



Orange County Transportation Authority

Legislative and Communications Committee Agenda

Thursday, June 15, 2023 at 9:00 a.m.

Board Room, 550 South Main Street, Orange, California

Committee Members

Brian Goodell, Chairman
Donald P. Wagner, Vice Chairman
Jose Diaz
Jon Dumitru
Katrina Foley
Gene Hernandez
Fred Jung

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Agenda Descriptions

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.

Public Availability of Agenda Materials

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

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In-Person Comment

Members of the public may attend in-person and address the Board regarding any item. Please complete a speaker's card and submit it to the Clerk of the Board or notify the Clerk of the Board the item number on which you wish to speak. Speakers will be recognized by the Chairman at the time the agenda item is to be considered. Comments shall be limited to three minutes.

Written Comment

Written public comments may also be submitted by emailing them to ClerkOffice@octa.net, and must be sent by 5:00 p.m. the day prior to the meeting. 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.

LEGISLATIVE AND COMMUNICATIONS COMMITTEE MEETING AGENDA

Call to Order

Pledge of Allegiance

Director Foley

Closed Session

There are no Closed Session items scheduled.

Special Calendar

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

Consent Calendar (Items 2 through 5)

2. **Approval of Minutes**

Recommendation

Approve the minutes of the April 20, 2023, Legislative and Communications Committee meeting.

Attachments:

[Minutes](#)

3. **Agreement for Public Outreach Consultant Services for the Interstate 605/Katella Avenue Interchange Project**
Christina Byrne/Maggie McJilton

Overview

On December 22, 2022, the Orange County Transportation Authority released a request for proposals for public outreach consulting services during the pre-construction and construction phases of the Interstate 605/Katella Avenue Interchange Project. Board of Directors' approval is requested to execute an agreement for these services.

Recommendations

- A. Approve the selection of Costin Public Outreach Group, Inc., as the firm to provide public outreach consultant services for the Interstate 605/Katella Avenue Interchange Project.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-2-3025 between the Orange County Transportation Authority and Costin Public Outreach Group, Inc., in the amount of \$399,887, for a three-year initial term with a two-year option term, to provide public outreach consultant services for the Interstate 605/Katella Avenue Interchange Project.

Attachments:

LEGISLATIVE AND COMMUNICATIONS COMMITTEE MEETING AGENDA

[Staff Report](#)

[Attachment A](#)

[Attachment B](#)

[Attachment C](#)

[Attachment D](#)

4. **Citizens Advisory Committee Annual Update and Member Appointments**

Christina Byrne/Maggie McJilton

Overview

The Orange County Transportation Authority's Citizens Advisory Committee was formed to provide feedback on significant transportation issues, help identify opportunities for community input, and serve as a public liaison for the Orange County Transportation Authority. A summary of the committee's activities during the past year and the new member appointment status is provided with this report.

Recommendation

Receive and file the Citizens Advisory Committee status report.

Attachments:

[Staff Report](#)

[Attachment A](#)

5. **Accessible Transit Advisory Committee Annual Update and Member Appointments**

Christina Byrne/Maggie McJilton

Overview

The Accessible Transit Advisory Committee was formed to advise the Orange County Transportation Authority on the transportation needs of seniors and persons with disabilities. The member appointment status and a summary of the committee's activities during the past year are provided with this report.

Recommendation

Receive and file the Accessible Transit Advisory Committee status report.

Attachments:

[Staff Report](#)

[Attachment A](#)

LEGISLATIVE AND COMMUNICATIONS COMMITTEE MEETING AGENDA

Regular Calendar

6. State Legislative Status Report

Kristin Jacinto/Lance M. Larson

Overview

The Orange County Transportation Authority provides regular updates to the Legislative and Communications Committee on policy issues directly impacting its overall programs, projects, and operations. This report includes two recommended oppose positions on legislation relating to greenhouse gas emission reduction targets and state transportation planning and funding priorities. These positions are consistent with the Orange County Transportation Authority's Board of Directors'-approved State Legislative Platform for 2023-24. An update is provided on the Governor's proposals to streamline infrastructure delivery and efforts to inform funding for transit operations and a summary related to the California Air Resources Board's In-Use Locomotive Regulation are provided.

Recommendations

- A. Adopt an OPPOSE position on AB 6 (Friedman, D-Glendale), which would create new requirements for meeting regional greenhouse gas emission targets for the transportation sector.
- B. Adopt an OPPOSE position on AB 7 (Friedman, D-Glendale), which would revise statewide transportation planning requirements and add new priorities for state transportation funding, planning and project implementation.

Attachments:

[Staff Report](#)

[Attachment A](#)

[Attachment B](#)

[Attachment C](#)

[Attachment D](#)

[Attachment E](#)

[Attachment F](#)

7. Federal Legislative Status Report

Alexis Leicht/Lance M. Larson

Overview

The Orange County Transportation Authority regularly updates the Legislative and Communications Committee on policy and regulatory issues directly impacting the agency's programs, projects, and operations. An overview of the negotiated federal debt ceiling deal and a summary of projects the Orange County delegation members have submitted for community project funding and congressionally directed spending on behalf of the Orange County Transportation Authority are provided herein.

Recommendation

Receive and file as an information item.

LEGISLATIVE AND COMMUNICATIONS COMMITTEE MEETING AGENDA

Attachments:

[Staff Report](#)

[Attachment A](#)

[Attachment B](#)

Discussion Items

8. **Public Comments**
9. **Chief Executive Officer's Report**
10. **Committee Members' Reports**
11. **Adjournment**

The next regularly scheduled meeting of this Committee will be held:

9:00 a.m. on Thursday, July 20, 2023

OCTA Headquarters
Board Room
550 South Main Street
Orange, California



Committee Members Present

Donald P. Wagner, Vice Chair
Jose Diaz
Jon Dumitru
Katrina Foley
Fred Jung

Staff Present

Darrell E. Johnson, Chief Executive Officer
Jennifer L. Bergener, Deputy Chief Executive Officer
Gina Ramirez, Clerk of the Board Specialist, Principal
Sahara Meisenheimer, Clerk of the Board Specialist
James Donich, General Counsel
OCTA Staff

Committee Members Absent

Brian Goodell, Chair
Gene Hernandez

Call to Order

The April 20, 2023, regular meeting of the Legislative and Communications Committee was called to order by Committee Chairman Goodell at 9:02 a.m.

Special Calendar

1. Conference Call with State Legislative Advocate Moira Topp

Moira Topp, State Legislative Advocate, provided an update on this item.

Following the discussion, no action was taken on this item.

Consent Calendar (Items 2 through 7)

2. Approval of Minutes

A motion was made by Director Foley, seconded by Director Jung, and declared passed by those present to approve the March 16, 2023, minutes of the Legislative and Communications Committee meeting.

3. Agreement for On-Call Planning Studies Public Outreach Consultant Services

Director Dumitru pulled this item and asked why a public relations representative was needed just to hold a meeting. Marissa Espino, Principal Community Relations Specialist, explained.

A motion was made by Director Dumitru, seconded by Director Jung, and declared passed by those present, to:

- A. Approve the selection of Arellano Associates, LLC, as the firm to provide public outreach services for planning studies.



- B. Authorize the Chief Executive Officer to negotiate and executive Agreement No. C-2-3053 between the Orange County Transportation Authority and Arellano Associates, LLC, in the amount of \$300,000, for a three-year initial term with a two-year option term, to provide outreach services for planning studies.

4. Amendment to Agreement for Rideshare Average Vehicle Ridership Calculation Services

A motion was made by Director Foley, seconded by Director Jung, and declared passed by those present to authorize the Chief Executive Officer to negotiate and execute Amendment No. 3 to Agreement No. C-0-2167 between the Orange County Transportation Authority and Innovative TDM Solutions, to exercise the second option term, in the amount of \$189,380, effective July 1, 2023 through June 30, 2024, to provide average vehicle ridership calculation services. This amendment will increase the maximum obligation to total contract value of \$757,401.

5. Amendment to Agreement for Graphic Design Services for the Bus Service Change Materials

A motion was made by Director Foley, seconded by Director Jung, and declared passed by those present to authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Agreement No. C-0-2178 between the Orange County Transportation Authority and Digital Graphics Centre, Inc., to exercise the first option term, in the amount of \$50,000, effective July 1, 2023 through June 30, 2025, to provide graphic design services for bus service change materials. This amendment will increase the maximum obligation to a total contract value of \$260,000.

6. Agreement for Public Outreach for Environmental Phase of Interstate 5 El Toro Road Interchange Project

Committee Vice Chair Wagner pulled this item and questioned why the lowest bidder was not selected. Chris Boucly, Section Manager of Public Outreach, explained how the selected firm had more experience and had previously worked on this project.

A motion was made by Director Dumitru, seconded by Director Jung, and declared passed by those present, to:

- A. Approve the selection of Barrios and Associates, LLC, doing business as Communications LAB, as the firm to provide public outreach services for the Interstate 5/El Toro Road Interchange Project.



- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-2-2891 between the Orange County Transportation Authority and Barrios and Associates, LLC, doing business as Communications LAB, in the amount of \$349, 850, for a three-year initial term and as an option term of up to 24 months, to provide public outreach services for the Interstate 5/EI Toro Road Interchange Project.

Regular Calendar

8. State Legislative Status Report

Alexis Leicht, Government Relations Representative and Kristin Jacinto, Manager, State and Federal Relations, provided a report on this item.

A motion was made by Director Foley, seconded by Director Jung, and declared passed by those present, to:

- A. Adopt a SUPPORT position on AB 610 (Holden, D-Pasadena), which would, upon appropriation from the Legislature, create the Youth Transit Pass Program to be administered by the California Department of Transportation.
- B. Adopt a SUPPORT position on AB 719 (Boerner Horvath, D-Carlsbad), which would require Medi-Cal Managed Care Plans to reimburse public transit operators for nonmedical transportation and non-emergency medical transportation services.
- C. Adopt a SUPPORT position on AB 817 (Pacheco, D-Downey), which would permit a subsidiary body to use specified teleconferencing provisions indefinitely and without regard to a state of emergency.
- D. Adopt a SUPPORT position on SB 434 (Min, D-Irvine), which would seek funding for the ten largest transit agencies in the State to survey riders on incidents of street harassment.

Director Diaz opposed recommendation D.

9. Federal Legislative Status Report

Kristin Jacinto, State, and Federal Relations Manager, provided a report on this item.

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



Discussion Items

10. Public Comments

There were no public comments were received.

11. Chief Executive Officer's Report

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

- All weekday Metrolink and Amtrak Pacific Surfliner services resumed; however, another potential issue was seen just north of San Clemente pier at the Casa Romantica Cultural Center. It is being closely monitored.
- This Saturday is Earth Day, and the Orange County Transportation Authority and Metrolink will be offering free rides.

8. Committee Members' Reports

There were no Committee Members' Reports.

9. Closed Session

A closed session was not scheduled for this meeting.

10. Adjournment

The meeting adjourned at 9:59 a.m.

The next regularly scheduled meeting of this Committee will be held:

9:00 a.m. on Thursday, May 18, 2023

OCTA Headquarters

550 South Main Street

Orange, California.



June 15, 2023

To: Legislative and Communications Committee

From: Darrell E. Johnson, Chief Executive Officer 

Subject: Agreement for Public Outreach Consultant Services for the Interstate 605/Katella Avenue Interchange Project

Overview

On December 22, 2022, the Orange County Transportation Authority released a request for proposals for public outreach consulting services during the pre-construction and construction phases of the Interstate 605/Katella Avenue Interchange Project. Board of Directors' approval is requested to execute an agreement for these services.

Recommendations

- A. Approve the selection of Costin Public Outreach Group, Inc., as the firm to provide public outreach consultant services for the Interstate 605/Katella Avenue Interchange Project.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-2-3025 between the Orange County Transportation Authority and Costin Public Outreach Group, Inc., in the amount of \$399,887, for a three-year initial term with a two-year option term, to provide public outreach consultant services for the Interstate 605/Katella Avenue Interchange Project.

Discussion

The Interstate 605 (I-605)/Katella Avenue Interchange Project (Project) is known as Project M in the Measure M2 program and connects the I-605, a major north-south transportation route in Orange and Los Angeles counties, with Katella Avenue, an east-west regional corridor that crosses through the two counties. The Project area includes the interchange as well as Katella Avenue between Coyote Creek Channel at the Orange and Los Angeles county line and Civic Center Drive in the City of Los Alamitos, adjacent to the community of Rossmoor.

The \$35 million Project is funded by local and federal funds and includes widening the northbound loop off-ramp and the southbound on- and off-ramps and realigning and widening the northbound on-ramp. In addition, Katella Avenue will be widened in both directions to provide standard-width lanes and shoulders within the interchange, which will tie in with the ramp improvements.

The Project is in the final design phase, which is expected to be completed in mid-2023. Right-of-way activities, such as utility relocation agreements, appraisals, acquisitions, and certifications, are anticipated to continue through mid-2024. The Project will be advertised for construction by the California Department of Transportation (Caltrans) in summer 2024 and a contract will be awarded in late 2024. Construction is expected to take approximately two years.

Consultant services are needed to support outreach efforts during the pre-construction and construction phases of the Project. These consultant services will aid the Orange County Transportation Authority (OCTA) and Caltrans with the development and delivery of communications on a day-to-day basis and provide advanced public information messages that help the public know what to expect during construction and upcoming activities as well as understand the value and benefits of investments in Orange County's transportation network.

The selected consultant will develop and implement a comprehensive public outreach program that will engage with all applicable stakeholders, including diverse and disadvantaged communities, using a variety of methods and tools, such as:

- Conducting one-on-one meetings with city representatives, key stakeholders, community-based organizations, and members of the business, ethnic, and faith communities
- Attending city council and speaker's bureau presentations
- Sending email newsletters and automated notifications
- Hosting in-person and virtual neighborhood meetings
- Creating an interactive closures and detours map
- Developing a social media, digital communications, and geofencing communication plan and content for a Project website
- Producing print and digital collateral materials
- Coordinating pre- and post-construction surveys
- Facilitating implementation of temporary construction easements
- Assisting with resolving constituent concerns and issues
- Coordinating collateral canvassing efforts

Procurement Approach

The procurement was handled in accordance with OCTA Board of Directors' (Board)-approved procedures for professional and technical services. Various factors are considered in the award for professional and technical services. Award is recommended to the firm offering the most comprehensive overall proposal considering such factors as prior experience with similar projects, staffing and project organization, and work plan, as well as cost and price.

On December 22, 2022, Request for Proposals (RFP) 2-3025 was issued electronically on CAMM NET. The Project was advertised in a newspaper of general circulation on December 27, 2022, and January 9, 2023. A pre-proposal conference was held on January 12, 2023, with four attendees representing three firms. Two addenda were issued to make available the pre-proposal conference registration sheet and presentation, as well as provide responses to written questions related to the RFP.

On January 30, 2023, two proposals were received. An evaluation committee consisting of OCTA staff from Contracts Administration and Materials Management, Highway Programs, Public Information, and Public Outreach departments met to review all the proposals received.

The proposals were evaluated based on the following evaluation criteria and weightings:

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

Several factors were considered in developing the evaluation criteria weightings. Qualifications of the firm was weighted at 20 percent to ensure the firm has prior experience providing public outreach services on complex transportation projects during the pre-construction and construction phases. Staffing and project organization was weighted at 25 percent as the firm had to present an experienced, well-rounded team consisting of senior and junior level staff with adequate availability and relevant experience performing outreach services on large construction projects. Work plan was weighted at 30 percent to ensure the firm's approach addressed the unique needs of a corridor composed of residential, commercial, and industrial businesses that serves motorists driving to and from Orange County and Los Angeles County. Additionally, the proposed work plan had to demonstrate an understanding of the Project scope and challenges, as well as the level of effort required to complete the requirements

of the scope of work. Cost and price was weighted at 25 percent to ensure that OCTA receives value for the services provided.

The evaluation committee utilized a best-value selection process for this RFP. The best-value determination is based on a 100-point scale with 75 points based on the evaluation of the technical proposal and the remaining 25 points based on the evaluation of the price proposal. The RFP required proposing firms to submit a separate price proposal in a sealed package. In order to focus on the technical aspects of the proposals, the evaluation committee first evaluated the written proposals on technical merit based on the weighted criteria for qualifications of the firm, staffing and project organization, and work plan. The two proposing firms were then interviewed. After the interviews, the technical scores of the firms were finalized and the sealed price proposals were then opened and shared with the evaluation committee. The cost and price score was then factored into the overall proposal score for a maximum of 100 points.

On February 13, 2023, the evaluation committee reviewed the two proposals received based on the evaluation criteria and determined both firms were qualified and are listed below in alphabetical order:

Firm and Location

Costin Public Outreach Group, Inc. (CPOG)
Corona, California

Kleinfelder Construction Services, Inc. (Kleinfelder)
San Diego, California

On February 22, 2023, the evaluation committee conducted interviews with the two firms. The interviews consisted of a presentation by each firm to demonstrate the firms' understanding of OCTA's requirements. The firms' project managers and key team members had an opportunity to present each team's qualifications and respond to the evaluation committee's questions. Questions were related to the firm's approach for addressing specific ways to engage with multilingual, low-income, and other underrepresented populations, as well as anticipating specific stakeholder needs. The firms were also asked specific clarification questions related to each firm's proposal.

After considering responses to questions asked during the interviews, the evaluation committee reviewed the preliminary ranking and made no adjustments to individual scores. As a result, the rankings did not change.

Based on the evaluation of the written technical proposals and the information obtained from the interviews, as well as cost and price, the evaluation committee recommends CPOG for consideration of the award. The following is a brief summary of the proposal evaluation results.

Qualifications of the Firm

Both firms demonstrated relevant experience providing public outreach services for complex transportation projects during the pre-construction and construction phases, including maintaining and expanding the stakeholder database, planning and conducting multilingual outreach, compiling and providing communications metrics, as well as planning and executing small- and large-scale special events.

