties described in subdivision (a) in or due to fare ratios calculated and maintained in an operator's fiscal year 2019-20 or 2020-21.**

**(d) Subdivision (c) of this section shall become inoperative commencing January 1, 2022.**

3. **Temporarily suspend the financial penalties associated with the State Transit Assistance Program's requirement that transit agencies' operating cost per revenue vehicle hour may not exceed operating cost per revenue vehicle hour adjusted by regional CPI, year over year.**

**Justification:** Current law requires transit agencies to hold operating cost per revenue vehicle hour constant year-over-year, as adjusted for inflation, in order to apply their share of State Transit Assistance Program funds fully toward operations. Transit agencies that fail to meet this requirement face financial penalties, which limit the funding from their total share that could be applied to operations (i.e. these dollars may only be used for capital expenditures).

Given the COVID-19 pandemic, this requirement, which was originally established to ensure transit agencies deliver cost-effective transit service, will instead penalize transit agencies that are experiencing – *through no fault of their own* – sudden increases in maintenance and sanitation costs for transit vehicles to protect public health.

**Proposed Amendment:**

**Section 99314.6 of the Public Utilities Code is amended to read:**

- (a) Except as provided in [Section 99314.7](#), the following eligibility standards apply:
- (1) Except as provided in paragraph (3), funds shall be allocated for operating or capital purposes pursuant to [Sections 99313](#) and [99314](#) to an operator if the operator meets either of the following efficiency standards:
    - (A) The operator shall receive its entire allocation, and any or all of this allocation may be used for operating purposes, if the operator's total operating cost per revenue vehicle



hour in the latest year for which audited data are available does not exceed the sum of the preceding year's total operating cost per revenue vehicle hour and an amount equal to the product of the percentage change in the Consumer Price Index for the same period multiplied by the preceding year's total operating cost per revenue vehicle hour.

(B) The operator shall receive its entire allocation, and any or all of this allocation may be used for operating purposes, if the operator's average total operating cost per revenue vehicle hour in the latest three years for which audited data are available does not exceed the sum of the average of the total operating cost per revenue vehicle hour in the three years preceding the latest year for which audited data are available and an amount equal to the product of the average percentage change in the Consumer Price Index for the same period multiplied by the average total operating cost per revenue vehicle hour in the same three years.

...  
**(e) Notwithstanding this section, an operator shall be exempt from meeting either efficiency standard under subdivision (a)(1) for the 2020-21 and 2021-2022 fiscal years and may expend funds for operating or capital purposes pursuant to Sections 99313 and 93314 during that period.**

**4. Authorize use of Low Carbon Transit Operations Program dollars to support all operating and capital expenses associated with COVID-19 relief.**

**Justification:** Current law requires transit agencies to use Low Carbon Transit Operations Program dollars *only* to enhance or expand their transit service, increase transit mode share, or for the purchase of zero-emission buses and the installation of necessary equipment and infrastructure. These limits on the use of LCTOP funds were established by the State Legislature to ensure that these dollars, sourced from the Greenhouse Gas Reduction Fund, deliver year-over-year climate benefits.

The COVID-19 pandemic's impact on fare revenue and expected impact on sales tax revenue has resulted in transit agencies dramatically curtailing service hours and cutting deeply service lines. Transit agencies require flexibility in the dollars already allocated to them to maintain existing service and stave off additional service cuts during this crisis, which could lead to GHG increases.

**Proposed Amendment:**

**Section 75230 of the Public Resources Code is amended to read:**

(a) The Low Carbon Transit Operations Program is hereby created to provide operating and capital assistance for transit agencies to reduce greenhouse gas emissions and improve mobility, with a priority on serving disadvantaged communities.

...  
**(v) A recipient transit agency shall be exempt from the requirements of this section for 2020-21 and 2020-22 and may expend program moneys allocated for the 2019-20, 2020-21 and 2021-22 fiscal years and any unspent program moneys allocated in a previous fiscal year on operating or capital expenses to maintain service and backfill lost revenue due to the coronavirus public health emergency, including the purchase of personal protective equipment, and paying the administrative leave of operations personnel due to reductions in service.**

**5. Authorize State Transit Assistance Program-State of Good Repair dollars to support all operating and capital expenses associated with COVID-19 relief.**

**Justification:** Current law requires transit agencies to use State Transit Assistance – State of Good Repair dollars only to maintain or repair their existing transit vehicle fleet or existing transit facilities, including rehabilitation or modernization of existing vehicles or facilities; design, acquisition, and construction of new vehicles or facilities that improve existing transit services; or, to complement local efforts for repair and improvement of local transportation infrastructure.

The COVID-19 pandemic’s impact on fare revenue and expected impact on sales tax revenue has resulted in transit agencies dramatically curtailing service hours and deeply cutting service lines. Transit agencies require flexibility in the dollars already allocated to them to maintain existing service and to stave off additional service cuts during this crisis.

**Proposed Amendment:**

**Section 99312.1 of the Public Utilities Code is amended to read:**

(a) Revenues transferred to the Public Transportation Account pursuant to Sections 6051.8 and 6201.8 of the Revenue and Taxation Code for the State Transit Assistance Program are hereby continuously appropriated to the Controller for allocation as follows:

- (1) Fifty percent for allocation to transportation planning agencies, county transportation commissions, and the San Diego Metropolitan Transit Development Board pursuant to Section 99314.
- (2) Fifty percent for allocation to transportation agencies, county transportation commissions, and the San Diego Metropolitan Transit Development Board for purposes of Section 99313.

...

**(g) A recipient transit agency shall be exempt from the requirements of this section for 2020-21 and 2021-22 and may expend program moneys allocated for the 2019-20, 2020-21 and 2021-22 fiscal years and any unspent program moneys allocated in a previous fiscal year on operating or capital expenses to maintain service and backfill lost revenue due to the coronavirus public health emergency, including the purchase of personal protective equipment, and paying the administrative leave of operations personnel due to reductions in service.**

**6. Postpone Transportation Development Act and Senate Bill 1 audit requirements.**

**Justification:** Current law requires transit agencies to regularly submit audits to their regional planning agency, transit development board or county transportation commission and the state, detailing how funds from the Transportation Development Act were expended and reporting on the efficiency, effectiveness, and economy of their operations. These audits are time- and resource-intensive, requiring coordination between multiple divisions within a transit agency.

Due to the COVID-19 pandemic, transit professionals are focused primarily on maintaining the fiscal solvency and operational capacity of their transit systems and protecting public health. These requirements would shift limited financial and staff resources from these critical functions when transit agencies can least afford it.

**Proposed Amendments:**

**Section 99245 of the Public Utilities Code is amended to read:**

**(a)** Each transportation planning agency, transit development board created pursuant to Division 11 (commencing with Section 120000), and county transportation commission shall be responsible to ensure that all claimants to whom it directs the allocation of funds pursuant to this chapter shall submit to it an annual certified fiscal audit conducted by an entity other than the claimant.

A report on the audit shall be submitted to the transportation planning agency, transit development board, county transportation commission, and to the Controller within 180 days after the end of the fiscal year. However, the responsible entity may grant an extension of up to 90 days as it deems necessary. The report shall include a certification that the funds allocated to the claimant pursuant to this chapter were expended in conformance with applicable laws and rules and regulations. Except for the first report, the report shall also include the audited amounts for the fiscal year prior to the fiscal year audited.

**(b) Notwithstanding this section, no transportation planning agency, transportation development board, or county transportation commission shall require a claimant to whom it directs allocation of funds pursuant to this chapter to submit to it an annual certified fiscal audit described in subdivision (a) for the 2019-20 fiscal year before June 30, 2021.**

**Section 99246 of the Public Utilities Code is amended to read:**

(a) The transportation planning agency shall designate entities other than itself, a county transportation commission, a transit development board, or an operator to make a performance audit of its activities and the activities of each operator to whom it allocates funds. The transportation planning agency shall consult with the entity to be audited prior to designating the entity to make the performance audit.

...

**(f) Notwithstanding this section, no performance audit otherwise required to be prepared pursuant to this section and otherwise required to be submitted to the director as described in subdivision (c) and made available to the public as described in subdivision (e) in calendar year 2020 shall be required to be submitted to the director and made available to the public any earlier than June 30, 2021.**

## Administrative/Regulatory Relief Measures:

### 1. Expedite Caltrans's release of Federal Transit Administration 5310 and 5311 funds for rural operators.

**Justification:** Under federal law, Caltrans is the designated recipient of federal transit funding for non-urban areas. Caltrans is charged with allocating this funding to non-urban transit agencies, known as subrecipients, by entering into standard agreements with them or through a process of reimbursement. Typically, it takes between 12 and 18 months for transit agencies to receive their share of federal funds after submitting a claim to Caltrans.

Caltrans still has some federal funds on hand, allocated through the most recent federal process, which have not been allocated to transit agencies. And, the federal government recently passed the CARES Act, authorizing another \$3.74 billion in emergency relief funding for California transit agencies, a great deal of which will be processed by Caltrans.

The COVID-19 pandemic requires urgent action by the state to process these claims, streamline coordination between responsible state agencies, authorize safer claims handling, and to frontload investment to transit agencies wherever possible. These urgent actions will help transit agencies maintain existing transit service levels during the crisis.

#### **Proposed Administrative Changes:**

- a. Dedicate additional Caltrans staff to completing or amending standard agreements and reviewing future reimbursement requests for FTA 5310 and FTA 5311 funds. Expedite coordination between program manager, Caltrans Accounting department, and the State Controller's Office.

Relevant agency-department: CalSTA; Caltrans; State Controller's Office

- b. Authorize e-signatures in place of wet signatures for standard agreements for FTA 5311 funds.

Relevant agency-department: State Controller's Office; CalSTA; Caltrans

- c. Authorize upfront payment of an appropriate percentage (25% to 50% is recommended) of FTA 5311 funds directly to eligible recipients and postpone semi-annual reporting requirements. The balance of money should be apportioned by Caltrans after the department receives billing and documentation verifying funding has been used for COVID 19 expenses.

Relevant agency-department: Federal Transit Administration; Caltrans

## 2. Provide temporary flexibility in LCTOP and STA-SOGR funding.

**Justification:** See 'Justification' under Statutory Relief Measures 4 and 5.

### **Proposed Administrative Changes:**

- a. Authorize a recipient transit agency under the Low Carbon Transit Operations Program to expend program moneys on operating or capital expenses to maintain service and backfill lost revenue due to the coronavirus public health emergency, including the purchase of personal protective equipment, and paying the administrative leave of operations personnel due to reductions in service.

Relevant agency-department: CalSTA; ARB

- b. Authorize a recipient transit agency under the State Transit Assistance-State of Good Repair Program to expend program moneys on operating or capital expenses to maintain service and backfill lost revenue due to the coronavirus public health emergency, including the purchase of personal protective equipment, and paying the administrative leave of operations personnel due to reductions in service.

Relevant agency-department: CalSTA; Caltrans

## 3. Temporarily suspend requirements that Transportation Development Act claims go to transit governing boards before submitting to Regional Transportation Planning Agency.

**Justification:** The California Code of Regulations authorizes RTPAs to impose requirements on transit agencies for the processing of TDA funding claims. Pursuant to this authorization, RTPAs statewide require transit agencies to submit their TDA claims to transit agency governing boards before submitting them to the RTPA.

Due to the COVID-19 pandemic, transit governing boards are meeting less frequently and generally to address only the most pressing concerns of their systems. This requirement, left unaddressed, may slow the receipt of critical funding at transit agencies. Transit agency staff should be allowed to process and submit these claims to RTPAs during the crisis, to speed the flow of needed funds.

### **Proposed Administrative Change:**

- a. Direct Caltrans to update guidance to RTPAs statewide to temporarily suspend the imposition of any requirement for TDA claims to be approved by a transit agency's governing board before submitting to RTPA.

Relevant agency-department: CalSTA; Caltrans

#### 4. Temporarily suspend enforcement of expired Class B licenses.

**Justification:** The California Highway Patrol, based on direction from the Department of Motor Vehicles, has issued guidance to California law enforcement personnel encouraging them to exercise flexibility and discretion when reviewing DL/ID and VR records. This directive is in effect through May 15, 2020 and will be re-evaluated closer to that date.

While DMV offices are closed for most functions, transit agencies with operators holding expired Class B licenses require certainty from the state so they can plan, and adjust as necessary, the provision of transit service during the crisis.

**Proposed Administrative Change:**

- a. Direct DMV-CHP to exercise discretion for an additional 60 days (for a total of 120 days) in their enforcement of expired commercial driver's licenses

Relevant agency-department: CalSTA; DMV; CHP

#### 5. Temporarily suspend California Highway Patrol audits of vehicles, and drug and alcohol testing & operations.

**Justification:** The California Highway Patrol conducts audits of transit agency vehicle fleets and operations on an annual basis, comprised of three components: a mechanical audit of vehicles, audit of drug and alcohol testing, and an audit of operators (i.e. drivers).

A transit agency designated for an audit during the COVID-19 pandemic may face challenges in complying while maintaining transit service, as these audits generally take several days to complete and can require significant staff time and paperwork. This concern is compounded by the fact that many transit agencies are anticipating significant staff shortages.

**Proposed Administrative Change:**

- a. Direct CHP to suspend audits of vehicles, drug and alcohol testing & operations for 120 days

Relevant agency-department: CalSTA; CHP [possibly in concert with the Federal Motor Carrier Safety Administration]

#### 6. Postpone implementation of the California Air Resources Board's Innovative Clean Transit regulation, beginning with the June 30 deadline for large agency rollout plans.

**Justification:** The California Air Resources Board's Innovative Clean Transit regulation requires large transit agencies (100 > vehicles in maximum annual service) to soon submit rollout plans detailing their proposed transition to zero-emission transit bus technology. These plans must be approved the transit agency's governing board before they are submitted to ARB.

Due to the COVID-19 pandemic, the transit professionals who would normally conduct the in-person site visits with consulting teams, utility companies and bus manufacturers for critical project scoping and plan refinement are currently unable to do so. Moreover,

executive staff and the governing boards who would usually approve such plans are also meeting less frequently for non-emergency items.

***Proposed Regulatory Change:***

- a. Within the Innovative Clean Transit regulation, postpone the deadline for the submittal of rollout plans by large agencies from June 30, 2020 to December 31, 2020.

Relevant agency-department: ARB

**7. Postpone development and implementation of the California Air Resources Board's Commercial Harbor Craft regulation.**

***Justification:*** The California Air Resources Board is beginning the development of a new regulation affecting commercial harbor craft. These vehicles are operated by several transit agencies in the state for passenger service, including the Golden Gate Bridge, Highway and Transportation District, Long Beach Transit and the San Francisco Water Emergency Transit Authority. Comments on the regulatory concept are due to ARB by April 30.

Due to the COVID-19 pandemic, transit professionals are focused primarily on maintaining the fiscal solvency and operational capacity of their transit systems and protecting public health. This artificial deadline would shift limited financial and staff resources from these critical functions when transit agencies can least afford it.

***Proposed Regulatory Change:***

- a. Postpone the development of the commercial harbor craft regulation until *at least* January 1, 2021.

Relevant agency-department: ARB

**8. Extend the expenditure deadline for Low Carbon Transit Operations Program awards.**

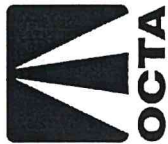
***Justification:*** The COVID-19 pandemic has slowed the delivery of transit projects and transit vehicles funded by the Low Carbon Transit Operations Program. If expenditure deadlines are not extended, transit agencies will be forced to forfeit awards from the Low Carbon Transit Operations Program, just when agencies are focused primarily on maintaining the fiscal solvency and operational capacity of their transit systems and protecting public health.

***Proposed Regulatory Change:***

- a. Extend the expenditure deadline for Low Carbon Transit Operations Program awards.

Relevant agency-department: CalSTA; Caltrans





# Orange County Transportation Authority Legislative Matrix

2020 State Legislation Session  
May 21, 2020

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<b>BILLS WITH POSITIONS</b>			
<b>AB 1402</b> <b>(Petrie-Norris - D)</b>  Active Transportation Program	Requires the California Department of Transportation to award Active Transportation Program (ATP) funds to projects and small urban and rural region distribution categories and to adopt a program of projects for those distribution categories. Provides guidelines for use of funds.	<b>INTRODUCED:</b> 02/22/2019 <b>LAST AMEND:</b> 03/26/2019 <b>LOCATION:</b> Assembly Transportation Committee  <b>STATUS:</b> 02/03/2020 Died pursuant to Art. IV, Sec. 10(c) of the Constitution  02/03/2020 From Committee: Filed with the Chief Clerk pursuant to Joint Rule 56.	<b>SPONSOR</b>  Support: Orange County Business Council (OCBC) (Co-Sponsor)



BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<b>AB 1568 (McCarty – D)</b> Housing Law Compliance: State Grants	Requires the California Department of Housing and Community Development to review any action or failure to act by a city or county that it determines is inconsistent with an adopted housing element or a specified provision of the Housing Element Law. Prohibits a city or county found to be in violation of state law from applying for a state grant, unless the eligibility of the city or county to apply is constitutionally required or the state grant funds, if awarded to the city or county, would assist in compliance.	<b>INTRODUCED:</b> 02/22/2019 <b>LAST AMEND:</b> 04/11/2019 <b>LOCATION:</b> Assembly Appropriations Committee  <b>STATUS:</b> 02/03/2020 Died pursuant to Art. IV, Sec. 10(c) of the Constitution  02/03/2020 From Committee: Filed with the Chief Clerk pursuant to Joint Rule 56.	<b>OPPOSE</b>  Support: California Apartment Association (Co-Sponsor), California Association of Realtors (Co-Sponsor)  Opposed: Bizfed, California State Association of Counties, Marin County Council of Mayors and Councilmembers
<b>AB 2011 (Holden – D)</b> West San Bernardino County Rail Construction Authority	Creates the West San Bernardino County Rail Construction Authority for purposes of awarding and overseeing all design and construction contracts for completion of an extension of the Metro Gold Line light rail project from the City of Montclair to the Ontario International Airport. Prescribes the powers and duties of the Authority.	<b>INTRODUCED:</b> 01/28/2020 <b>LOCATION:</b> Assembly Transportation Committee  <b>STATUS:</b> 02/14/2020 To ASSEMBLY Committee on TRANSPORTATION.	<b>OPPOSE</b>  Oppose: San Bernardino County Transportation Authority (SBCTA), Metrolink, Mobility 21, Riverside County Transportation Commission (RCTC)

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<b>ACA 13</b> <b>(Oberholte – R)</b> Local Sales Taxes: Online Sales	<p>Provides that, for the purpose of distributing the revenues derived under a sales tax imposed pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law, the retail sale of tangible personal property by a qualified retailer that is transacted online is instead consummated at the point of the delivery of that tangible personal property to the purchaser's address or to any other delivery address designated by the purchaser.</p>	<p><b>INTRODUCED:</b> 03/26/2019  <b>LOCATION:</b>            Assembly  <b>STATUS:</b>03/26/2019            INTRODUCED.</p>	<p>SUPPORT</p>
<b>SB 152</b> <b>(Beall – D)</b> Active Transportation Program	<p>Requires that a percentage of available ATP funds be awarded to projects selected by metropolitan planning organizations (MPO) in urban areas with populations greater than a specified amount with the available funds distributed to each MPO based on its relative share of the population, a percentage to fund projects in small urban and rural regions, and a percentage to projects competitively awarded by the commission on a statewide basis.</p>	<p><b>INTRODUCED:</b> 01/22/2019  <b>LAST AMEND:</b> 04/25/2019  <b>LOCATION:</b> Assembly  <b>STATUS:</b> 02/03/2020            In SENATE. Returned to Secretary of Senate pursuant to Joint Rule 56.</p>	<p>SUPPORT            Support: Metropolitan Transportation Commission (sponsor), RCTC            Oppose (Partial List): California Bicycle Coalition, Walk Long Beach, PolicyLink</p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<b>SB 526 (Allen – D)</b> Regional Transportation Plans: Greenhouse Gas Emissions	Requires the California Air Resources Board (ARB) to adopt a regulation that requires an MPO to provide any data that the ARB determines is necessary to fulfill the requirements of a specified report and to determine if the MPO is on track to meet its greenhouse gas emission reduction target deadline. Establishes an interagency working group to develop and implement a State Mobility Action Plan for Healthy Communities.	<b>INTRODUCED:</b> 2/21/2019 <b>LAST AMEND:</b> 04/30/2019 <b>LOCATION:</b> Senate  <b>STATUS:</b> 02/03/2020 In SENATE. Returned to Secretary of Senate pursuant to Joint Rule 56.	<b>OPPOSE</b>  <b>Support (Partial List):</b> American Lung Association, ActiveSGV, California Bicycle Coalition, Coalition for Clean Air, Asthma Coalition of LA County  <b>Oppose:</b> California Association of Councils of Governments (CALCOG)



BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<b>SB 664 (Allen – D)</b> Electronic Toll and Transit Fare Collection systems	<p>Provides that a transportation agency is not prohibited from using or providing personally identifiable information for purposes of operating and managing an electronic toll collection or electronic transit fare collection system, auditing, or performing billing, collection, account maintenance, account settlement, and enforcement activities. Requires a transportation agency to limit the personally identifiable information it provides to information relevant to assist in carrying out an intended function.</p>	<p><b>INTRODUCED:</b> 02/22/2019  <b>LAST AMEND:</b> 9/10/2019  <b>LOCATION:</b> Assembly Privacy and Consumer Protection Committee  <b>STATUS:</b> 09/10/2019            In ASSEMBLY. Suspend Assembly Rule 96.            09/10/2019            Re-referred to ASSEMBLY Committees on PRIVACY AND CONSUMER PROTECTION and JUDICIARY.            09/10/2019            From ASSEMBLY Committee on PRIVACY AND CONSUMER PROTECTION with author's amendments.            09/10/2019            In ASSEMBLY. Read second time and amended. Re-referred to ASSEMBLY Committee on PRIVACY AND CONSUMER PROTECTION.</p>	<p><b>SUPPORT</b>            Support (Partial List):            California Transit Association, Transporation Corridor Agencies, Los Angeles County Metropolitan Transportation Authority, OCBC, RCTC, Bay Area Transportation Authority, Self-Help Counties Coalition            Oppose (Partial List):            American Civil Liberties Union of California, Consumer Attorneys of California (unless amended), Consumer Federation of California</p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<b>SB 732 (Allen – D)</b> South Coast Air Quality Management District	Authorizes the South Coast Air Quality Management District Board of Directors to impose a transactions and use tax within the boundaries of the agency.	<b>INTRODUCED:</b> 2/22/2019 <b>LAST AMEND:</b> 01/14/2020 <b>LOCATION:</b> Senate  <b>STATUS:</b> 02/03/2020 In SENATE. Returned to Secretary of Senate pursuant to Joint Rule 56.	<b>OPPOSE</b>  Support (Partial List): Coalition for Clean Air, Environmental Defense Fund, MoveLA  Oppose (Partial List): San Bernardino County Transportation Authority, Orange County Taxpayers Association, California Business Roundtable
<b>SB 1363 (Allen – D)</b> Comprehensive Strategy	Requires that MPOs meet Vehicle Miles Traveled (VMT) reduction targets in conjunction with SB 375's (Chapter 728, Statutes of 2008) greenhouse gas (GHG) emission reduction targets. The bill requires that MPOs meet GHG and VMT reduction targets in 2035, 2045, and 2050.	<b>INTRODUCED:</b> 2/21/2020 <b>LOCATION:</b> Senate Environmental Quality Committee  <b>STATUS:</b> 03/12/2020 To SENATE Committees on ENVIRONMENTAL QUALITY and TRANSPORTATION and HOUSING.	<b>OPPOSE UNLESS AMENDED</b>  Oppose: CALCOG

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<b>SB 1390 (Portantino – D)</b> Montclair to Ontario Airport Construction Authority	Creates the Montclair to Ontario Airport Construction Authority for purposes of awarding and overseeing all design and construction contracts for completion of an extension of the Metro Gold light rail project from the city of Montclair to the Ontario International Airport. Prescribes the powers and duties of the construction authority. Requires the construction authority to be governed by a board consisting of 7 voting members and one nonvoting member.	<b>INTRODUCED:</b> 2/21/2020 <b>LOCATION:</b> Senate Transportation Committee <b>STATUS:</b> 03/12/2020 To SENATE Committee on TRANSPORTATION.	OPPOSE Oppose: SBCTA, Metrolink, Mobility 21, RCTC, CALCOG