CPOG was founded in 2013 and has offices in the cities of Corona and Huntington Beach. The firm has ten employees and has provided public outreach services on various projects for the San Bernardino County Transportation Authority (SBCTA), such as the State Route 210 Lane Addition/Base Line Interchange Project, the Interstate 10 (I-10)/Cedar Avenue Interchange Project, the I-10/Alameda Street Interchange Project, the I-10/University Street Interchange Project, and the State Route 60 Archibald Avenue/Central Avenue Interchange Project. CPOG is also currently providing public outreach services to OCTA on the State Route 55 (SR-55) Improvement Project between Interstate 405 (I-405) and Interstate 5 (I-5). The firm proposed subconsultants for videography, photography, social media support, translation, and community outreach support services. CPOG received positive comments from its references.

Kleinfelder was founded in 1986 and has 87 employees. The firm is headquartered in San Diego and has an office in the City of Laguna Hills. The firm demonstrated extensive public outreach experience working on projects including OCTA's I-405 Improvement Project and West County Connectors Project, as well as Riverside County Transportation Commission's Menifee Interstate 215 Newport Road Interchange Project. The firm also provided outreach services for SBCTA on the I-5/Baseline Interchange Improvement Project, Orange County Public Works, the County of Orange Chief Executive Officer's Office, and the Riverside County Transportation Department. Kleinfelder proposed various subconsultants for community liaison, account coordinator, and 3-D visualization services. The firm received positive comments from its references.

Staffing and Project Organization

CPOG proposed a project team with extensive experience. The proposed project manager is the founder of CPOG and has 31 years of public outreach experience, including managing outreach programs for several transportation projects throughout Southern California including the OCTA SR-55 Improvement Project (I-405 to I-5) and the SBCTA I-10 Express Lanes. The individual proposed as the lead community liaison has over 15 years of construction outreach experience and has worked on multiple interchange projects throughout San Bernardino County. The lead community liaison will be supported by two community liaisons. The project team is proposed with high availability and consists of senior and junior-level staff with experience engaging key stakeholders on various transportation and freeway projects. During the interview, the project team's presentation demonstrated an understanding and familiarity with the Project corridor and stakeholders. The team addressed key elements of the Project and provided specific examples of engaging impacted audiences. The team members demonstrated cohesiveness and provided detailed responses to the evaluation committee's questions, which emphasized their experience and individual strengths.

Kleinfelder proposed an experienced and knowledgeable project team. The proposed project manager has over 17 years of experience in community outreach and public relations, as well as leading outreach efforts on major projects such as OCTA's I-405 Improvement Project, which is still under construction, and the City of Escondido Citracado Parkway Extension Project. The proposed community liaison has ten years of experience, which includes the I-405 Improvement Project and Elsinore Valley Municipal Water District's Septic to Sewer Project. The proposed staff does not have experience implementing the projects listed in the proposal and only has experience working on the I-405 Improvement Project together. While Kleinfelder proposed a project team of several senior-level staff with relevant freeway construction experience, some of the proposed staff had very limited hours. When asked about this during the interview, the firm's response indicated that it was a precaution in the event of staff turnover.

Work Plan

CPOG presented a comprehensive work plan that addressed all the elements of the scope of work. CPOG's work plan was highly detailed, tailored to the I-605/Katella Interchange Project, and demonstrated a strong understanding of the Project and the surrounding community. The firm proposed utilizing specific tools that it is currently using on OCTA's SR-55 Improvement Project, including the Smartsheet software to archive project documents, track deliverables, and

share files. CPOG provided clear and detailed stakeholder ascertainment, project archive, and communications plans, as well as identified little-known facts about the Project corridor, such as extensive/ongoing construction fatigue, maintaining school access, and mutual aid between jurisdictions. CPOG prepared an initial stakeholder list showcasing their corridor knowledge to properly customize community outreach plans for the unique interests of specific stakeholders. The firm also demonstrated an attention to detail and an understanding of the importance of consistency in branding, translations, and language. Furthermore, the firm discussed OCTA's diversity, equity, and inclusion framework and noted the importance of incorporating equity into its outreach efforts and wide range of communications tools, as well as plans to evaluate the effectiveness of its communications strategies throughout the project. CPOG identified specific potential communications campaigns and the need for targeted communication plans for closures, detours, and other construction impacts. The firm also discussed their video simulation, Waze, interactive maps, helpline, text messaging, and social media experience. Additionally, CPOG illustrated their experience with implementing geofencing ads, business support programs, media/government relations support and special event planning, and evaluating the success of the outreach efforts. The firm elaborated on potential challenges associated with the Project, particularly with active transportation groups and multicultural groups, and provided potential solutions. In addition, the firm provided real-world examples in their responses to the evaluation committee's questions to demonstrate their approach, understanding of the Project, and ability to implement a successful outreach program.

Kleinfelder's work plan demonstrated a strong understanding of the Project, OCTA's mission, and Measure M2, as well as diverse communities near the Project area and their outreach needs. The firm discussed its approach to building trust with stakeholders and integrating significant cultural holidays and milestones into social media content to better connect with those audiences. The firm demonstrated its understanding of construction and the importance of providing timely and accurate information. Kleinfelder elaborated on the importance of storytelling, such as utilizing feature stories of crews and emphasized the importance of consistent messaging, content, responsiveness, and embracing emerging communication trends. The firm also emphasized the importance of diverse community engagement beyond translating collateral and the importance of leveraging faith-based organizations, as well as providing a tailored approach to engaging unique audiences, such as college students and seniors. Kleinfelder recommended the use of innovative and multimedia communications tools, such as a unique navigation map partnership with Waze and Apple Map editors, as well as ArcGIS Story Maps. The firm also provided case study examples and outlined potential challenges and solutions. However,

the work plan did not clearly address certain elements of the scope of work, such as the project archive and stakeholder ascertainment plan. Although Kleinfelder detailed its approach and strategies during the interview, the firm did not elaborate or mention key outreach elements, such as how the ascertainment effort would be the foundation of all communication planning.

Cost and Price

Pricing scores were based on a formula that assigned the highest score to the firm with the lowest weighted average hourly rate and scored the other proposal's weighted average hourly rate based on its relation to the lowest weighted average hourly rate.

For cost and price analysis purposes, the weighted average hourly rate considers the proposed hourly rates of key job functions consisting of the project manager, community liaison, account coordinator, and graphic designer, as these positions are considered key positions for this Project. Offerors can then propose additional project staff as they see necessary to achieve the requirements outlined in the scope of work. A copy of the Project budget spreadsheets outlining all cost elements, including the final Project budget proposed by the firms, is included as Attachment D. The budget for the firms ranged from \$399,360 to \$399,887.

Although Kleinfelder proposed the lower weighted average hourly rate and scored higher for cost and price, CPOG's proposed hourly rates are comparable to the rates OCTA currently pays for public engagement during capital project construction and planning studies. Therefore, CPOG's proposed hourly rates are deemed fair and reasonable.

Procurement Summary

Based on the evaluation of written proposals, the firms' qualifications, the information obtained from the interviews, as well as cost and price, the evaluation committee recommends the selection of CPOG as the top-ranked firm to provide public outreach consulting services for the I-605/Katella Avenue Interchange Project. CPOG delivered a thorough and comprehensive proposal and an interview that was responsive to all the requirements of the RFP.

Fiscal Impact

The Project was approved in OCTA's Fiscal Year 2022-23 Budget, People and Community Engagement Division, Account No. 0017-7519-FM003-0ID.

Summary

Staff is recommending the Board of Directors authorize the Chief Executive Officer to negotiate and execute Agreement No. C-2-3025 between the Orange County Transportation Authority and Costin Public Outreach Group, Inc., in the amount of \$399,887, for a three-year initial term with a two-year option term, to provide public outreach consultant services for the I-605/Katella Avenue Interchange Project.

Attachments

- A. Review of Proposals, RFP 2-3025 Public Outreach for Interstate 605/Katella Avenue Interchange Project
- B. Proposal Evaluation Criteria Matrix, RFP 2-3025 Public Outreach for Interstate 605/Katella Avenue Interchange Project
- C. Contract History for the Past Two Years, RFP 2-3025 Public Outreach for Interstate 605/Katella Avenue Interchange Project
- D. Orange County Transportation Authority Summary of Analysis, C-2-3025

Prepared by:



Christina Byrne
Department Manager,
Public Outreach
714-560-5717

Approved by:



Maggie McJilton
Executive Director,
People and Community Engagement
714-560-5824



Pia Veesapen
Director, Contracts Administration and
Materials Management
714-560-5619

Review of Proposals
RFP 2-3025 Public Outreach for Interstate 605/Katella Avenue Interchange Project
 Presented to Legislative and Communications Committee - June 15, 2023
Two firms proposed, two firms were interviewed, one firm is being recommended

Overall Ranking	Proposal Score	Firm & Location	Sub-Contractors	Evaluation Committee Comments	Weighted Average Hourly Rate
1	88	Costin Public Outreach Group, Inc.	AJ Design Translating Services, Inc. DBA, Lazar Translating & Interpreting Intertwined, Inc., doing business as Become Intertwined The Sierra Group	Founded in 2013 and has offices in the cities of Corona and Huntington Beach. Has relevant public outreach experience on complex transportation projects. Received positive responses from references. Proposed a project team with extensive construction outreach experience. Proposed project manager has over 31 years of public outreach experience. Lead community liaison has over 15 years of construction outreach experience and will be supported by two community liaisons. The team members demonstrated cohesiveness and provided detailed responses to the evaluation committee's questions. Demonstrated an understanding of the project objectives and key stakeholders. Work plan was highly detailed and tailored to the Katella/605 Interchange project. Extensive collateral samples were included in the proposal. Addressed outreach to diverse communities. Provided clear and detailed ascertainment, project database, and communications plans. Proposed competitive weighted average hourly rate.	\$135
2	85	Kleinfelder Construction Services, Inc.	The Greenway Group McCormick & Busse, doing business as MBI Media AJ Design	Founded in 1986 and has an office in the City of Laguna Hills with headquarters in San Diego. Has relevant public outreach experience on transportation projects. Received positive reference checks. Proposed an experienced and knowledgeable project team. Proposed project manager has over 17 years of community outreach and public relations experience, and community liaison has over ten years outreach experience. Proposed staff had very limited hours. Work plan demonstrates a strong understanding of the project. Extensive collateral samples were included in the proposal. Elements of the scope of work were not clearly defined in the work plan, such as the Project archive, podcast proposal, and ascertainment plan. Did not elaborate or mention key outreach elements during the interview. Proposed lower weighted average hourly rate.	\$129

<u>Evaluation Panel:</u>	<u>Proposal Criteria</u>	<u>Weight Factors</u>
Internal:		
Contracts Administration and Materials Management (1)	Qualifications of the Firm	20%
Highway Program (1)	Staffing and Project Organization	25%
Public Information (1)	Work Plan	30%
Public Outreach (2)	Cost and Price	25%

**PROPOSAL EVALUATION CRITERIA MATRIX
RFP 2-3025 Public Outreach for Interstate 605/ Katella Avenue
Interchange Project**

Costin Public Outreach Group, Inc.						Weights	Overall Score
Evaluator Number	1	2	3	4	5		
Qualifications of Firm	4.5	4.5	4.5	4.5	4.0	4	17.6
Staffing/Project Organization	4.0	4.0	4.0	4.0	4.0	5	20.0
Work Plan	4.5	4.5	4.5	4.5	4.0	6	26.4
Cost and Price	4.7	4.7	4.7	4.7	4.7	5	23.5
Overall Score	88.5	88.5	88.5	88.5	83.5		88
Kleinfelder Construction Services, Inc.						Weights	Overall Score
Evaluator Number	1	2	3	4	5		
Qualifications of Firm	4.5	4.0	4.5	4.5	4.0	4	17.2
Staffing/Project Organization	3.5	3.5	3.5	4.0	4.0	5	18.5
Work Plan	4.0	4.0	4.5	4.0	4.0	6	24.6
Cost and Price	5.0	5.0	5.0	5.0	5.0	5	25.0
Overall Score	84.5	82.5	87.5	87.0	85.0		85

CONTRACT HISTORY FOR THE PAST TWO YEARS
RFP 2-3025 Public Outreach for Interstate 655/Katella Avenue Interchange Project

Prime and Subconsultants	Contract No.	Description	Contract Start Date	Contract End Date	Subconsultant Amount	Total Contract Amount
Costin Public Outreach Group, Inc.						
Contract Type: Time-and-Expense	C-0-2104	Public Outreach for State Route 55 Improvement Project	June 2, 2021	May 31, 2026	N/A	\$ 1,684,990
Subconsultants:						
<i>AJ Design</i>						
<i>Become Intertwined</i>						
<i>Franklin Hill Group</i>						
<i>Lazar Translating & Interpreting</i>						
<i>The Sierra Group</i>						
Contract Type: Time-and-Expense	C-2-2976	Public Outreach for State Route 91 Improvement Project	April 1, 2023	April 30, 2029	NA	\$1,842,755
Subconsultants:						
<i>AJ Design</i>						
<i>Become Intertwined</i>						
<i>Hill International</i>						
<i>The Sierra Group</i>						
<i>Lazar Translating & Interpreting</i>						
Sub Total						\$ 3,527,745
Kleinfelder Construction Services, Inc.						
Contract Type: Time-and-Expense	C-1-3369	Health, Safety and Environmental Compliance Support	December 22, 2021	June 30, 2024	N/A	\$ 126,000
Subconsultants:						
<i>Aerovironment Environment Service</i>						
<i>ESCI Enviro Services, Inc.</i>						
<i>Aurora Industrial Hygiene</i>						
<i>Global ASR Consulting, Inc.</i>						
Contract Type: Time-and-Expense	C-5-3673	Construction Management Laguna/San Juan Passing Siding	August 12, 2019	November 1, 2022	NA	\$ 3,523,000
Subconsultants:						
<i>Safework Inc.</i>						
<i>AESCO, Inc.</i>						
<i>Chaudhary & Associates</i>						
<i>Padilla & Associates, Inc.</i>						
<i>FCG</i>						
<i>Syrusa Engineering, Inc.</i>						
<i>ZT Consulting Group, Inc.</i>						
Contract Type: Time-and-Expense	C-8-1523	Environmental Compliance Support	September 11, 2018	August 31, 2021	NA	\$ 69,000
Subconsultants:						
<i>ESCI Enviro Services, Inc.</i>						
<i>Global ASR Consulting Inc.</i>						
Contract Type: Time-and-Expense	C-9-1571	Public Outreach for Interstate 405 Improvement Project	June 30, 2020	April 30, 2024	NA	\$ 3,325,544
Subconsultants:						
<i>MBI Media</i>						
<i>Lazar Translating & Interpreting</i>						
<i>Kennedy Communications</i>						
<i>Hill International, Inc.</i>						
<i>ArrowGTP</i>						
<i>AJ Design</i>						
<i>RDS Printing & Graphics</i>						
Sub Total						\$ 7,043,544



Orange County Transportation Authority

Summary of Analysis

C-2-3025

Costin Public Outreach Group (CPOG)

Total Costs	Personnel Cost	Direct Cost	Total Cost
Year 1	\$ 125,456	\$ 17,800	\$ 143,256
Year 2	\$ 111,473	\$ 14,000	\$ 125,473
Year 3	\$ 122,028	\$ 9,130	\$ 131,158
Total Cost for All Years	\$ 358,957	\$ 40,930	\$ 399,887

KCS

Total Costs	Personnel Cost	Direct Cost	Total Cost
Year 1	\$ 176,343	\$ 23,600	\$ 199,943
Year 2	\$ 107,880	\$ 11,600	\$ 119,480
Year 3	\$ 72,336	\$ 7,600	\$ 79,936
Total Cost for All Years	\$ 356,559	\$ 42,800	\$ 399,359



Orange County Transportation Authority

Summary Detail of Analysis

C-2-3025

Costin Public Outreach Group (CPOG)

Personnel Costs by Employee	Year 1	Year 2	Year 3	Total
Project Management	\$ 13,518	\$ 11,206	\$ 13,335	\$ 38,059
Deputy Project Manager/Lead Community Liaison	\$ 44,468	\$ 37,886	\$ 42,861	\$ 125,215
Account Coordinator	\$ 36,285	\$ 31,056	\$ 33,280	\$ 100,621
Graphic Design	\$ 11,435	\$ 12,006	\$ 12,607	\$ 36,048
Social Media Expert	\$ 2,250	\$ 1,890	\$ 1,984	\$ 6,124
Community Liaison	\$ 11,700	\$ 11,340	\$ 11,246	\$ 34,286
Community Liaison	\$ 5,800	\$ 6,090	\$ 6,714	\$ 18,604
Total Personnel Costs	\$ 125,456	\$ 111,473	\$ 122,028	\$ 358,957

Direct Costs	Year 1	Year 2	Year 3	Total
Refreshments				
Equipment Rentals/Supplies/Venues and Virtual Platforms for Meetings				
Translators				
Court Reporters				
Postcard Mailings				
Newspaper (print) Ads (typical quarter-page)				
Printing				
Postage/Mailhouse				
Social Media Advertising				
Special Event Planning/Implementation				
Traditional Advertising/Media Buy				
Text Messaging Campaign				
Total Direct Cost	\$ 17,800	\$ 14,000	\$ 9,130	\$ 40,930

Total Proposed Budget Cost for CPOG	\$ 143,256	\$ 125,473	\$ 131,158	\$ 399,887
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KCS

Personnel Costs by Employee	Year 1	Year 2	Year 3	Total
Project Manager	\$ 27,128	\$ 16,616	\$ 9,139	\$ 52,882
Community Liaison	\$ 28,635	\$ 25,633	\$ 15,276	\$ 69,545
Community Liaison	\$ 17,624	\$ 10,094	\$ 7,066	\$ 34,784
Community Liaison	\$ 9,200	\$ 4,830	\$ 5,072	\$ 19,102
Community Liaison	\$ 12,414	\$ 7,448	\$ 7,821	\$ 27,683
Community Liaison	\$ 4,274	\$ 2,992	\$ 3,141	\$ 10,407
Account Coordinator	\$ 5,342	\$ 1,870	\$ -	\$ 7,212
Account Coordinator	\$ 7,488	\$ 7,862	\$ 7,224	\$ 22,574
Account Coordinator	\$ 6,604	\$ 4,623	\$ 2,427	\$ 13,653
Account Coordinator	\$ 3,696	\$ 1,941	\$ -	\$ 5,637
Account Coordinator	\$ 2,442	\$ -	\$ -	\$ 2,442
Account Coordinator	\$ 8,806	\$ 6,164	\$ 3,236	\$ 18,206
Account Coordinator	\$ 2,935	\$ 3,082	\$ -	\$ 6,017
Graphic Designer	\$ 10,013	\$ 5,257	\$ 3,680	\$ 18,949
Graphic Designer	\$ 9,176	\$ 4,818	\$ 3,372	\$ 17,366
GIS Specialist	\$ 2,765	\$ -	\$ -	\$ 2,765
Multimedia Specialist	\$ 5,000	\$ -	\$ -	\$ 5,000
Multimedia Specialist	\$ 3,032	\$ -	\$ -	\$ 3,032
Senior Project Controls Manager	\$ 2,071	\$ 2,175	\$ 2,283	\$ 6,529
Project Administrator	\$ 5,339	\$ -	\$ -	\$ 5,339
Administrative Support	\$ 2,359	\$ 2,477	\$ 2,601	\$ 7,436
Total Personnel Costs	\$ 176,343	\$ 107,880	\$ 72,336	\$ 356,559

Direct Costs	Year 1	Year 2	Year 3	Total
Team Mileage	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 6,000
The Walking Man - Canvassing	\$ 4,000.00	\$ 2,000.00	\$ 1,000.00	\$ 7,000
Courier Services	\$ 500.00	\$ 500.00	\$ 500.00	\$ 1,500
Party Plus Event Rental	\$ 5,000.00	\$ -	\$ -	\$ 5,000
Archive Social - Social Media Archiving	\$ -	\$ -	\$ -	\$ -
DTN Tech	\$ 3,000.00	\$ 1,000.00	\$ 500.00	\$ 4,500
Photography	\$ 2,000.00	\$ -	\$ -	\$ 2,000
Constant Contact	\$ 1,600.00	\$ 1,600.00	\$ 1,600.00	\$ 4,800
One Box (English, Spanish, and Vietnamese)	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 3,000
Social Media Ads	\$ 2,000.00	\$ 2,000.00	\$ 500.00	\$ 4,500
Lazar Translation	\$ 2,000.00	\$ 1,000.00	\$ -	\$ 3,000
Mobile Text Alert	\$ 500.00	\$ 500.00	\$ 500.00	\$ 1,500
Total Direct Costs	\$ 23,600	\$ 11,600	\$ 7,600	\$ 42,800
Total Proposed Budget Cost for KCS	\$ 199,943	\$ 119,480	\$ 79,936	\$ 399,359



June 15, 2023

To: Legislative and Communications Committee
From: Darrell E. Johnson, Chief Executive Officer
Subject: Citizens Advisory Committee Annual Update and Member Appointments

Overview

The Orange County Transportation Authority's Citizens Advisory Committee was formed to provide feedback on significant transportation issues, help identify opportunities for community input, and serve as a public liaison for the Orange County Transportation Authority. A summary of the committee's activities during the past year and the new member appointment status is provided with this report.

Recommendation

Receive and file the Citizens Advisory Committee status report.

Discussion

In its role as the county transportation commission, the Orange County Transportation Authority (OCTA) is required by the Public Utilities Code (PUC) 130105 to appoint a Citizens Advisory Committee (CAC) to provide input on transportation projects, programs, services, and outreach activities. The PUC states that the commission shall "appoint a citizens advisory committee, which membership shall reflect a broad spectrum of interests and all geographic areas of the county." The CAC is structured such that each OCTA Board of Directors (Board) member appoints two citizens to serve, creating a 34-member committee representing diverse interests and geographic areas of Orange County.

To carry out the CAC's mission, ongoing responsibilities include:

- Providing input on significant transportation issues, suggesting possible solutions, and making recommendations when appropriate
- Identifying opportunities for community input

- Recommending mechanisms and methodologies for obtaining public feedback on specific transportation issues
- Serving as a liaison between the public and OCTA

In 2011, the CAC formed a Bicycle and Pedestrian Active Transportation Subcommittee, which meets quarterly to review items and issues related specifically to active transportation.

As an advisory committee, members' feedback or input and suggestions help shape OCTA's services and communications to be responsive and user-friendly to the public. The wide range of viewpoints and interests represented by the membership also provides OCTA with an added sounding board for prospective programs and initiatives.

CAC input is communicated to the Board in a variety of ways. Members' feedback on projects and initiatives is incorporated as programs develop, which is often noted in project staff reports. As direct appointees of the Board, CAC members are also encouraged to communicate directly with their appointing Board Member.

During the past fiscal year, the CAC met four times to review and provide feedback on a variety of OCTA programs and topics. Key activities for this past year included:

- Acting as OCTA's stakeholder working group for the 2022 Long Range Transportation Plan
- Providing feedback on Making Better Connections Study
- Discussing OCTA's diversity outreach and inclusion efforts
- Receiving presentations on the Coastal Rail Planning framework and track stabilization updates
- Reviewing the progress of OC Streetcar and Interstate-405 (I-405) Improvement Project
- Receiving an overview of the 2023 Complete Streets Call for Projects
- Reviewing the projects and programs included in OCTA's Fiscal Year 2023-24 Budget
- Receiving updates on sales tax forecasts

Bicycle and Pedestrian Active Transportation Subcommittee

During the past year, the CAC Bicycle and Pedestrian Active Transportation Subcommittee met two times to provide feedback on ways to better incorporate active transportation as an alternative mode of travel, and to emphasize the need to practice and provide safe transportation methods for adults and youth. The

subcommittee received updates and provided input on the Bike Gap Closure Study, Interstate-5 (I-5) Improvement Project, Interstate-605/Katella Avenue Interchange, and the I-5 Stage 2 Bridge Extension.

Member Appointments

CAC members serve staggered two-year terms from July through June, so each year every Board Member has one CAC member whose term expires on June 30. Committee members can serve unlimited terms. In February, each committee member with an expiring term was contacted to see if they were interested in continuing to serve.

Beginning in March 2023, Board Members and their staff were contacted with current recruitment information, including existing CAC members interested in reappointment and member resignations. The recruitment is now complete. Board Members have reappointed existing members and/or appointed new members to begin service on July 1, 2023, or have appointments pending (Attachment A).

To show OCTA's appreciation to members who are leaving the committee, resolutions of appreciation have been prepared to thank them for their contribution.

Summary

The CAC plays a vital role in OCTA's efforts to incorporate public feedback into the agency's transportation decision-making process. CAC members have contributed substantially to the work of OCTA in the past year. With the recruitment process for fiscal year 2023-24 now complete, OCTA Board Members have either reappointed existing CAC members or appointed new members. Members who are not continuing on the committee will receive resolutions of appreciation to thank them for their efforts.

Attachment

- A. Orange County Transportation Authority Citizens Advisory Committee Roster Fiscal Year 2023-24

Prepared by:



Christina L. Byrne
Department Manager,
Public Outreach
(714) 560-5717

Approved by:



Maggie McJilton
Executive Director,
People and Community Engagement
(714) 560-5824

ATTACHMENT A**Orange County Transportation Authority
Citizens Advisory Committee
Roster Fiscal Year 2023-24
(as of 6/5/2023)**

District	Name	Affiliation	Expiration	Director
1	Mary Ann Remnet	Rossmoor Resident	2025	Andrew Do
1	Linda Nguyen	Garden Grove Resident	2024	Andrew Do
1	Jim Cunneen	Fountain Valley School District Board of Trustees	2025	Patrick Harper
1	Paul Adams	Santa Ana Resident	2024	Patrick Harper
1	Randy Styner	Garden Grove Resident	2025	Steve Jones
1	Mark Paredes	Garden Grove Resident	2024	Steve Jones
2	Martin Varona	Orange Resident	2025	Jessie Lopez
2	Lisandro Orozco	Historic Santa Ana	2024	Jessie Lopez
2	Brendon Moeller	Orange Resident	2025	Jon Dumitru
2	Jeff Thompson	Building Industry	2024	Jon Dumitru
2	Carah Reed	Santa Ana Resident	2025	Vicente Sarmiento
2	Damon Tordini	Engineers Without Borders / Santa Ana Resident	2024	Vicente Sarmiento
3	Kunal Mittal	Civil Engineer	2025	Don Wagner
3	Steve Kozak	Tustin Planning Commission	2024	Don Wagner
3	Kenneth Truong	Fountain Valley Resident	2025	Farrah N. Khan
3	Derek McGregor	Trabuco Canyon Advisory Committee	2024	Farrah N. Khan
3	Karalee Darnell	Yorba Linda Resident	2025	Gene Hernandez
3	Roy Shahbazian	California Community Colleges	2024	Gene Hernandez

ATTACHMENT A

4	Daniel Soper	Cal State Fullerton	2025	Doug Chaffee
4	Nick Polichetti	Placentia Resident	2024	Doug Chaffee
4	Jamie Valencia	City of Fullerton - Infrastructure and Natural Resources Advisory Committee	2025	Fred Jung
4	Laurel Reimer	American Planning Association: Orange Section	2024	Fred Jung
4	Amelia Castro	Anaheim Housing and Community Development Commission	2025	Jose Diaz
4	Deepak Krishan	Irvine Resident	2024	Jose Diaz
5	John Kinney	Laguna Niguel Traffic and Transportation Commissioner	2025	Brian Goodell
5	Tyler Holst	Civil Engineer	2024	Brian Goodell
5	Jason Spates	Commercial Trucking Industry	2025	Jamey Federico
5	David Wheeler	Laguna Hills City Council	2024	Jamey Federico
5	Alex Rounaghi	Laguna Beach City Council	2025	Katrina Foley
5	Marc Vukceovich	Costa Mesa Alliance for Better Streets	2024	Katrina Foley
Public Member	Appointment Pending	TBD	2025	Michael Hennessey
Public Member	Frank Murphy	Orange Resident	2024	Michael Hennessey
Public Member	Kristen Jasko	Cal State Fullerton	2025	Tam Nguyen
Public Member	Dan Kalmick	Huntington Beach City Council	2024	Tam Nguyen



June 15, 2023

To: Legislative and Communications Committee
From: Darrell E. Johnson, Chief Executive Officer
Subject: Accessible Transit Advisory Committee Annual Update and Member Appointments

Overview

The Accessible Transit Advisory Committee was formed to advise the Orange County Transportation Authority on the transportation needs of seniors and persons with disabilities. The member appointment status and a summary of the committee's activities during the past year are provided with this report.

Recommendation

Receive and file the Accessible Transit Advisory Committee status report.

Background

On January 13, 1992, the Orange County Transportation Authority (OCTA) Board of Directors (Board), concurrent with approving the OCTA 1992 Complementary Paratransit Plan as required by the Americans with Disabilities Act, established a standing citizens' committee, the Accessible Transit Advisory Committee (ATAC), to advise OCTA on the transportation needs of senior citizens and persons with disabilities.

Discussion

The ATAC's mission is to advise OCTA on the promotion of integrated public transit services and to improve communication between OCTA and seniors as well as customers with disabilities. ATAC members also provide support for OC ACCESS service eligibility appeals. The ATAC is comprised of 34 members appointed by the OCTA Board. Members serve staggered three-year terms and meet quarterly.

Beginning in February 2023, Board Members were contacted with current recruitment information for their respective appointees, including existing ATAC

members interested in reappointment and member resignations. The recruitment is now complete. Board Members have reappointed existing members and/or appointed new members to begin service on July 1, 2023, or have appointments pending (Attachment A).

As a reflection of OCTA's appreciation to members who will be leaving the committee, resolutions of appreciation have been prepared to thank them for their contribution.

During the past year, the ATAC met four times to review and provide feedback on a variety of OCTA programs and topics. Key presentation and discussion topics for this past year included:

- OC ACCESS program update
- OC ACCESS eligibility/mobility management service
- Senior Mobility Program
- Making Better Connections Study
- Trapeze EZ Wallet
- OC ACCESS policy
- Transit training program
- OC ACCESS fleet mix
- OC ACCESS reservations process
- OC Streetcar
- New OC ACCESS Riders Guide
- Contracted fixed-route bus service

Summary

The ATAC continues to serve in an advisory and advocacy role on transit issues of importance for seniors and persons with disabilities throughout the year. ATAC members have contributed substantially to the work of OCTA in the past year. With the recruitment process for fiscal year 2023-24 now complete, OCTA Board Members have either reappointed existing ATAC members or appointed new members. Members who are not continuing on the committee will receive resolutions of appreciation to thank them for their time and efforts.

Attachment

- A. Orange County Transportation Authority Accessible Transit Advisory
Committee Roster Fiscal Year 2023-24

Prepared by:



Christina L. Byrne
Public Outreach Department
Manager
(714) 560-5717

Approved by:



Maggie McJilton
Executive Director,
People and Community Engagement
(714) 560-5824

**Orange County Transportation Authority
 Accessible Transit Advisory Committee Roster
 Fiscal Year 2023-24
 (as of 6/5/2023)**

District	Name	Affiliation	Expiration	Director
1	Appointment Pending	TBD	2025	Andrew Do
1	Mary Ann Remnet	Rossmoor Resident	2025	Andrew Do
1	Henry Michaels	Ashlings Residential Villa	2025	Patrick Harper
1	Scott Quinlan	Lions District 4-L4/ Fountain Valley Accessibility Committee/ Blinded Veterans Association	2024	Patrick Harper
1	Jim Nguyen	AlzOC	2024	Steve Jones
1	Mario Ortega	Abrazar, Inc.	2025	Steve Jones
2	Beck Levin	Dayle McIntosh Center	2024	Jessie Lopez
2	Lawrence Klein	Santa Ana Resident	2024	Jessie Lopez
2	Arturo Cazares	Regional Center of Orange County	2024	Jon Dumitru
2	Raymond Bueche	Coordinator of Transition Services, Saddleback Valley Unified School District	2025	Jon Dumitru
2	Appointment Pending	TBD	2024	Vicente Sarmiento
2	Cesar Hernandez	Transportation Solutions	2024	Vicente Sarmiento
3	Richard King	Committee for Persons with Disabilities, Fountain Valley	2024	Donald P. Wagner
3	Ellen Schenk	State of California Department of Rehabilitation	2024	Donald P. Wagner
3	Sandy Rains	Laguna Niguel Resident	2024	Farrah N. Khan
3	Claudia Harris	County of Orange Office on Aging	2024	Farrah N. Khan
3	Sue Lau	Polio Survivors Plus, AARP	2024	Gene Hernandez

**Orange County Transportation Authority
Accessible Transit Advisory Committee Roster
Fiscal Year 2022-23
(as of 6/5/2023)**

District	Name	Affiliation	Expiration	Director
3	Nelly Gomez	Dayle McIntosh Center	2025	Gene Hernandez
4	Appointment Pending	TBD	2024	Doug Chaffee
4	Paul Miller	Disability Support Services, Emeritus California State University, Fullerton	2025	Doug Chaffee
4	Arnel Dino	Fullerton Resident	2024	Fred Jung
4	Oscar Valadez	Fullerton Resident	2024	Fred Jung
4	Appointment Pending	TBD	2024	Jose Diaz
4	Appointment Pending	TBD	2024	Jose Diaz
5	John Ulrich	Laguna Niguel Chamber of Commerce	2024	Brian Goodell
5	Tom Krogstad	Senior and Special Needs Advocate	2025	Brian Goodell
5	Pam Thompson	Saddleback Unified School District	2024	Jamey Federico
5	Sandra Stang	Housing and Transportation Committee / Senior Citizens Advisory Council	2025	Jamey Federico
5	Appointment Pending	TBD	2024	Katrina Foley
5	Jon Peat	Cypress Council Member	2024	Katrina Foley
Public Member	Appointment Pending	TBD	2024	Michael Hennessey
Public Member	Isaac López	Advocate for Persons with Disabilities	2024	Michael Hennessey
Public Member	Meredith Chillemi	LeadingAge	2024	Tam Nguyen
Public Member	Brandi Kelly Contreras	City of Huntington Beach	2025	Tam Nguyen



June 15, 2023

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

A handwritten signature in blue ink, appearing to read "Darrell E. Johnson", is written over the "To:" and "From:" lines of the header.

Overview

The Orange County Transportation Authority provides regular updates to the Legislative and Communications Committee on policy issues directly impacting its overall programs, projects, and operations. This report includes two recommended oppose positions on legislation relating to greenhouse gas emission reduction targets and state transportation planning and funding priorities. These positions are consistent with the Orange County Transportation Authority's Board of Directors'-approved State Legislative Platform for 2023-24. An update is provided on the Governor's proposals to streamline infrastructure delivery and efforts to inform funding for transit operations and a summary related to the California Air Resources Board's In-Use Locomotive Regulation are provided.

Recommendations

- A. Adopt an OPPOSE position on AB 6 (Friedman, D-Glendale), which would create new requirements for meeting regional greenhouse gas emission targets for the transportation sector.
- B. Adopt an OPPPOSE position on AB 7 (Friedman, D-Glendale), which would revise statewide transportation planning requirements and add new priorities for state transportation funding, planning and project implementation.

Discussion

AB 6 (Friedman, D-Glendale): Transportation Planning: Regional Transportation Plans: Solutions for Congested Corridors Program: Reduction of Greenhouse Gas Emissions

AB 6 revises the SB 375 (Chapter 728, Statutes of 2008) greenhouse gas (GHG) emission reduction target setting process to require regions to not only meet targets for 2020 and 2035, but also for 2045. As part of the process of complying

with SB 375, AB 6 would set forward specific deadlines a metropolitan planning organization (MPO) must meet as they develop their sustainable communities strategy (SCS):

- At least 60 days before the start of the public participation process related to the SCS, the MPO must submit a description of the technical methodology it intends to use to estimate GHG emission reductions. AB 6 would now require this methodology be subject to the California Air Resources Board's (CARB) approval. AB 6 also now requires, rather than encourages, the MPO to work with CARB until CARB concludes the technical methodology is accurate and approves its use.
- Within 120 business days after adoption of the SCS (or alternative planning strategy), the MPO is to submit it to CARB for review. AB 6 would also now require CARB to approve the SCS (or alternative planning strategy). CARB is to complete its review within 180 days.