CA AB 352	<b>AUTHOR:</b>	Garcia [D]
	<b>TITLE:</b>	Wildfire Prevention, Safe Drinking Water
	<b>INTRODUCED:</b>	02/04/2019
	<b>LAST AMEND:</b>	08/14/2019
	<b>COMMITTEE:</b>	Senate Environmental Quality Committee
	<b>SUMMARY:</b>	Enacts the Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$3,920,000,000 pursuant to the State General Obligation Bond Law to finance a wildlife prevention, safe drinking water, drought preparation, and flood protection program.
	<b>STATUS:</b>	
	08/14/2019	From SENATE Committee on ENVIRONMENTAL QUALITY with author's amendments.
	08/14/2019	In SENATE. Read second time and amended. Re-referred to Committee on ENVIRONMENTAL QUALITY.
	<b>CATEGORY:</b>	Environment

CA AB 422	<b>AUTHOR:</b>	Frazier [D]
	<b>TITLE:</b>	High-Speed Rail: Performance Measurement Dashboards
	<b>INTRODUCED:</b>	02/07/2019
	<b>COMMITTEE:</b>	Senate Transportation Committee
	<b>SUMMARY:</b>	Requires the High-speed Rail Authority, in consultation with the independent peer review group, to develop and update quarterly a set of summary performance measurement dashboards that show ongoing performance of the project and post on its internet website full sets of the summary performance measurement dashboards.
	<b>STATUS:</b>	
	05/08/2019	To SENATE Committee on TRANSPORTATION.
	<b>CATEGORY:</b>	Audits, Records, Reports, and Litigation

CA AB 839	<b>AUTHOR:</b>	Mullin [D]
	<b>TITLE:</b>	Climate Adaption: Strategy
	<b>INTRODUCED:</b>	02/20/2019
	<b>LAST AMEND:</b>	06/26/2019
	<b>LOCATION:</b>	Senate Appropriations Committee
	<b>SUMMARY:</b>	Requires the Secretary of the Natural Resources Agency to review the Safeguarding California Plan, the state's climate adaptation strategy, and develop a strategic resiliency framework. Requires updates to the plan to include a review of the progress made implementing past plans and an evaluation of each lead agency's lead adaptation efforts. Creates the Resiliency through Adaption, Economic Vitality, and Equity Account for funding climate adaptation projects.
	<b>STATUS:</b>	
	08/30/2019	In SENATE Committee on APPROPRIATIONS: Held in committee.
	<b>CATEGORY:</b>	Environment



CA AB 1046	<b>AUTHOR:</b>	Ting [D]
	<b>TITLE:</b>	Air Quality Improvement Program: Clean Vehicles
	<b>INTRODUCED:</b>	02/21/2019
	<b>LAST AMEND:</b>	08/13/2019
	<b>LOCATION:</b>	Senate Appropriations Committee
	<b>SUMMARY:</b>	Requires the State Air Resources Board to develop a plan to provide for the funding of the Clean Vehicle Rebate Project. Requires the state board to provide to the Director of Finance a rebate structure designed to support the deployment of 5,000,000 zero-emission vehicles in the state by December 2030.
	<b>STATUS:</b>	08/30/2019 In SENATE Committee on APPROPRIATIONS: Held in committee.
<b>CATEGORY:</b>	Environment	

CA AB 1112	<b>AUTHOR:</b>	Friedman [D]
	<b>TITLE:</b>	Shared Mobility Devices: Local Regulation
	<b>INTRODUCED:</b>	02/21/2019
	<b>LAST AMEND:</b>	06/19/2019
	<b>LOCATION:</b>	Senate Transportation Committee
	<b>SUMMARY:</b>	Defines a shared mobility device as a bicycle, electric bicycle, motorized scooter, electrically motorized board, or other similar personal transportation device, that is made available to the public for shared use and transportation. Requires shared mobility devices to include a single unique alphanumeric ID. Prohibits the sharing of individual trip data, except as provided by the Electronic Communications Privacy Act.
	<b>STATUS:</b>	06/19/2019 From SENATE Committee on TRANSPORTATION with author's amendments. 06/19/2019 In SENATE. Read second time and amended. Re-referred to Committee on TRANSPORTATION.
<b>CATEGORY:</b>	Active Transportation	

CA AB 1142	<b>AUTHOR:</b>	Friedman [D]
	<b>TITLE:</b>	Regional Transportation Plans: Transportation Network
	<b>INTRODUCED:</b>	02/21/2019
	<b>LAST AMEND:</b>	08/12/2019
	<b>LOCATION:</b>	Senate Appropriations Committee
	<b>SUMMARY:</b>	Authorizes the inclusion of an indicator regarding measures of policies to increase use of existing transit in regional transportation plans. Requires, in a specified commission rulemaking relating to TNCs, any decision that the commission issues regarding data sharing to reflect the needs of governmental entities, including metropolitan planning organizations, state and local transportation agencies, and the State Air Resources Board for analyzing and planning for the impacts of TNCs.
	<b>STATUS:</b>	08/30/2019 In SENATE Committee on APPROPRIATIONS: Held in committee.
<b>CATEGORY:</b>	Miscellaneous	

CA AB 1226	<b>AUTHOR:</b>	Holden [D]
	<b>TITLE:</b>	State Highways: Property Leases: Assessment
	<b>INTRODUCED:</b>	02/21/2019
	<b>LAST AMEND:</b>	06/12/2019
	<b>LOCATION:</b>	Senate Appropriations Committee
	<b>SUMMARY:</b>	Requires the Department of Transportation to assess the feasibility of constructing facilities above highways built below grade in urban areas that would be made available and leased to a city, county, or other political subdivision or another state agency for affordable housing, transitional housing, emergency shelter, feeding program, or wraparound services purposes, or any combination of thereof.
	<b>STATUS:</b>	
	08/30/2019	In SENATE Committee on APPROPRIATIONS: Held in committee.
	<b>CATEGORY:</b>	Planning

CA AB 1286	<b>AUTHOR:</b>	Muratsuchi [D]
	<b>TITLE:</b>	Shared Mobility Devices: Agreements
	<b>INTRODUCED:</b>	02/21/2019
	<b>LAST AMEND:</b>	06/06/2019
	<b>LOCATION:</b>	Senate Judiciary Committee
	<b>SUMMARY:</b>	Requires a shared mobility service provider to enter into an agreement with, or obtain a permit from, the city or county with jurisdiction over the area of use. Requires the provider to maintain a specified amount of commercial general liability insurance. Prohibits the provider from including specified provisions in a user agreement before distributing a shared mobility device within that jurisdiction. Defines shared mobility device.
	<b>STATUS:</b>	
	06/25/2019	In SENATE Committee on JUDICIARY: Not heard.
	<b>CATEGORY:</b>	Public Works

CA AB 1350	<b>AUTHOR:</b>	Gonzalez [D]
	<b>TITLE:</b>	Free Youth Transit Passes: State Funding
	<b>INTRODUCED:</b>	02/22/2019
	<b>LAST AMEND:</b>	01/15/2020
	<b>LOCATION:</b>	Senate
	<b>SUMMARY:</b>	Requires transit agencies to offer free youth transit passes to persons under a certain age in order to be eligible for state funding under the Mills Deddeh Transit Development Act, the State Transit Assistance Program, or the Low Carbon Transit Operations Program. Requires a free youth transit pass to count as a full price fare for purposes of calculating the ratio of fare revenues to operating costs.
	<b>STATUS:</b>	
	01/27/2020	In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (75-0)
	<b>CATEGORY:</b>	Rail and Transit

CA AB 1457	<b>AUTHOR:</b>	Gomez Reyes [D]
	<b>TITLE:</b>	Omnitrans Transit District
	<b>INTRODUCED:</b>	02/22/2019
	<b>LAST AMEND:</b>	05/24/2019
	<b>LOCATION:</b>	Senate Governance and Finance Committee
	<b>SUMMARY:</b>	Creates Omnitrans Transit District in the County of San Bernardino. Provides that the jurisdiction of the district would initially include the Cities of Chino, Chino Hills, Colton, Fontana, Grand Terrace, Highland, Loma Linda, Montclair, Ontario, Rancho Cucamonga, Redlands, Rialto, San Bernardino, Upland, and Yucaipa and specified portions of the unincorporated areas of the County of San Bernardino.
	<b>STATUS:</b>	
	06/25/2019	From SENATE Committee on TRANSPORTATION: Do pass to Committee on GOVERNANCE AND FINANCE. (11-0)
	<b>CATEGORY:</b>	Rail and Transit

CA AB 1580	<b>AUTHOR:</b>	Levine [D]
	<b>TITLE:</b>	Major Infrastructure Construction Projects
	<b>INTRODUCED:</b>	02/22/2019
	<b>LAST AMEND:</b>	07/01/2019
	<b>LOCATION:</b>	Senate Appropriations Committee
	<b>SUMMARY:</b>	Requires a state agency undertaking a publicly funded transportation infrastructure construction project that is estimated to cost a specified amount or more to form an oversight committee, as provided, and to develop and use risk management plans throughout the course of the project, and to take specified actions relating to managing risks.
	<b>STATUS:</b>	
	08/30/2019	In SENATE Committee on APPROPRIATIONS: Held in committee.
	<b>CATEGORY:</b>	Audits, Records, Reports, and Litigation

CA AB 1770	<b>AUTHOR:</b>	Frazier [D]
	<b>TITLE:</b>	Tire Recycling Program: Rubberized Pavement
	<b>INTRODUCED:</b>	02/22/2019
	<b>LOCATION:</b>	Senate Environmental Quality Committee
	<b>SUMMARY:</b>	Extends the operation of the Rubberized Pavement Market Development Act to June 30, 2024.
	<b>STATUS:</b>	
	06/06/2019	To SENATE Committee on ENVIRONMENTAL QUALITY.
	<b>CATEGORY:</b>	Environment



▶ CA AB 1839	<b>AUTHOR:</b>	Bonta [D]
	<b>TITLE:</b>	Climate Change: California Green New Deal Task Force
	<b>INTRODUCED:</b>	01/06/2020
	<b>LAST AMEND:</b>	05/04/2020
	<b>LOCATION:</b>	Assembly Natural Resources Committee
	<b>SUMMARY:</b>	<i>Enacts the California Green New Deal. Makes a series of legislative findings and declarations, including an enumeration of specified rights that all residents of the state have. States that the Legislature establishes specified goals that would improve the quality of many aspects of life for residents of the state. Creates the California Green New Deal Task Force to pursue strategies to fulfill the California Green New Deal.</i>
	<b>STATUS:</b>	
	05/04/2020	From ASSEMBLY Committee on NATURAL RESOURCES with author's amendments.
	05/04/2020	In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.
<b>CATEGORY:</b>		Environment

CA AB 1845	<b>AUTHOR:</b>	Rivas, L [D]
	<b>TITLE:</b>	Homelessness: Office to End Homelessness
	<b>INTRODUCED:</b>	01/06/2020
	<b>LOCATION:</b>	Assembly Appropriations Committee
	<b>SUMMARY:</b>	Creates, within the Governor's office, the Governor's Office to End Homelessness, which would be administered by the Secretary on Housing Insecurity and Homelessness appointed by the Governor; requires that the office serve the Governor as the lead entity for ending homelessness in California and tasks the office with coordinating the various federal, state, and local departments and agencies that provide housing and services to individuals experiencing homelessness.
	<b>STATUS:</b>	
		03/11/2020
<b>CATEGORY:</b>		Homelessness

CA AB 1848	<b>AUTHOR:</b>	Lackey [R]
	<b>TITLE:</b>	High-Speed Rail: Metrolink Commuter Rail System
	<b>INTRODUCED:</b>	01/06/2020
	<b>LOCATION:</b>	Assembly Transportation Committee
	<b>SUMMARY:</b>	Appropriates a specified amount of revenues from the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century to the Southern California Regional Rail Authority to fund improvements to the Metrolink commuter rail system; requires those improvements to support blended operation with high-speed trainsets upon completion of specified phases of the high-speed rail system.
	<b>STATUS:</b>	
		01/17/2020
<b>CATEGORY:</b>		Rail and Transit

CA AB 1908	<b>AUTHOR:</b>	Chen [R]
	<b>TITLE:</b>	Transportation: Homeless Encampment and Litter Program
	<b>INTRODUCED:</b>	01/08/2020
	<b>LOCATION:</b>	Assembly Transportation Committee
	<b>SUMMARY:</b>	Requires the Department of Transportation, within its maintenance program, to establish a Homeless Encampment and Litter Program to provide timely abatement and cleanup of homeless encampments on Department property and expedited and coordinated access to housing and supportive services. Requires the Department to coordinate with homeless service provider agencies and to establish homeless adult and family multidisciplinary personnel teams.
	<b>STATUS:</b>	02/27/2020 To ASSEMBLY Committees on TRANSPORTATION and HUMAN SERVICES.
<b>CATEGORY:</b>	Homelessness	

CA AB 1934	<b>AUTHOR:</b>	Voepel [R]
	<b>TITLE:</b>	Planning and Zoning: Affordable Housing
	<b>INTRODUCED:</b>	01/15/2020
	<b>LOCATION:</b>	Assembly Housing and Community Development Committee
	<b>SUMMARY:</b>	Authorizes a development proponent to submit an application for a development to be subject to a streamlined, ministerial approval process provided that development meet specified objective planning standards, including that the development provide housing for persons and families of low or moderate income.
	<b>STATUS:</b>	01/23/2020 To ASSEMBLY Committees on HOUSING AND COMMUNITY DEVELOPMENT and LOCAL GOVERNMENT.
<b>CATEGORY:</b>	Planning	

CA AB 1939	<b>AUTHOR:</b>	Gonzalez [D]
	<b>TITLE:</b>	Pedicabs: Electric Bicycles
	<b>INTRODUCED:</b>	01/16/2020
	<b>LAST AMEND:</b>	03/12/2020
	<b>LOCATION:</b>	Assembly Transportation Committee
	<b>SUMMARY:</b>	Expands the definition of a pedicab to include electric bicycles. Expands the definition of a bicycle to include electric bicycles.
<b>STATUS:</b>	03/12/2020 From ASSEMBLY Committee on TRANSPORTATION with author's amendments.	
<b>STATUS:</b>	03/12/2020 In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION.	
<b>CATEGORY:</b>	Active Transportation	

CA AB 1964	<b>AUTHOR:</b>	Frazier [D]
	<b>TITLE:</b>	Autonomous Vehicles
	<b>INTRODUCED:</b>	01/21/2020
	<b>LOCATION:</b>	Assembly Transportation Committee
	<b>SUMMARY:</b>	Expands the definition of the term autonomous vehicle to also include a remotely operated vehicle, defined as a specified type of vehicle that is capable of being operated by a driver or operator that is not inside of the vehicle. Specifies that a vehicle is not an autonomous vehicle if it is equipped with a collision avoidance system that is not capable of driving the vehicle without the active control or monitoring of a human operator that is seated in the vehicle.
	<b>STATUS:</b>	01/30/2020 To ASSEMBLY Committees on TRANSPORTATION and COMMUNICATIONS AND CONVEYANCE.
	<b>CATEGORY:</b>	Miscellaneous

CA AB 1991	<b>AUTHOR:</b>	Friedman [D]
	<b>TITLE:</b>	Transit and Intercity Rail Capital Program: Tramway
	<b>INTRODUCED:</b>	01/27/2020
	<b>LOCATION:</b>	Assembly Transportation Committee
	<b>SUMMARY:</b>	Expands the purpose of the Transit and Intercity Rail Capital Program to authorize funding for passenger tramway transit systems.
	<b>STATUS:</b>	02/06/2020 To ASSEMBLY Committees on TRANSPORTATION and NATURAL RESOURCES.
	<b>CATEGORY:</b>	Rail and Transit

CA AB 1992	<b>AUTHOR:</b>	Friedman [D]
	<b>TITLE:</b>	Transportation: Asset Management Plan: Infrastructure
	<b>INTRODUCED:</b>	01/27/2020
	<b>LAST AMEND:</b>	03/11/2020
	<b>LOCATION:</b>	Assembly Transportation Committee
	<b>SUMMARY:</b>	States the intent of the Legislature to enact legislation that would establish a new program to fund climate change adaptation planning for transportation impacts, data collection, modeling, and training. Requires updates to the State Transportation Plan to include a forecast of the impacts of climate change on transportation infrastructure.
	<b>STATUS:</b>	03/11/2020 From ASSEMBLY Committee on TRANSPORTATION with author's amendments. 03/11/2020 In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION.
<b>CATEGORY:</b>	Planning	



CA AB 2012	<b>AUTHOR:</b>	Chu [D]
	<b>TITLE:</b>	Free Senior Transit Passes: Eligibility for Funding
	<b>INTRODUCED:</b>	01/28/2020
	<b>LOCATION:</b>	Assembly Transportation Committee
	<b>SUMMARY:</b>	Requires transit agencies to offer free senior transit passes to persons over a certain age in order to be eligible for state funding under the Mills Deddeh Transit Development Act, the State Transit Assistance Program, and the Low Carbon Transit Operations Program. Requires those free senior transit passes to count as full price fares for purposes of calculating the ratio of fare revenues to operating costs.
	<b>STATUS:</b>	
	02/14/2020	To ASSEMBLY Committee on TRANSPORTATION.
	<b>CATEGORY:</b>	Rail and Transit

CA AB 2028	<b>AUTHOR:</b>	Aguiar-Curry [D]
	<b>TITLE:</b>	State Agencies: Meetings
	<b>INTRODUCED:</b>	01/30/2020
	<b>LOCATION:</b>	Assembly Governmental Organization Committee
	<b>SUMMARY:</b>	Requires that the notice of meeting of a state body, except for closed sessions, include all writings or materials provided for the noticed meeting to a member of the state body by staff of a state agency, board, or commission, or another member of the state body, that are in connection with a matter subject to discussion or consideration at the meeting. Requires these writings and materials to be made available on the internet at least 10 days in advance of the meeting.
	<b>STATUS:</b>	
	02/14/2020	To ASSEMBLY Committee on GOVERNMENTAL ORGANIZATION.
	<b>CATEGORY:</b>	Miscellaneous

▶ CA AB 2057	<b>AUTHOR:</b>	<i>Chiu D]</i>
	<b>TITLE:</b>	<i>San Francisco Bay Area: Public Transportation</i>
	<b>INTRODUCED:</b>	<i>02/03/2020</i>
	<b>LAST AMEND:</b>	<i>05/04/2020</i>
	<b>LOCATION:</b>	<i>Assembly Transportation Committee</i>
	<b>SUMMARY:</b>	<i>Establishes Bay Area Seamless Transit Task Force to recommend reforms that should be enacted in future legislation to maximize the effectiveness of the public transit system in the San Francisco Bay area. Requires the Metropolitan Transportation Commission to create certain discount programs and to implement an accumulator pass. Requires the development of a standardized regional transit mapping and wayfinding system. Requires the adoption of targets for increasing the travel mode share of public transit.</i>
	<b>STATUS:</b>	
	05/04/2020	<i>From ASSEMBLY Committee on TRANSPORTATION with author's amendments.</i>
	05/04/2020	<i>In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION.</i>
	<b>CATEGORY:</b>	<i>Rail and Transit</i>

▶ CA AB 2062    **AUTHOR:**                    Boerner Horvath [D]  
**TITLE:**                                San Diego Association of Governments: LOSSAN Rail  
**INTRODUCED:**                    02/04/2020  
**LAST AMEND:**                    05/04/2020  
**LOCATION:**                            Assembly Transportation Committee  
**SUMMARY:**  
Appropriates funds from the General Fund to the San Diego Association of Governments to conduct a study of higher speed and safety alternatives for the LOSSAN Rail Corridor in the County of San Diego. Requires the San Diego Association of Governments to conduct the study, *as specified*, and requires the San Diego Association of Governments to submit a report to specified committees of the Legislature summarizing the results of the study.  
**STATUS:**  
05/04/2020                            *From ASSEMBLY Committee on TRANSPORTATION with author's amendments.*  
05/04/2020                            *In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION.*  
**CATEGORY:**                        Rail and Transit

CA AB 2089    **AUTHOR:**                    Rivas [D]  
**TITLE:**                                Environmental and Justice Empowerment Outreach Program  
**INTRODUCED:**                    02/05/2020  
**LAST AMEND:**                    03/09/2020  
**LOCATION:**                            Assembly Natural Resources Committee  
**SUMMARY:**  
Establishes the Environmental and Justice Empowerment Outreach Pilot Program, and would have the program be administered by the Strategic Growth Council as a grant pilot program for eligible community-based organizations to provide a comprehensive suite of coordinated incentives and services to disadvantaged communities at the resident household level to provide economic savings, reduce greenhouse gas emissions, and improve resiliency to the impacts of climate change.  
**STATUS:**  
03/09/2020                            *To ASSEMBLY Committee on NATURAL RESOURCES. From ASSEMBLY Committee on NATURAL RESOURCES with author's amendments.*  
03/09/2020                            *In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.*  
**CATEGORY:**                        Environment

▶ CA AB 2093    **AUTHOR:**                    Gloria [D]  
**TITLE:**                                Public Records: Writing Transmitted by Electronic Mail  
**INTRODUCED:**                    02/05/2020  
**LOCATION:**                            *Assembly Appropriations Committee*  
**SUMMARY:**  
Requires a public agency, for purposes of the California Public Records Act, to retain and preserve for at least 2 years every public record that is transmitted by electronic mail, unless a longer retention period is required by statute or regulation.  
**STATUS:**  
03/10/2020                            *From ASSEMBLY Committee on JUDICIARY: Do pass to Committee on APPROPRIATIONS. (10-1)*  
**CATEGORY:**                        Miscellaneous



CA AB 2121	<b>AUTHOR:</b>	Friedman [D]
	<b>TITLE:</b>	Traffic Safety
	<b>INTRODUCED:</b>	02/06/2020
	<b>LOCATION:</b>	Assembly Transportation Committee
	<b>SUMMARY:</b>	Requires, beginning of a specified date, and every 6 months thereafter, the Department of Transportation (Caltrans) to convene a committee of external design experts to advise on revisions to the Highway Design Manual. Requires the California Traffic Safety Program to include a traffic safety monitoring program that identifies and addresses locations with pedestrian- and bicyclist-related crashes, upon appropriation of state funds for this purpose.
	<b>STATUS:</b>	
	02/20/2020	To ASSEMBLY Committee on TRANSPORTATION.
	<b>CATEGORY:</b>	Miscellaneous

CA AB 2148	<b>AUTHOR:</b>	Quirk [D]
	<b>TITLE:</b>	Climate Change: Adaptation: Planning Groups and Plans
	<b>INTRODUCED:</b>	02/10/2020
	<b>LAST AMEND:</b>	03/05/2020
	<b>LOCATION:</b>	Assembly Natural Resources Committee
	<b>SUMMARY:</b>	Requires the Strategic Growth Council to establish guidelines for the formation of regional climate adaptation planning groups and to develop criteria for the development of regional climate adaptation plans.
	<b>STATUS:</b>	
	03/05/2020	To ASSEMBLY Committee on NATURAL RESOURCES.
	03/05/2020	From ASSEMBLY Committee on NATURAL RESOURCES with author's amendments.
	03/05/2020	In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.
	<b>CATEGORY:</b>	Planning

CA AB 2151	<b>AUTHOR:</b>	Gallagher [R]
	<b>TITLE:</b>	Political Reform Act: Online Filing Disclosure
	<b>INTRODUCED:</b>	02/10/2020
	<b>LOCATION:</b>	Assembly Elections and Redistricting Committee
	<b>SUMMARY:</b>	Requires a local government agency to post on its internet website, within seventy two hours of the applicable filing deadline, a copy of any specified statement, report, or other document filed with that agency in paper format.
	<b>STATUS:</b>	
	02/20/2020	To ASSEMBLY Committee on ELECTIONS AND REDISTRICTING.
	<b>CATEGORY:</b>	Miscellaneous