In addition to the revisions to the process of developing an SCS under SB 375, AB 6 would also revise the criteria for the SB 1 (Chapter 5, Statutes of 2017) Solutions for Congested Corridors Program (SCCP) to require a project application submitted for funding to demonstrate how the project would contribute to achieving the State's GHG emission reduction targets.

AB 6 would add significant oversight from CARB in how a region meets its GHG emission reduction targets. Already CARB must review a region's technical methodology for measuring GHG emission reductions, and a region's final SCS (or alternative planning strategy). However, under existing law this is only subject to feedback and not explicit approval. Further, nothing currently requires an MPO to continue to work with CARB until agreement is reached that the technical methodology is accurate. These new requirements would allow CARB to not only potentially delay the start of the public input process, but also would provide CARB the ability to reject a region's strategies for meeting the GHG emission reduction targets, even when the technical methodology is accurate. This changes the original intent of allowing a bottoms-up approach to these strategies and gives CARB direct oversight over a region's models and strategies.

AB 6 also adds another GHG emission reduction target year without addressing the underlying issues regions may have in meeting the existing targets. This may include the lack of tools to accelerate certain types of projects, insufficient funding to expand services to allow for modal shift, and inaction at the state level to implement various strategies. Rather than setting an additional target, further work should be done to provide regions with what is necessary to meet existing targets.

Finally, AB 6 would revise the criteria put in place by SB 1 for the SCCP. Because the language references the "State's GHG emission reduction targets," it's unclear if this would be the same as the regional targets adopted under

SB 375. Already, projects funded via the SCCP have to demonstrate they are in a regional transportation plan (RTP) with an approved SCS. This new requirement would create uncertainty for future projects as to what goals they must meet and create the precedent of requiring project level GHG emission reductions rather than demonstration of reductions through the regional planning process.

Mobility 21, the Orange County Business Council, Rebuild SoCal, the Riverside County Transportation Commission, and others have adopted oppose positions to this bill. An OPPOSE position is consistent with the Orange County Transportation Authority's (OCTA) 2023-24 State Legislative Platform principle to "Ensure that air quality determinations and policies do not constrain funding availability or otherwise undermine OCTA's ability to deliver transportation improvements." A comprehensive analysis and copy of the text of this legislation are included as Attachment A.

AB 7 (Friedman, D-Glendale): Transportation: Planning: Project Selection Processes

AB 7 adds new requirements for the California Transportation Plan (CTP) and lists priorities which the California State Transportation Agency (CalSTA), the California Department of Transportation (Caltrans), and the California Transportation Commission (CTC) are to incorporate into their processes for transportation project development, selection and implementation, to the extent possible, feasible, applicable and cost effective.

The CTP is a long-range transportation plan developed by Caltrans every five years, pursuant to state statute, to demonstrate how the State will meet its GHG emission reduction goals. Previous iterations of this plan have been critiqued for including proposals that are not financially constrained, as an RTP is required to be, and for including assumptions related to land use and development that are not realistic. AB 7 would require the CTP to include a financial element that summarizes the full cost of the CTP, available revenues through the planning period and what is feasible within the plan if constrained by actual revenues. Further, this element is to evaluate the feasibility of any policy assumptions or scenarios included in the CTP and may discuss tradeoffs within the plan considering fiscal constraints. AB 7 also requires the CTP to include an analysis of how CalSTA, Caltrans, and the CTC are achieving principles outlined in the Climate Action Plan for Transportation Infrastructure (CAPTI), the Infrastructure Investment and Jobs Act (IIJA) and the federal Justice40 initiative, which is from a federal Executive Order that created the goal of having 40 percent of certain federal investments flow to disadvantaged communities.

Both the OCTA Long-Range Transportation Plan and the Southern California Association of Governments' RTP must be financially constrained, based on existing and projected revenues. As currently developed, however, the CTP is not subject to the same restrictions. Therefore, the CTP can propose significantly

higher transit service levels; expansion of transit, rail and active transportation systems; and the location of future land use and housing that are not aligned with available revenues or policies adopted in a RTP. While AB 7's proposed language related to adding a financial element is a step in the right direction to resolve these discrepancies, the currently proposed language does not ensure alignment with assumptions in adopted RTPs. Without consistency, the CTP could include proposals that would require a redirection of existing resources, include new revenues that are not likely to accrue, or projected service levels or pricing assumptions that are not currently planned or feasible.

AB 7's proposed language to require analysis of how the plan aligns with the principles of CAPTI, IIJA and Justice40, is not only unclear but would also put into statute policy documents that could change moving forward or are not statutorily authorized. For instance, CAPTI and Justice40 were both done via Executive Order. These goals are evolving and may change in the future. However, the CTP would continue to have to reference them, not affording an opportunity for the CTP to align with the most current requirements. Further, the IIJA was a federal reauthorization bill that reauthorized several federal transportation funding programs, some of which have existed for decades. Under each funding program there are a host of eligibility parameters and goals. Based on the current language, staff analysis concludes that the CTP would have to show how it's meeting all of these goals, regardless of whether an authorized program is only created for a limited duration or intent. Already part of the intent of the CTP is to show how the State will meet various state goals and objectives; this added language is not only unclear but could complicate the focus of this plan.

AB 7 also requires, on or after January 1, 2025, CalSTA, Caltrans, and the CTC, to the extent possible, feasible, applicable, and cost effective, to incorporate various principles into their processes for transportation project development, selection and implementation. These principles include cross-references to federal statutory sections, selectively choosing certain parameters governing federal funding programs, including short-term discretionary grant programs. For instance, there are principles that cross-reference the National Highway Performance Program and discuss resiliency and safety, a principle that cross-references the Americans with Disabilities Act, and another principle that cross-references the One Federal Decision framework that has not yet been finalized. In addition, principles are included that address other priorities, including promoting compact infill development; reducing vehicle miles traveled, including considering alternatives to general purpose lanes; building an integrated state rail and transit network; making safety improvements to reduce fatalities and severe injuries; strengthening commitment to social and racial equity, including avoiding placing new or exacerbating existing burdens on these communities; and protecting natural and working lands from conversion by supporting local and region conservation.

Overall, the language in AB 7 is ambiguous and could jeopardize transportation funding and planning programs. For example, as currently drafted, AB 7 would apply to any funding program administered by the specified agencies, including formula programs OCTA receives directly like State Transportation Improvement Program and Low Carbon Transit Operations Program. It would also apply to various competitive grant programs including the Transit and Intercity Rail Capital Program and SB 1 (Chapter 5, Statutes of 2017) programs. The bill's reference to project development and implementation also infers that these principles are to apply beyond the funding programs, including potentially in approval processes and permitting.

Of the priorities listed in AB 7, some do not align with the intent of existing funding programs, and they do not encompass all of the priorities of the federal funding programs cited. This could create discrepancies between how state agencies prioritize transportation programs and what is required under federal law. Further, complete discretion is given to CalSTA, Caltrans, and the CTC to determine which priorities are possible, feasible, applicable, and cost-effective for each area, regardless of what statute already requires. This could provide an opportunity to add significant new requirements to SB 1 programs and other transportation funds, rewriting the original intent of those programs. It could also provide authorization to add new requirements to how a project is planned and implemented. This creates significant uncertainty for future transportation funding and planning efforts, impacting projects by OCTA.

Mobility 21, the Orange County Business Council, Rebuild SoCal, the Riverside County Transportation Commission, and others have already adopted oppose positions to this bill. An OPPOSE position is consistent with OCTA's 2023-24 State Legislative Platform principle to "Oppose linking or reprioritizing local and state transportation funding to programs not primarily intended to help the State meet its transportation needs." A comprehensive analysis and copy of the text of this legislation are included as Attachment B.

Governor's Plan to Streamline Infrastructure Project Delivery

As previously communicated to the OCTA Board of Directors (Board), on May 19, 2023, the Governor announced proposals to reform infrastructure project permitting, review, and delivery, while also seeking to meet the State's economic, climate and social goals. These proposals were informed by the work of the Governor's Infrastructure Advisor, former Los Angeles Mayor Antonio Villaraigosa, and a nonprofit organization, California Forward, who have met with stakeholders over the last year to gather input on needed reforms, especially with the new investment coming from the federal IIJA and Inflation Reduction Act.

In order to put some of these proposals into action, the Governor signed an Executive Order which requires the Infrastructure Advisor to convene an Infrastructure Strike Team (Strike Team) to work across state agencies, including CalSTA, to maximize state and federal funding opportunities. The Strike Team's responsibilities are to identify projects to focus streamlining efforts; support

coordination between agencies on project review, permitting and approvals; prioritize investments from other sectors in supporting the identified project; and share challenges and best practices across agencies. Individual projects are to be tracked as they move through the process by the Strike Team to identify areas of improvement. Specific working groups are to be formed focused on various sectors including transportation, hydrogen, and zero-emission vehicles.

Separately, the Executive Order also requires CalSTA to establish an interagency Task Force on Third Parties, with participation from Caltrans, California High Speed Rail Authority, the California Department of Water Resources, the California Department of Fish and Wildlife, and other state agencies to assist major infrastructure projects by working with private parties to obtain approvals and facilitate agreements necessary to relocate utilities or mitigate project impacts and allow construction to commence sooner. In addition, the Executive Order directs the Governor's Office of Business and Economic Development, in collaboration with CARB and California Energy Commission, in addition to other state agencies, to identify opportunities to support local permitting of clean energy and zero-emission vehicle infrastructure.

Since the signing of the Executive Order, the Governor has also released several trailer bill proposals to enact most of the reforms recommended by the work of the Infrastructure Advisor. They include the following:

- National Environmental Policy Act Delegation for Transit and Rail Projects: Removes sunset for existing authority and clarifies that CalSTA can also assume such authority for local projects requested by a local or regional agency, including but not limited to cities, counties, special districts, and joint powers authorities. This would require agreement from the federal agencies.
- Streamlined California Environmental Quality Act (CEQA) Judicial Review: Based on similar streamlining provided for select projects, including professional sports stadiums, projects over \$250 million would be eligible. For transportation, up to ten local or regional transportation projects can be selected, with only those that advance and do not conflict with CAPTI goals being eligible. The goal of the authority is to complete judicial challenges within 270 days.
- CEQA Administrative Record Streamlining: Revises the definition of "internal communications" and allows a public agency to prepare the administrative record, even if plaintiff initially offered to do so.
- California Endangered Species Act Reforms: Removes the American peregrine falcon, brown pelican, and thickettail chub from the list of fully protected species.

- Progressive Design-Build Authority: Similar to pending bills OCTA has supported granting this authority for regional agencies and local governments, this proposal would only apply to Caltrans and Department of Water Resources projects. This could only apply to eight projects, and those projects would have to be over \$25 million.
- Job Order Contracting: Would grant this procurement authority to Caltrans for the following types of projects: (1) highway maintenance or safety projects; (2) traffic management and detection system installation, replacement and repair; (3) tree removal; (4) clearing and grubbing; (5) culvert installation and repair; (6) Americans with Disability Act-related facilities; (7) facility repairs, including building maintenance; (8) installation of stormwater pollution control devices; (9) safety barriers.
- Environmental Mitigation Clarification for Caltrans: Would clarify mitigation requirements for habitats related to Caltrans structures, and for authorities related to the purchase of environmental mitigation properties, credits, and associated endowments.
- Public-Private Partnership Authority for Interstate 15 Wildlife Crossings: Authorizes Caltrans to directly contract with Brightline West to construct three wildlife crossings as part of their high-speed rail project.

As of the writing of this staff report, these trailer bill proposals had not yet been approved by the Legislature as part of the state budget process. Staff will provide updates on the status of these initiatives as discussion occurs.

Transit Operations Funding Budget Request Update

As detailed to the OCTA Board earlier this year, staff have been engaged with the California Transit Association (CTA) to inform efforts to pursue additional transit operations funding, which resulted in a formal request to the Legislature. The CTA budget request letter includes a variety of strategies to help offset the financial hardship many transit agencies are experiencing following the impacts of the pandemic. OCTA has been heavily involved in the discussions to inform this request and ensure any funding provided will be utilized equitably throughout the State. CTA is requesting \$5.15 billion in multiyear funding for transit operations from a collection of state funding sources that have historically supported transit capital and operations and limit the impact to the State's General Fund. Importantly, the CTA budget request does not divert critical funding from other transportation sources and does not require an increase in taxes or fees of any kind. This budget request is consistent with OCTA's 2023-24 State Legislative Platform Principle to, "Support dedicated funding for transit operations, preferably through an ongoing formulaic approach." The letter describing this request is included as Attachment C. Southern California agencies also submitted a letter on May 15, 2023, to support CTA's budget

request. This letter is included as Attachment D. The following is a high-level breakdown of CTA's budgetary requests:

- An additional appropriation of revenue from sales tax on diesel fuel [\$1.35 billion from FY 2023-24 through FY 2027-28]. With the existing statute, 80 percent of the revenue already flows to transit agencies with the remaining going toward the General Fund.
- An additional appropriation of unallocated cap-and-trade revenues (\$2.5 billion from FY 2023-24 through FY 2027-28). Recent reports indicate cap and trade revenues to be above projections, identified as \$800 million in unallocated revenue. This request would provide \$500 million of that unallocated revenue to transit agencies.
- The conversion of transit capital funding to transit operations funding (\$300 million in FYs 2026-27 and 2027-28). The Transit and Intercity Rail Capital Program (TIRCP) receives \$650 million annually for distribution for transit capital programs. This request would convert a portion of that funding to be available for transit operations purposes without impacting projects with previous, multi-year funding commitments.
- Maintaining the \$4 billion General Fund investment from last year's budget for transit capital projects through TIRCP while creating flexibility to use this transit capital funding for transit operations (up to \$1 billion from FY 2023-24 through FY 2027-28).

Additionally, the Legislature had requested that transit agencies detail certain accountability and reform measures in order to receive such funding. CTA, again through extensive conversation with its Transit Operations Funding Subcommittee, discussed the best approach to respond to the Legislature, with the understanding that no funding would be provided if it were not accompanied with such measures. CTA submitted a letter, included as Attachment E, to the Legislature on May 18, 2023, outlining recommendations for a proposed accountability and reform framework. As proposed, this would require transit agencies to have their governing board pass a resolution prior to receiving the funding that demonstrates the need and strategies that will be used to address operating deficits or to increase ridership. It also would require transit agencies to then submit a transit recovery plan within 18 months of receiving operations funding on specific strategies to enhance its ridership and address its operating deficit.

CTA has had ongoing conversations with the Legislature regarding its proposal and has presented to both Assembly and Senate budget subcommittees several times to demonstrate the need for relief, the funding requests, and associated accountability measures. Since these conversations and the letters, both the Senate and Assembly budget committees have advanced several

recommendations related to transit. This includes maintaining the \$4 billion in population-based TIRCP General Fund dollars with flexibility for operations so long as, not yet specified, accountability and reform requirements are met. It also extends certain flexibilities and relief measures established during the pandemic related to the Transportation Development Act and the State Transit Assistance Program. The Senate's budget proposal also expands the provisions to allow for increased flexibility in the use of funds transit operators receive from the State of Good Repair program and the Low Carbon Transit Operations Program.

Presently, these proposals do not include the remainder of CTA's budget request, such as the unallocated cap and trade funds, remainder of the revenues for the sales tax on diesel, and annual TIRCP funding flexibilities. Instead, the budget committees have increased funding for zero-emission bus and infrastructure with the argument being that many transit agencies are facing cost pressures because of the State's zero-emission mandate and adding more funding to this pot will free up other state and local funds for operations purposes. The identified funding for this could be between \$100 million and \$220 million. With all that, negotiations remain ongoing. The Legislature is required to approve a budget by June 15, 2023. OCTA staff remain engaged with stakeholders and will keep the Board updated as necessary.

California Air Resources Board's In-Use Locomotive Regulation

Since late 2019, CARB has organized workshops and meetings with stakeholders to inform the proposed In-Use Locomotive Regulation. The primary goals of this regulation are to prioritize emission reductions in the most disadvantaged communities, decrease locomotive emissions by increasing turnover to Tier 4 and cleaner locomotives, and to eventually move toward zero-emission locomotives in California. OCTA staff have provided several updates to the Board throughout the rulemaking process, which has now concluded with the CARB Board's approval of the regulation on April 27, 2023.

As a summary, there are four primary components associated with this regulation. First, is the Spending Account, which is to be established by 2024. As a part of this spending account, operators will be assessed a charge based on locomotive emissions levels and amount of work performed in California. These charges will be held in the individual railroads' trust, with annual public reporting of usage and funds deposited. Rail operators will use accumulated charges to purchase cleaner locomotives. Until 2034, usage of zero-emission locomotives will generate a credit used to offset monies owed to the spending account.

OCTA collaborated with the Southern California Regional Rail Authority (Metrolink) and CTA on amendments to the regulation that would exempt passenger rail operators, such as Metrolink, from the purchase mandates. Metrolink has already committed to transitioning to zero-emission technology for

locomotives as soon as feasibly possible. As a joint powers authority member of Metrolink, OCTA contributes approximately 29 percent of Metrolink's entire operations budget. Any increases to Metrolink's operating and capital budgets will create a significant financial burden for OCTA and potentially stall other transit projects and programs. Therefore, following significant negotiations with CARB staff and passenger rail operators, CARB included language that would allow locomotive operators to use an Alternative Compliance Plan (ACP) or the Alternative Fleet Milestone Option (AFMO) instead of direct compliance with these requirements. A locomotive operator that submits an AFMO application must commit to, and following approval by CARB, demonstrate, conversion of their fleet to 100 percent Tier 4 locomotives (or cleaner) by 2035 and 100 percent zero emission locomotives by 2047, with intermediate conversion targets in 2035 and 2042. Once approved, a locomotive operator's AFMO is valid in perpetuity unless revoked. A locomotive operator that submits an ACP must commit to an equivalent to or greater reduction of particulate matter, nitrogen oxides, and GHG emissions than would have been achieved during the five-year verification period for which the ACP can be implemented.

Second, the regulation would institute a useful life limit by requiring all locomotives 23 years old or older to cease operations in California starting in 2030. Third, the regulation would implement a 30-minute idling limit, which is based on the United States Environmental Protection Agency's requirements. Fourth, and finally, this regulation would require operators to report to CARB annually, starting July 1, 2024, depending on which pathway they use to comply with this regulation.

CARB staff indicated in its staff report that they will be undergoing technology assessments in 2027 and 2032. This will include an analysis of the progress made in zero emission technologies and, therein, making subsequent determinations if compliance dates need to be adjusted. Staff will continue to monitor these assessments and conversations related to zero emission transition.

Summary

Recommendations for positions are made on legislation related to transportation planning and project priorities. An overview is provided of proposals from the Governor related to infrastructure project streamlining. An update on efforts to inform funding for transit operations and a summary on the finalization of the California Air Resources Board's In-Use Locomotive Regulation are provided.

Attachments

- A. AB 6 (Friedman, D-Burbank) Bill Analysis and Bill Language
- B. AB 7 (Friedman, D-Burbank) Bill Analysis and Bill Language
- C. Letter from Michael Pimentel, Executive Director, California Transit Association, dated April 25, 2023, re: California Transit Association's Funding Request and Policy Recommendations to Address Near-Term Operating Deficits
- D. Letter to the Honorable Gavin Newsom, Governor, State of California, the Honorable Toni G. Atkins, Senate President pro Tempore, California State Senate, and the Honorable Anthony Redon, Speaker of the Assembly, California State Assembly, dated May 15, 2023
- E. Letter from Michael Pimentel, Executive Director, California Transit Association, dated May 18, 2023, re: California Transit Association's Proposed Accountability and Reform Framework
- F. Orange County Transportation Authority Legislative Matrix

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BILL: AB 6 (Friedman, D-Burbank)
Introduced December 5, 2022
Amended March 16, 2023

SUBJECT: AB 6 would create new regional greenhouse gas emission goals for the transportation sector with increased oversight by the California Air Resources Board while revising criteria for certain transportation funding programs

STATUS: Pending in Senate
Passed the Assembly 45-19
Passed the Assembly Appropriations Committee 12-3
Passed the Assembly Natural Resources Committee 8-2
Passed the Assembly Transportation Committee 11-4

SUMMARY AS OF JUNE 1, 2023:

AB 6 (Friedman, D-Burbank) revises the SB 375 (Chapter 728, Statutes of 2008) greenhouse gas (GHG) emission reduction target setting process to require regions to not only meet targets for 2020 and 2035, but also for 2045. As part of the process of complying with SB 375, AB 6 would set forward specific deadlines a metropolitan planning organization (MPO) must meet as they develop their sustainable communities strategy (SCS):

- At least 60 days before the start of the public participation process related to the SCS, the MPO must submit a description of the technical methodology it intends to use to estimate GHG emission reductions. AB 6 would now require this methodology be subject to the California Air Resources Board's (CARB) approval. AB 6 also now requires, rather than encourages, the MPO to work with CARB until CARB concludes the technical methodology is accurate, and approves its use.
- Within 120 business days after adoption of the SCS (or alternative planning strategy), the MPO is to submit it to CARB for review. AB 6 would also now require CARB to approve the SCS (or alternative planning strategy). CARB is to complete its review within 180 days.

In addition to the revisions to the process of developing an SCS under SB 375, AB 6 would also revise the criteria for the SB 1 (Chapter 5, Statutes of 2017) Solutions for Congested Corridors Program (SCCP) to require a project application submitted for funding to demonstrate how the project would contribute to achieving the State's GHG emission reduction targets.

EFFECTS ON ORANGE COUNTY:

The Southern California Association of Governments (SCAG) develops the regional transportation plan (RTP) for a six-county area, which includes Orange County, every four years. The RTP outlines the region's transportation planning objectives for at least a 20-year period. The Orange County Transportation Authority (OCTA) develops a long-range transportation plan to detail transportation planning priorities in Orange

County, which is then integrated into SCAG's RTP. In 2008, SB 375 required the development of the SCS as a new element of the RTP. The SCS serves as the region's plan for reducing regional GHG by better integrating transportation, land use, and planning decisions. The SCS currently must demonstrate the region's ability to meet GHG emission reduction targets, set by CARB, by 2020 and 2035. The intent behind SB 375 was to facilitate bottoms-up planning approach that maximized flexibility in the SCS development process in order to meet the region's specific needs, recognizing differences in geographic, demographic, and funding requirements while reflecting the fact that transportation agencies do not have control over land use decisions.

AB 6 would add significant, additional oversight from CARB in how a region meets its GHG emission reduction targets. Already CARB must review a region's technical methodology for measuring GHG emission reductions, and a region's final SCS (or alternative planning strategy). However, under existing law this is only subject to feedback and not explicit approval. Further, nothing requires an MPO to continue to work with CARB until agreement is reached that the technical methodology is accurate. These new requirements would allow CARB to not only potentially delay the start of the public input process, but also would provide CARB the ability to reject a region's strategies for meeting the GHG emission reduction targets, even when the technical methodology is accurate. This changes the original intent of SB 375 in affording a bottoms-up approach to these strategies and gives CARB direct oversight over a region's models and strategies.

Further AB 6 adds another GHG emission reduction target year without addressing the underlying issues regions may have in meeting the existing targets. This may include the lack of tools to accelerate certain types of projects, insufficient funding to expand services to allow for mode shift, and inaction at the state level to implement various strategies. Rather than setting an additional target, further work should be done to provide regions what is necessary to meet existing targets.

Finally, AB 6 would revise the criteria put in place by SB 1 for the SCCP. Because the language references the "State's GHG emission reduction targets," its unclear if this would be the same as the regional targets adopted under SB 375. Already, projects funded via the SCCP have to demonstrate they are in a RTP with an approved SCS. This new requirement would create uncertainty for future projects as to what goals they must meet, and create the precedent of requiring project level GHG emission reductions rather than demonstration of reductions through the regional planning process.

Mobility 21, the Orange County Business Council, Rebuild SoCal, the Riverside County Transportation Commission and others have already adopted oppose positions to this bill. An OPPOSE position is consistent with OCTA's 2023-24 State Legislative Platform principles to "Ensure that air quality determinations and policies do not constrain funding availability or otherwise undermine OCTA's ability to deliver transportation improvements."

OCTA POSITION:

Staff recommends: OPPOSE

AMENDED IN ASSEMBLY MARCH 16, 2023

CALIFORNIA LEGISLATURE—2023–24 REGULAR SESSION

ASSEMBLY BILL

No. 6

Introduced by Assembly Member Friedman

December 5, 2022

An act to amend Section 65080 of the Government Code, and to amend Section 2393 of the Streets and Highways Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 6, as amended, Friedman. ~~Transportation planning.~~ *planning: regional transportation plans: Solutions for Congested Corridors Program: reduction of greenhouse gas emissions.*

Existing law requires certain transportation planning agencies to prepare and adopt regional transportation plans directed at achieving a coordinated and balanced regional transportation system. Existing law requires *that* each regional transportation plan ~~to~~ also include a sustainable communities strategy prepared by each metropolitan planning organization in order to, among other things, achieve certain targets established by the State Air Resources Board for the reduction of greenhouse gas emissions from automobiles and light trucks in the region for 2020 and 2035, respectively.

~~This bill would state the intent of the Legislature to enact subsequent legislation that would require regional transportation agencies to prioritize and fund transportation projects, including those funded by a local sales tax measure, that significantly contribute towards the goals outlined in a region's sustainable communities strategy and the state's climate goals. require the state board, after January 1, 2024, and not~~

later than September 30, 2026, to establish additional targets for 2035 and 2045, respectively, as specified.

Existing law requires a metropolitan planning organization, before starting a specified public participation process, to submit a description to the state board of the technical methodology it intends to use to estimate the emissions of greenhouse gases from its sustainable communities strategy and, if appropriate, its alternative planning strategy. Existing law encourages a metropolitan planning organization to work with the state board until the state board concludes that the technical methodology operates accurately.

This bill would instead require a metropolitan planning organization, at least 60 days before starting that public participation process, to submit that description of the technical methodology to the state board for approval. The bill would require, rather than encourage, a metropolitan planning organization to work with the state board until the state board concludes that the technical methodology operates accurately and approves its use.

Existing law requires a metropolitan planning organization to submit an adopted sustainable communities strategy or an alternative planning strategy, if applicable, to the state board for review. Existing law limits the state board's review to acceptance or rejection of the metropolitan planning organization's determination that the strategy submitted would, if implemented, achieve the greenhouse gas emission reduction targets established by the state board. Existing law requires the state board to complete its review within 60 days.

This bill would instead require a metropolitan planning organization, within 120 business days after adoption, to submit an adopted sustainable communities strategy or an alternative planning strategy, if applicable, to the state board for both review and approval. The bill would instead require that the state board's review include acceptance or rejection of the metropolitan planning organization's determination described above. The bill would require the state board to complete its review within 180, instead of 60, business days.

To the extent this bill would impose new requirements on a metropolitan planning organization, the bill would impose a state-mandated local program.

Existing law creates the Solutions for Congested Corridors Program to fund projects designed to achieve a balanced set of transportation, environmental, and community access improvements within highly congested travel corridors throughout the state, as specified. Existing

law authorizes regional transportation planning agencies, county transportation commissions, certain transportation authorities, and the Department of Transportation to nominate projects for funding through the program, and requires each project nomination to include documentation regarding the quantitative and qualitative measures validating the project’s consistency with the policy objectives of the program.

This bill would additionally require each project nomination to demonstrate how the project would contribute to achieving the state’s greenhouse gas emission reduction targets.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: ~~no~~-yes.

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

1 SECTION 1. Section 65080 of the Government Code is
2 amended to read:
3 65080. (a) Each transportation planning agency designated
4 under Section 29532 or 29532.1 shall prepare and adopt a regional
5 transportation plan directed at achieving a coordinated and balanced
6 regional transportation system, including, but not limited to, mass
7 transportation, highway, railroad, maritime, bicycle, pedestrian,
8 goods movement, and aviation facilities and services. The plan
9 shall be action-oriented and pragmatic, considering both the
10 short-term and long-term future, and shall present clear, concise
11 policy guidance to local and state officials. The regional
12 transportation plan shall consider factors specified in Section 134
13 of Title 23 of the United States Code. Each transportation planning
14 agency shall consider and incorporate, as appropriate, the
15 transportation plans of cities, counties, districts, private
16 organizations, and state and federal agencies.

1 (b) The regional transportation plan shall be an internally
2 consistent document and shall include all of the following:

3 (1) A policy element that describes the transportation issues in
4 the region, identifies and quantifies regional needs, and describes
5 the desired short-range and long-range transportation goals, and
6 pragmatic objective and policy statements. The objective and policy
7 statements shall be consistent with the funding estimates of the
8 financial element. The policy element of transportation planning
9 agencies with populations that exceed 200,000 persons may
10 quantify a set of indicators including, but not limited to, all of the
11 following:

12 (A) Measures of mobility and traffic congestion, including, but
13 not limited to, daily vehicle hours of delay per capita and vehicle
14 miles traveled per capita.

15 (B) Measures of road and bridge maintenance and rehabilitation
16 needs, including, but not limited to, roadway pavement and bridge
17 conditions.

18 (C) Measures of means of travel, including, but not limited to,
19 percentage share of all trips (work and nonwork) made by all of
20 the following:

21 (i) Single occupant vehicle.

22 (ii) Multiple occupant vehicle or carpool.

23 (iii) Public transit including commuter rail and intercity rail.

24 (iv) Walking.

25 (v) Bicycling.

26 (D) Measures of safety and security, including, but not limited
27 to, total injuries and fatalities assigned to each of the modes set
28 forth in subparagraph (C).

29 (E) Measures of equity and accessibility, including, but not
30 limited to, percentage of the population served by frequent and
31 reliable public transit, with a breakdown by income bracket, and
32 percentage of all jobs accessible by frequent and reliable public
33 transit service, with a breakdown by income bracket.

34 (F) The requirements of this section may be met using existing
35 sources of information. No additional traffic counts, household
36 surveys, or other sources of data shall be required.

37 (2) A sustainable communities strategy prepared by each
38 metropolitan planning organization as follows:

39 (A) No later than September 30, 2010, the State Air Resources
40 Board shall provide each affected region with greenhouse gas

1 emission reduction targets for the automobile and light truck sector
2 for 2020 and 2035, respectively. *After January 1, 2024, and no*
3 *later than September 30, 2026, the State Air Resources Board shall*
4 *provide each affected region with greenhouse gas emissions targets*
5 *for the automobile and light truck sector for 2035 and 2045,*
6 *respectively, which shall be updated as provided in clause (iv).*

7 (i) No later than January 31, 2009, the ~~state board~~ *State Air*
8 *Resources Board* shall appoint a Regional Targets Advisory
9 Committee to recommend factors to be considered and
10 methodologies to be used for setting greenhouse gas emission
11 reduction targets for the affected regions. The committee shall be
12 composed of representatives of the metropolitan planning
13 organizations, affected air districts, the League of California Cities,
14 the California State Association of Counties, local transportation
15 agencies, and members of the public, including homebuilders,
16 environmental organizations, planning organizations,
17 environmental justice organizations, affordable housing
18 organizations, and others. The advisory committee shall transmit
19 a report with its recommendations to the ~~state board~~ *State Air*
20 *Resources Board* no later than September 30, 2009. In
21 recommending factors to be considered and methodologies to be
22 used, the advisory committee may consider any relevant issues,
23 including, but not limited to, data needs, modeling techniques,
24 growth forecasts, the impacts of regional jobs-housing balance on
25 interregional travel and greenhouse gas emissions, economic and
26 demographic trends, the magnitude of greenhouse gas reduction
27 benefits from a variety of land use and transportation strategies,
28 and appropriate methods to describe regional targets and to monitor
29 performance in attaining those targets. The ~~state board~~ *State Air*
30 *Resources Board* shall consider the report before setting the targets.

31 (ii) Before setting the targets for a region, the ~~state board~~ *State*
32 *Air Resources Board* shall exchange technical information with
33 the metropolitan planning organization and the affected air district.
34 The metropolitan planning organization may recommend a target
35 for the region. The metropolitan planning organization shall hold
36 at least one public workshop within the region after receipt of the
37 report from the advisory committee. The ~~state board~~ *State Air*
38 *Resources Board* shall release draft targets for each region no later
39 than June 30, 2010.

1 (iii) In establishing these targets, the ~~state board~~ *State Air*
2 *Resources Board* shall take into account greenhouse gas emission
3 reductions that will be achieved by improved vehicle emission
4 standards, changes in fuel composition, and other measures it has
5 approved that will reduce ~~the emissions of~~ greenhouse ~~gas~~
6 ~~emissions~~ *gases* in the affected regions, and prospective measures
7 the ~~state board~~ *State Air Resources Board* plans to adopt to reduce
8 ~~the emissions of~~ greenhouse ~~gas emissions~~ *gases* from other
9 greenhouse gas emission sources as ~~that term is~~ defined in
10 subdivision (i) of Section 38505 of the Health and Safety Code
11 and consistent with the regulations ~~promulgated~~ *adopted* pursuant
12 to the California Global Warming Solutions Act of 2006 (Division
13 25.5 (commencing with Section 38500) of the Health and Safety
14 Code), including Section 38566 of the Health and Safety Code.

15 (iv) The ~~state board~~ *State Air Resources Board* shall update the
16 regional greenhouse gas emission reduction targets every eight
17 years consistent with each metropolitan planning organization's
18 timeframe for updating its regional transportation plan under
19 federal law until 2050. The ~~state board~~ *State Air Resources Board*
20 may revise the targets every four years based on changes in the
21 factors considered under clause (iii). The ~~state board~~ *State Air*
22 *Resources Board* shall exchange technical information with the
23 Department of Transportation, metropolitan planning organizations,
24 local governments, and affected air districts and engage in a
25 consultative process with public and private stakeholders, before
26 updating these targets.

27 (v) The greenhouse gas emission reduction targets may be
28 expressed in gross tons, tons per capita, tons per household, or in
29 any other metric deemed appropriate by the ~~state board~~. *State Air*
30 *Resources Board*.

31 (B) Each metropolitan planning organization shall prepare a
32 sustainable communities strategy, subject to the requirements of
33 Part 450 of Title 23 of, and Part 93 of Title 40 of, the Code of
34 Federal Regulations, including the requirement to use the most
35 recent planning assumptions considering local general plans and
36 other factors. The sustainable communities strategy shall ~~(i)~~
37 ~~identify~~ *do all of the following:*

38 (i) *Identify* the general location of uses, residential densities,
39 and building intensities within the ~~region~~, ~~(ii)~~ *identify region*.

- 1 (ii) *Identify* areas within the region sufficient to house all the
2 population of the region, including all economic segments of the
3 population, over the course of the planning period of the regional
4 transportation plan taking into account net migration into the
5 region, population growth, household formation and employment
6 ~~growth, (iii) identify growth.~~
- 7 (iii) *Identify* areas within the region sufficient to house an
8 eight-year projection of the regional housing need for the region
9 pursuant to Section ~~65584, (iv) identify 65584.~~
- 10 (iv) *Identify* a transportation network to service the transportation
11 needs of the ~~region, (v) gather region.~~
- 12 (v) *Gather* and consider the best practically available scientific
13 information regarding resource areas and farmland in the region
14 as defined in subdivisions (a) and (b) of Section ~~65080.01, (vi)~~
15 ~~consider 65080.01.~~
- 16 (vi) *Consider* the state housing goals specified in Sections 65580
17 and ~~65581, (vii) set 65581.~~
- 18 (vii) *Set* forth a forecasted development pattern for the region,
19 which, when integrated with the transportation network, and other
20 transportation measures and policies, will reduce the *emissions of*
21 ~~greenhouse gas emissions~~ *gases* from automobiles and light trucks
22 to achieve, if there is a feasible way to do so, the greenhouse gas
23 emission reduction targets approved by the ~~state board, and (viii)~~
24 ~~allow State Air Resources Board.~~
- 25 (viii) *Allow* the regional transportation plan to comply with
26 Section 176 of the federal Clean Air Act (42 U.S.C. Sec. 7506).
- 27 (C) (i) Within the jurisdiction of the Metropolitan
28 Transportation Commission, as defined by Section 66502, the
29 Association of Bay Area Governments shall be responsible for
30 clauses (i), (ii), (iii), (v), and (vi) of subparagraph (B); the
31 Metropolitan Transportation Commission shall be responsible for
32 clauses (iv) and (viii) of subparagraph (B); and the Association of
33 Bay Area Governments and the Metropolitan Transportation
34 Commission shall jointly be responsible for clause (vii) of
35 subparagraph (B).
- 36 (ii) Within the jurisdiction of the Tahoe Regional Planning
37 Agency, as defined in Sections 66800 and 66801, the Tahoe
38 Metropolitan Planning Organization shall use the Regional Plan
39 for the Lake Tahoe Region as the sustainable communities strategy,

1 provided that it complies with clauses (vii) and (viii) of
2 subparagraph (B).