► CA AB 2155    **AUTHOR:** Obernolte [R]  
**TITLE:** Public Officers: Contract: Prohibited Interests  
**INTRODUCED:** 02/10/2020  
**LOCATION:** Assembly Judiciary Committee  
**SUMMARY:**  
Amends existing law that prohibits members of the Legislature, and state and city officers or employees, from being financially interested in any contract made by them in their official capacity, and that a contract made in violation of these provisions may be avoided by any party. Defines party, for these purposes, as a state taxpayer.  
**STATUS:**  
04/27/2020                      To ASSEMBLY Committee on JUDICIARY.  
**CATEGORY:** Miscellaneous

► CA AB 2172    **AUTHOR:** Petrie-Norris [D]  
**TITLE:** State Highways: Route 133: Relinquishment  
**INTRODUCED:** 02/11/2020  
**LOCATION:** Assembly Appropriations Committee  
**SUMMARY:**  
Authorizes the State Transportation Commission to relinquish to the City of Laguna Beach a specified portion of Route 133 if the Department of Transportation and the city enter into an agreement providing for that relinquishment.  
**STATUS:**  
05/04/2020                      From ASSEMBLY Committee on TRANSPORTATION: Do pass to  
Committee on APPROPRIATIONS. (15-0)  
**CATEGORY:** Planning

CA AB 2176    **AUTHOR:** Holden [D]  
**TITLE:** Free Student Transit Passes: State Funding Eligibility  
**INTRODUCED:** 02/11/2020  
**LOCATION:** Assembly Transportation Committee  
**SUMMARY:**  
Requires transit agencies to offer free student transit passes to persons attending the California Community Colleges, the California State University, or the University of California in order to be eligible for state funding under the Mills Alquist Deddeh Act, the State Transit Assistance Program, or the Low Carbon Transit Operations Program.  
**STATUS:**  
02/27/2020                      To ASSEMBLY Committees on TRANSPORTATION and  
HIGHER EDUCATION.  
**CATEGORY:** Rail and Transit

CA AB 2186    **AUTHOR:** Grayson [D]  
**TITLE:** Public Contracting: Contractor Retention Withholding  
**INTRODUCED:** 02/11/2020  
**LOCATION:** Assembly Local Government Committee  
**SUMMARY:**  
Eliminates specified limitations on a local agency's authority to prescribe payments on public contracts. The bill, however, prohibits the local agency from withholding more than 5% of the contract price for contracts for the creation, construction, alteration, repair, or improvement of any public structure, building, road, or other improvement of any kind that will exceed \$5,000 in total costs.  
**STATUS:**  
02/20/2020                      To ASSEMBLY Committee on LOCAL GOVERNMENT.  
**CATEGORY:** Miscellaneous

▶ CA AB 2194      **AUTHOR:**                    Kiley [R]  
**TITLE:**                            *United States Senate Vacancy*  
**INTRODUCED:**                02/11/2020  
**LAST AMEND:**                05/04/2020  
**LOCATION:**                      *Assembly Water, Parks and Wildlife Committee*  
**SUMMARY:**  
*Requires that a vacancy in the office of United States Senator be filled in the same manner as a vacancy in a congressional representative or state legislative office.*  
**STATUS:**  
05/04/2020                      *From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE with author's amendments.*  
05/04/2020                      *In ASSEMBLY. Read second time and amended. Re-referred to Committee on WATER, PARKS AND WILDLIFE.*  
**CATEGORY:**                    Miscellaneous

▶ CA AB 2231      **AUTHOR:**                    Kalra [D]  
**TITLE:**                            Prevailing Wage: Locality  
**INTRODUCED:**                02/13/2020  
**LAST AMEND:**                05/06/2020  
**LOCATION:**                      Assembly Labor and Employment Committee  
**SUMMARY:**  
*Defines the term "locality in which public work is performed," for purposes of the general prevailing rate of per diem wages for public works projects, as meaning the county in which the public work is done, by eliminating the distinction of in cases in which the state awards the contract, and as the limits of the political subdivision on whose behalf the contract is awarded.*  
**STATUS:**  
05/06/2020                      *From ASSEMBLY Committee on LABOR AND EMPLOYMENT with author's amendments.*  
05/06/2020                      *In ASSEMBLY. Read second time and amended. Re-referred to Committee on LABOR AND EMPLOYMENT.*  
**CATEGORY:**                    Labor and Employment

CA AB 2249      **AUTHOR:**                    Mathis [R]  
**TITLE:**                            High-Speed Rail: Legislative Oversight  
**INTRODUCED:**                02/13/2020  
**LOCATION:**                      Assembly  
**SUMMARY:**  
*Creates the Joint Legislative Committee on High-Speed Rail Oversight consisting of 3 Members of the Senate and 3 Members of the Assembly and requires the committee to ascertain facts, review documents, and take action thereon, and make recommendations to the Legislature concerning the state's programs, policies, and investments related to high-speed rail.*  
**STATUS:**  
02/13/2020                      INTRODUCED.  
**CATEGORY:**                    Rail and Transit



► CA AB 2262      **AUTHOR:**                      Berman [D]  
**TITLE:**                                      *Greenhouse Gases: Zero Emission Readiness Plans*  
**INTRODUCED:**                      02/14/2020  
**LAST AMEND:**                      05/04/2020  
**LOCATION:**                                      Assembly Transportation Committee  
**SUMMARY:**  
*Requires the assessment prepared by the State Energy Resources Conservation and Development Commission to consider the different electric vehicle charging infrastructure needs of metropolitan planning areas. Requires each metropolitan transportation organization to submit to the Commission a zero emission readiness plan.*  
**STATUS:**  
05/04/2020                      *From ASSEMBLY Committee on TRANSPORTATION with author's amendments.*  
05/04/2020                      *In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION.*  
**CATEGORY:**                                      *Environment*

► CA AB 2269      **AUTHOR:**                      Chau [D]  
**TITLE:**                                      *Personal Rights: Automated Decision Systems*  
**INTRODUCED:**                      02/14/2020  
**LOCATION:**                                      *Assembly Privacy and Consumer Protection Committee*  
**SUMMARY:**  
Enacts the Automated Decision Systems Accountability Act of 2020. Requires a business in California that provides a person with a program or device that uses an automated decision system (ADS) to take affirmative steps to ensure that there are processes in place to continually test for biases during the development and usage of the ADS, and conduct an ADS impact assessment on its program or device to determine whether the ADS has a disproportionate adverse impact on a protected class.  
**STATUS:**  
04/27/2020                      *To ASSEMBLY Committee on PRIVACY AND CONSUMER PROTECTION.*  
**CATEGORY:**                                      *Information Systems*

► CA AB 2284      **AUTHOR:**                      Calderon [D]  
**TITLE:**                                      *Local Agency Public Construction Act: Change Orders*  
**INTRODUCED:**                      02/14/2020  
**LAST AMEND:**                      05/04/2020  
**LOCATION:**                                      Assembly Local Government Committee  
**SUMMARY:**  
Relates to contracting by counties for county highways and county bridges and subways, and contracting by county waterworks districts. Requires that the existing caps on the extra cost of any change order be adjusted annually to reflect the percentage change in the California Consumer Price Index. Modifies the cap applicable to contracts.  
**STATUS:**  
05/04/2020                      *From ASSEMBLY Committee on LOCAL GOVERNMENT with author's amendments.*  
05/04/2020                      *In ASSEMBLY. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.*  
**CATEGORY:**                                      *Labor and Employment*

CA AB 2307	<b>AUTHOR:</b>	Bonta [D]
	<b>TITLE:</b>	Public Employment: Labor Relations: Release Time
	<b>INTRODUCED:</b>	02/14/2020
	<b>LOCATION:</b>	Assembly Public Employment and Retirement Committee
	<b>SUMMARY:</b>	Relates to specified labor laws that require public entities to grant employee representatives of employee organizations reasonable time off without loss of compensation in connection with labor relations. Prescribes requirements relating to release time that would apply to all of the public employers and employees subject to those laws.
	<b>STATUS:</b>	02/24/2020 To ASSEMBLY Committee on PUBLIC EMPLOYMENT AND RETIREMENT.
<b>CATEGORY:</b>	Labor and Employment	

CA AB 2310	<b>AUTHOR:</b>	Daly [D]
	<b>TITLE:</b>	Road Maintenance and Rehabilitation Account
	<b>INTRODUCED:</b>	02/14/2020
	<b>LOCATION:</b>	Assembly Transportation Committee
	<b>SUMMARY:</b>	Continuously appropriates interest earnings derived from revenues deposited in the Road Maintenance and Rehabilitation Account to the Department of Transportation for maintenance of the state highway system or for purposes of the State Highway Operation and Protection Program.
	<b>STATUS:</b>	02/24/2020 To ASSEMBLY Committee on TRANSPORTATION.
<b>CATEGORY:</b>	Miscellaneous	

CA AB 2320	<b>AUTHOR:</b>	Chau [D]
	<b>TITLE:</b>	Personal Information: Contractors: Cyber Insurance
	<b>INTRODUCED:</b>	02/14/2020
	<b>LOCATION:</b>	Assembly Privacy and Consumer Protection Committee
	<b>SUMMARY:</b>	Requires a contract with a contractor doing business with a state agency to require that the contractor maintain cyber insurance if the contractor receives or has access to records containing personal information protected under the Information Practices Act.
	<b>STATUS:</b>	05/05/2020 <i>In ASSEMBLY Committee on PRIVACY AND CONSUMER PROTECTION: Failed passage.</i>
<b>CATEGORY:</b>	Miscellaneous	

▶ CA AB 2323	<b>AUTHOR:</b>	Friedman [D]
	<b>TITLE:</b>	California Environmental Quality Act: Exemptions
	<b>INTRODUCED:</b>	02/14/2020
	<b>LAST AMEND:</b>	05/04/2020
	<b>LOCATION:</b>	Assembly Natural Resources Committee
	<b>SUMMARY:</b>	<i>Allows a project located on a site that is included in lists regarding the presence of hazardous substances compiled by specified state agencies to be exempt from certain requirements of the Environmental Quality Act if the Department of Toxic Substances Control has cleared the site for the proposed land use. Establishes requirements for certain developments to be exempt from certain requirements of the act.</i>
	<b>STATUS:</b>	
	05/04/2020	From ASSEMBLY Committee on NATURAL RESOURCES with author's amendments.
	05/04/2020	In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.
<b>CATEGORY:</b>	Environment	

CA AB 2337	<b>AUTHOR:</b>	Bloom [D]
	<b>TITLE:</b>	Parking Enforcement: Video Images: Los Angeles County
	<b>INTRODUCED:</b>	02/14/2020
	<b>LOCATION:</b>	Assembly Transportation Committee
	<b>SUMMARY:</b>	Extends parking enforcement provisions concerning transit only traffic lanes in the Bay Area to the Los Angeles County Metropolitan Transportation Authority. Authorizes the authority to install automated forward facing parking control devices on Authority owned public transit vehicles. Authorizes the Authority to issue parking citations for any parking violation collected by those devices.
	<b>STATUS:</b>	
		02/24/2020
<b>CATEGORY:</b>	Rail and Transit	

CA AB 2355	<b>AUTHOR:</b>	Bonta [D]
	<b>TITLE:</b>	Employment Discrimination: Medical Cannabis
	<b>INTRODUCED:</b>	02/18/2020
	<b>LOCATION:</b>	Assembly Labor and Employment Committee
	<b>SUMMARY:</b>	Makes it an unlawful employment practice for an employer or other entity to refuse to hire or employ a person, to refuse to select a person for a training program leading to employment, to bar or to discharge a person from employment or from a training program leading to employment, or to discriminate against an employee, because of the employee's status as a qualified patient, or as a person with an identification card, for purposes of medical cannabis, subject to certain exceptions.
	<b>STATUS:</b>	
		03/02/2020
<b>CATEGORY:</b>	Labor and Employment	



▶ CA AB 2371    **AUTHOR:** Friedman [D]  
**TITLE:** Climate Change: *Strategic Growth Council*  
**INTRODUCED:** 02/18/2020  
**LAST AMEND:** 05/04/2020  
**LOCATION:** Assembly Natural Resources Committee  
**SUMMARY:**  
Requires the Strategic Growth Council to convene a science advisory team of distinguished scientists to advise on climate planning and adaptation efforts in the state and to review and make recommendations *to improve climate adaptation and hazard mitigation planning, including the Safeguard California Plan.*  
**STATUS:**  
05/04/2020                      *From ASSEMBLY Committee on NATURAL RESOURCES with author's amendments.*  
05/04/2020                      *In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.*  
**CATEGORY:** Planning

▶ CA AB 2405    **AUTHOR:** Burke [D]  
**TITLE:** Housing: Children and Families  
**INTRODUCED:** 02/18/2020  
**LAST AMEND:** 05/06/2020  
**LOCATION:** Assembly Housing and Community Development Committee  
**SUMMARY:**  
Declares that it is the policy of the state that every child and family has the right to safe, decent, and affordable housing. *Requires agencies to consider that state policy when revising, adopting, or establishing policies, regulations, and grant criteria pertinent to advancing the guidelines of the Housing First policy.*  
**STATUS:**  
05/04/2020                      *From ASSEMBLY Committee on HOUSING AND COMMUNITY DEVELOPMENT with author's amendments.*  
05/04/2020                      *In ASSEMBLY. Read second time and amended. Re-referred to Committee on HOUSING AND COMMUNITY DEVELOPMENT.*  
**CATEGORY:** Miscellaneous

CA AB 2428    **AUTHOR:** Fong [R]  
**TITLE:** Emergency Services: Disaster Preparedness  
**INTRODUCED:** 02/19/2020  
**LOCATION:** Assembly Governmental Organization Committee  
**SUMMARY:**  
Requires the Office of Emergency Services to work with representatives from the access and functional needs population when updating the State Emergency Plan. Requires the Office to develop and post on its internet website a guidance document regarding best practices for, and the lessons learned regarding, emergency and natural preparedness, for use by local governments.  
**STATUS:**  
02/24/2020                      *To ASSEMBLY Committee on GOVERNMENTAL ORGANIZATION.*  
**CATEGORY:** Planning

CA AB 2452	<b>AUTHOR:</b>	Garcia [D]
	<b>TITLE:</b>	State Auditor: Audits: High Risk Local Government
	<b>INTRODUCED:</b>	02/19/2020
	<b>LOCATION:</b>	Assembly Accountability and Administrative Review Committee
	<b>SUMMARY:</b>	Authorizes the State Auditor to include in the high risk local government agency audit program any local agency or district association that the State Auditor identifies as being at high risk for the potential of waste, fraud, abuse, or mismanagement or that has major challenges associated with its economy, efficiency, or effectiveness.
	<b>STATUS:</b>	
	02/27/2020	To ASSEMBLY Committee on ACCOUNTABILITY AND ADMINISTRATIVE REVIEW.
	<b>CATEGORY:</b>	Audits, Reports, and Records

CA AB 2455	<b>AUTHOR:</b>	Medina [D]
	<b>TITLE:</b>	Natural Gas and Electric Battery Vehicles: Weight
	<b>INTRODUCED:</b>	02/19/2020
	<b>LOCATION:</b>	Assembly Transportation Committee
	<b>SUMMARY:</b>	Authorizes a natural gas vehicle or electric battery vehicle to exceed the weight limits on the power unit. Allows a certain weight limit for a natural gas vehicle or electric battery vehicle.
	<b>STATUS:</b>	
	03/02/2020	To ASSEMBLY Committee on TRANSPORTATION.
	<b>CATEGORY:</b>	Miscellaneous

▶ CA AB 2473	<b>AUTHOR:</b>	Cooper [D]
	<b>TITLE:</b>	Public Investment Funds
	<b>INTRODUCED:</b>	02/19/2020
	<b>LOCATION:</b>	Assembly Public Employment and Retirement Committee
	<b>SUMMARY:</b>	Exempts from disclosure under California Public Records Act specified records regarding an internally managed private loan made directly by a public investment fund, including quarterly and annual financial statements of the borrower or its constituent owners, unless the information has already been publicly released by the keeper of the information.
	<b>STATUS:</b>	
	05/05/2020	From ASSEMBLY Committee on PUBLIC EMPLOYMENT AND RETIREMENT: Do pass to Committee on APPROPRIATIONS. (7-0)
	<b>CATEGORY:</b>	Audits, Reports, and Records

CA AB 2514	<b>AUTHOR:</b>	Rivas [D]
	<b>TITLE:</b>	Los Angeles County Metropolitan Transportation
	<b>INTRODUCED:</b>	02/19/2020
	<b>LOCATION:</b>	Assembly Local Government Committee
	<b>SUMMARY:</b>	Relates to the Los Angeles County Metropolitan Transportation Authority. Eliminates the requirement to make specified findings by a specified number of votes of the members of the Authority in order to award contracts.
	<b>STATUS:</b>	
	02/27/2020	To ASSEMBLY Committees on LOCAL GOVERNMENT and TRANSPORTATION.
	<b>CATEGORY:</b>	Miscellaneous



▶ CA AB 2542	<b>AUTHOR:</b> Kalra [D] <b>TITLE:</b> Local Transportation Funds: Transit Assistance Programs <b>INTRODUCED:</b> 02/19/2020 <b>LOCATION:</b> <i>Assembly Appropriations Committee</i> <b>SUMMARY:</b>
	<p>Relates to a report by the State Transit Assistance Program which would no longer require the Controller to submit this annual report to the Legislature and would instead require the Controller to compile, publish, and make publicly available on the Controller's internet website this data and information on or before a certain date of each year.</p>
	<b>STATUS:</b> 05/04/2020 <i>From ASSEMBLY Committee on TRANSPORTATION: Do pass to Committee on APPROPRIATIONS. (15-0)</i>
	<b>CATEGORY:</b> Rail and Transit
CA AB 2577	<b>AUTHOR:</b> Chiu [D] <b>TITLE:</b> Environmental Protection: Vulnerable Population <b>INTRODUCED:</b> 02/20/2020 <b>LOCATION:</b> Assembly Natural Resources Committee <b>SUMMARY:</b>
	<p>Requires the Office of Planning and Research and the Strategic Growth Council to identify vulnerable populations using geographic, socioeconomic, public health, social determinants of health, environmental, and climate exposure criteria. Requires the office and council, in identifying the vulnerable populations, to undertake a robust participatory process that engages members of disadvantaged communities and other populations at significant risk from climate change impacts.</p>
	<b>STATUS:</b> 03/12/2020 To ASSEMBLY Committee on NATURAL RESOURCES.
	<b>CATEGORY:</b> Environment
CA AB 2619	<b>AUTHOR:</b> Stone [D] <b>TITLE:</b> Program for Coastal Resilience, Adaptation, and Access <b>INTRODUCED:</b> 02/20/2020 <b>LOCATION:</b> Assembly Natural Resources Committee <b>SUMMARY:</b>
	<p>Establishes the Program for Coastal Resilience Adaption and Access for the purpose of funding specified activities intended to help the state prepare, plan, and implement actions to address and adapt to sea level rise and coastal climate change. Creates the Coastal Resilience, Adaption, and Access Fund in the State Treasury, and would authorize the California Coastal Commission and specified state agencies to expend moneys in the fund.</p>
	<b>STATUS:</b> 03/02/2020 To ASSEMBLY Committee on NATURAL RESOURCES.
	<b>CATEGORY:</b> Environment
CA AB 2674	<b>AUTHOR:</b> Ting [D] <b>TITLE:</b> Toll Bridges: Pedestrians and Bicycles <b>INTRODUCED:</b> 02/20/2020 <b>LOCATION:</b> Assembly Transportation Committee <b>SUMMARY:</b>
	<p>Extends the prohibition on imposing a pedestrian toll on various toll bridges until January 1, 2031.</p>
	<b>STATUS:</b> 03/02/2020 To ASSEMBLY Committee on TRANSPORTATION.
	<b>CATEGORY:</b> Active Transportation

► CA AB 2698    **AUTHOR:** Gray [D]  
**TITLE:** High-Speed Rail Authority: *Trains*  
**INTRODUCED:** 02/20/2020  
**LAST AMEND:** 03/11/2020  
**LOCATION:** Assembly Transportation Committee  
**SUMMARY:**  
Prohibits the High-Speed Rail Authority from directly or indirectly using local, state, federal, or any other public or private funding to purchase, lease, operate, or maintain a passenger or freight train powered by a diesel engine or other type of fossil fuel combustion engine, and from enabling such a train to operate on authority owned rail infrastructure designed for speeds in excess of one hundred twenty five miles per hour.  
**STATUS:**  
03/11/2020                      From ASSEMBLY Committee on TRANSPORTATION with author's amendments.  
03/11/2020                      In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION.  
**CATEGORY:** Rail and Transit

► CA AB 2730    **AUTHOR:** Cervantes [D]  
**TITLE:** *Access and Functional Needs: Emergency Management*  
**INTRODUCED:** 02/20/2020  
**LAST AMEND:** 05/04/2020  
**LOCATION:** Assembly Governmental Organization Committee  
**SUMMARY:**  
*Requires a local transportation authority that provides paratransit services to enter into an agreement with adjacent authorities to borrow, for compensation, paratransit vehicles and drivers in the event of an emergency that requires the evacuation and relocation of the access and functional needs population in the jurisdiction or service area.*  
**STATUS:**  
05/04/2020                      From ASSEMBLY Committee on GOVERNMENTAL ORGANIZATION with author's amendments.  
05/04/2020                      In ASSEMBLY. Read second time and amended. Re-referred to Committee on GOVERNMENTAL ORGANIZATION.  
**CATEGORY:** Rail and Transit

► CA AB 2731    **AUTHOR:** Gloria [D]  
**TITLE:** *California Environmental Quality Act: San Diego*  
**INTRODUCED:** 02/20/2020  
**LAST AMEND:** 05/06/2020  
**LOCATION:** Assembly Natural Resources Committee  
**SUMMARY:**  
*Authorizes the San Diego Association of Governments to obtain site control to support the redevelopment of the Old Town Center site, including a transit and transportation facilities project, in the City of San Diego before completing the environmental review for those actions. Exempts transit oriented development projects occurring at the Old Town Center site that meet certain requirements from the requirements of CEQA.*  
**STATUS:**  
05/06/2020                      From ASSEMBLY Committee on NATURAL RESOURCES with author's amendments.  
05/06/2020                      In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.  
**CATEGORY:** Rail and Transit

CA AB 2738	<b>AUTHOR:</b>	Quirk-Silva [D]
	<b>TITLE:</b>	Highway Users Tax Account: Apportionment to Counties
	<b>INTRODUCED:</b>	02/20/2020
	<b>LOCATION:</b>	Assembly Transportation Committee
	<b>SUMMARY:</b>	Expands the purposes for which a county may spend moneys deposited into its road fund to include any street or road within the county. Concerns that if a county expends moneys received from the Highway Users Tax Account for streets and roads within the county. Requires the county to use those funds equitably throughout the county to identify and improve streets and roads that have the highest need.
	<b>STATUS:</b>	
	03/02/2020	To ASSEMBLY Committee on TRANSPORTATION.
	<b>CATEGORY:</b>	Funding

▶ CA AB 2748	<b>AUTHOR:</b>	Fong [R]
	<b>TITLE:</b>	<i>Consumer Credit Reports: Security Freezes</i>
	<b>INTRODUCED:</b>	02/20/2020
	<b>LAST AMEND:</b>	05/04/2020
	<b>LOCATION:</b>	Assembly Privacy and Consumer Protection Committee
	<b>SUMMARY:</b>	<i>Includes in the definition of protected consumer, for purposes of provisions relating to security freezes by consumer credit reporting agencies, an individual who is under the jurisdiction of a county probation department, has been placed in a foster care setting, and is under a certain age at the time of the request for placement of a security freeze is made.</i>
	<b>STATUS:</b>	
	05/04/2020	<i>From ASSEMBLY Committee on PRIVACY AND CONSUMER PROTECTION with author's amendments.</i>
	05/04/220	<i>In ASSEMBLY. Read second time and amended. Re-referred to Committee on PRIVACY AND CONSUMER PROTECTION.</i>
	<b>CATEGORY:</b>	Miscellaneous

CA AB 2770	<b>AUTHOR:</b>	Gipson [R]
	<b>TITLE:</b>	Vehicle Identification and Registration
	<b>INTRODUCED:</b>	02/20/2020
	<b>LOCATION:</b>	Assembly Transportation Committee
	<b>SUMMARY:</b>	Authorizes the use of alternative devices intended to serve in lieu of license plates authorized by the Department of Motor Vehicles pursuant to the pilot program. Requires the department to establish a program authorizing an entity to issue alternatives to stickers, tabs, license plates, and registration cards under specified conditions.
	<b>STATUS:</b>	
	03/02/2020	To ASSEMBLY Committee on TRANSPORTATION.
	<b>CATEGORY:</b>	Information Systems