3 (D) In the region served by the Southern California Association
4 of Governments, a subregional council of governments and the
5 county transportation commission may work together to propose
6 the sustainable communities strategy and an alternative planning
7 strategy, if one is prepared pursuant to subparagraph (I), for that
8 subregional area. The metropolitan planning organization may
9 adopt a framework for a subregional sustainable communities
10 strategy or a subregional alternative planning strategy to address
11 the intraregional land use, transportation, economic, air quality,
12 and climate policy relationships. The metropolitan planning
13 organization shall include the subregional sustainable communities
14 strategy for that subregion in the regional sustainable communities
15 strategy to the extent consistent with this section and federal law
16 and approve the subregional alternative planning strategy, if one
17 is prepared pursuant to subparagraph (I), for that subregional area
18 to the extent consistent with this section. The metropolitan planning
19 organization shall develop overall guidelines, create a public
20 participation plan pursuant to subparagraph (F), ensure
21 coordination, resolve conflicts, make sure that the overall plan
22 complies with applicable legal requirements, and adopt the plan
23 for the region.

24 (E) The metropolitan planning organization shall conduct at
25 least two informational meetings in each county within the region
26 for members of the board of supervisors and city councils on the
27 sustainable communities strategy and alternative planning strategy,
28 if any. The metropolitan planning organization may conduct only
29 one informational meeting if it is attended by representatives of
30 the county board of supervisors and city council members
31 representing a majority of the cities representing a majority of the
32 population in the incorporated areas of that county. Notice of the
33 meeting or meetings shall be sent to the clerk of the board of
34 supervisors and to each city clerk. The purpose of the meeting or
35 meetings shall be to discuss the sustainable communities strategy
36 and the alternative planning strategy, if any, including the key land
37 use and planning assumptions with the members of the board of
38 supervisors and the city council members in that county and to
39 solicit and consider their input and recommendations.

1 (F) Each metropolitan planning organization shall adopt a public
2 participation plan, for development of the sustainable communities
3 strategy and an alternative planning strategy, if any, that includes
4 all of the following:

5 (i) Outreach efforts to encourage the active participation of a
6 broad range of stakeholder groups in the planning process,
7 consistent with the agency's adopted Federal Public Participation
8 Plan, including, but not limited to, affordable housing advocates,
9 transportation advocates, neighborhood and community groups,
10 environmental advocates, home builder representatives,
11 broad-based business organizations, landowners, commercial
12 property interests, and homeowner associations.

13 (ii) Consultation with congestion management agencies,
14 transportation agencies, and transportation commissions.

15 (iii) Workshops throughout the region to provide the public with
16 the information and tools necessary to provide a clear
17 understanding of the issues and policy choices. At least one
18 workshop shall be held in each county in the region. For counties
19 with a population greater than 500,000, at least three workshops
20 shall be held. Each workshop, to the extent practicable, shall
21 include urban simulation computer modeling to create visual
22 representations of the sustainable communities strategy and the
23 alternative planning strategy.

24 (iv) Preparation and circulation of a draft sustainable
25 communities strategy and an alternative planning strategy, if one
26 is prepared, not less than 55 days before adoption of a final regional
27 transportation plan.

28 (v) At least three public hearings on the draft sustainable
29 communities strategy in the regional transportation plan and
30 alternative planning strategy, if one is prepared. If the metropolitan
31 transportation organization consists of a single county, at least two
32 public hearings shall be held. To the maximum extent feasible, the
33 hearings shall be in different parts of the region to maximize the
34 opportunity for participation by members of the public throughout
35 the region.

36 (vi) A process for enabling members of the public to provide a
37 single request to receive notices, information, and updates.

38 (G) In preparing a sustainable communities strategy, the
39 metropolitan planning organization shall consider spheres of

1 influence that have been adopted by the local agency formation
2 commissions within its region.

3 (H) Before adopting a sustainable communities strategy, the
4 metropolitan planning organization shall quantify the reduction in
5 ~~the emissions of greenhouse gas emissions~~ *gases* projected to be
6 achieved by the sustainable communities strategy and set forth the
7 difference, if any, between the amount of that reduction and the
8 target for the region established by the ~~state board~~. *State Air*
9 *Resources Board*.

10 (I) If the sustainable communities strategy, prepared in
11 compliance with subparagraph (B) or (D), is unable to reduce ~~the~~
12 ~~emissions of greenhouse gas emissions~~ *gases* to achieve the
13 greenhouse gas emission reduction targets established by the ~~state~~
14 ~~board~~, *State Air Resources Board*, the metropolitan planning
15 organization shall prepare an alternative planning strategy to the
16 sustainable communities strategy showing how those greenhouse
17 gas emission *reduction* targets would be achieved through
18 alternative development patterns, infrastructure, or additional
19 transportation measures or policies. The alternative planning
20 strategy shall be a separate document from the regional
21 transportation plan, but it may be adopted concurrently with the
22 regional transportation plan. In preparing the alternative planning
23 strategy, the metropolitan planning organization:

24 (i) Shall identify the principal impediments to achieving the
25 targets within the sustainable communities strategy.

26 (ii) May include an alternative development pattern for the
27 region pursuant to subparagraphs (B) to (G), inclusive.

28 (iii) Shall describe how the greenhouse gas emission reduction
29 targets would be achieved by the alternative planning strategy, and
30 why the development pattern, measures, and policies in the
31 alternative planning strategy are the most practicable choices for
32 achievement of the greenhouse gas emission reduction targets.

33 (iv) An alternative development pattern set forth in the
34 alternative planning strategy shall comply with Part 450 of Title
35 23 of, and Part 93 of Title 40 of, the Code of Federal Regulations,
36 except to the extent that compliance will prevent achievement of
37 the greenhouse gas emission reduction targets approved by the
38 ~~state board~~. *State Air Resources Board*.

39 (v) For purposes of the California Environmental Quality Act
40 (Division 13 (commencing with Section 21000)) of the Public

1 Resources Code), an alternative planning strategy shall not
2 constitute a land use plan, policy, or regulation, and the
3 inconsistency of a project with an alternative planning strategy
4 shall not be a consideration in determining whether a project may
5 have an environmental effect.

6 (J) (i) ~~Before~~ *At least 60 days before* starting the public
7 participation process adopted pursuant to subparagraph (F), the
8 metropolitan planning organization shall submit a description to
9 ~~the state board~~ *State Air Resources Board* of the technical
10 methodology it intends to use to estimate the *emissions of*
11 ~~greenhouse gas emissions~~ *gases* from its sustainable communities
12 strategy and, if appropriate, its alternative planning ~~strategy~~
13 *strategy, for State Air Resources Board approval.* ~~The state board~~
14 *State Air Resources Board* shall respond to the metropolitan
15 planning organization in a timely manner with written comments
16 about the technical methodology, including specifically describing
17 any aspects of that methodology it concludes will not yield accurate
18 estimates of *the emissions of* ~~greenhouse gas emissions, gases~~ and
19 ~~suggested~~ *suggesting* remedies. The metropolitan planning
20 organization ~~is encouraged to~~ *shall* work with the ~~state board~~ *State*
21 *Air Resources Board* until the ~~state board~~ *State Air Resources*
22 *Board* concludes that the technical methodology operates
23 ~~accurately.~~ *accurately and approves its use.*

24 (ii) ~~After~~ *Within 120 business days after* adoption, a metropolitan
25 planning organization shall submit a sustainable communities
26 strategy or an alternative planning strategy, if one has been adopted,
27 to the ~~state board~~ *State Air Resources Board* for ~~review,~~ *review*
28 *and approval,* including the quantification of the *reductions of*
29 ~~emissions of greenhouse gas emission reductions~~ *gases* the strategy
30 would achieve and a description of the technical methodology used
31 to obtain that result. Review by the ~~state board~~ *State Air Resources*
32 *Board* shall ~~be limited to~~ *include* acceptance or rejection of the
33 metropolitan planning organization's determination that the strategy
34 submitted would, if implemented, achieve the greenhouse gas
35 emission reduction targets established by the ~~state board.~~ *State Air*
36 *Resources Board.* ~~The state board~~ *State Air Resources Board* shall
37 complete its review within ~~60~~ *180* days.

38 (iii) If the ~~state board~~ *State Air Resources Board* determines
39 that the strategy submitted would not, if implemented, achieve the
40 greenhouse gas emission reduction targets, the metropolitan

1 planning organization shall revise its strategy or adopt an
 2 alternative planning strategy, if not previously adopted, and submit
 3 the strategy for review pursuant to clause (ii). At a minimum, the
 4 metropolitan planning organization ~~must~~ *shall* obtain ~~state board~~
 5 *State Air Resources Board* acceptance that an alternative planning
 6 strategy would, if implemented, achieve the greenhouse gas
 7 emission reduction targets established for that region by the ~~state~~
 8 ~~board~~ *State Air Resources Board*.

9 (iv) On or before September 1, 2018, and every four years
 10 thereafter to align with target setting, notwithstanding Section
 11 10231.5, the ~~state board~~ *State Air Resources Board* shall prepare
 12 a report that assesses progress made by each metropolitan planning
 13 organization in meeting the regional greenhouse gas emission
 14 reduction targets set by the ~~state board~~ *State Air Resources Board*.
 15 The report shall include changes to *the emissions of* greenhouse
 16 ~~gas emissions~~ *gases* in each region and data-supported metrics for
 17 the strategies used to meet the targets. The report shall also include
 18 a discussion of best practices and the challenges faced by the
 19 metropolitan planning organizations in meeting the targets,
 20 including the effect of state policies and funding. The report shall
 21 be developed in consultation with the metropolitan planning
 22 organizations and affected stakeholders. The report shall be
 23 submitted to the Assembly Committee on Transportation and the
 24 Assembly Committee on Natural Resources, and to the Senate
 25 Committee on Transportation, the Senate Committee on Housing,
 26 and the Senate Committee on Environmental Quality.

27 (K) Neither a sustainable communities strategy nor an alternative
 28 planning strategy regulates the use of land, nor, except as provided
 29 by subparagraph (J), shall either one be subject to any state
 30 approval. ~~Nothing in a~~ A sustainable communities strategy ~~shall~~
 31 ~~be interpreted as superseding~~ *does not supersede* the exercise of
 32 the land use authority of cities and counties within the region.
 33 ~~Nothing in this~~ *This section shall be interpreted to does not* limit
 34 the ~~state board's~~ *State Air Resources Board's* authority under any
 35 other law. ~~Nothing in this~~ *This section shall be interpreted to does*
 36 *not* authorize the abrogation of any vested right whether created
 37 by statute or by common law. ~~Nothing in this~~ *This section shall*
 38 *does not* require a city's or county's land use policies and
 39 regulations, including its general plan, to be consistent with the
 40 regional transportation plan or an alternative planning strategy.

1 ~~Nothing in this~~ *This section requires does not require* a
2 metropolitan planning organization to approve a sustainable
3 communities strategy that would be inconsistent with Part 450 of
4 Title 23 of, or Part 93 of Title 40 of, the Code of Federal
5 Regulations and any administrative guidance under those
6 regulations. ~~Nothing in this~~ *This section relieves does not relieve*
7 a public or private entity or any person from compliance with any
8 other local, state, or federal law.

9 (L) ~~Nothing in this~~ *This section requires does not require*
10 projects programmed for funding on or before December 31, 2011,
11 to be subject to ~~the provisions of~~ this paragraph if they (i) are
12 contained in the 2007 or 2009 Federal Statewide Transportation
13 Improvement Program, (ii) are funded pursuant to the Highway
14 Safety, Traffic Reduction, Air Quality, and Port Security Bond
15 Act of 2006 (Chapter 12.49 (commencing with Section 8879.20)
16 of Division 1 of Title 2), or (iii) were specifically listed in a ballot
17 measure before December 31, 2008, approving a sales tax increase
18 for transportation projects. ~~Nothing in this~~ *This section shall does*
19 *not* require a transportation sales tax authority to change the
20 funding allocations approved by the voters for categories of
21 transportation projects in a sales tax measure adopted before
22 December 31, 2010. For purposes of this subparagraph, a
23 transportation sales tax authority is a district, as defined in Section
24 7252 of the Revenue and Taxation Code, that is authorized to
25 impose a sales tax for transportation purposes.

26 (M) A metropolitan planning organization, or a regional
27 transportation planning agency not within a metropolitan planning
28 organization, that is required to adopt a regional transportation
29 plan not less than every five ~~years,~~ *years* may elect to adopt the
30 plan not less than every four years. This election shall be made by
31 the board of directors of the metropolitan planning organization
32 or regional transportation planning agency no later than June 1,
33 2009, or thereafter 54 months before the statutory deadline for the
34 adoption of housing elements for the local jurisdictions within the
35 region, after a public hearing at which comments are accepted
36 from members of the public and representatives of cities and
37 counties within the region covered by the metropolitan planning
38 organization or regional transportation planning agency. Notice
39 of the public hearing shall be given to the general public and by
40 mail to cities and counties within the region no later than 30 days

1 before the date of the public hearing. Notice of election shall be
2 promptly given to the Department of Housing and Community
3 Development. The metropolitan planning organization or the
4 regional transportation planning agency shall complete its next
5 regional transportation plan within three years of the notice of
6 election.

7 (N) Two or more of the metropolitan planning organizations
8 for Fresno County, Kern County, Kings County, Madera County,
9 Merced County, San Joaquin County, Stanislaus County, and
10 Tulare County may work together to develop and adopt
11 multiregional goals and policies that may address interregional
12 land use, transportation, economic, air quality, and climate
13 relationships. The participating metropolitan planning organizations
14 may also develop a multiregional sustainable communities strategy,
15 to the extent consistent with federal law, or an alternative planning
16 strategy for adoption by the metropolitan planning organizations.
17 Each participating metropolitan planning organization shall
18 consider any adopted multiregional goals and policies in the
19 development of a sustainable communities strategy and, if
20 applicable, an alternative planning strategy for its region.

21 (3) An action element that describes the programs and actions
22 necessary to implement the plan and assigns implementation
23 responsibilities. The action element may describe all transportation
24 projects proposed for development during the 20-year or greater
25 life of the plan. The action element shall consider congestion
26 management programming activities carried out within the region.

27 (4) (A) A financial element that summarizes the cost of plan
28 implementation constrained by a realistic projection of available
29 revenues. The financial element shall also contain
30 recommendations for allocation of funds. A county transportation
31 commission created pursuant to the County Transportation
32 Commissions Act (Division 12 (commencing with Section 130000)
33 of the Public Utilities Code) shall be responsible for recommending
34 projects to be funded with regional improvement funds, if the
35 project is consistent with the regional transportation plan. The first
36 five years of the financial element shall be based on the five-year
37 estimate of funds developed pursuant to Section 14524. The
38 financial element may recommend the development of specified
39 new sources of revenue, consistent with the policy element and
40 action element.

1 (B) The financial element of transportation planning agencies
2 with populations that exceed 200,000 persons may include a project
3 cost breakdown for all projects proposed for development during
4 the 20-year life of the plan that includes total expenditures and
5 related percentages of total expenditures for all of the following:
6 (i) State highway expansion.
7 (ii) State highway rehabilitation, maintenance, and operations.
8 (iii) Local road and street expansion.
9 (iv) Local road and street rehabilitation, maintenance, and
10 operation.
11 (v) Mass transit, commuter rail, and intercity rail expansion.
12 (vi) Mass transit, commuter rail, and intercity rail rehabilitation,
13 maintenance, and operations.
14 (vii) Pedestrian and bicycle facilities.
15 (viii) Environmental enhancements and mitigation.
16 (ix) Research and planning.
17 (x) Other categories.

18 (C) The metropolitan planning organization or county
19 transportation agency, whichever entity is appropriate, shall
20 consider financial incentives for cities and counties that have
21 resource areas or farmland, as defined in Section 65080.01, for
22 the purposes of, for example, transportation investments for the
23 preservation and safety of the city street or county road system
24 and farm-to-market and interconnectivity transportation needs.
25 The metropolitan planning organization or county transportation
26 agency, whichever entity is appropriate, shall also consider
27 financial assistance for counties to address countywide service
28 responsibilities in counties that contribute toward the greenhouse
29 gas emission reduction targets by implementing policies for growth
30 to occur within their cities.

31 (c) Each transportation planning agency may also include other
32 factors of local significance as an element of the regional
33 transportation plan, including, but not limited to, issues of mobility
34 for specific sectors of the community, including, but not limited
35 to, senior citizens.

36 (d) (1) Except as otherwise provided in this subdivision, each
37 transportation planning agency shall adopt and submit, every four
38 years, an updated regional transportation plan to the California
39 Transportation Commission and the Department of Transportation.
40 A transportation planning agency located in a federally designated

1 air quality attainment area or that does not contain an urbanized
2 area may at its option adopt and submit a regional transportation
3 plan every five years. When applicable, the plan shall be consistent
4 with federal planning and programming requirements and shall
5 conform to the regional transportation plan guidelines adopted by
6 the California Transportation Commission. Before adoption of the
7 regional transportation plan, a public hearing shall be held after
8 the giving of notice of the hearing by publication in the affected
9 county or counties pursuant to Section 6061.