CA AB 2777	<b>AUTHOR:</b>	Quirk [D]
	<b>TITLE:</b>	Alameda Contra Costa Transit District
	<b>INTRODUCED:</b>	02/20/2020
	<b>LOCATION:</b>	Assembly Local Government Committee
	<b>SUMMARY:</b>	Repeals the authority to form a transit district under provisions of existing law. Recognizes the Alameda Contra Costa Transit District as the District formed pursuant to this authority. Designates the Alameda Contra Costa Transit District as a rapid transit district, thereby excluding the district from the definition of a local agency for purposes of existing law.
	<b>STATUS:</b>	
	03/12/2020	To ASSEMBLY Committee on LOCAL GOVERNMENT.
<b>CATEGORY:</b>	Rail and Transit	

CA AB 2800	<b>AUTHOR:</b>	Quirk [D]
	<b>TITLE:</b>	Climate Change: Infrastructure Planning
	<b>INTRODUCED:</b>	02/20/2020
	<b>LAST AMEND:</b>	03/04/2020
	<b>LOCATION:</b>	Assembly Natural Resources Committee
	<b>SUMMARY:</b>	Extends provisions relating to the Climate Safe Infrastructure Working Group, whose purpose it is to exam how to integrate scientific data concerning projected climate change impacts into state infrastructure engineering, including oversight, investment, design, and construction.
	<b>STATUS:</b>	
03/04/2020	From ASSEMBLY Committee on NATURAL RESOURCES with author's amendments.	
03/04/2020	In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.	
<b>CATEGORY:</b>	Environment	

▶ CA AB 2824	<b>AUTHOR:</b>	<i>Bonta [D]</i>
	<b>TITLE:</b>	<i>Bay Bridge Fast Forward Program</i>
	<b>INTRODUCED:</b>	<i>02/20/2020</i>
	<b>LAST AMEND:</b>	<i>05/04/2020</i>
	<b>LOCATION:</b>	<i>Assembly Transportation Committee</i>
	<b>SUMMARY:</b>	<i>Requires certain transportation agencies to deliver a comprehensive set of operational, transit, and infrastructure investments for the San Francisco-Oakland Bay Bridge corridor, to be known collectively as the Bay Bridge Fast Forward Program.</i>
	<b>STATUS:</b>	
<i>05/04/2020</i>	<i>From ASSEMBLY Committee on TRANSPORTATION with author's amendments.</i>	
<i>05/04/2020</i>	<i>In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION.</i>	
<b>CATEGORY:</b>	<i>Rail and Transit</i>	

CA AB 2828	<b>AUTHOR:</b>	Friedman [D]
	<b>TITLE:</b>	Traffic Safety
	<b>INTRODUCED:</b>	02/20/2020
	<b>LOCATION:</b>	Assembly Transportation Committee
	<b>SUMMARY:</b>	
		Requires, beginning June 1, 2022, and every 6 months thereafter, Caltrans to convene a committee of external design experts to advise on revisions to the Highway Design Manual.
	<b>STATUS:</b>	
	03/02/2020	To ASSEMBLY Committee on TRANSPORTATION.
	<b>CATEGORY:</b>	Miscellaneous

► CA AB 2850	<b>AUTHOR:</b>	Low [D]
	<b>TITLE:</b>	Public Transit Employer Employee Relations
	<b>INTRODUCED:</b>	02/21/2020
	<b>LAST AMEND:</b>	05/04/2020
	<b>LOCATION:</b>	Assembly Appropriations Committee
	<b>SUMMARY:</b>	
		Requires that the Meyers-Milias-Brown Act govern the San Francisco Bay Area Rapid Transit District's employer-employee relations and that these relations be subject to the exclusive jurisdiction of, and be administered by, the Public Employment Relations Board.
	<b>STATUS:</b>	
	05/05/2020	From ASSEMBLY Committee on PUBLIC EMPLOYMENT AND RETIREMENT: Do pass to Committee on APPROPRIATIONS. (5-1)
	<b>CATEGORY:</b>	Labor and Employment

CA AB 2860	<b>AUTHOR:</b>	O'Donnell [D]
	<b>TITLE:</b>	Clean Truck, Bus, and Off Road Vehicle Program
	<b>INTRODUCED:</b>	02/21/2020
	<b>LOCATION:</b>	Assembly Transportation Committee
	<b>SUMMARY:</b>	
		Relates to the California Global Warming Solutions Act. Supports early commercial deployment of existing zero and near zero emission heavy duty truck technology. Extends the requirement that twenty percent of that funding be made available for that same purpose. Creates a separate definition for near zero emission. Revises the definition for zero emission.
	<b>STATUS:</b>	
	03/05/2020	To ASSEMBLY Committees on TRANSPORTATION and NATURAL RESOURCES.
	<b>CATEGORY:</b>	Environment

CA AB 2873	<b>AUTHOR:</b>	Kalra [D]
	<b>TITLE:</b>	Public Transit Operators: Bus Procurement
	<b>INTRODUCED:</b>	02/21/2020
	<b>LOCATION:</b>	Assembly Transportation Committee
	<b>SUMMARY:</b>	
		Requires a public transit operator to also take into consideration recommendations of, and best practices standards developed by, that exclusive representative of the recognized organization representing bus operators for the purpose of changing or introducing new technology that can affect the nature of work for employees of the transit operator or require job training for employees of the transit operator.
	<b>STATUS:</b>	
	03/05/2020	To ASSEMBLY Committee on TRANSPORTATION.
	<b>CATEGORY:</b>	Rail and Transit

CA AB 2940	<b>AUTHOR:</b>	Quirk [D]
	<b>TITLE:</b>	Energy: Hydrogen
	<b>INTRODUCED:</b>	02/21/2020
	<b>LOCATION:</b>	Assembly Utilities and Energy Committee
	<b>SUMMARY:</b>	Requires the Public Utilities Commission, in consultation with the Energy Commission and State Air Resources Board, to establish a critical consumption program for hydrogen production and processing, and to establish a framework for directing electricity generated by eligible renewable energy resources to the production and processing of hydrogen at specified times.
	<b>STATUS:</b>	03/05/2020 To ASSEMBLY Committees on UTILITIES AND ENERGY and NATURAL RESOURCES.
	<b>CATEGORY:</b>	Miscellaneous

CA AB 2943	<b>AUTHOR:</b>	Ting [D]
	<b>TITLE:</b>	Surplus Property: Disposal
	<b>INTRODUCED:</b>	02/21/2020
	<b>LOCATION:</b>	Assembly Local Government Committee
	<b>SUMMARY:</b>	Provides that the provisions regulating the disposal of surplus land shall not be construed to require a local agency to dispose of land that is determined to be surplus.
	<b>STATUS:</b>	03/05/2020 To ASSEMBLY Committees on LOCAL GOVERNMENT and HOUSING AND COMMUNITY DEVELOPMENT.
	<b>CATEGORY:</b>	Surplus Land

CA AB 2953	<b>AUTHOR:</b>	Gray [D]
	<b>TITLE:</b>	State Highways: Landscaping and Cleaning
	<b>INTRODUCED:</b>	02/21/2020
	<b>LOCATION:</b>	Assembly Transportation Committee
	<b>SUMMARY:</b>	Requires the Department of Transportation to eliminate the use of potable groundwater from groundwater basins subject to critical conditions of overdraft for purposes of landscaping and cleaning highways except when a district director determines not doing so would threaten public health or safety.
	<b>STATUS:</b>	03/05/2020 To ASSEMBLY Committee on TRANSPORTATION.
	<b>CATEGORY:</b>	Environment

CA AB 2987	<b>AUTHOR:</b>	Flora [R]
	<b>TITLE:</b>	Local Agency Public Contracts: Bidding
	<b>INTRODUCED:</b>	02/21/2020
	<b>LOCATION:</b>	Assembly Local Government Committee
	<b>SUMMARY:</b>	Authorizes a public agency, as an alternative to the publication or posting requirement, to meet the notice inviting formal bids requirement by transmitting notice electronically, and publishing the notice electronically in a prescribed manner on the public agency's internet website at least 14 calendar days before the date of opening the bids.
	<b>STATUS:</b>	03/05/2020 To ASSEMBLY Committee on LOCAL GOVERNMENT.
	<b>CATEGORY:</b>	Labor and Employment



▶ CA AB 2991	<b>AUTHOR:</b>	Santiago [D]
	<b>TITLE:</b>	Jobs and Economic Improvement Leadership Act
	<b>INTRODUCED:</b>	02/21/2020
	<b>LAST AMEND:</b>	05/04/2020
	<b>LOCATION:</b>	Assembly Natural Resources Committee
	<b>SUMMARY:</b>	Relates to the Jobs and Economic Improvement Through Environmental Leadership Act of 2011. Extends the authority of the Governor to certify a project to January 1, 2025. Provides that the certification expires and is no longer valid if the lead agency fails to approve a certified project before January 1, 2026. Repeals the act on January 1, 2026.
	<b>STATUS:</b>	
	05/04/2020	<i>From ASSEMBLY Committee on NATURAL RESOURCES with author's amendments.</i>
	05/04/2020	<i>In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.</i>
	<b>CATEGORY:</b>	Environment

CA AB 3046	<b>AUTHOR:</b>	Mathis [R]
	<b>TITLE:</b>	Energy, Environment, and Economy Council
	<b>INTRODUCED:</b>	02/21/2020
	<b>LAST AMEND:</b>	03/10/2020
	<b>LOCATION:</b>	Assembly Natural Resources Committee
	<b>SUMMARY:</b>	Establishes the Energy, Environment, and Economy Council. Requires the Council to engage with stakeholders, subject matter experts, and state and local agencies with jurisdiction relevant to environmental protection and economic vitality in order to determine the policies can be implemented to meet the state's environmental goals, while avoiding harm to the state's economy and maintaining specified protections.
	<b>STATUS:</b>	
	03/10/2020	<i>From ASSEMBLY Committee on NATURAL RESOURCES with author's amendments.</i>
	03/10/2020	<i>In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.</i>
	<b>CATEGORY:</b>	Environment

CA AB 3197	<b>AUTHOR:</b>	Diep [R]
	<b>TITLE:</b>	Contractors Registration Exemption
	<b>INTRODUCED:</b>	02/21/2020
	<b>LOCATION:</b>	Assembly Labor and Employment Committee
	<b>SUMMARY:</b>	Defines "public works" for the purposes of regulating public works contracts, as, among other things, construction, alteration, demolition, installation, or repair work done under contract and paid for, in whole or in part, out of public funds. Specifies that the registration requirement discussed above does not apply to services provided by a licensed architect unless those services require the payment of a prevailing wage.
	<b>STATUS:</b>	
	03/09/2020	<i>To ASSEMBLY Committee on LABOR AND EMPLOYMENT.</i>
	<b>CATEGORY:</b>	Labor and Employment

▶ CA AB 3205	<b>AUTHOR:</b>	Salas [D]
	<b>TITLE:</b>	Regions Rise Grant Program
	<b>INTRODUCED:</b>	02/21/2020
	<b>LAST AMEND:</b>	05/04/2020
	<b>LOCATION:</b>	Assembly Jobs, Economic Development, and The Economy Committee
	<b>SUMMARY:</b>	Establishes the Regions Rise Grant Program for the purpose of enabling regions to collaborate and create interdisciplinary and cross-sector regional strategies to address key regional <i>barriers to prosperity to all</i> . Requires the Office of Business and Economic Development to develop an application for regions to apply for <i>competitive grants that can be spent over a period of three years</i> .
	<b>STATUS:</b>	
	05/04/2020	From ASSEMBLY Committee on JOBS, ECONOMIC DEVELOPMENT AND THE ECONOMY with author's amendments.
	05/04/2020	In ASSEMBLY. Read second time and amended. Re-referred to Committee on JOBS, ECONOMIC DEVELOPMENT AND THE ECONOMY.
	<b>CATEGORY:</b>	Funding

▶ CA AB 3213	<b>AUTHOR:</b>	Rivas [D]
	<b>TITLE:</b>	High-Speed Rail Service: Priorities
	<b>INTRODUCED:</b>	02/21/2020
	<b>LOCATION:</b>	Assembly Appropriations Committee
	<b>SUMMARY:</b>	Requires the high-speed rail authority to prioritize projects based on specified criteria.
	<b>STATUS:</b>	
	05/04/2020	From ASSEMBLY Committee on TRANSPORTATION: Do pass to Committee on APPROPRIATIONS. (15-0)
	<b>CATEGORY:</b>	Rail and Transit

CA AB 3216	<b>AUTHOR:</b>	Kalra [D]
	<b>TITLE:</b>	Employee Leave: Authorization: COVID 19
	<b>INTRODUCED:</b>	02/21/2020
	<b>LAST AMEND:</b>	03/12/2020
	<b>LOCATION:</b>	Assembly Labor and Employment Committee
	<b>SUMMARY:</b>	Makes it an unlawful employment practice for an employer to refuse to grant a request by an eligible employee to take family and medical leave due to the coronavirus. Permits employees taking leave due to COVID 19 to continue participation in employee health plans, including life insurance or short or long term disability or accident insurance, pension and retirement plans, and supplemental unemployment benefit plans.
	<b>STATUS:</b>	
	03/12/2020	To ASSEMBLY Committee on LABOR AND EMPLOYMENT.
	03/12/2020	From ASSEMBLY Committee on LABOR AND EMPLOYMENT with author's amendments.
	03/12/2020	In ASSEMBLY. Read second time and amended. Re-referred to Committee on LABOR AND EMPLOYMENT.
	<b>CATEGORY:</b>	Labor and Employment



CA AB 3248	<b>AUTHOR:</b>	Waldron [R]
	<b>TITLE:</b>	San Diego Association of Governments
	<b>INTRODUCED:</b>	02/21/2020
	<b>LOCATION:</b>	Assembly Local Government Committee
	<b>SUMMARY:</b>	Prohibits the San Diego Association of Governments' board of directors, serving as the commission, from changing the allocation of revenues to any component of the expenditure plan contained in the TransNet Extension Ordinance by more than an unspecified percentage.
	<b>STATUS:</b>	
	02/21/2020	INTRODUCED.
	<b>CATEGORY:</b>	Funding

▶ CA AB 3278	<b>AUTHOR:</b>	Patterson [R]
	<b>TITLE:</b>	High Speed Rail Authority
	<b>INTRODUCED:</b>	02/21/2020
	<b>LAST AMEND:</b>	05/04/2020
	<b>LOCATION:</b>	Assembly Appropriations Committee
	<b>SUMMARY:</b>	<i>Amends the Safe, Reliable High Speed Passenger Train Bond Act for the 21st Century. States that passenger train service is provided by the Authority when high speed train service uses the high speed train system owned by the Authority, regardless of whether the service is provided directly by the Authority.</i>
	<b>STATUS:</b>	
	05/04/2020	From ASSEMBLY Committee on TRANSPORTATION with author's amendments.
	05/04/2020	In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION.
	05/04/2020	From ASSEMBLY Committee on TRANSPORTATION: Do pass to Committee on APPROPRIATIONS. (12-1)
	<b>CATEGORY:</b>	Rail and Transit

CA AB 3331	<b>AUTHOR:</b>	Brough [R]
	<b>TITLE:</b>	State Highways: State Route 241: Reduction
	<b>INTRODUCED:</b>	02/21/2020
	<b>LOCATION:</b>	Assembly Transportation Committee
	<b>SUMMARY:</b>	Deletes from the state highway system the portion of State Route 241 from State Route 5 south of the City of San Clemente to Oso Parkway east of the City of Mission Viejo.
	<b>STATUS:</b>	
	03/09/2020	To ASSEMBLY Committee on TRANSPORTATION.
	<b>CATEGORY:</b>	Planning

▶ CA AB 3335	<b>AUTHOR:</b>	Friedman [D]
	<b>TITLE:</b>	Environmental Quality Act: Transit Projects
	<b>INTRODUCED:</b>	02/21/2020
	<b>LOCATION:</b>	Assembly Natural Resources Committee
	<b>SUMMARY:</b>	Relates to existing law which specifies that a project is considered to be within 1/2 mile of a major transit stop or high-quality transit corridor if, among other things, all parcels within the project have no more than 25% of their area farther than 1/2 mile from the stop or corridor. Increases that percentage to 50% for a transit priority project to meet the requirements for limited CEQA review.
	<b>STATUS:</b>	
	04/27/2020	To ASSEMBLY Committee on NATURAL RESOURCES.
	<b>CATEGORY:</b>	Environment

CA ACA 1	<b>AUTHOR:</b>	Aguiar-Curry [D]
	<b>TITLE:</b>	Local Government Financing: Affordable Housing
	<b>INTRODUCED:</b>	12/03/2018
	<b>LAST AMEND:</b>	08/19/2019
	<b>LOCATION:</b>	Assembly Unfinished Business - Reconsideration
	<b>SUMMARY:</b>	Creates an exception to the 1% limit on the ad valorem property tax rate on real property that would authorize a city or county to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure or affordable housing, if the proposition proposing that tax is approved by 55% of the voters of the city or county.
	<b>STATUS:</b>	
	08/19/2019	In ASSEMBLY. Read third time. Failed to pass ASSEMBLY. (44-20)
	08/19/2019	In ASSEMBLY. Motion to reconsider.
	<b>CATEGORY:</b>	Miscellaneous

CA ACA 2	<b>AUTHOR:</b>	Nazarian [D]
	<b>TITLE:</b>	State Tax Agency
	<b>INTRODUCED:</b>	12/03/2018
	<b>LOCATION:</b>	Assembly Revenue and Taxation Committee
	<b>SUMMARY:</b>	Abolishes the State Board of Equalization and instead requires the Legislature to create a state tax agency by statute for purposes of carrying out those powers, duties and responsibilities previously vested in the State Board of Equalization. Authorizes the Legislature to vest all powers, duties, and responsibilities in a single state tax agency or separately in multiple state tax agencies.
	<b>STATUS:</b>	
	05/24/2019	To ASSEMBLY Committee on REVENUE AND TAXATION.
	<b>CATEGORY:</b>	Miscellaneous

CA ACA 21	<b>AUTHOR:</b>	Melendez [R]
	<b>TITLE:</b>	Taxation: Voter Approval
	<b>INTRODUCED:</b>	02/12/2020
	<b>LOCATION:</b>	Assembly
	<b>SUMMARY:</b>	Requires any change in state statute that increases the tax liability of any taxpayer to be submitted to the electors and, if approved by a majority of votes on the issue, to take effect the day after the election unless the act provides otherwise.
	<b>STATUS:</b>	
	02/12/2019	INTRODUCED.
	<b>CATEGORY:</b>	Miscellaneous

CA ACR 169	<b>AUTHOR:</b>	Aguiar-Curry [D]
	<b>TITLE:</b>	Women in Construction Week
	<b>INTRODUCED:</b>	02/20/2020
	<b>LOCATION:</b>	Senate Third Reading File
	<b>SUMMARY:</b>	Proclaims the week of March 1, 2020, to March 7, 2020, inclusive, as Women in Construction Week.
	<b>STATUS:</b>	
	03/16/2020	From SENATE Committee on RULES: Ordered to third reading.
	03/16/2020	In SENATE. Ordered to third reading.
	<b>CATEGORY:</b>	Miscellaneous

CA SB 25	<b>AUTHOR:</b>	Caballero [D]
	<b>TITLE:</b>	CEQA: Projects Funded by Qualified Opportunity Zones
	<b>INTRODUCED:</b>	12/03/2018
	<b>LAST AMEND:</b>	04/30/2019
	<b>LOCATION:</b>	Assembly Natural Resources Committee
	<b>SUMMARY:</b>	Requires the Judicial Council to adopt rules of court applicable to an action or proceeding brought to attack, review, set aside, void, or annul the certification or adoption of an environmental review document.
	<b>STATUS:</b>	
	07/08/2019	In ASSEMBLY Committee on NATURAL RESOURCES: Heard, remains in Committee.
	<b>CATEGORY:</b>	Environment

CA SB 43	<b>AUTHOR:</b>	Allen [D]
	<b>TITLE:</b>	Carbon Intensity and Pricing: Retail Products
	<b>INTRODUCED:</b>	12/03/2018
	<b>LAST AMEND:</b>	07/01/2019
	<b>LOCATION:</b>	Assembly Revenue and Taxation Committee
	<b>SUMMARY:</b>	Requires the state board, no later than January 1, 2022, to submit a report to the Legislature on the findings from a study, as specified, to determine the feasibility and practicality of assessing the carbon intensity of all retail products subject to the tax imposed pursuant to the Sales and Use Tax Law, so that the total carbon equivalent emissions associated with such retail products can be quantified.
	<b>STATUS:</b>	
	07/08/2019	In ASSEMBLY Committee on REVENUE AND TAXATION: Failed passage.
	07/08/2019	In ASSEMBLY Committee on REVENUE AND TAXATION: Reconsideration granted.
	<b>CATEGORY:</b>	Funding



CA SB 45	<b>AUTHOR:</b>	Allen [D]
	<b>TITLE:</b>	Carbon Intensity and Pricing: Retail Products
	<b>INTRODUCED:</b>	12/03/2018
	<b>LAST AMEND:</b>	01/23/2020
	<b>LOCATION:</b>	Assembly
	<b>SUMMARY:</b>	Enacts the Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act, which, if approved by the voters, would authorize the issuance of bonds to the State General Obligation Bond Law to finance projects for a wildfire prevention, safe drinking water, drought preparation, and flood protection program.
	<b>STATUS:</b>	01/29/2020 In SENATE. Read third time, urgency clause adopted. Passed SENATE. *****To ASSEMBLY. (29-6).
	<b>CATEGORY:</b>	Funding

CA SB 59	<b>AUTHOR:</b>	Allen [D]
	<b>TITLE:</b>	Automated Vehicle Technology: Statewide Policy
	<b>INTRODUCED:</b>	12/19/2018
	<b>LAST AMEND:</b>	07/03/2019
	<b>LOCATION:</b>	Assembly Appropriations Committee
	<b>SUMMARY:</b>	Requires 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.
	<b>STATUS:</b>	08/30/2019 In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
	<b>CATEGORY:</b>	Miscellaneous

CA SB 146	<b>AUTHOR:</b>	Beall [D]
	<b>TITLE:</b>	Peninsula Rail Transit District
	<b>INTRODUCED:</b>	01/18/2019
	<b>LOCATION:</b>	Assembly Transportation Committee
	<b>SUMMARY:</b>	Repeals provisions relating to the Peninsula Rail Transit District.
	<b>STATUS:</b>	05/02/2019 To ASSEMBLY Committee on TRANSPORTATION.
	<b>CATEGORY:</b>	Rail and Transit

CA SB 147	<b>AUTHOR:</b>	Beall [D]
	<b>TITLE:</b>	High-Speed Rail Authority
	<b>INTRODUCED:</b>	01/18/2019
	<b>LOCATION:</b>	Senate Appropriations Committee
	<b>SUMMARY:</b>	Authorizes the High-Speed Rail Authority to keep the public informed through activities, including, but not limited to, community outreach events, public information workshops, and newsletters posted on the authority's internet website.
	<b>STATUS:</b>	05/02/2019 To ASSEMBLY Committee on TRANSPORTATION.
	<b>CATEGORY:</b>	Audits, Records, Reports, and Litigation

CA SB 162	<b>AUTHOR:</b>	Cathleen Galgiani [D]
	<b>TITLE:</b>	State Board Of Equalization: Local Voter Approved Bond
	<b>INTRODUCED:</b>	01/24/2019
	<b>LOCATION:</b>	Assembly Revenue and Taxation Committee
	<b>SUMMARY:</b>	Requires, by January 1, 2022, and January 1 of each year thereafter, a local agency to transmit specified data related to the issuance of any bonds by that local agency pursuant to the authorization of any local bond act, as defined, to the State Board of Equalization, including the amount of debt authorized by the local bond act.
	<b>STATUS:</b>	
	06/19/2019	In ASSEMBLY. Read second time and amended. Re-referred to Committee on REVENUE AND TAXATION.
06/19/2019	From ASSEMBLY Committee on REVENUE AND TAXATION with author's amendments.	
<b>CATEGORY:</b>	Miscellaneous	

CA SB 168	<b>AUTHOR:</b>	Wieckowski [D]
	<b>TITLE:</b>	Climate Change: Chief Climate Resilience Officer
	<b>INTRODUCED:</b>	01/28/2019
	<b>LAST AMEND:</b>	06/27/2019
	<b>COMMITTEE:</b>	Assembly Appropriations Committee
	<b>SUMMARY:</b>	Establishes the Chief Officer of Climate Adaptation and Resilience in the Office of Planning and Research to serve as the statewide lead for planning and coordination of climate adaptation policy and implementation and would specify the duties of the chief officer.
	<b>STATUS:</b>	
08/30/2019	In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.	
<b>CATEGORY:</b>	Planning	

CA SB 336	<b>AUTHOR:</b>	Dodd [D]
	<b>TITLE:</b>	Transportation: Fully-Automated Transit Vehicles
	<b>INTRODUCED:</b>	02/19/2019
	<b>LAST AMEND:</b>	04/29/2019
	<b>LOCATION:</b>	Assembly Transportation Committee
	<b>SUMMARY:</b>	Requires a transit operator, as defined, to ensure each of its fully-automated transit vehicles, as defined, is staffed by at least one of its employees, who has had specified training, while the vehicle is in service. Requires a transit operator that deploys a fully-automated transit vehicle to report the results of that deployment.
	<b>STATUS:</b>	
05/24/2019	To ASSEMBLY Committees on TRANSPORTATION and COMMUNICATIONS AND CONVEYANCE.	
<b>CATEGORY:</b>	Rail and Transit	

CA SB 405	<b>AUTHOR:</b>	Archuleta [D]
	<b>TITLE:</b>	Reclaimed Asphalt Pavement: County of Los Angeles
	<b>INTRODUCED:</b>	02/20/2019
	<b>LAST AMEND:</b>	07/01/2019
	<b>LOCATION:</b>	Assembly Inactive File
	<b>SUMMARY:</b>	Authorizes the Department of Public Works of the County of Los Angeles to create a pilot project to demonstrate the viability of paving streets, roads and highways with hot mix asphalts composed as specified. Requires the pilot project to be conducted on streets, roads, and highways in the county and would require specific project sites in the county to be determined by the appropriate and usual process of the county.
	<b>STATUS:</b>	
	07/11/2019	In ASSEMBLY. To Inactive File.
	<b>CATEGORY:</b>	Audits, Records, Reports, and Litigation

CA SB 662	<b>AUTHOR:</b>	Archuleta [D]
	<b>TITLE:</b>	Green Electrolytic Hydrogen
	<b>INTRODUCED:</b>	02/22/2019
	<b>LAST AMEND:</b>	04/30/2019
	<b>LOCATION:</b>	Assembly Utilities and Energy Committee
	<b>SUMMARY:</b>	Requires the Public Utilities Commission and Energy Commission to take into account opportunities to increase grid responsive production of green electrolytic hydrogen for use in the transportation sector. Includes use of green electrolytic hydrogen as an alternative transportation fuel as another potential form of energy storage.
	<b>STATUS:</b>	
	06/13/2019	To ASSEMBLY Committee on UTILITIES AND ENERGY AND TRANSPORTATION.
	<b>CATEGORY:</b>	Environment

CA SB 757	<b>AUTHOR:</b>	Allen [D]
	<b>TITLE:</b>	State Highways: Relinquishment
	<b>INTRODUCED:</b>	02/22/2019
	<b>LAST AMEND:</b>	01/23/2020
	<b>LOCATION:</b>	Assembly
	<b>SUMMARY:</b>	Deletes the requirement that certain portions to be relinquished be deleted from the state highway system by legislative enactment, except to a specified segment of Route 710. Requires the Department of Transportation to biennially make a specified report to the Transportation Commission on which state highway routes or segments primarily serve regional travel and do not primarily facilitate interregional movement of people and goods.
	<b>STATUS:</b>	
	01/29/2020	In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY. (37-0)
	<b>CATEGORY:</b>	Miscellaneous



▶ CA SB 795	<b>AUTHOR:</b>	Beall [D]
	<b>TITLE:</b>	Affordable Housing and Community Development Investment
	<b>INTRODUCED:</b>	01/06/2020
	<b>LAST AMEND:</b>	05/06/2020
	<b>LOCATION:</b>	Senate Governance and Finance Committee
	<b>SUMMARY:</b>	Establishes the Affordable Housing and Community Development Investment Program administered by the Affordable Housing and Community Development Investment Committee; authorizes a city, county, city and county, joint powers agency, enhanced infrastructure financing district, affordable housing authority, community revitalization and investment authority, transit village development district or a combination of entities to apply to participate in the program.
	<b>STATUS:</b>	
	05/06/2020	<i>From SENATE Committee on GOVERNANCE AND FINANCE with author's amendments.</i>
	05/06/2020	<i>In SENATE. Read second time and amended. Re-referred to Committee on GOVERNANCE AND FINANCE.</i>
<b>CATEGORY:</b>		Rail and Transit

CA SB 895	<b>AUTHOR:</b>	Archuleta [D]
	<b>TITLE:</b>	Energy: Zero-Emission Fuel, Infrastructure
	<b>INTRODUCED:</b>	01/28/2020
	<b>LOCATION:</b>	Senate Energy, Utilities and Communications Committee
	<b>SUMMARY:</b>	Requires the State Energy Resources Conservation and Development Commission, within the limits of available funds, to provide technical assistance and support for the development of zero-emission fuels, zero-emission fueling infrastructure, and zero-emission fuel transportation technologies.
	<b>STATUS:</b>	
		02/06/2020
<b>CATEGORY:</b>		Environment

CA SB 902	<b>AUTHOR:</b>	Wiener [D]
	<b>TITLE:</b>	Planning and Zoning: Use by Right: Density
	<b>INTRODUCED:</b>	01/30/2020
	<b>LAST AMEND:</b>	03/09/2020
	<b>LOCATION:</b>	Senate Housing Committee
	<b>SUMMARY:</b>	Provides that a neighborhood multifamily project is a use by right in zones where residential uses are permitted if the project is not located in a very high fire severity zone, does not demolish sound rental housing or housing that has been placed on a national or state historic register, follows specified local objective criteria, and meets specified density requirements.
	<b>STATUS:</b>	
	03/09/2020	<i>From SENATE Committee on HOUSING with author's amendments.</i>
	03/09/2020	<i>In SENATE. Read second time and amended. Re-referred Committee on HOUSING.</i>
<b>CATEGORY:</b>		Miscellaneous

▶ CA SB 931	<b>AUTHOR:</b>	Wieckowski [D]
	<b>TITLE:</b>	Local Government Meetings: Agenda and Documents
	<b>INTRODUCED:</b>	02/05/2020
	<b>LAST AMEND:</b>	04/02/2020
	<b>LOCATION:</b>	Senate Governance and Finance Committee
	<b>SUMMARY:</b>	<i>Requires, if the local agency has an internet website to deliver by email the agendas and documents for local government meetings. Require, where the local agency determines it is technologically infeasible to send a copy of all documents constituting the agenda packet or a website link containing the documents by electronic mail or by other electronic means.</i>
	<b>STATUS:</b>	
	04/20/2020	From SENATE Committee on GOVERNANCE AND FINANCE with author's amendments.
	04/20/2020	In SENATE. Read second time and amended. Re-referred to Committee on GOVERNANCE AND FINANCE.
	<b>CATEGORY:</b>	Miscellaneous

CA SB 937	<b>AUTHOR:</b>	Hill [D]
	<b>TITLE:</b>	State Agencies: Web Accessibility
	<b>INTRODUCED:</b>	02/06/2020
	<b>LOCATION:</b>	Senate Governmental Organization Committee
	<b>SUMMARY:</b>	Authorizes a state agency to temporarily remove public documents from digital access if a justifiable impediment exists and the Director of Technology verifies the impediment prohibits full compliance and the state agency complies with certain requirements, including citing the reason for the document's removal and listing options and instructions for how to access the document offline.
	<b>STATUS:</b>	
	02/20/2020	To SENATE Committees on GOVERNMENTAL ORGANIZATION and JUDICIARY.
	<b>CATEGORY:</b>	Miscellaneous

▶ CA SB 943	<b>AUTHOR:</b>	Chang [R]
	<b>TITLE:</b>	Paid Family Leave: School Closures: Coronavirus
	<b>INTRODUCED:</b>	02/10/2020
	<b>LAST AMEND:</b>	04/29/2020
	<b>LOCATION:</b>	Senate Rules Committee
	<b>SUMMARY:</b>	Authorizes wage replacement benefits to workers who take time off work to care for a minor child whose school has been closed due to the coronavirus outbreak or to care for a special needs child or adult, or both, due to the outbreak.
	<b>STATUS:</b>	
	04/29/2020	From SENATE Committee on RULES with author's amendments.
	04/29/2020	In SENATE. Read second time and amended. Re-referred to Committee on RULES.
	<b>CATEGORY:</b>	Labor and Employment



CA SB 986	<b>AUTHOR:</b>	Allen [D]
	<b>TITLE:</b>	Coastal Resources: New Development: Greenhouse Gases
	<b>INTRODUCED:</b>	02/12/2020
	<b>LOCATION:</b>	Senate Natural Resources and Water Committee
	<b>SUMMARY:</b>	Requires that new development under the California Coastal Act of 1976 minimize greenhouse gas emissions as specified.
	<b>STATUS:</b>	
	02/20/2020	To SENATE Committee on NATURAL RESOURCES AND WATER.
<b>CATEGORY:</b>	Environment	

CA SB 988	<b>AUTHOR:</b>	McGuire [D]
	<b>TITLE:</b>	Aviation Fuel
	<b>INTRODUCED:</b>	02/12/2020
	<b>LOCATION:</b>	Senate Governance and Finance Committee
	<b>SUMMARY:</b>	Requires an aviation fuel retailer to provide a quarterly information return, as specified, and subjects a retailer who fails to file that information return or who files an inaccurate information return a specified penalty. Exempts from those penalties a person who fails to file a return or provides information or files an inaccurate return, if that person's failure is due to reasonable cause and circumstances beyond the person's control, notwithstanding the exercise of ordinary care.
	<b>STATUS:</b>	
	02/20/2020	To SENATE Committee on GOVERNANCE AND FINANCE.
<b>CATEGORY:</b>	Funding	

▶ CA SB 990	<b>AUTHOR:</b>	Moorlach [R]
	<b>TITLE:</b>	Worker Status: Independent Contractors
	<b>INTRODUCED:</b>	02/12/2020
	<b>LAST AMEND:</b>	04/17/2020
	<b>LOCATION:</b>	Senate Labor, Public Employment and Retirement Committee
	<b>SUMMARY:</b>	<i>Repeals certain existing ABC test provisions that determine if workers are employees or independent contractors for purposes of the Labor Code, the Unemployment Insurance Code, and the wage orders of the Industrial Welfare Commission, and instead makes them operative on a specified date.</i>
	<b>STATUS:</b>	
	04/17/2020	From SENATE Committee on LABOR, PUBLIC EMPLOYMENT AND RETIREMENT with author's amendments.
	04/17/2020	In SENATE. Read second time and amended. Re-referred to Committee on LABOR, PUBLIC EMPLOYMENT AND RETIREMENT.
	<b>CATEGORY:</b>	Labor and Employment

CA SB 992	<b>AUTHOR:</b>	Beall [D]
	<b>TITLE:</b>	Road Repair and Accountability Act of 2017: Website
	<b>INTRODUCED:</b>	02/12/2020
	<b>LOCATION:</b>	Senate Transportation Committee
	<b>SUMMARY:</b>	Requires the Transportation Agency to oversee the development and implementation of a comprehensive one-stop reporting interface available to the public through an internet website maintained by the agency. Requires the interfact to provide timely fiscal information regarding the development and implementation status of each transportation program or project funded, at least in part, by revenues from the Road Repair and Accountability Act of 2017.
	<b>STATUS:</b>	
	<b>02/20/2020</b> <b>CATEGORY:</b>	To SENATE Committee on TRANSPORTATION. Audits, Reports, Records, and Litigation

CA SB 995	<b>AUTHOR:</b>	Atkins [D]
	<b>TITLE:</b>	Improvement Through Environmental Leadership Act
	<b>INTRODUCED:</b>	02/12/2020
	<b>LOCATION:</b>	Senate Environmental Quality Committee
	<b>SUMMARY:</b>	Extends the authority of the Governor to certify a project. Provides that the certification expires and is no longer valid if the lead agency fails to approve a certified project before a specified date. Repeals the Jobs and Economic Improvement Through Environmental Leadership Act of 2011 on a specified date.
	<b>STATUS:</b>	
	<b>02/20/2020</b> <b>CATEGORY:</b>	To SENATE Committee on ENVIRONMENTAL QUALITY. Environment

CA SB 1100	<b>AUTHOR:</b>	Atkins [D]
	<b>TITLE:</b>	Coastal Resources: Sea Level Rise
	<b>INTRODUCED:</b>	02/19/2020
	<b>LOCATION:</b>	Senate Natural Resources and Water Committee
	<b>SUMMARY:</b>	Includes, as part of the procedures the California Coastal Commission is required to adopt, recommendations and guidelines for the identification, assessment, minimization, and mitigation of sea level rise within each local coastal program. Deletes the timeframe by which the Commission is required to adopt these procedures. Requires the Commission to take into account the effects of sea level rise in coastal resource planning and management policies and activities.
	<b>STATUS:</b>	
	<b>02/27/2020</b> <b>CATEGORY:</b>	To SENATE Committees on NATURAL RESOURCES AND WATER and ENVIRONMENTAL QUALITY and GOVERNMENTAL ORGANIZATION.. Environment

CA SB 1173	<b>AUTHOR:</b>	Durazo [D]
	<b>TITLE:</b>	Public Employment: Labor Relation: Employee Information
	<b>INTRODUCED:</b>	02/20/2020
	<b>LAST AMEND:</b>	03/26/2020
	<b>LOCATION:</b>	Senate Labor, Public Employment and Retirement Committee
	<b>SUMMARY:</b>	Authorizes an exclusive representative to file a charge of an unfair labor practice with the Public Employment Relations Board alleging a violation of certain requirements. Conditions this authorization on the exclusive representative giving written notice to the public employer of the alleged violation and provides a public employer a limited opportunity to cure certain violations.
	<b>STATUS:</b>	
	03/26/2020	From SENATE Committee on LABOR, PUBLIC EMPLOYMENT AND RETIREMENT with author's amendments.
	03/26/2020	In SENATE. Read second time and amended. Re-referred to Committee on LABOR, PUBLIC EMPLOYMENT AND RETIREMENT.
	<b>CATEGORY:</b>	Labor and Employment

▶ CA SB 1183	<b>AUTHOR:</b>	Hertzberg [D]
	<b>TITLE:</b>	Electric Vehicle Charging Master Plan
	<b>INTRODUCED:</b>	02/20/2020
	<b>LAST AMEND:</b>	04/03/2020
	<b>LOCATION:</b>	Senate Energy, Utilities and Communications Committee
	<b>SUMMARY:</b>	Requires the Energy Commission to conduct an assessment of certain factors and how those factors will affect the market for and technological development of electric vehicles and infrastructure. Requires the Energy Commission to convene the EV Infrastructure Council, which the bill would establish, to develop an Electric Vehicle Charging Master Plan. <i>Requires the Energy Commission to update the plan at least once every 2 years.</i>
	<b>STATUS:</b>	
	04/03/2020	From SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS with author's amendments.
	04/03/2020	In SENATE. Read second time and amended. Re-referred to Committee on ENERGY, UTILITIES AND COMMUNICATIONS.
	<b>CATEGORY:</b>	Environment

CA SB 1196 which the Highway Users Tax Account was gut-and-amended to pertain to price gouging. Therefore, the bill has been removed from the matrix.

CA SB 1227	<b>AUTHOR:</b>	Skinner [D]
	<b>TITLE:</b>	Road Maintenance and Rehabilitation Program
	<b>INTRODUCED:</b>	02/20/2020
	<b>LOCATION:</b>	Senate Transportation Committee
	<b>SUMMARY:</b>	Deletes the condition in that requirement imposed on the Department of Transportation and those cities and counties to use advanced technologies and material recycling techniques to the extend possible.
	<b>STATUS:</b>	
	03/06/2020	To SENATE Committee on TRANSPORTATION.
	<b>CATEGORY:</b>	Miscellaneous

CA SB 1238	<b>AUTHOR:</b>	Hueso [D]
	<b>TITLE:</b>	Road Project Contracts: Preference: Recycled Plastics
	<b>INTRODUCED:</b>	02/20/2020
	<b>LAST AMEND:</b>	03/25/2020
	<b>LOCATION:</b>	Senate Rules Committee
	<b>SUMMARY:</b>	Requires the Department of Transportation to conduct a study to determine if including recycled plastics in asphalt used for a construction and repair project of a state highway is feasible. Requires the department, when awarding a contract for construction or repair project of a state highway, to award a preference of an unspecified percentage to a bidder who proposes to use asphalt that includes recycled plastics for the construction or repair project.
	<b>STATUS:</b>	
	03/25/2020	From SENATE Committee on RULES with author's amendments.
	03/25/2020	In SENATE. Read second time and amended. Re-referred to Committee on RULES.
	<b>CATEGORY:</b>	Miscellaneous

CA SB 1258	<b>AUTHOR:</b>	Stern [D]
	<b>TITLE:</b>	Climate Technology and Infrastructure Act
	<b>INTRODUCED:</b>	02/20/2020
	<b>LOCATION:</b>	Senate Business, Professions & Economic Development Committee
	<b>SUMMARY:</b>	Enacts the California Technology and Infrastructure Financing Act to require the bank, in consultation with specified agencies to administer the Climate Catalyst Revolving Fund. Provides financial assistance to eligible climate catalyst projects, as defined.
	<b>STATUS:</b>	
	03/05/2020	To SENATE Committees on BUSINESS, PROFESSIONS AND ECONOMIC DEVELOPMENT and ENVIRONMENTAL QUALITY.
	<b>CATEGORY:</b>	Environment



CA SB 1273	<b>AUTHOR:</b>	Pan [D]
	<b>TITLE:</b>	Commute Benefit Policies: Sacramento Regional Districts
	<b>INTRODUCED:</b>	02/21/2020
	<b>LAST AMEND:</b>	03/25/2020
	<b>LOCATION:</b>	Senate Transportation Committee
	<b>SUMMARY:</b>	Authorizes the Sacramento Regional Transit District and the Sacramento Metropolitan Air Quality Management District to jointly adopt and revise as necessary to meet the region's changing transportation needs a commute benefit ordinance that requires covered employers operating within the district's area to offer certain employees commute benefits.
	<b>STATUS:</b>	
	03/25/2020	From SENATE Committee on TRANSPORTATION with author's amendments.
	03/25/2020	In SENATE. Read second time and amended. Re-referred to Committee on TRANSPORTATION.
	<b>CATEGORY:</b>	Rail and Transit

CA SB 1283	<b>AUTHOR:</b>	Beall [D]
	<b>TITLE:</b>	Department Of Transportation: Transit Bus Pilot Program
	<b>INTRODUCED:</b>	02/21/2020
	<b>LAST AMEND:</b>	03/26/2020
	<b>LOCATION:</b>	Senate Rules Committee
	<b>SUMMARY:</b>	Authorizes the Department of Transportation to establish a pilot program to authorize a transit operator or operators to operate transit buses on the shoulders of state highways, under a project selected under the program.
	<b>STATUS:</b>	
	03/26/2020	From SENATE Committee on RULES with author's amendments.
	03/26/2020	In SENATE. Read second time and amended. Re-referred to Committee on RULES.
	<b>CATEGORY:</b>	Rail and Transit

▶ CA SB 1291	<b>AUTHOR:</b>	Beall [D]
	<b>TITLE:</b>	Federal Statewide Transportation Improvement Program
	<b>INTRODUCED:</b>	02/21/2020
	<b>LAST AMEND:</b>	04/03/2020
	<b>LOCATION:</b>	Senate Rules Committee
	<b>SUMMARY:</b>	Provides that a metropolitan planning organization or transportation planning agency is not required to submit a Federal Transportation Improvement Program to the Department Transportation, and the department is not required to submit the Federal Statewide Transportation Improvement Program to the United States Department of Transportation.
	<b>STATUS:</b>	
	04/03/2020	From SENATE Committee on RULES with author's amendments.
	04/03/2020	In SENATE. Read second time and amended. Re-referred to Committee on RULES.
	<b>CATEGORY:</b>	Planning

CA SB 1297	<b>AUTHOR:</b>	Moorlach [R]
	<b>TITLE:</b>	Public Employees' Retirement
	<b>INTRODUCED:</b>	02/21/2020
	<b>LOCATION:</b>	Senate Labor, Public Employment and Retirement Committee
	<b>SUMMARY:</b>	Relates to the Public Employees' Retirement System, the State Teachers' Retirement System, the Judges' Retirement System, the Judges' Retirement System II, county and district retirement systems created pursuant to the County Employees' Retirement Law of 1937. Revises the provision of pension and other benefits to members of all state or local public retirement systems, among others.
	<b>STATUS:</b>	
	03/05/2020	To SENATE Committee on LABOR, PUBLIC EMPLOYMENT AND RETIREMENT.
	<b>CATEGORY:</b>	Labor and Employment

▶ CA SB 1320	<b>AUTHOR:</b>	Stern [D]
	<b>TITLE:</b>	Climate Change: California Climate Change Assessment
	<b>INTRODUCED:</b>	02/21/2020
	<b>LOCATION:</b>	Senate Natural Resources and Water Committee
	<b>SUMMARY:</b>	Requires the Office of Planning and Research to develop the California Climate Change Assessment. Requires the office to conduct the assessment every 2 years and to publish the assessment in October of each odd-numbered year.
	<b>STATUS:</b>	
	03/05/2020	To SENATE Committees on NATURAL RESOURCES AND WATER and ENVIRONMENTAL QUALITY.
	<b>CATEGORY:</b>	Miscellaneous

▶ CA SB 1330	<b>AUTHOR:</b>	Umberg [D]
	<b>TITLE:</b>	Sales and Use Tax Law: Zero Emissions Vehicle Exemption
	<b>INTRODUCED:</b>	02/21/2020
	<b>LAST AMEND:</b>	03/26/2020
	<b>LOCATION:</b>	Senate Natural Resources and Water Committee
	<b>SUMMARY:</b>	Provides an exemption from sales and use taxes with respect to the sale in this state of, and the storage, use, or other consumption in this state of, an electric or a hybrid electric vehicle for which the final listing price is not greater than a certain amount.
	<b>STATUS:</b>	
	03/26/2020	From SENATE Committee on RULES with author's amendments.
	03/26/2020	In SENATE. Read second time and amended. Re-referred to Committee on RULES.
	<b>CATEGORY:</b>	Funding

CA SB 1351	<b>AUTHOR:</b>	Beall [D]
	<b>TITLE:</b>	Transportation Planning
	<b>INTRODUCED:</b>	02/21/2020
	<b>LAST AMEND:</b>	03/25/2020
	<b>LOCATION:</b>	Senate Rules Committee
	<b>SUMMARY:</b>	Prohibits the Director of Transportation from approving an allocation of an amount greater than a certain percent of a transportation planning agency' s annual revenues. Requires rules and regulations to be updated regularly to reflect changes to transfer policies, payment methods, and any other relevant policy changes.
	<b>STATUS:</b>	
	03/25/2020	From SENATE Committee on RULES with author's amendments.
	03/25/2020	In SENATE. Read second time and amended. Re-referred to Committee on RULES.
<b>CATEGORY:</b>		Funding

CA SB 1362	<b>AUTHOR:</b>	Stern [D]
	<b>TITLE:</b>	Climate Change: California Climate Change Assessment
	<b>INTRODUCED:</b>	02/21/2020
	<b>LOCATION:</b>	Senate Environmental Quality Committee
	<b>SUMMARY:</b>	Requires the State Air Resources Board no later than July 1, 2021, to adopt a comprehensive strategy to achieve carbon neutrality in the state by no later than December 31, 2045.
	<b>STATUS:</b>	
		03/12/2020
<b>CATEGORY:</b>		Environment