10 (2) (A) Notwithstanding subdivisions (b) and (c), and paragraph
11 (1), ~~inclusive~~, the regional transportation plan, sustainable
12 communities strategy, and environmental impact report adopted
13 by the San Diego Association of Governments on October 9, 2015,
14 shall remain in effect for all purposes, including for purposes of
15 consistency determinations and funding eligibility for the San
16 Diego Association of Governments and all other agencies relying
17 on those documents, until the San Diego Association of
18 Governments adopts its next update to its regional transportation
19 plan.

20 (B) The San Diego Association of Governments shall adopt and
21 submit its update to the 2015 regional transportation plan on or
22 before December 31, 2021.

23 (C) After the update described in subparagraph (B), the time
24 period for San Diego Association of Governments' updates to its
25 regional transportation plan shall be reset and shall be adopted and
26 submitted every four years.

27 (D) Notwithstanding clause (iv) of subparagraph (A) of
28 paragraph (2) of subdivision (b), the State Air Resources Board
29 shall not update the greenhouse gas emission reduction targets for
30 the region within the jurisdiction of the San Diego Association of
31 Governments before the adoption of the update to the regional
32 transportation plan pursuant to subparagraph (B).

33 (E) The update to the regional transportation plan adopted by
34 the San Diego Association of Governments on October 9, 2015,
35 which will be prepared and submitted to federal agencies for
36 purposes of compliance with federal laws applicable to regional
37 transportation plans and air quality conformity and which is due
38 in October 2019, shall not be considered a regional transportation
39 plan pursuant to this section and shall not constitute a project for
40 purposes of the California Environmental Quality Act (Division

1 13 (commencing with Section 21000) of the Public Resources
2 Code).

3 (F) In addition to meeting the other requirements to nominate
4 a project for funding through the Solutions for Congested Corridors
5 Program (Chapter 8.5 (commencing with Section 2390) of Division
6 3 of the Streets and Highways Code), the San Diego Association
7 of Governments, until December 31, 2021, shall only nominate
8 projects for funding through the Solutions for Congested Corridors
9 Program that are consistent with the eligibility requirements for
10 projects under any of the following programs:

11 (i) The Transit and Intercity Rail Capital Program (Part 2
12 (commencing with Section 75220) of Division 44 of the Public
13 Resources Code).

14 (ii) The Low Carbon Transit Operations Program (Part 3
15 (commencing with Section 75230) of Division 44 of the Public
16 Resources Code).

17 (iii) The Active Transportation Program (Chapter 8
18 (commencing with Section 2380) of Division 3 of the Streets and
19 Highways Code).

20 (G) Commencing January 1, 2020, and every two years
21 thereafter, the San Diego Association of Governments shall begin
22 developing an implementation report that tracks the implementation
23 of its most recently adopted sustainable communities strategy. The
24 report shall discuss the status of the implementation of the strategy
25 at the regional and local level, and any successes and barriers that
26 have occurred since the last report. The San Diego Association of
27 Governments shall submit the implementation report to the ~~state~~
28 ~~board~~ *State Air Resources Board* by including it in its sustainable
29 communities strategy implementation review pursuant to clause
30 (ii) of subparagraph (J) of paragraph (2) of subdivision (b).

31 ~~(e) This section shall become operative on January 1, 2023.~~

32 *SEC. 2. Section 2393 of the Streets and Highways Code is*
33 *amended to read:*

34 2393. A project nomination shall include documentation
35 regarding the quantitative and qualitative measures validating the
36 project's consistency with the policy objectives of the program as
37 set forth in this chapter. *A project nomination shall demonstrate*
38 *how the project would contribute to achieving the state's*
39 *greenhouse gas emission reduction targets.* In addition to being
40 included in a corridor plan, a nominated project shall also be

1 included in the region’s regional transportation plan. Projects
2 within the boundaries of a metropolitan planning organization
3 ~~must~~ shall be included in an adopted regional transportation plan
4 that includes a sustainable communities strategy determined by
5 the State Air Resources Board to achieve the region’s greenhouse
6 gas emissions reduction targets.

7 *SEC. 3. If the Commission on State Mandates determines that*
8 *this act contains costs mandated by the state, reimbursement to*
9 *local agencies and school districts for those costs shall be made*
10 *pursuant to Part 7 (commencing with Section 17500) of Division*
11 *4 of Title 2 of the Government Code.*

12 ~~SECTION 1. It is the intent of the Legislature to enact~~
13 ~~subsequent legislation that would require regional transportation~~
14 ~~agencies to prioritize and fund transportation projects, including~~
15 ~~those funded by a local sales tax measure, that significantly~~
16 ~~contribute towards the goals outlined in a region’s sustainable~~
17 ~~communities strategy and the state’s climate goals.~~

BILL: AB 7 (Friedman, D-Burbank)
Introduced December 5, 2022
Amended March 16, 2023
Amended May 25, 2023

SUBJECT: AB 7 would create new priorities for how the California State Transportation Agency, the California Department of Transportation and California Transportation Commission are to implement transportation funding programs, project development and project implementation; and require revision to the elements of the California Transportation Plan.

STATUS: Pending in Senate
Passed Assembly 54-17
Passed the Assembly Appropriations Committee 12-3
Passed the Assembly Transportation Committee 11-4

SUMMARY AS OF MAY 31, 2023:

AB 7 (Friedman, D-Burbank) adds new requirements for the California Transportation Plan (CTP) and lists priorities which the California State Transportation Agency (CalSTA), the California Department of Transportation (Caltrans) and the California Transportation Commission (CTC) are to incorporate into their processes for transportation project development, selection and implementation, to the extent possible, feasible, applicable and cost effective. The intent of the author is to better align transportation programs with the State's climate, maintenance and safety goals, in addition to some of the new goals included in the federal Infrastructure Investment and Jobs Act.

The CTP is a long-range transportation plan developed by Caltrans every five years, pursuant to state statute, to demonstrate how the State will meet its greenhouse gas emission reduction goals. Previous iterations of this plan have been critiqued for including proposals that are not financially constrained, as a regional transportation plan is required to be, and including assumptions related to land use and development that are not realistic. AB 7 seeks to help address these shortcomings by requiring the CTP to include a financial element that summarizes the full cost of the CTP, available revenues through the planning period and what is feasible within the plan if constrained by actual revenues. Further, this element is to evaluate the feasibility of any policy assumptions or scenarios included in the CTP, and may discuss tradeoffs within the plan considering fiscal constraints. AB 7 also requires the CTP to include an analysis of how CalSTA, Caltrans and the CTC are achieving principles outlined in the Climate Action Plan for Transportation Infrastructure (CAPTI), the Infrastructure Investment and Jobs Act (IIJA) and the federal Justice40 initiative, which is from a federal Executive Order that created the goal of having 40 percent of certain federal investments flow to disadvantaged communities.

AB 7 then goes further to require, on or after January 1, 2025, CalSTA, Caltrans and the CTC, to the extent possible, feasible, applicable and cost effective, to incorporate various

principles into their processes for transportation project development, selection and implementation. These principles include cross-references to federal statutory sections, selectively choosing certain parameters governing federal funding programs, including short-term discretionary grant programs. For instance, there are principles that cross-reference the National Highway Performance Program and discuss resiliency and safety, a principle that cross-references the Americans with Disabilities Act, and another principle that cross-references the One Federal Decision framework that has not yet been finalized. In addition, principles are included that address other priorities, including promoting compact infill development; reducing vehicle miles traveled including considering alternatives to general purpose lanes; building an integrated state rail and transit network; making safety improvements to reduce fatalities and severe injuries; strengthening commitment to social and racial equity including avoiding placing new or exacerbating existing burdens on these communities; and protecting natural and working lands from conversion by supporting local and region conservation.

EFFECTS ON ORANGE COUNTY:

The Orange County Transportation Authority (OCTA) is responsible for developing the long-range transportation plan (LRTP), which outlines the transportation priorities for the county over the horizon year of the Southern California Association of Governments' (SCAG) regional transportation plan (RTP). The LRTP is then integrated into the RTP. These plans must be financially constrained, based on existing and projected revenues. As currently developed, however, the CTP is not subject to the same restrictions. Therefore the CTP can propose significantly higher transit service levels; expansion of transit, rail and active transportation systems; and the location of future land use and housing that are not aligned with available revenues or policies adopted in a RTP. While AB 7's proposed language related to adding a financial element is a step in the right direction to resolve these discrepancies, the currently proposed language does not ensure alignment with assumptions in adopted RTPs. Without consistency, the CTP could include proposals that would require a redirection of existing resources, include new revenues that are not likely to accrue, or projected service levels or pricing assumptions that are not currently planned or feasible.

Further, AB 7's proposed language to require analysis of how the plan aligns with the principles of CAPTI, IIJA and Justice40, is not only unclear but would also put into statute policy documents that could change moving forward or are not statutorily authorized. For instance, CAPTI and Justice40 were both done via executive order. These goals are evolving and may change in the future. However, the CTP would continue to have to reference them, not affording an opportunity for the CTP to align with the most current requirements. Further, the IIJA was a federal reauthorization bill that reauthorized several federal transportation funding programs, some of which have existed for decades. Under each funding program there are a host of eligibility parameters and goals. Based on the current language, it would appear that the CTP would have to show how its meeting all of these goals. This is regardless of whether an authorized program is only created for a limited duration or intent. Already part of the intent of the CTP is to show how the State

will meet various state goals and objectives; this added language is not only unclear but could complicate the focus of this plan.

Similarly, AB 7's language which would require CalSTA, Caltrans and the CTC to incorporate various priorities into their project development, selection and implementation, is unclear and could jeopardize transportation funding and planning programs. As currently drafted, AB 7 would apply to any funding program administered by the specified agencies, including formula programs OCTA receives directly like State Transportation Improvement Program and Low Carbon Transit Operations Program. It would also apply to various competitive grant programs including the Transit and Intercity Rail Capital Program and SB 1 (Chapter 5, Statutes of 2017) programs. The bill's reference to project development and implementation also infers that these principles are to apply beyond the funding programs, including potentially in approval processes and permitting.

AB 7 includes 18 priorities, some of which do not align with the intent of existing programs, and selectively chooses which priorities to include from federal programs. For instance, AB 7 directly sites to several specific sections of federal code governing programs like the NHPP, ADA and various discretionary grant programs. However, the priority of those programs described in AB 7 does not align with what federal statute provides as the priorities. This could create discrepancies between how state agencies prioritize transportation programs and what is required under federal law. Further, complete discretion is given to CalSTA, Caltrans and the CTC to determine which priorities are possible, feasible, applicable and cost-effective for each area, regardless of what statute already requires. This could provide an opportunity to add significant new requirements to SB 1 programs and other transportation funds, rewriting the original intent of those programs. It could also provide authorization to add new requirements to how a project is planned and implemented. This creates significant uncertainty for future transportation funding and planning efforts, impacting projects by OCTA.

Mobility 21, the Orange County Business Council, Rebuild SoCal, the Riverside County Transportation Commission and others have already adopted oppose positions to this bill. An OPPOSE position is consistent with OCTA's 2023-24 State Legislative Platform principles to "Oppose linking or reprioritizing local and state transportation funding to programs not primarily intended to help the State meet its transportation needs."

OCTA POSITION:

Staff recommends: OPPOSE

AMENDED IN ASSEMBLY MAY 25, 2023
AMENDED IN ASSEMBLY MARCH 16, 2023
CALIFORNIA LEGISLATURE—2023–24 REGULAR SESSION

ASSEMBLY BILL

No. 7

Introduced by Assembly Member Friedman

December 5, 2022

An act to *amend Section 65072 of, and to add Section 13985-~~to~~ to*, the Government Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 7, as amended, Friedman. Transportation: *planning*: project selection processes.

~~Existing~~

(1) ~~Existing~~ law establishes within state government the Transportation Agency, which consists of the Department of the California Highway Patrol, the California Transportation Commission, the Department of Motor Vehicles, the Department of Transportation, the High-Speed Rail Authority, and the Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun. The agency is under the supervision of the Secretary of Transportation, who has the power of general supervision over each department within the agency. The secretary, among other duties, is charged with developing and reporting to the Governor on legislative, budgetary, and administrative programs to accomplish coordinated planning and policy formulation in matters of public interest, including transportation projects.

~~This bill would require, on and after January 1, 2025, the project selection process for each transportation project that would be funded, at least partially, from specified funding sources, including the State~~

Highway Account, the Road Maintenance and Rehabilitation Account, and the Trade Corridor Enhancement Account, to incorporate specified principles. The bill would require the agency, on or before January 1, 2026, and annually thereafter, to submit a report to the Legislature on how those transportation projects that were completed during the prior year incorporated those principles.

To the extent this bill would impose new duties on a local government, the bill would create a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

On and after January 1, 2025, and to the extent possible, feasible, applicable, and cost effective, this bill would require the agency, the Department of Transportation, and the California Transportation Commission to incorporate specified principles into their processes for project development, selection, and implementation.

(2) Existing law requires the Department of Transportation to prepare the California Transportation Plan for submission to the Governor and the Legislature, to complete the 3rd update to the plan by December 31, 2025, and to update the plan every 5 years thereafter, as a long-range planning document that incorporates various elements and is consistent with specified expressions of legislative intent.

This bill would require the California Transportation plan to include a financial element, as specified, and an analysis of how certain entities are achieving principles outlined in the Climate Action Plan for Transportation Infrastructure, the federal Infrastructure Investment and Jobs Act of 2021, and the federal Justice40 initiative.

Vote: majority. Appropriation: no. Fiscal committee: yes.
 State-mandated local program: ~~yes~~-no.

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

- 1 SECTION 1. The Legislature finds and declares all the
- 2 following:
- 3 (a) State transportation accounts for approximately
- 4 \$30,000,000,000 of spending between state and local funds, and

1 *contributes approximately 40 percent of the state’s greenhouse*
2 *gas emissions.*

3 *(b) President Biden’s Executive Order No. 14052 (E.O. 14052),*
4 *titled “Implementation of the Infrastructure Investment and Jobs*
5 *Act” (IIJA), says that the IIJA is “a once-in-a-generation*
6 *investment in our Nation’s infrastructure and competitiveness.”*
7 *E.O. 14052 also says that the programs and funding enabled*
8 *through IIJA will “help rebuild America’s roads, bridges, and*
9 *rails; expand access to clean drinking water; work to ensure access*
10 *to high-speed internet throughout the Nation; tackle the climate*
11 *crisis; advance environmental justice; and invest in communities*
12 *that have too often been left behind” and that it will “accomplish*
13 *all of this while driving the creation of good-paying union jobs*
14 *and growing the economy sustainably and equitably for decades*
15 *to come.”*

16 *(c) Effective implementation by the executive departments and*
17 *agencies with statutory responsibilities designated in the IIJA will*
18 *be critical to achieving these goals.*

19 *(d) It is the intent of the state to implement federal guidance*
20 *from the IIJA to the utmost and fullest extent in order for the state*
21 *to be competitive for future federal funding, and to improve the*
22 *lives of all Californians.*

23 *(e) Under Governor Gavin Newsom’s Climate Action Plan for*
24 *Transportation Infrastructure (CAPTI), California is committed*
25 *to investing billions of discretionary transportation dollars to*
26 *combat and adapt to climate change while supporting other vital*
27 *state goals, including the economy, the environment, quality of*
28 *life, public health, high-quality resilient infrastructure, safety,*
29 *accessibility, and equity.*

30 *SEC. 2. Section 65072 of the Government Code is amended to*
31 *read:*

32 *65072. The California Transportation Plan shall include all of*
33 *the following:*

34 *(a) A policy element that describes the state’s transportation*
35 *policies and system performance objectives. These policies and*
36 *objectives shall be consistent with legislative intent described in*
37 *Sections 14000, 14000.5, 14000.6, and 65088.*

38 *(b) A strategies element that shall incorporate the broad system*
39 *concepts and strategies synthesized from the adopted regional*

1 transportation plans prepared pursuant to Section 65080. The
2 California Transportation Plan shall not be project specific.

3 (c) *A financial element that summarizes the full cost of the*
4 *implementation of the California Transportation Plan, a summary*
5 *of available revenues through the planning period, and an analysis*
6 *of what is feasible within the plan if constrained by a realistic*
7 *projection of available revenues. The financial element shall also*
8 *evaluate the feasibility of any policy assumptions or scenarios*
9 *included in the plan. The financial element may include a*
10 *discussion of tradeoffs within the plan considering financial*
11 *constraints.*

12 (d) *An analysis of how the Transportation Agency, Department*
13 *of Transportation, and California Transportation Commission are*
14 *achieving principles outlined in the Climate Action Plan for*
15 *Transportation Infrastructure, the federal Infrastructure Investment*
16 *and Jobs Act of 2021 (Public Law 117-58), and the federal*
17 *Justice40 initiative.*

18 (e)

19 (e) A recommendations element that includes economic forecasts
20 and recommendations to the Legislature and the Governor to
21 achieve the plan's broad system concepts, strategies, and
22 performance objectives.