CA SB 1366	<b>AUTHOR:</b>	Archuleta [D]
	<b>TITLE:</b>	Los Angeles County Metropolitan Transport Authority
	<b>INTRODUCED:</b>	02/21/2020
	<b>LOCATION:</b>	Senate Transportation Committee
	<b>SUMMARY:</b>	Requires the Los Angeles County Metropolitan Transportation Authority to include or construct 11 specified stations as part of an initial operating segment.
	<b>STATUS:</b>	
		03/12/2020
<b>CATEGORY:</b>		Rail and Transit



▶ CA SB 1373    **AUTHOR:**                Bates [R]  
**TITLE:**                                San Clemente Road Construction  
**INTRODUCED:**                02/21/2020  
**LAST AMEND:**                04/17/2020  
**LOCATION:**                        Senate Governance and Finance Committee  
**SUMMARY:**  
Prohibits governmental and private entities from constructing, funding, or operating, or from taking property to construct, fund, or operate, a *new* major thoroughfare in San Clemente in an area that is subject to a conservation easement *or that is designated as open space protected by a local initiative.*  
**STATUS:**  
04/17/2020                        *From SENATE Committee on GOVERNANCE AND FINANCE with author's amendments.*  
04/17/2020                        *In SENATE. Read second time and amended. Re-referred to Committee on GOVERNANCE AND FINANCE.*  
**CATEGORY:**                        Planning

CA SB 1408    **AUTHOR:**                Dodd [D]  
**TITLE:**                                State Route 37 Toll Bridge Act  
**INTRODUCED:**                02/21/2020  
**LOCATION:**                        Senate Transportation Committee  
**SUMMARY:**  
Requires an unspecified authority, on behalf of the state, to operate and maintain tolling infrastructure, including by installing toll facilities, and charge and collect tolls for the use of the Sonoma Creek Bridge, and to be responsible for the design and construction of improvements on the bridge and a segment of State Route 37 between its intersections with Route 121 in the County of Sonoma and Walnut Avenue in the County of Solano.  
**STATUS:**  
03/12/2020                        To SENATE Committees on TRANSPORTATION and GOVERNANCE AND FINANCE.  
**CATEGORY:**                        Miscellaneous

CA SB 1456    **AUTHOR:**                Archuleta [D]  
**TITLE:**                                Department of Transportation  
**INTRODUCED:**                02/21/2020  
**LOCATION:**                        Senate Transportation Committee  
**SUMMARY:**  
Authorizes the Department of Transportation upon the request of the Los Angeles County Metropolitan Transportation Authority, to delegate any of its responsibilities assumed under these federal laws to the authority for the purpose of accelerating the project delivery timeline for specified transit projects.  
**STATUS:**  
03/12/2020                        To SENATE Committee on TRANSPORTATION.  
**CATEGORY:**                        Transit and Rail

CA SB 1459	<b>AUTHOR:</b>	Caballero [D]
	<b>TITLE:</b>	Transportation Development Act: Counties
	<b>INTRODUCED:</b>	02/21/2020
	<b>LAST AMEND:</b>	03/26/2020
	<b>LOCATION:</b>	Senate Rules Committee
	<b>SUMMARY:</b>	Extends the authorization for the Stanislaus Council of Governments, and authorizes the San Luis Obispo Council of Governments, to reduce applicable ratios of fare revenues to operating cost for specified transit operators but a certain amount.
	<b>STATUS:</b>	
	03/26/2020	From SENATE Committee on RULES with author's amendments.
	03/26/2020	In SENATE. Read second time and amended. Re-referred to Committee on RULES.
	<b>CATEGORY:</b>	Transit and Rail



**May 21, 2020**

**To:** Legislative and Communications Committee  
**From:** Darrell E. Johnson, Chief Executive Officer  
**Subject:** Federal Legislative Status Report

**Overview**

An update is provided on the federal response to the novel coronavirus pandemic, and efforts to improve the Transportation Infrastructure Finance and Infrastructure Act loan program as well as efforts to improve the federal discretionary grant process.

**Recommendation**

Receive and file as an information item.

**Discussion**

**Federal Response to Novel Coronavirus (COVID-19) Pandemic**

On April 24, 2020, the President signed into law the fourth bill in response to the COVID-19 pandemic. This bill provided supplemental funding for three of the programs from the Coronavirus Aid, Relief, and Economic Security (CARES) Act. Specifically, the bill provides approximately \$484 billion in additional funding for small business loans, hospitals, and testing. While these programs do not directly benefit transportation programs, they are part of the ongoing efforts to stabilize the economy as businesses adhere to guidance from state and local health officials. The \$25 billion in Federal Transit Administration (FTA) funding from the CARES Act has been allocated to transit agencies across the country, and Orange County Transportation Authority (OCTA) staff is closely monitoring everchanging FTA guidance to ensure that the \$225 million in FTA funding from the bill that will benefit Orange County is spent in compliance with the CARES Act.

On May 4, 2020, the Senate returned to Washington, D.C. to reconvene, taking measures to respect social distancing while conducting business. The House of Representatives (House) cancelled plans to hold session that week on the

advice of medical professionals, although the House Appropriations Committee did hold a subcommittee hearing focused on healthcare issues. As of the writing of this staff report, the House was considering changing its voting procedures to implement a proxy voting system that would facilitate legislative business while also trying to implement measures to protect the health of lawmakers and staff. There were also reports of discussions about additional stimulus legislation, although the timetable for such efforts remains uncertain.

As part of the budget process, the Congressional Budget Office (CBO) released updated budget deficit projections, marking the first official attempt to adequately quantify the economic consequences of the COVID-19 pandemic. The CBO projects that the budget deficit will more than triple to \$3.7 trillion, which would drive projections on federal debt held by the public to 101 percent of Gross Domestic Product. This potentially historic budget deficit will make it incredibly difficult for Congress to find a solution for the Highway Trust Fund's long-term structural revenue deficit, especially with gas tax revenues declining as people stay home to limit the spread of COVID-19. With the Fixing America's Surface Transportation Act expiring later this year, Congress will have to find a way to continue to fund federal transportation programs under tremendous budgetary pressures. The difficulties with finding long-term solutions could lead to either one, or maybe a series, of short-term extensions for federal transportation programs.

#### Improvements to the Transportation Infrastructure Finance and Infrastructure Act (TIFIA) Loan Program

Given the fiscal pressures facing Congress, it is unlikely that increased deficit spending will be approved. In light of this dynamic, OCTA has focused its advocacy efforts on seeking policy solutions to allow for financial benefits for OCTA projects and programs, with minimal added cost pressures for the federal government. Most recently, toll agencies nationwide have started to engage with Congress about financing reforms that could benefit toll operators while also respecting the fiscal pressures facing Congress. In coordination with other toll agencies within the state, including the Riverside County Transportation Commission, OCTA has started to focus on ways to streamline the TIFIA loan program.

Leveraging its experience with the TIFIA loan on the Interstate 405 Improvement Project, OCTA submitted correspondence to the Orange County Congressional Delegation, as well as relevant committees of jurisdiction, outlining potential improvements to the TIFIA program. One of these letters is included in Attachment A. Specifically, OCTA's letter, like those sent by its partners across California, focuses on allowing current loan holders to take advantage of a one-time interest rate reset based on the interest rates for current TIFIA loan issuances. Staff estimates that such a reset would allow the agency to take advantage of the sharp decreases in interest rates since OCTA's TIFIA

agreement was executed to save taxpayers \$200 million. Additionally, this proposal would allow TIFIA loan holders to avoid the cumbersome, time-consuming refinancing process that would not provide the type of expedient financial incentive necessary in these difficult times.

Staff will be following up on the letter to discuss the one-time rate reset and other TIFIA improvements in anticipation of either additional stimulus measures or surface transportation reauthorization legislation. As noted in the letter, another area of focus is allowing a borrower in good standing to amend their TIFIA loan agreement to borrow up to 49 percent of eligible project costs, as currently authorized under statute, removing the 33 percent administrative cap that currently exists. Such a change could free up \$305 million for OCTA. Staff will continue to provide updates to the Board of Directors (Board) as necessary on these efforts and any other infrastructure policy proposals that may benefit the agency.

#### Update on Discretionary Grant Selection Process

As part of ongoing oversight efforts, the Government Accountability Office (GAO) sent a letter to Secretary of Transportation Elaine L. Chao regarding outstanding GAO recommendations, which is included as Attachment B. The GAO's latest annual report found that, on a government-wide basis, 77 percent of their recommendations had been implemented. The letter to Secretary Chao notes that the Department of Transportation has only implemented eight of GAO's priority 16 recommendations, below the government-wide average. Most importantly to OCTA, the first outstanding priority recommendation mentioned in the letter is the "long-standing" issue with the discretionary grant award selection process. Specifically, the letter recommends a department-wide directive to develop a plan for evaluating project proposals, documenting key decisions, and aligning policy priorities with the evaluation and selection process. The letter also notes that, while there has been some progress made on this issue, modal agencies have not been able to "consistently interpret and implement the recommendation." The GAO asks for the Secretary's continued attention in meeting the remaining recommendations. Staff will continue to keep the Board updated on relevant developments in anticipation of potential surface transportation reauthorization legislation later this year.

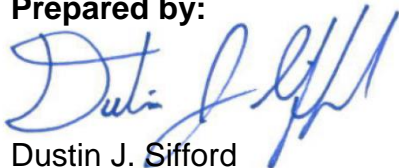
**Summary**

An update is provided on the federal response to the COVID-19 pandemic, and OCTA's efforts to streamline the TIFIA program to help generate economic stimulus. An update is also provided on GAO recommendations to improve the discretionary grant process.

**Attachments**

- A. Letter from Steve Jones, Chairman, Orange County Transportation Authority Board of Directors, to Representative Harley Rouda, United States House of Representatives, dated May 4, 2020, re: Transportation Infrastructure Finance and Innovation Act (TIFIA) Loan Modification Requests to Assist Economic Relief
- B. Letter from Gene L. Dodaro, Comptroller General of the United States, to Secretary of Transportation Elaine L. Chao, U.S. Department of Transportation, dated April 23, 2020, re: Priority Open Recommendations: U.S. Department of Transportation
- C. Potomac Partners DC, Monthly Legislative Report – April 2020

**Prepared by:**



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**Approved by:**



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## CHIEF EXECUTIVE OFFICE

Darrell E. Johnson  
Chief Executive Officer

May 4, 2020

The Honorable Harley Rouda  
United States House of Representatives  
2300 Rayburn House Office Building  
Washington, D.C. 20515

**RE: Transportation Infrastructure Finance and Innovation Act (TIFIA) Loan Modification Requests to Assist Economic Relief**

Dear Representative Rouda:

On behalf of the Orange County Transportation Authority (OCTA) Board of Directors, I write to recommend legislative changes to the TIFIA loan program that will provide temporary flexibilities to achieve significant cost-savings for transportation agencies, helping to stabilize ongoing infrastructure investment. Specifically, OCTA requests that TIFIA loan holders be allowed to request a one-time interest rate reset to take advantage of current rates during these difficult times.

With people traveling significantly less to stop the spread of the coronavirus, transportation agencies across the country are preparing for dramatic decreases in state and federal gas tax revenues, as well as declines in local sales tax revenues that fund transportation improvements. The result is an uncertain financial future for transportation agencies like OCTA. In discussions about the appropriate federal response, OCTA seeks to maintain its commitment to a fiscally-responsible, innovative approach to transportation financing. Orange County taxpayers already benefit from a \$629 million TIFIA loan on the Interstate 405 Improvement Project. OCTA has committed nearly \$1.2 billion of funds from its sales tax to the project, leveraging these local funds with a TIFIA loan that is already expected to save taxpayers more than \$300 million.

OCTA's experience with its TIFIA loan leaves the agency well-positioned to understand exactly how the program can be improved to best respond to these current circumstances. OCTA respectfully requests that the TIFIA program be modified to allow current loan holders to take advantage of a one-time interest rate reset based on the interest rates for current TIFIA loan issuances. OCTA estimates that such a reset could allow the agency to take advantage of current financial conditions, specifically the sharp decreases in interest rates as a result of this crisis, to save taxpayers an additional \$200 million, that could otherwise be directed towards additional infrastructure investment. This request is a narrowly-tailored approach to economic recovery, avoiding the type of sweeping

The Honorable Harley Rouda  
May 4, 2020  
Page 2

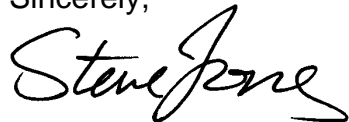
policy changes that might undermine the integrity of the TIFIA loan program. Furthermore, an interest rate reset avoids the lengthy refinancing process and helps maintain the terms of carefully negotiated loan agreements.

Given OCTA's leadership on TIFIA loan issues, I hope that this letter is the beginning of a productive dialogue on additional administrative actions that could take place to refine the TIFIA program temporarily to help further assist in economic recovery efforts. Such actions could include allowing a borrower in good standing to amend their TIFIA loan agreement to borrow up to 49 percent of eligible project costs, as currently authorized under statute, removing the 33 percent administrative cap that currently exists. For OCTA, such action could free up an additional \$305 million.

OCTA looks forward to discussing proposals, including those the agency has previously shared with Congress, in hopes that these ideas can be incorporated into future stimulus or surface transportation legislation.

Thank you for your consideration. Please do not hesitate to contact Kristin Jacinto, Manager of State and Federal Relations, at [kjacinto@octa.net](mailto:kjacinto@octa.net) or 714-560-5754, to discuss this matter further.

Sincerely,



Steve Jones  
Chairman

c: Darrell E. Johnson, Chief Executive Officer, OCTA  
Potomac Partners, LLC

SJ:djs



441 G St. N.W.  
Washington, DC 20548

Comptroller General  
of the United States

April 23, 2020

The Honorable Elaine L. Chao  
Secretary  
U.S. Department of Transportation  
1200 New Jersey Avenue, SE  
Washington, D.C. 20590

### Priority Open Recommendations: U.S. Department of Transportation

Dear Madam Secretary:

The purpose of this letter is to provide an update on the overall status of the U.S. Department of Transportation's (DOT) implementation of GAO's recommendations and to call your personal attention to areas where open recommendations should be given high priority.<sup>1</sup> In November 2019, we reported that on a government-wide basis, 77 percent of our recommendations made 4 years ago were implemented.<sup>2</sup> DOT's recommendation implementation rate was 83 percent. As of March 2020, DOT had 197 open recommendations. Fully implementing these open recommendations should significantly improve DOT's operations.

Since our April 2019 letter, DOT has implemented 8 of our 16 open priority recommendations. This work has addressed concerns related to aviation cybersecurity by strengthening security controls, improving the process for testing such security controls for the satellite navigation and automation based air traffic control (ATC) system, and for addressing security weaknesses. Additionally, DOT has taken steps to improve oversight of federal awards; such oversight will help in addressing the high-risk area of improving funding for surface transportation.

We ask your continued attention to the 8 remaining priority recommendations identified in our 2019 letter. We are adding 8 additional priority recommendations this year related to airport terminal area safety, oversight of new unmanned aircraft system technologies, DOT oversight of the air ambulance industry, Federal Highway Administration's (FHWA) accountability over project decisions, and improvements to DOT's cybersecurity infrastructure. This brings the total number of priority recommendations to 16. (See the enclosure for the list of these recommendations.) The following 16 priority recommendations fall into 7 areas.

**Funding surface transportation.** As we discuss below, funding surface transportation is among the highest risks facing the government. We have identified two priority

<sup>1</sup> Priority recommendations are those that GAO believes warrant priority attention from heads of key departments or agencies. They are highlighted because, upon implementation, they may significantly improve government operation, for example, by realizing large dollar savings; eliminating mismanagement, fraud, and abuse; or making progress toward addressing a High Risk or duplication issue.

<sup>2</sup> GAO, *Performance and Accountability Report Fiscal Year 2019*. [GAO-20-1SP](#) (Washington, D.C.: Nov 19, 2019)

recommendations central to maximizing resources and improving performance that have carried over from the 2019 DOT priority recommendation letter.

First, we recommended in December 2016 that DOT issue a directive governing department-wide and modal administration of discretionary grant programs. That directive includes requirements to, among other things, document key decisions and align the grant programs' policy priorities with the evaluation process. Since 2011, we have found challenges with implementation of discretionary grant programs by DOT and its modal administrations, including problems documenting key evaluation and project selection decisions, most recently in June 2019.

In March 2019, DOT issued a memo directing secretarial offices and operating administrations involved in awarding discretionary grants to implement our recommendations and to include them in their policies and procedures. As we reported in June 2019, it is unclear, due to a number of issues, how this action will address our recommendation. For example, we found that while the memo repeated our recommendation, DOT did not take steps to ensure that the various affected offices consistently interpret and implement the recommendation.

DOT officials told us that they wanted to provide the affected offices flexibility to implement the recommendation, but that the Department would assess the need for additional guidance based on revisions to its *Financial Assistance Guidance Manual*. DOT completed these revisions effective January 2020 and all affected offices are expected to complete developing their policies and procedures by May 2020. We will continue to monitor the Department's actions and assess the extent to which they address our recommendation. Given the long-standing nature of the issues we identified, we have also suggested that Congress consider including in the next reauthorization bill for surface transportation language that would require DOT to develop and implement transparency measures for its discretionary grant programs.<sup>3</sup>

Second, we recommended in September 2014 that DOT include in its National Freight Strategic Plan, which is required by law, a written statement articulating the federal role, objectives, and goals in mitigating local congestion caused by national freight movements.<sup>4</sup> As we reported in our April 2019 DOT priority recommendation letter, DOT stated that it planned to release a final National Freight Strategic Plan in 2019. However, as of April 2020, DOT had not issued the National Freight Strategic Plan, and officials stated that they are planning to issue this plan in 2020.

**Addressing Safety Risks.** Six recommendations are critical to addressing transportation safety risks.

First, revising the methodology used to compare safety performance across motor carriers would help ensure that Federal Motor Carrier Safety Administration (FMCSA) can better identify and intervene with carriers at highest risk for crashing. We recommended in February 2014 that DOT revise the Safety Measurement System (SMS) methodology to better account for data accuracy and sufficiency limitations in drawing comparisons of safety performance information across carriers.

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<sup>3</sup> GAO, *Discretionary Transportation Grants: Actions Needed to Improve Consistency and Transparency in DOT's Application Evaluations*. [GAO-19-541](#) (Washington, D.C.: July 26, 2019).

<sup>4</sup> 49 U.S.C. § 70102

The Department does not agree with our conclusions, and has requested that we close the recommendation as not implemented. We continue to believe implementing this recommendation will improve the reliability of data used to assess carriers that pose the greatest safety risks. We note that the National Academies of Sciences conducted a federally mandated evaluation of SMS, including the system's data accuracy and sufficiency, and in 2017 made several recommendations to improve FMCSA's ability to identify high-risk carriers. In June 2018, FMCSA issued an action plan in response to the National Academies of Sciences' recommendations and is developing data improvements and a new methodology, as described in the action plan, to better identify unsafe motor carriers. FMCSA has recently developed and tested a new methodological approach that could potentially account for the limitations we identified. While FMCSA has not yet committed to deploying the new methodology, officials said they hope to do so some time in 2020. Given the focus of the National Academies of Sciences' recommendations, we will review any SMS methodology revisions FMCSA implements to see the extent to which they also address our findings and recommendations.

Second, we recommended in November 2017 that DOT develop and implement a comprehensive plan to better manage departmental initiatives related to automated vehicles. Automated cars and light-duty trucks—from vehicles already on the road equipped with driver assistance technologies to fully driverless cars still in development—pose safety and infrastructure challenges. This plan should include leading principles such as goals, priorities, steps to achieve results, milestones, and performance measures to track progress. In July 2018, DOT released an initial plan related to this recommendation in response to congressional direction.<sup>5</sup> This plan outlines DOT's overall approach for managing policy and research issues related to automated vehicles across DOT's modal administrations. In January 2020, DOT and the National Science and Technology Council released *Ensuring American Leadership in Automated Vehicle Technologies (AV 4.0)*, building on prior policies that DOT has identified as actions regarding its implementation of GAO's recommendation. DOT has yet to identify, for example, performance measures to monitor and gauge results. Without a comprehensive plan, it continues to be unclear whether DOT is adequately tackling automated vehicle challenges.

Third, we made a recommendation in March 2018 that is critical to successfully implementing FTA's additional authorities and responsibilities over rail transit that were enacted in 2012.<sup>6</sup> We recommended that FTA develop and communicate a method for how it will monitor the effectiveness of state safety agencies' enforcement authorities and practices. Without such a method, FTA will lack the information needed to identify ineffective state enforcement, which risks allowing safety deficiencies to remain for long periods of time. FTA agreed and has discussed proposals with us, and we look forward to further discussions about how it is implementing the recommendation.

Fourth, we recommended in August 2019 that FAA's Runway Safety Manager should establish a plan to assess the effectiveness of all of FAA's terminal area-safety efforts, including Airport Surface Detection Equipment, Model X (ASDE-X) and the Runway Safety Program. FAA has many terminal-area safety efforts underway, but has not assessed their effectiveness. Prioritizing this recommendation will help FAA direct its resources toward activities and technologies proven to enhance safety and identify ways to strengthen those efforts. By

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<sup>5</sup> DOT released this initial plan in response to a provision in the Joint Explanatory Statement accompanying the Consolidated Appropriations Act, 2018, Pub. L. No. 115-141, 132 Stat. 348 (2018).

<sup>6</sup> Fixing America's Surface Transportation Act (FAST Act), Pub. L. No. 112-141, § 20021, 126 Stat. 405, 709 (codified as amended at 49 U.S.C. § 5329).



assessing the effectiveness of its primary efforts, FAA may be better positioned to make decisions about how to target its limited resources within and among these efforts. As of December 2019, FAA has concurred with the recommendation, but needs to take additional steps to address the recommendation. FAA noted that it would identify actions to assess the effectiveness of all of its terminal-area safety efforts in a Runway Safety Evolution Plan, which the agency expects to complete by September 30, 2020. We will review the Runway Safety Evolution Plan when it is available.

Fifth and sixth, we made two recommendations in October 2019 that are critical to addressing FAA's oversight of unmanned aircraft systems (UAS) to reduce risks to public safety.

- FAA should develop an approach to more effectively communicate key information to local law enforcement agencies regarding their expected role with regard to small UAS safety oversight.
- FAA should identify existing or new data and information needed to evaluate the effectiveness of oversight over UAS safety and to develop a mechanism for capturing these data as needed.

These actions should help the agency adapt to an evolving UAS environment. FAA has concurred with these recommendations; we will continue to analyze and evaluate the actions the agency has taken in response.

**Improving Transparency and Communication.** We have identified two priority recommendations that are critical to improving transparency and communication for the DOT.

First, in December 2015, we made a recommendation critical to improving the U.S. aviation sector's preparedness for future communicable disease threats from abroad. We recommended that the Secretary of Transportation should work with relevant stakeholders, such as the Department of Health and Human Services (HHS), to develop a national aviation-preparedness plan for communicable disease outbreaks. Such a plan could establish a mechanism for coordination between the aviation and public health sectors and provides clear and transparent planning assumptions for a variety of types and levels of communicable disease threats.

As of April 2020, DOT has not developed a national aviation-preparedness plan to respond to communicable disease threats from abroad. DOT partially concurs with our recommendation and agrees that an aviation preparedness plan is needed, but continues to suggest that HHS and the Department of Homeland Security (DHS) have responsibility for communicable disease response and preparedness planning, respectively, and that these departments should lead any efforts to address planning for communicable disease outbreaks, including for transportation.

DOT would be in the best position to lead the effort because FAA and DOT have stronger and deeper ties to the relevant stakeholders that would be involved in such a broad effort and is responsible for overseeing the aviation sector. While the DOT and HHS may not agree on which agency should lead the development of a national aviation-preparedness plan, DOT's Office of the Secretary is the liaison to the International Civil Aviation Organization (ICAO) for Annex 9 to the Chicago Convention, an international aviation treaty. Annex 9 obligates each ICAO member state to establish a national aviation-preparedness plan for communicable disease outbreaks that pose a public health risk or public health emergency of international concern.

In the absence of a national aviation-preparedness plan, DOT officials point to ongoing efforts to engage with interagency partners at DHS and HHS, as well as industry stakeholders, to better

collaborate on communicable disease response and preparedness as they relate to civil aviation. For example, in response to the Coronavirus Disease 2019 (COVID-19) outbreak, DOT reported that it has facilitated conference calls between stakeholders, including federal agencies and aviation stakeholders, and it has collaborated with the Centers for Disease Control and Prevention (CDC) within HHS to update interim guidance for airline crews related to communicable diseases, specifically COVID-19, among other things. While these efforts are helpful, we continue to believe that DOT is in the best position to take the lead in working with its relevant stakeholders to develop a national aviation-preparedness plan, which could guide preparation for communicable diseases nationally and for individual airlines and airports, as well as establish a framework for communication and response for the next communicable disease outbreak. Such a plan should help government minimize and quickly respond to future communicable disease events and garner international cooperation in addressing pandemic issues.

Second, we recommended in July 2017 that in order to increase transparency and obtain information to better inform decisions on whether to investigate potentially unfair or deceptive practices in the air ambulance industry, the Secretary of Transportation should assess available federal and industry data and determine what further information could assist in the evaluation of future complaints or concerns regarding unfair or deceptive practices. DOT did not concur with this recommendation, noting that its analysis of whether a complaint alleges conduct that could constitute an unfair or deceptive practice is fundamentally based on the unique facts of each additional case, rather than aggregate data.

The FAA Reauthorization Act of 2018 (the Act), signed into law on October 5, 2018, directed the establishment of an Air Ambulance and Patient Billing (AAPB) Advisory Committee. The Act also required the committee to make recommendations on a variety of topics, including what additional data from air ambulance providers and other sources should be collected by DOT to improve its understanding of the industry. On September 12, 2019, DOT announced the formation of the AAPB Advisory Committee, including the appointment of 13 members. The first meeting of the AAPB Advisory Committee was held in January 2020. Pursuant to the Act, the AAPB Advisory Committee is to submit a report containing its recommendations not later than 180 days after the date of its first meeting. GAO will continue to monitor the work of the AAPB Advisory Committee related to this recommendation.

**Cybersecurity Risks.** As we discuss below, ensuring cybersecurity of the nation is another of the highest risks facing the government. Three priority recommendations will help address cybersecurity risks in aviation and workforce staffing, and improve DOT's risk management.

We recommended in February 2018 that DOT, in cooperation with the Department of Homeland Security (DHS), should take steps to consult, as appropriate with respective sector partners such as DHS and the National Institute of Standards and Technology (NIST), to develop methods for determining the level and type of cybersecurity framework adoption by entities across the transportation systems sector. DOT concurred with the recommendation. As of February 2020, the department had begun taking steps to develop methods to determine the level and type of framework adoption in the respective sectors.

Specifically, officials in the DOT's Office of Intelligence, Security, and Emergency Response, in coordination with the DHS, told us that they planned to develop and distribute a survey to the Transportation Systems sector to determine the level and type of framework adoption. DOT officials stated that the draft survey was undergoing DHS legal review and that the completion of the review and subsequent Office of Management and Budget review would determine when

the survey will be approved for distribution. While the department has ongoing initiatives, implementing our recommendations to gain a more comprehensive understanding of the framework's use by critical infrastructure sectors is essential to the success of protection efforts.

We made two recommendations in July 2019 that are critical to protecting DOT from a growing number of cyber threats to systems and data by taking a risk-based approach to cybersecurity by effectively identifying, prioritizing, and managing cyber risks. We recommended that the Secretary of Transportation should fully develop a cybersecurity risk management strategy that includes key required elements, including a statement of departmental risk tolerance and risk mitigation strategies, and a description of acceptable risk assessment methodologies. We also recommended that the Secretary of Transportation should fully establish and document a process for coordination between cybersecurity risk management and enterprise risk management functions. DOT concurred with both recommendations, and as of January 2020, estimated that it would implement them by October 1, 2020, and January 4, 2021, respectively. GAO continues to track DOT's progress in implementing these recommendations.

**Improving management of information technology (IT) workforce planning.** We recommended in November 2016 that DOT, as well as four other agencies, implement IT workforce planning practices to facilitate a more rigorous analysis of gaps between current skills and future needs, as well as develop a strategy for filling gaps. Specifically, we stated that the right mix of expertise to recognize problems early and the requisite authority to address them are contingent upon effective IT workforce planning. In October 2019, we reported the results of our evaluation of DOT's progress in implementing the eight IT workforce planning activities. Specifically, we reported that the Department had fully implemented the activity to develop competency and staffing requirements, but had not yet fully implemented the remaining seven activities, including developing a workforce planning process.<sup>7</sup>

In January 2020, the department stated that its Office of the Chief Information Officer and Office of Human Resource Management had established a workgroup to lead and conduct workforce planning activities, and had defined the strategic goals and objectives for the department's IT workforce. The department also stated that the workgroup was planning on subsequently completing additional activities, including completing a workforce analysis with a competency gap assessment, by the end of calendar year 2020, and developing strategies to address any identified gaps by the end of 2021. We will continue to monitor the department's efforts to implement our recommendation.

**Improving federal grant management.** In October 2019, we made a recommendation to the FHWA that is critical to enhancing accountability over highway emergency relief project decisions. We recommended that the Administrator of FHWA require FHWA division offices to document the rationale for classifying projects as emergency repairs, such as a description of why an emergency repair is necessary and which alternative strategies or repairs were considered, and to more clearly define the circumstances under which projects are classified as emergency repairs, including what constitutes restoration of essential traffic.

The Highway Emergency Relief Program has provided billions of dollars in assistance since 2017, including funds for emergency repairs undertaken during or immediately after a disaster to restore essential traffic that are eligible for 100 percent federal funding. DOT concurred with GAO's recommendation and FHWA stated it plans to issue a memo to its division offices to

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<sup>7</sup> GAO. *Information Technology: Agencies Need to Fully Implement Key Workforce Planning Activities*. [GAO-20-129](#). (Washington, D.C.: October 30, 2019).

implement the recommendation by June 2020. We will continue to monitor the department's efforts to implement our recommendation.

**Improving transportation readiness.** One recommendation made in September 2015 calls for the Maritime Administration (MARAD) to address the need for improved transportation readiness by fully assessing available maritime personnel resources. While MARAD has estimated that there is a shortage of qualified mariners available to crew a full and prolonged activation of the reserve fleet, its estimate does not fully account for all of the potential sources of supply. DOT agreed with this recommendation. DOT released the *National Maritime Strategy* (the Strategy) in March 2020. The Strategy lists, as one of its objectives, "develop an accurate roster of sealift qualified mariners." According to the Strategy, DOT is to have at least considered a timeline for achieving that objective by March 2021.

DOT also informed GAO that a MARAD report to Congress on "*Opportunities and Challenges to Increasing the Number of U.S. Coast Guard Credentialed Mariners*", which may address part of GAO's recommendation, is under the review of the U.S. Office of Management and Budget (OMB). Furthermore, the Mariner Survey project, which DOT planned to survey all appropriately credentialed U.S. merchant mariners in 2020, and again in 2022 to determine the number of qualified mariners willing and able to serve on short notice, has not yet been approved by OMB. Thus far, DOT has not implemented GAO's recommendation to study the potential availability of all qualified mariners.

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In March 2019 we issued our biennial update to our high-risk program, which identifies government operations with greater vulnerabilities to fraud, waste, abuse, and mismanagement or the need for transformation to address economy, efficiency, or effectiveness challenges. Our high-risk program has served to identify and help resolve serious weaknesses in areas that involve substantial resources and provide critical service to the public.

One of our high-risk areas, funding the nation's surface transportation, requires congressional action to develop a sustainable plan while also centering on DOT and the agency's ability to maximize existing resources. Several other government-wide high-risk areas including (1) ensuring cybersecurity of the nation, (2) improving management of IT acquisitions and operations, and (3) strategic human capital management, also have direct implications for DOT and its operation.<sup>8</sup> We urge your attention to the DOT and government-wide high-risk issues as they relate to DOT. Progress on high-risk issues has been possible through the concerted actions and efforts of Congress, OMB, and the leadership and staff in agencies, including within DOT.

Copies of this report are being sent to the Director of the Office of Management and Budget and appropriate congressional committees including the Committees on Appropriations, Budget, and Homeland Security and Governmental Affairs, United States Senate; and the Committees on Appropriations, Budget, and Oversight and Government Reform, House of Representatives.

In addition, the report will be available at no charge on the GAO website at <http://www.gao.gov>.

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<sup>8</sup> [GAO-19-157SP](#). See pages 86-90 for Funding the Nation's Surface Transportation System, pages 178-184 for Ensuring the Cybersecurity of the Nation, pages 123-127 for Improving the Management of IT Acquisitions and Operations, and pages 75-77 for Strategic Human Capital Management.

I appreciate DOT's continued commitment to these important issues. If you have any questions or would like to discuss any of the issues outlined in this letter, please do not hesitate to contact me or Dan Bertoni, Managing Director, Physical Infrastructure at [bertonid@gao.gov](mailto:bertonid@gao.gov) or 202-512-2834. Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this report. Our teams will continue to coordinate with your staff on all of the 197 open recommendations. Thank you for your attention to these matters.

Sincerely yours,



Gene L. Dodaro  
Comptroller General  
of the United States

Enclosure(s)— 1

Cc:

Russ Vought, Acting Director, OMB  
James C. Owens, Deputy Administrator, NHTSA  
Steve Dickson, Administrator, FAA  
Nicole R. Nason, Administrator, FHWA  
Jim Mullen, Deputy Administrator, FMCSA  
K. Jane Williams, Acting Administrator, FTA  
Mark H. Buzby, Administrator, MARAD  
Madeline Chulumovich, Office of the Secretary, DOT



Enclosure

## Department of Transportation (DOT) Priority Recommendations

### Funding Surface Transportation

*DOT Discretionary Grants: Problems with Hurricane Sandy Transit Grant Selection Process Highlight the Need for Additional Accountability.* [GAO-17-20](#). Washington, D.C.: December 14, 2016.

**Recommendation:** Given DOT's new discretionary grant programs and similar challenges we have found with previous DOT programs, the Secretary of Transportation should issue a directive that governs department-wide and modal administration discretionary grant programs. Such a directive should include requirements to: (1) develop a plan for evaluating project proposals in advance of issuing a notice of funding availability that defines the stages of the process, including how the process will be overseen to ensure a consistent review of applications; (2) document key decisions, including the reason for any rating changes and the officials responsible for those changes, and how high-level concerns raised during the process were addressed; and (3) align stated program purpose and policy priorities with the evaluation and selection process.

**Action needed:** DOT concurred with this recommendation. In March 2019, DOT issued a one-page memo, directing all offices and departments that administer discretionary grants to update their policies and procedures to address GAO's recommendation. Due to a number of issues, however, it is unclear how this action will address our recommendation to create clear department-wide requirements aimed at improving transparency and consistency. DOT did not take steps to ensure that the various affected offices consistently interpret and implement the recommendation. In addition, DOT did not communicate to offices how they should sufficiently document their decisions to ensure that the rationale for those decisions—including the reasons individual projects were selected or not selected—is clear. Lack of information regarding how offices should implement the memo raises significant questions about whether various offices will interpret and implement the recommendations differently, and enhances the risk that DOT will continue to lack a department-wide approach to ensure that discretionary grant programs are consistently and transparently administered. DOT officials told us they wanted to provide the affected offices flexibility to implement the recommendation, but that the Department would assess the need for additional guidance based on revisions to its Financial Assistance Guidance Manual. DOT completed these revisions effective January 2020 and all affected offices are expected to complete developing their policies and procedures by May 2020. We will continue to monitor the Department's actions and assess the extent to which they address our recommendation. As we reported in June 2019, given the long-standing nature of the issues we identified, we have also suggested that Congress consider including language in the next reauthorization bill that would require DOT to develop and implement transparency measures for its discretionary grant programs.

**High Risk Area:** [Funding the Nation's Surface Transportation System](#)

**Director:** Elizabeth Repko

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*Freight Transportation: Developing National Strategy Would Benefit from Added Focus on Community Congestion Impacts.* [GAO-14-740](#). Washington, D.C.: September 19, 2014.

**Recommendation:** Include in the National Freight Strategic Plan a written statement articulating the federal role in freight-related local congestion impacts, by clearly identifying potential objectives and goals (under the general area DOT has established for the Freight Transportation Conditions and Performance Report of reducing adverse environmental and community impacts) for mitigating local congestion caused by national freight movements and the role federal and state stakeholders could play in achieving each objective and goal, and including a written strategy for improving the availability of national data needed to quantify, assess, and establish measures on freight trends and impacts on local traffic congestion.

**Action needed:** DOT concurred with this recommendation. To fully implement this recommendation, DOT should complete and issue a National Freight Strategic Plan. As part of the development of the National Freight Strategic Plan, DOT should articulate the federal role, objectives, and goals in mitigating local congestion caused by national freight movements. DOT stated that it is continuing work on the National Freight Strategic Plan and intends to release the plan in 2020.

#### **High Risk Area:** [Funding the Nation's Surface Transportation System](#)

**Director:** Elizabeth Repko

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#### **Addressing Safety Risks**

*Federal Motor Carrier Safety: Modifying the Compliance, Safety, Accountability Program Would Improve the Ability to Identify High Risk Carriers.* [GAO-14-114](#). Washington, D.C.: February 3, 2014.

**Recommendation:** To improve the Compliance, Safety, Accountability (CSA) program, the Secretary of Transportation should direct the FMCSA Administrator to revise the SMS methodology to better account for limitations in drawing comparisons of safety performance information across carriers; in doing so, the Secretary of Transportation should direct the FMCSA Administrator to conduct a formal analysis that specifically identifies limitations in: (1) the data used to calculate SMS scores including variability in the carrier population and the quality and quantity of data available for carrier safety performance assessments, and (2) the resulting SMS scores, including their precision, confidence, and reliability for the purposes for which they are used.

**Action needed:** FMCSA did not agree with our recommendation, disputing the methodology and conclusions in our report. However, we continue to believe that addressing Safety Measurement System (SMS) methodology limitations has merit and could help the agency better target FMCSA's resources to the carriers that pose the highest risk of crashing. For example, we found FMCSA requires a minimum level of information for a carrier to receive an SMS score; however, this requirement is not strong enough to produce sufficiently reliable scores. As a result, FMCSA identified many carriers as high risk that were not later involved in a crash, potentially causing FMCSA to miss opportunities to intervene with higher risk carriers. To fully implement this recommendation, FMCSA should revise SMS methodology to account for data limitations that limit comparisons so that the FMCSA is better positioned to identify and mitigate carriers that pose the greatest safety risks. FMCSA has recently developed and tested

a new methodological approach that could potentially account for the limitations we identified. While FMCSA has not yet committed to deploying the new methodology, they hope to do so some time in 2020.

**Director:** Elizabeth Repko

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*Automated Vehicles: Comprehensive Plan Could Help DOT Address Challenges.* [GAO-18-132](#). Washington, D.C.: November 30, 2017.

**Recommendation:** The Secretary of Transportation should develop and implement a comprehensive plan to better manage departmental initiatives related to automated vehicles. This plan should include leading principles such as goals, priorities, steps to achieve results, milestones, and performance measures to track progress.

**Action needed:** DOT concurred with this recommendation. In January 2020, DOT released *Ensuring American Leadership in Automated Vehicle Technologies (AV 4.0)*, building on prior policies that DOT has as actions regarding its implementation of GAO's recommendation. However, without incorporating leading principles of comprehensive planning, it continues to be unclear whether DOT is adequately tackling automated vehicle challenges.

**Director:** Elizabeth Repko

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*Rail Transit: Federal Transit Administration Can Strengthen Safety Oversight by Improving Guidance to States.* [GAO-18-310](#). Washington, D.C.: March 20, 2018.

**Recommendation:** The Office of Transit Safety and Oversight should develop and communicate a method for how it will monitor the effectiveness of the enforcement authorities and practices of state safety agencies.

**Action needed:** DOT concurred with this recommendation. DOT should continue its progress to developing and communicating a methodology for how it will monitor the effectiveness of state safety agencies' enforcement.

**Director:** Andrew Von Ah

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*Aviation Safety: Opportunities Exist for FAA to Improve Airport Terminal Area Safety Efforts.* [GAO-19-639](#) Washington, D.C.: August 30, 2019.

**Recommendation:** The Runway Safety Manager should establish a plan to assess the effectiveness of all of FAA's terminal area-safety efforts, including Airport Surface Detection Equipment, Model X (ASDE-X) and the Runway Safety Program.

**Action Needed:** FAA agreed with this recommendation. FAA noted that it will identify actions to assess the effectiveness of all of its terminal-area safety efforts in a Runway Safety Evolution Plan, the agency expects to complete by September 30, 2020. We will review the Runway Safety Evolution Plan when it is available.

**Director:** Heather Krause

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*Unmanned Aircraft Systems: FAA's Compliance and Enforcement Approach for Drones Could Benefit from Improved Communication and Data.* [GAO-20-29](#). Washington D.C.: October 17, 2019.

**Recommendation:** The Administrator of the FAA should develop an approach to more effectively communicate key information to local law enforcement agencies regarding their expected role with regard to small UAS safety oversight.

**Recommendation:** The Administrator of the FAA should identify existing or new data and information needed to evaluate oversight activities and develop a mechanism for capturing these data as needed.

**Action Needed:** DOT concurred with these recommendations. When we confirm what actions the agency has taken in response to these recommendations, we will provide updated information.

**Director:** Heather Krause

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### **Improving Transparency and Communication**

*Air Travel and Communicable Diseases: Comprehensive Federal Plan Needed for U.S. Aviation System's Preparedness.* [GAO-16-127](#). Washington, D.C: December 16, 2015.

**Recommendation:** To help improve the U.S. aviation sector's preparedness for future communicable disease threats from abroad, the Secretary of Transportation should work with relevant stakeholders, such as the Department of Health and Human Services, to develop a national aviation-preparedness plan for communicable disease outbreaks. Such a plan could establish a mechanism for coordination between the aviation and public health sectors and provides clear and transparent planning assumptions for a variety of types and levels of communicable disease threats.

**Action needed:** DOT partially concurred with our recommendation and agrees that an aviation preparedness plan is needed, but continues to suggest that the Department of Health and Human Services (HHS) and the Department of Homeland Security (DHS) have responsibility for communicable disease response and preparedness planning, respectively, and that these departments should lead any efforts to address planning for communicable disease outbreaks, including for transportation. DOT would be in the best position to lead the effort because FAA and DOT have stronger and deeper ties to the relevant stakeholders that would be involved in such a broad effort and is responsible for overseeing the aviation sector. While the DOT and HHS may not agree on which agency should lead the development of a national aviation-preparedness plan, DOT's Office of the Secretary is the liaison to ICAO for Annex 9 to the Chicago Convention, an international aviation treaty. Annex 9 obligates each ICAO member state to establish a national aviation-preparedness plan for communicable disease outbreaks that pose a public health risk or public health emergency of international concern.

As of April 2020, the Department of Transportation (DOT) has not developed a national aviation-preparedness plan to respond to communicable disease threats from abroad. In the absence of a national aviation-preparedness plan, DOT officials point to ongoing efforts to engage with interagency partners at DHS and HHS, as well as industry stakeholders, to better collaborate on communicable disease response and preparedness as they relate to civil aviation. For example, in response to the COVID-19 outbreak, DOT reported that it has facilitated conference calls between stakeholders, including federal agencies and aviation stakeholders, and it has collaborated with the Centers for Disease Control and Prevention (CDC) within HHS to update interim guidance for airline crews related to communicable diseases, specifically COVID-19, among other things. Despite these efforts, we continue to believe that DOT is in the best position to work with its relevant stakeholders to develop a national aviation-preparedness plan, which could guide preparation for communicable diseases nationally and for individual airlines and airports, as well as establish a framework for communication and response for the next communicable disease outbreak.

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*Air Ambulance: Data Collection and Transparency Needed to Enhance DOT Oversight.* [GAO-17-637](#). Washington, D.C.: Jul 27, 2017.

**Recommendation:** To increase transparency and obtain information to better inform decisions on whether to investigate potentially unfair or deceptive practices in the air ambulance industry, the Secretary of Transportation should assess available federal and industry data and determine what further information could assist in the evaluation of future complaints or concerns regarding unfair or deceptive practices.

**Action Needed:** In September 2017, DOT did not concur with this recommendation, noting that its analysis of whether a complaint alleges conduct that could constitute an unfair or deceptive practice is fundamentally based on the unique facts of each additional case, rather than aggregate data. However, the FAA Reauthorization Act of 2018 (the Act), signed into law on October 5, 2018, directed the establishment of an Air Ambulance and Patient Billing (AAPB) Advisory Committee and required it to make recommendations on a variety of topics, including the recommendations from this GAO report. The AAPB Advisory Committee was formed in September 2019 and held its first meeting in January 2020. The Act requires the AAPB Advisory Committee to issue a report within 180 days of its first meeting to the Secretary of DOT, the Secretary of HHS, and appropriate committees of Congress. Pursuant to the Act, DOT's report is to include information on how DOT will conduct oversight of air ambulance providers, including the information sources DOT will use to conduct such oversight. This report will provide DOT an opportunity to document its response to GAO's recommendation to assess available data to inform its assessment on whether to pursue investigations regarding unfair or deceptive practices in the air ambulance industry.

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## Cybersecurity Risks

*Critical Infrastructure Protection: Additional Actions Are Essential for Assessing Cybersecurity Framework Adoption.* [GAO-18-211](#). Washington, D.C.: February 15, 2018.

**Recommendation:** The Secretary of Transportation, in cooperation with the Secretary of Homeland Security, should take steps to consult with respective sector partner(s), such as the SCC, DHS and NIST, as appropriate, to develop methods for determining the level and type of framework adoption by entities across their respective sector.

**Action needed:** DOT concurred with the recommendation. As of February 2020, the department had begun taking steps to develop methods to determine the level and type of framework adoption in the respective sectors. Specifically, officials in the DOT's Office of Intelligence, Security, and Emergency Response, in coordination with the Department of Homeland Security (DHS), told us that they planned to develop and distribute a survey to the Transportation Systems sector to determine the level and type of framework adoption. DOT officials stated that the draft survey was undergoing DHS legal review and that the completion of the review and subsequent Office of Management and Budget review would determine when the survey is approved for distribution. While the department has ongoing initiatives, implementing our recommendations to gain a more comprehensive understanding of the framework's use by critical infrastructure sectors is essential to the success of protection efforts.

**High Risk Area:** [Ensuring the Cybersecurity of the Nation](#)

**Director:** Vijay A. D'Souza

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*Cybersecurity: Agencies Need to Fully Establish Risk Management Programs and Address Challenges.* [GAO-19-384](#). Washington, D.C.: July 25, 2019.

**Recommendation:** The Secretary of Transportation should fully develop a cybersecurity risk management strategy that includes the key elements identified in this report.

**Recommendation:** The Secretary of Transportation should fully establish and document a process for coordination between cybersecurity risk management and enterprise risk management functions.

**Action Needed:** DOT concurred with both recommendations. Regarding the first recommendation, the department stated that it intends to establish a cybersecurity risk management strategy that includes the missing elements by October 1, 2021. For the second recommendation, DOT stated that it will establish and document a process for coordination between cybersecurity risk management and enterprise risk management functions by January 4, 2021. GAO continues to track its progress in implementing these recommendations.

**High Risk Area:** [Ensuring the Cybersecurity of the Nation](#)

**Director:** Nicholas H. Marinos

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**Improving management of information technology (IT) workforce planning**

*IT Workforce: Key Practices Help Ensure Strong Integrated Program Teams; Selected Departments Need to Assess Skill Gaps.* [GAO-17-8](#). Washington, D.C.: November 30, 2016.

**Recommendation:** To facilitate the analysis of gaps between current skills and future needs, the development of strategies for filling the gaps, and succession planning, the Secretary of



Transportation should require the Chief Information Officer, Chief Human Capital Officer, and other senior managers as appropriate to address the shortfalls in IT workforce planning noted in this report, including the following actions: (1) establish a time frame for when the department is to finalize its draft workforce planning process and maintain that process; (2) develop staffing requirements for all positions; (3) assess competency and staffing needs regularly for all positions; (4) assess gaps in staffing for all components of the workforce; (5) develop strategies and plans to address gaps in competencies and staffing; (6) implement activities that address gaps, including an IT acquisition cadre, cross-functional training of acquisition and program personnel, a career path for program managers, and use of special hiring authorities, if justified and cost-effective; (7) monitor the department's progress in addressing competency and staffing gaps; and (8) report to department leadership on progress in addressing competency and staffing gaps.

**Action Needed:** DOT concurred with the recommendation. In January 2020, the department stated that its Office of the Chief Information Officer and Office of Human Resource Management had established a workgroup to lead and conduct workforce planning activities, and had defined the strategic goals and objectives for the department's IT workforce. The department also stated that the workgroup was planning on subsequently completing additional activities, including completing a workforce analysis with a competency gap assessment, by the end of calendar year 2020, and developing strategies to address any identified gaps by the end of 2021. We will continue to monitor the department's efforts to implement our recommendation.

**High Risk Area:** [Improving the Management of IT Acquisitions and Operations](#)

**Director:** Carol C. Harris

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**Improving federal grant management**

*Highway Emergency Relief: Federal Highway Administration Should Enhance Accountability over Project Decisions.* [GAO-20-32](#). Washington, D.C.: Oct 17, 2019.

**Recommendation:** The Administrator of FHWA should require FHWA division offices to document the rationale for classifying projects as emergency repairs, such as a description of why an emergency repair is necessary and which alternative strategies or repairs were considered, and to more clearly define the circumstances under which projects are classified as emergency repairs, including what constitutes restoration of essential traffic.

**Action Needed:** DOT concurred with the recommendations and stated it plans to implement it by June 2020. GAO continues to track its progress in implementing it.

**Director:** Elizabeth Repko

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**Improving transportation readiness**

*International Food Assistance: Cargo Preference Increases Food Aid Shipping Costs, and Benefits are Unclear.* [GAO-15-666](#). Washington, D.C.: September 25, 2015.

**Recommendation:** The Secretary of Transportation should direct the Administrator of MARAD to study the potential availability of all qualified mariners needed to meet a full and prolonged activation of the reserve sealift fleet. In the study, MARAD should identify potential solutions to address the mariner shortfall if one is still identified.

**Action Needed:** DOT concurred with the recommendation. To fully implement this recommendation, the Maritime Administration should reach out to all mariners identified by the U.S. Coast Guard as having unlimited credentials to both verify their qualifications as well as ascertain their availability and willingness to crew the reserve sealift fleet in a full and prolonged activation. In addition, the Maritime Administration should identify potential solutions to addressing any mariner shortfall that may be identified. DOT has not indicated that it implemented GAO's recommendation to study the potential availability of all qualified mariners needed to meet a full and prolonged activation of the reserve sealift fleet, including reaching out to all potentially qualified mariners to verify their qualifications as well as ascertain their availability and willingness to crew the reserve sealift fleet in a full and prolonged activation.

**Director:** Chelsa Gurkin

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## Monthly Legislative Report – April 2020

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### April Advocacy Meetings

Due to the District of Columbia's shelter-in-place order, we have been unable to have in-person meetings during the month of April. Nevertheless, we have been in regular contact with a number of congressional offices and agencies this month via email and conference calls. Some of those meetings include the following:

**Congressman Harley Rouda (D-CA)** – We have been in contact with staff in Congressman Rouda's office to discuss OCTA project priorities in the upcoming Surface Transportation Reauthorization. We also discussed the adjustment of TIFIA loan interest rates and allowing an increased percentage of the project to be covered by TIFIA funds in addition to the other streamlining TIFIA streamlining provisions. We also discussed the need for supplemental funding for COVID-19 safety measures like regular sanitation of transit vehicles and PPE for transit employees. Finally, we discussed possible language to improve the alternative fuels excise tax credit.

**Congressman Alan Lowenthal (D-CA)** – We have been in communication with senior staff in Congressman Lowenthal's office to discuss OCTA's project needs list, and projected shortfalls in project funding due to a significant decrease in Measure M funding. We also discussed the need for a possible SAFE Rule fix, and the possibility of updating existing language regarding the alternative fuel excise tax credit.

**Congressman Lou Correa (D-CA)** – We have been communicating with Congressman Correa and his staff regarding the SR 55 Improvement Project and possible future grant application for that project.

**Congressman Mike Levin (D-CA)** – We have been in contact with senior staff in Congressman Levin's office to discuss the impact of COVID-19 on OCTA's operations and ongoing projects. We discussed revenue projections from reduced Measure M funds. We also discussed the need for TIFIA streamlining.

**Congressman Gil Cisneros (D-CA)** – We have been in contact with senior staff in Congressman Cisneros' office this month to discuss the need for additional relief funds and flexibilities for public transportation authorities. We discussed the impact COVID-19 has had on ridership, as well as the revenue being collected through Measure M. We also discussed support for temporary exemptions from certain FTA reporting requirements, the maximization of existing formula funding programs, and the temporary suspension of other regulatory requirements that distract from providing transit service and COVID-19 response activities.

**Congresswoman Katie Porter (D-CA)** – We have been in contact with staff in Congresswoman Porter’s office to discuss support for additional relief funding for public transportation authorities and ongoing COVID-19 safety efforts at the state and local level.

**Senator Kamala Harris (D-CA)** – We have been in contact with staff in Senator Harris’ office to discuss updates on the FY 21 appropriations process. We also took the opportunity to advocate for transportation and infrastructure in future stimulus legislation as well as possible provisions for TIFIA streamlining.

**Senator Dianne Feinstein (D-CA)** – We have been in email and phone contact with Senator Feinstein’s senior staff this month to discuss the need for additional funding to respond to COVID-19 related expenses and losses of revenue due to decreased sales taxes and ridership. We also discussed the status of the FY 21 appropriations requests. Finally, we discussed support for OCTA priorities and projects in the next stimulus bill/surface transportation reauthorization and discussed support for streamlining the TIFIA program.

**House Transportation and Infrastructure Committee** – We have been in close contact with both Majority and Minority staff this month to discuss the potential for new funding for transit and other transportation projects in future stimulus bills. We also discussed the Surface Transportation Reauthorization. Both Majority and Minority staff have indicated that while neither side has begun formally negotiating on drafts with each other, both sides are working on developing their priorities for future negotiations. In the meantime, we have provided a list of OCTA priority projects for their consideration.

**Department of the Treasury** – We have been in contact with intergovernmental staff at the Department of Treasury regarding guidance on stimulus fund, and disbursements to localities.

### **Congressional Schedule**

Congress was scheduled to return to session on May 4<sup>th</sup>, but House Leadership has advised Members that the House will no longer be returning to session on May 4<sup>th</sup> and subsequently have not yet set an official return date. As of this report, the Senate still plans to return on May 4<sup>th</sup>.

### **Transportation and Infrastructure Funding and Authorization**

Over the last few weeks, there have been some renewed discussions regarding the possibility of including transportation and infrastructure provisions as well as funding in a fourth stimulus bill. These discussions, however, have met with some resistance in the Senate. Chair of the House Committee on Transportation and Infrastructure Peter DeFazio (D-OR) released a statement after Senate Majority Leader Mitch McConnell [reportedly](#) refused to endorse the idea of infrastructure investment for a future economic rescue package:



“With tens of millions of Americans out of work and entire swaths of the economy shut down by a global health crisis, the country is now on the precipice of the worst economic downturn since the Great Depression. And just like the New Deal of the 1930s, the best way to re-start our economy and put workers first is with a massive investment in the kind of infrastructure that will help future generations succeed--from better bridges and roads, to robust transit and passenger rail service, to fully-functioning ports and harbors, to modernized waste and drinking water systems, and widely available broadband internet. Rebuilding communities across the country with resilient, innovative infrastructure is how we put millions of people to work in jobs that cannot be exported, while supporting U.S. manufacturing with the strongest Buy America requirements in the entire Federal government, and making our infrastructure smarter, safer, and made to last.”

Earlier this year before the COVID crisis, Chair DeFazio released a “infrastructure framework” that can be found [here](#). As mentioned earlier, based on some recent discussions with the House T&I Committee staff, they still plan on drafting a Surface Transportation Authorization over the next few weeks that uses some of those framework principles.

Republican senior staff told us late in the month that they are working on compiling a list of their priorities for the Surface Transportation Reauthorization or an Infrastructure bill. We expect there to be some bi-partisan discussions on those principles in the coming weeks on “Member-only” committee conference calls.

### **COVID-19 Federal Stimulus Response**

To date, Congress has passed three stimulus bills, as well as a follow-up stimulus (being called Stimulus 3.5) to provide more funding to programs authorized in H.R. 748 – CARES Act. After over a week of negotiations in Congress, on April 24<sup>th</sup> the President signed H.R. 266 (Stimulus 3.5), the legislative vehicle for a \$483.4 billion economic relief bill to provide additional funding to the Payroll Protection Program (PPP) and hospitals. The full legislative text can be found [HERE](#), and a summary is below:

#### **Small Business Administration (SBA)**

- \$250 billion - Payroll Protection Program
- \$60 billion - Payroll Protection Program set-aside for institutions with fewer than \$50 billion in assets
- \$50 billion - Economic Injury Disaster Loans
- \$10 billion - Economic Injury Disaster Grants
- \$2 billion - Administrative costs

#### **Health and Human Services (HHS)**

- \$75 billion - Hospitals

- \$25 billion - Testing for COVID-19
  - Of which, \$11 billion shall be for States and localities for the development, purchase, and administration of COVID-19 testing, and
  - \$4.25 billion for States and Localities according to a formula based on relative number of cases

Note: In response to criticism that large corporations and organizations had received Paycheck Protection Program (PPP) loans intended for small businesses, the Treasury Department and Federal Reserve recently announced they will now be reviewing all loans of more than \$2 million. A press release of which may be found [here](#). This announcement comes in addition to the Small Business Administration's (SBA) interim final rule published earlier this week that explicitly prohibits hedge funds and private equity firms from receiving PPP loans.

### **Other Provisions:**

- No new direct funding for states, or rule changes to Phase III state funding program.
- There were earlier discussions that a provision would be included to grant more flexibility to States and localities to use funds for budget shortfalls with Senate Minority Leader Chuck Schumer (D-NY) saying that the White House had agreed. However, Sec. 304 states that all funds in this Act must be used to prevent, prepare for, and respond to COVID-19.

The previous three stimulus bills passed last month are linked below along with their official summaries:

#### **Stimulus 1 – H.R. 6074 (\$8.3 billion)**

- Link to [Text](#)
- Link to [Summary](#)

#### **Stimulus 2 – H.R. 6201 (Paid Leave Provisions)**

- Link to [Text](#)
- Link to [Summary](#)

#### **Stimulus 3 – H.R. 748 (\$2.3 Trillion)**

- Link to [Text](#)
- Link to Division B (Appropriations) [Summary](#)

The possibility of a 4<sup>th</sup> Stimulus Bill to provide additional aid is still being discussed. A White House economic advisor Kevin Hassett this week indicated the President may also support an additional round of direct payments to taxpayers.

Providing additional and larger direct payments to taxpayers has been a top priority of House Speaker Nancy Pelosi (D-CA) and House Ways & Means Committee Chairman Richard Neal (D-MA) in last coronavirus relief negotiations.

While Hassett acknowledged that a fourth stimulus package was likely to be needed in this summer, he cautioned that negotiations were in the preliminary stages and that the potential additional direct payments were just one of several priorities being considered. He stressed that they would be meeting with the President over the next few days about what the President wants in the final package.

Some House Republicans staff members told us that do not see another stimulus bill moving quickly in either chamber until they get an idea of how the previous stimulus bill plays out. Senate Majority Leader Mitch McConnell (R-KY) has also indicated he will not support providing additional funds to state and local governments unless Congress also passes tort reform provisions to protect small businesses and healthcare providers against frivolous lawsuits.

### **COVID-19 Oversight Select Subcommittee**

On April 29<sup>th</sup>, House Speaker Nancy Pelosi (D-CA) appointed seven Democratic lawmakers to the House Select Subcommittee on the Coronavirus Crisis. As we reported, the House passed a resolution last Friday establishing the select subcommittee under the House Oversight and Reform Committee to oversee the Administration's handling of the crisis and distribution of stimulus funds. Chaired by House Majority Whip James Clyburn (D-SC), the select subcommittee will now add three House Committee Chairs – Oversight Committee Chairwoman Carolyn Maloney (D-NY), Financial Services Committee Chairwoman Maxine Waters (D-CA), and Small Business Committee Chairwoman Nydia Velazquez (D-NY) – as well as members other to include Congressmen Jamie Raskin (D-MD), Bill Foster (D-IL), and Andy Kim (D-NJ). House Minority Leader Kevin McCarthy (R-CA) can appoint up to five members of the House Republican Caucus to serve on the subcommittee, although some House Republicans have called on him to not participate.

A separate bipartisan task force is looking into potentially amending House rules to allow for remote voting. This task force has also encouraged Committee leadership to begin testing online platforms for hearings which they hope to start holding again as early as June.

### **Senate Commerce, Science, and Transportation Hearing Scheduled for May 6th**

On May 6<sup>th</sup>, the Senate Commerce, Science, and Transportation Committee will hold a hearing entitled "The State of the Aviation Industry: Examining the Impact of the COVID-19 Pandemic." Witnesses will include Eric Fanning, President and CEO of Aerospace Industries Association; Nicholas Calio, President and CEO of Airlines for America; and Todd Hauptli, President and CEO of American Association of Airport Executives. This hearing will take place in the Dirksen Senate Office.

In order to maintain physical distancing as advised by the Office of the Attending Physician, seating for credentialed press will be limited during the hearing. Access to the Capitol complex is also limited, and the general public has been encouraged to view this hearing via the live stream. We expect similar hearings for other modes of transportation to include rail to be held in the coming weeks with similar hearing protocols.

## **White House Announces Szabat for Under Secretary**

On April 24<sup>th</sup>, the White House officially nominated Joel Szabat to be Under Secretary of Transportation for Policy. Szabat was previously confirmed by the Senate to be Assistant Secretary of Transportation for Aviation and International Affairs. Szabat has been working for the Department of Transportation for the last 18 years starting in 2002 as a political appointee and moving to a career deputy in 2008. Szabat also has experience overseeing the \$48 billion ARRA stimulus funds received by DOT in 2009.

## **US-Mexico-Canada Trade Agreement**

US Trade associations and some Members of Congress are requesting that the USMCA trade agreement's July 1 start date be delayed in response to the COVID-19 outbreak. Business leaders are concerned that the pandemic has diverted resources needed to ensure a smooth transition from NAFTA to USMCA. Senate Finance Committee Members have sent a letter to US Trade Representative Robert Lighthizer asking for a reconsideration of the July 1 start date stating all partners must be ready and able to adhere to the new standards and policies. The letter is signed by the majority of the committee and can be found [HERE](#).

## **REHAB Act**

Last month Congressman Earl Blumenauer (D-OR) introduced a bill ([H.R. 6175](#)) aimed at encouraging new housing and businesses in downtowns and walkable areas. The bill would modify the rehabilitation credit to allow for rehabilitating non-historic buildings at least 50 years old and near to an existing or proposed transit facility. Other eligible expenses would include public infrastructure like road improvements and transportation connections that could benefit OCTA. Future action on the bill remains uncertain as the Committee has yet to announce any hearings or markups.

## **Municipal Liquidity Facility Update**

The Federal Reserve announced they will be expanding the scope and duration of the Municipal Liquidity Facility (MLF) by lowering the population thresholds for counties and cities to participate. A press release announcing this expansion may be found [here](#). As we have previously reported, the Federal Reserve established the MLF earlier this month to help state and local governments manage cash flow pressures related to the coronavirus pandemic by purchasing up to \$500B of short-term municipal notes. Initially, the Federal Reserve established that it would purchase notes from counties with a population of at least 2 million residents, and cities with a population of at least 1 million residents. However, these thresholds have been lowered to a population of at least 500,000 people for counties and 250,000 for cities. Additionally, the Federal Reserve will now allow certain multistate entities to participate. An updated term sheet may be found [here](#), an updated Frequently Asked Questions (FAQs) document [here](#), and a listing of the Municipal Facility Limit per state and eligible localities [here](#).

## **Main Street Lending Program Update**

The Federal Reserve also announced they will be expanding the scope and eligibility of the Main Street Lending Program by lowering the minimum loan size and expanding the pool of businesses eligible. A press release announcing this expansion may be found [here](#). As we have previously reported, the Federal Reserve established the Main Street Lending Program earlier this month to provide enhanced support for small and mid-sized businesses in good financial standing prior to the outbreak with up to 10,000 employees or revenues of less than \$2.5 billion in the form of 4-year loans. Businesses with up to 15,000 employees or up to \$5 billion in annual revenue will now be able to receive loans under this program. Additionally, the minimum loan size has been lowered from \$1 million to \$500,000 to offer more loans and loan options to a wider variety of small to mid-sized businesses. An updated term sheet may be found [here](#), an updated Frequently Asked Questions (FAQs) document [here](#).

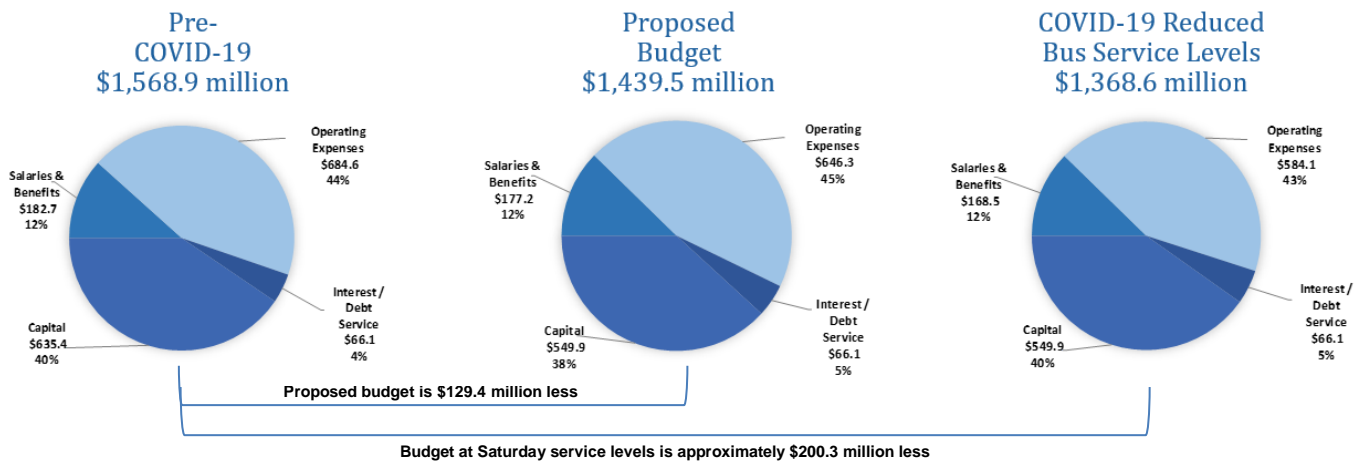


# Orange County Transportation Authority

## Fiscal Year 2020-21 Budget Workshop Questions & Answers

### 1. What measures has Orange County Transportation Authority (OCTA) taken to address the impact of novel coronavirus (COVID-19) on the proposed fiscal year (FY) 2020-21 budget?

**Answer:** Pre-COVID-19 expenditures for FY 2020-21 were anticipated to be proposed at a total of \$1,568.9 million. However, as a result of the COVID-19 pandemic, OCTA took a conservative approach bringing forward a proposed expenditure budget totaling \$1,439.5 million. A list of the items taken out of the proposed budget is provided below. The proposed expenditure plan does not include new positions or new initiatives. The proposed budget does have the necessary resources to accommodate for up to 1.6 million revenue hours or pre-COVID-19 bus services levels. This is possible largely because of the funds made available to OCTA through the Coronavirus Aid, Relief, and Economic Security (CARES) Act. However, given the reduced demand for services during the pandemic, OCTA has reduced service to Sunday levels with a plan to increase that to Saturday service levels in June 2020. If demand for bus service does not increase and OCTA continued to run bus service at Saturday levels for the entire year, the FY 2020-21 would potentially be reduced to \$1,368.6 million, as depicted on the pie chart on the far right below. A comparison of the pre-Covid-19 budget, proposed budget, and the budget at Saturday service levels can be seen below.



#### Budget Reductions

	Amount
40-Foot buses	\$ (82,747,979)
Metrolink operating subsidy	(15,776,203)
Local Fair Share, SNEMT, SMP*	(12,825,747)
New positions	(4,489,470)
Facility modifications	(3,007,000)
Planning studies	(2,900,000)
Systems and software	(2,000,000)
SR-91 Collection services	(1,900,000)
Miscellaneous	(1,065,755)
Merits and special awards	(1,060,000)
OC Flex expansion	(780,737)
Marketing	(650,000)
Tools and equipment	(194,430)
<b>Total</b>	<b>\$ (129,397,321)</b>

\*Senior Non-Emergency Medical Transportation (SNEMT) and Senior Mobility Program (SMP)





# Orange County Transportation Authority

## Fiscal Year 2020-21 Budget Workshop Questions & Answers

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**2. Question: When can we expect to have a better idea of where we currently stand on sales tax revenue?**

**Answer:** We likely will not have a firm grasp of where we stand with sales tax collections until this fall at the earliest. Under normal circumstances we receive an estimate of sales tax collections from the California Department of Tax and Fee Administration (CDTFA) two months in arrears; and final quarterly figures are not provided until two to three months after the end of the quarter.

However, given the current situation, the CDTFA has allowed businesses to delay payments on sales tax from 60 days to one year, which will further delay the final figures. OCTA staff has been working closely with Muniservices, our sales tax consultant, to develop a best guess as to what actual sales tax collections will be and the potential amount of deferred payments.

Muniservices is currently analyzing each economic sector to determine how the economy is being impacted by COVID-19. We have utilized the limited data we have available and information provided by Muniservices to make the most informed sales tax projections possible in the current situation. Muniservices is scheduled to attend the May 27, 2020, Finance and Administration Committee to provide an update on projections.

**3. Due to the uncertainty of the current COVID-19 crisis and the overall economy, what information can you provide to help prepare Board Members to discuss proposed merit and bonus pools?**

**Answer:** The proposed merit and bonus pools are outlined in the Personnel and Salary Resolution (PSR) that covers OCTA's professional staff including planning, construction, engineering, financial services, informational technology, government affairs, human resources, marketing, and communications personnel. The PSR is approved each year by the Board of Directors. This year, staff is currently recommending that both the merit and bonus pools be set at 3 percent which is a reduction of 1 percent over current year levels.

Unlike bus drivers and maintenance personnel, OCTA's professional staff is not represented. This group operates on a pay-for-performance system that rewards top performers and holds poor performers accountable. There are no automatic increases for this group of employees, the only opportunity for annual compensation adjustments is through the annual merit pool.

On March 19, 2020, the Governor issued Executive Order No. 33-20, which mandates that all residents of the state stay-at-home. That order exempted employees needed to maintain continuity of operations and for critical infrastructure projects. As the operator of the countywide transportation system and the agency responsible for several critical infrastructure projects, OCTA's administrative employees fall into this category. OCTA's employees are essential workers working on essential projects and services, and it is important to remain competitive within our market.

While the long-term financial picture is unclear, OCTA is in good position to continue the existing projects already started and provide countywide bus service. Funding received through the CARES Act has provided the aid necessary to ensure the continuity of all operations. Additionally, strong reserve balances allow OCTA to sustain operations in a safe manner and continue critical infrastructure projects. The professional staff at OCTA is necessary to continue these projects and services, and employees are



# Orange County Transportation Authority

## Fiscal Year 2020-21 Budget Workshop Questions & Answers

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required to work in an unprecedented environment. Construction markets have been relatively unaffected by the pandemic and OCTA-related construction projects have continued and have been accelerated in many ways on most extensive capital projects program in OCTA's history.

The continued funding of the merit and bonus pools, albeit at lower levels, allows management to continue to retain employees in a market where peer agencies continue to operate as they also are essential businesses.

Staff will continue to evaluate this proposal over the coming weeks prior to the budget hearing to ensure we are able to provide the Board of Directors with any updated information, and a presentation on the PSR will be presented to the Finance and Administration Committee at the meeting of May 27, 2020.