23 **SECTION 1.**

24 **SEC. 3.** Section 13985 is added to the Government Code, to
25 read:

26 13985. ~~(a) On and after January 1, 2025, the project selection~~
27 ~~process for each transportation project that would be funded, at~~
28 ~~least partially, from a funding source specified in subdivision (b)~~
29 ~~shall incorporate the principles specified in subdivision (e): to the~~
30 ~~extent possible, feasible, applicable, and cost effective, the~~
31 ~~Transportation Agency, Department of Transportation, and~~
32 ~~California Transportation Commission shall incorporate into their~~
33 ~~processes for project development, selection, and implementation~~
34 ~~all of the following principles:~~

35 ~~(b) This section shall only apply to a transportation project~~
36 ~~funded, at least partially, from one or more of the following~~
37 ~~sources:~~

38 ~~(1) The State Highway Account described in Section 182 of the~~
39 ~~Streets and Highways Code.~~

- 1 ~~(2) The Road Maintenance and Rehabilitation Account created~~
2 ~~pursuant to Section 2031 of the Streets and Highways Code.~~
- 3 ~~(3) A local transportation fund established by a county pursuant~~
4 ~~to Article 11 (commencing with Section 29530) of Chapter 2 of~~
5 ~~Division 3 of Title 3.~~
- 6 ~~(4) The Highway Safety, Traffic Reduction, Air Quality, and~~
7 ~~Port Security Fund of 2006 created pursuant to Section 8879.23.~~
- 8 ~~(5) The Highway Users Tax Account described in Section 2100~~
9 ~~of the Streets and Highways Code.~~
- 10 ~~(6) The Trade Corridor Enhancement Account created pursuant~~
11 ~~to Section 2192.4 of the Streets and Highways Code.~~
- 12 ~~(e) The following principles shall be incorporated into the~~
13 ~~project selection processes described in subdivision (a):~~
 - 14 ~~(1)~~
15 ~~(a) Improving the condition, resilience, and safety of road and~~
16 ~~bridge assets consistent with asset management plans, including~~
17 ~~investing in preservation of those assets, consistent with Section~~
18 ~~119 of Title 23 of the United States Code.~~
 - 19 ~~(2)~~
20 ~~(b) Promoting and improving safety for all road users,~~
21 ~~particularly vulnerable users, and supporting major actions and~~
22 ~~goals consistent with the federal Department of Transportation's~~
23 ~~January 2022 National Roadway Safety Strategy for safer people,~~
24 ~~safer roads, safer vehicles, safer speeds, and enhanced post-crash~~
25 ~~care, consistent with Section 148 of Title 23 of the United States~~
26 ~~Code.~~
 - 27 ~~(3)~~
28 ~~(c) Supporting accelerated project delivery and an efficient~~
29 ~~environmental review process through the One Federal Decision~~
30 ~~framework and by continuing to coordinate with other federal~~
31 ~~partners to ensure that the benefits of projects are realized as soon~~
32 ~~as possible, consistent with Section 139 of Title 23 of the United~~
33 ~~States Code.~~
 - 34 ~~(4)~~
35 ~~(d) Making streets and other transportation facilities accessible~~
36 ~~to all users and compliant with the Americans with Disabilities~~
37 ~~Act, consistent with Part 37 (commencing with Section 37.1) of~~
38 ~~Title 49 of the Code of Federal Regulations.~~
 - 39 ~~(5)~~

1 (e) Addressing environmental impacts ranging from ~~storm water~~
 2 *stormwater* runoff to the emissions of greenhouse gases, consistent
 3 with Sections 175 and 176 of Title 23 of the United States Code.

4 ~~(6)~~

5 (f) Prioritizing infrastructure that is less vulnerable and more
 6 resilient to a changing climate, consistent with Sections 101, 119,
 7 176, and 520 of Title 23 of the United States Code.

8 ~~(7)~~

9 (g) Future-proofing transportation infrastructure by
 10 accommodating new and emerging technologies such as electric
 11 vehicle charging stations, renewable energy generation, and
 12 broadband deployment in transportation rights-of-way, consistent
 13 with Part 645 (commencing with Section 645.101) of Title 23 of
 14 the Code of Federal Regulations and Section 151 of Title 23 of
 15 the United States Code.

16 ~~(8)~~

17 (h) Reconnecting communities and reflecting the inclusion of
 18 disadvantaged and underrepresented groups in the planning, project
 19 selection, and design process, consistent with Section 11509 of
 20 the federal Infrastructure Investment and Jobs Act (Public Law
 21 117-58).

22 ~~(d) (1) On or before January 1, 2026, and annually thereafter,~~
 23 ~~the agency shall submit a report to the Legislature on how each~~
 24 ~~transportation project described in subdivision (a) that was~~
 25 ~~completed during the prior year incorporated the principles~~
 26 ~~specified in subdivision (c).~~

27 ~~(2) A report to be submitted pursuant to this subdivision shall~~
 28 ~~be submitted in compliance with Section 9795.~~

29 (i) *Building toward an integrated, statewide rail and transit*
 30 *network, centered around the existing California State Rail Plan,*
 31 *that leverages the California Integrated Travel Project to provide*
 32 *seamless, affordable, multimodal travel options in all contexts,*
 33 *including suburban and rural settings, to all users.*

34 (j) *Investing in networks of safe and accessible bicycle and*
 35 *pedestrian infrastructure, particularly by closing gaps on portions*
 36 *of the state highway system that intersect local active*
 37 *transportation and transit networks or serve as small town or rural*
 38 *main streets, with a focus on investments in low-income and*
 39 *disadvantaged communities throughout the state.*

1 (k) Including investments in light, medium, and heavy-duty
2 zero-emission vehicle (ZEV) infrastructure as part of larger
3 transportation projects. Supporting the innovation in and
4 development of the ZEV market and help ensure ZEVs are
5 accessible to all, particularly to those in more rural or remote
6 communities.

7 (l) Strengthening our commitment to social and racial equity
8 by reducing public health and economic harms and maximizing
9 community benefits to disproportionately impacted disadvantaged
10 communities, low-income communities, and Black, Indigenous,
11 and People of Color (BIPOC) communities in urbanized and rural
12 regions, and involving these communities early in decisionmaking.
13 Investments should also avoid placing new or exacerbating existing
14 burdens on these communities, even if unintentional.

15 (m) Making safety improvements to reduce fatalities and severe
16 injuries of all users towards zero on our roadways, railways, and
17 transit systems by focusing on context-appropriate speeds,
18 prioritizing vulnerable user safety to support mode shift, designing
19 roadways to accommodate for potential human error and injury
20 tolerances, and ultimately implementing a safe systems approach.

21 (n) Assessing physical climate risk as standard practice for
22 transportation infrastructure projects to enable informed
23 decisionmaking, especially in communities that are most vulnerable
24 to climate-related health and safety risks.

25 (o) Promoting projects that do not significantly increase
26 passenger vehicle travel, particularly in congested urbanized
27 settings where other mobility options can be provided and where
28 projects are shown to induce significant auto travel. These projects
29 should generally aim to reduce vehicle miles traveled (VMT) and
30 not induce significant VMT growth. When addressing congestion,
31 consider alternatives to highway capacity expansion, such as
32 providing multimodal options in the corridor, employing pricing
33 strategies, and using technology to optimize operations.

34 (p) Promoting compact infill development while protecting
35 residents and businesses from displacement by funding
36 transportation projects that support housing for low-income
37 residents near job centers, provide walkable communities, and
38 address affordability to reduce the housing-transportation cost
39 burden and auto trips.

1 *(q) Developing a zero-emission freight transportation system*
2 *that avoids and mitigates environmental justice impacts, reduces*
3 *criteria and toxic air pollutants, improves freight’s economic*
4 *competitiveness and efficiency, and integrates multimodal design*
5 *and planning into infrastructure development on freight corridors.*

6 *(r) Protecting natural and working lands from conversion to*
7 *more intensified uses and enhance biodiversity by supporting local*
8 *and regional conservation planning that focuses development*
9 *where it already exists and aligns transportation investments with*
10 *conservation priorities to reduce transportation’s impact on the*
11 *natural environment.*

12 ~~SEC. 2.— If the Commission on State Mandates determines that~~
13 ~~this act contains costs mandated by the state, reimbursement to~~
14 ~~local agencies and school districts for those costs shall be made~~
15 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~
16 ~~4 of Title 2 of the Government Code.~~



Connecting us.

April 25, 2023

The Honorable Gavin Newsom
Governor, State of California

The Honorable Toni G. Atkins
Senate President Pro Tempore
California State Senate

The Honorable Anthony Rendon
Speaker of the Assembly
California State Assembly

The Honorable Nancy Skinner
Chair, Senate Budget Committee
California State Senate

The Honorable Phil Y. Ting
Chair, Assembly Budget Committee
California State Assembly

RE: California Transit Association's Funding Request and Policy Recommendations to Address Near-Term Operating Deficits

Dear Governor Newsom, Pro Tempore Atkins, Speaker Rendon, Senator Skinner, and Assemblymember Ting:

On behalf of the California Transit Association, I write to you to today to share our state funding request and policy recommendations to address the near-term operating deficits faced by California transit agencies. Our recommendations were unanimously approved by the Association's leadership in the week of April 16, following months of discussion between our members from across the state and shaped by our engagement with decision makers in Sacramento. With the state itself facing a difficult budget outlook for Fiscal Year 2023-24, our recommendations consciously internalize your message to limit (to the extent possible) new impacts to the state's General Fund and tackle impediments to the long-term financial and operational sustainability of our industry. As public transportation is at the center of the state's strategy for combatting climate change and vital to the mobility of the most vulnerable Californians, we intend for our recommendations to provide actionable guidance to the Legislature and Newsom Administration for addressing in 2023 the near-term needs of California transit agencies and the communities they serve, and to set the stage for a larger discussion about state support for transit operations, potential reforms to long-standing transit funding programs and formulas, and strategies to retain and rebuild riders. We thank you for your continued engagement with us, and for your demonstrated support for public transportation throughout your careers and in this pivotal moment.

Funding Request

As we presented at the Assembly Budget Subcommittee #3 hearing on March 15, **the Association estimates, through surveys of our member agencies, that California transit agencies statewide require at least \$6 billion from FY 2023-24 to FY 2027-28** to address

pandemic-induced operating deficits that threaten transit service and jobs statewide, undermine transit agencies' work to support the state's environmental and mobility objectives, and stymie transit agencies' – and our most vulnerable communities' – recovery from the pandemic. Our data shows that most of this total statewide need derives from the operating deficits of agencies in the San Francisco Bay Area and broader Southern California region, respectively. The remaining balance of this total statewide need derives from the operating deficits of agencies in the broader Northern California region (exclusive of the San Francisco Bay Area), Central Valley and Central Coast. Thus, we argue that this statewide crisis requires a state-level solution, with flexible parameters to address unique local needs.

We find that these operating deficits stem from a variety of factors impacting agencies nationwide, including the depletion of federal emergency relief funding; the increased costs of transit operations resulting from a tight labor market and historically high fuel and energy costs; the increased costs of capital projects, resulting from inflation and supply chain issues; and, a slower-than-anticipated recovery in ridership caused by prevalence and endurance of remote work and the advent of new public safety concerns. The start date and severity of these operating deficits in California, much like for agencies across the nation, vary greatly by agency and depend on the funding portfolios that comprise their operating budgets, their level of dependence on fare revenue, and the socioeconomic characteristics of their ridership (which correlate with ridership retention and recovery).

Our findings are validated by a recent report completed by the UCLA Institute of Transportation Studies, entitled [“Financing the Future: Examining the Fiscal Landscape of California Public Transit in the Wake of the Pandemic.”](#) which found, among other things, that *“[d]espite lagging demand, energy, equipment, and especially labor costs are up, while both ridership and associated fare revenues remain depressed. While state and local subsidies have mostly rebounded, they are falling behind rising costs. As a result, California transit agencies may be forced to cut service to reduce costs, and in doing so precipitate a vicious cycle of falling resources, service, and ridership.”*

To address this near-term funding need, we request that the State of California provide \$5.15 billion in multiyear funding for transit operations from a collection of state funding sources that have historically supported transit capital and operations. As detailed below, our request is intentionally designed to limit its impact to the state's General Fund and is only expected to result in a \$213 million reduction to General Fund revenue in FY 2023-24 (assuming prior year funding commitments are upheld).

Specifically, we request the following:

- **An Additional Appropriation of Revenue from Sales Tax on Diesel Fuel (\$1.35B from FY 2023-24 through FY 2027-28):** Under current law, California transit agencies receive approximately 80% of revenue generated by the state sales tax on diesel fuel. In usual years, the remaining balance of revenue flows to the state's General Fund. However, [AB 194 \(Committee on Budget\) \[Chapter 55, Statutes of 2022\]](#), last year's taxation budget trailer bill, paused collection of the portion of the sales tax on diesel fuel that generates the remaining balance of revenue through October 1, 2023.

We request that you direct the full balance of revenue generated by the state sales tax on diesel fuel to transit operations for the next five years – from FY 2023-24 through FY

2027-28 once collection of that portion of the sales tax on diesel fuel resumes. This element of our request would provide transit agencies with approximately \$213 million in FY 2023-24 and approximately \$284 million annually from FY 2024-25 to FY 2027-28 for operations. This element would reduce General Fund revenue by the corresponding amount in each fiscal year.

- **An Additional Appropriation of Unallocated Cap and Trade Revenue (\$2.5B from FY 2023-24 through FY 2027-28):** In its report to the Senate Budget Subcommittee No. 2, entitled [“Cap-and-Trade Spending Overview.”](#) the Legislative Analyst’s Office identified \$800 million in unallocated (or “discretionary”) Cap and Trade revenue in FY 2022-23 and FY 2023-24 above the Governor’s proposed FY 2023-24 budget, which includes a significant investment of Cap and Trade revenue in zero-emission vehicles and AB 617 communities.

We request that you provide \$500 million in discretionary Cap and Trade revenue annually to transit agencies for operations for the next five years – from FY 2023-24 through FY 2027-28. We argue that this action is prudent in the face of increased demand for this revenue, given the nexus between transit service and greenhouse gas emission reduction, the centrality of public transit service to the state’s long-term environmental goals, the immediate equity co-benefits that such an investment would deliver, and the dearth of other non-General Fund options for this purpose. We also believe it is important to highlight that the [California Air Resources Board’s 2022 Scoping Plan](#) warns that *“[t]ransit’s fiscal crisis has only exacerbated the adverse equity impacts of the pandemic, considering people with low-income, people with disabilities, and BIPOC communities are commonly transit dependent populations and the service available to them are now more limited,”* and argues *“[a]ccordingly, securing the necessary funding to return transit operations to pre-pandemic levels in the short term needs to be considered both a priority climate and equity action for the State.”*

- **The Conversion of Transit Capital Funding to Transit Operations Funding (\$300M in FYs 2026-27, 2027-28):** Under current law, the Transit and Intercity Rail Capital Program receives \$650 million annually for distribution as competitive grant for transformative transit capital projects through the Transit and Intercity Rail Capital Program. These funds have been encumbered through the end of FY 2025-26 under previously approved multi-year grant awards through the Transit and Intercity Rail Capital Program.

We have long supported TIRCP and recognize the significant value the program provides to communities across the state by supporting the construction of transformative projects that will significantly reduce vehicle miles traveled, congestion, and greenhouse gas emissions. That said, in this time of growing needs and fewer resources, we believe it is appropriate to redirect – on a one-time basis – a portion of this capital funding to operations. Specifically, we request that the state convert \$300 million of the \$1.3 billion that will be available in FYs 2026-27 and 2027-28 from capital funding to operations funding. In this process, we urge the state to ensure that all projects that previously received a multi-year commitment of funds see those commitments upheld.

- **Maintenance of \$4 Billion General Fund Investment in Transit, Flexibility to Use this Transit Capital Funding for Transit Operations (Up to \$1B in FYs 2023-24 through FY 2027-28):** The adopted FY 2022-23 budget commits \$4 billion in General Fund revenue in FYs 2023-24 and 2024-25 for transit capital projects, to be distributed to regions via a population-based formula. The Governor’s proposed FY 2023-24 budget proposes to reduce that commitment by \$2 billion.

As we outlined in our letter, dated January 24, we urge the state to maintain its original \$4 billion commitment for FYs 2023-24 and 2024-25. This investment in the TIRCP was a key element of the budget discussions that ultimately led to the historic \$11 billion commitment to transit, active transportation, climate adaptation and high-speed rail in the adopted FY 2022-23 budget. However, we request that the state grant regions the authority to “flex” up to 25% of their share of funding in these years for transit operations. This element would preserve at least 75% of this funding for building transformative capital projects, as originally directed by the FY 2022-23 budget.

Recognizing that this funding request does not address the full balance of our estimated funding need, we look forward to reviewing, and engaging you on, the funding recommendations being prepared by the Legislative Analyst’s Office. As these discussions continue, we will be sharing recommendations with you for a preferred distribution mechanism, eligible uses, eligible entities, and accountability measures. At the highest-level, we have established as priorities that any new funding be available to transit agencies statewide and be accessible to stop service cuts and layoffs, but also to help agencies retool their service in ways that will retain and attract riders.

Policy Recommendations

As we submit this significant funding request, we acknowledge that in our initial round of discussions with you, you have emphasized the importance of continuing to improve transit service and the rider experience, with the goals of increasing the attractiveness of transit service and setting transit agencies on a path to achieving long-term operational and financial sustainability.

In those discussions, we have communicated our industry’s commitment to this work and our continued interest in partnering with you to scope and implement legislation and operational improvements to deliver these shared goals. In recent years, we have demonstrated what this partnership looks like in practice by scoping and co-sponsoring legislation, including [SB 922 \(Wiener\) \[Chapter 987, Statutes of 2022\]](#) and [AB 917 \(Bloom\) \[Chapter 709, Statutes of 2021\]](#) to, among other things, improve transit travel times and on-time performance within existing resources. Today, we offer the following policy recommendations for consideration by the Legislature:

- **Pass Legislation to Address Safety and Homelessness on Transit Systems:** With the cleanliness and safety of our transit systems being a top concern for the public and key impediments to growing transit ridership, we and our member agencies previously supported the creation of the Clean California Program and the passage of [SB 1161 \(Min\) \[Chapter 218, Statutes of 2022\]](#), and called for the state to provide direct access to homelessness funding to transit agencies.

This year, we and/or our member agencies have worked with the members of the Legislature to scope [SB 434 \(Min\)](#) and [AB 1377 \(Friedman\)](#), new legislation to combat street harassment and the incidence of homelessness on our systems. We urge the Legislature to pass both bills. If California transit agencies are to regain riders and establish long-term financial and operational viability, we stress that it is imperative that we receive targeted support to address these larger societal challenges.

- **Continue Discussions on Reforms to Transit Service and Performance Metrics, Extend Current Statutory Relief:** In late 2018, in response to a request by then-Senate Transportation Committee Chair Jim Beall and then-Assembly Transportation Committee Chair Jim Frazier, the Association initiated an effort to reform the performance metrics in the Transportation Development Act (TDA) that provide accountability on transit operations and that govern access to state transit funding. In early 2020, the Association transmitted preliminary reform recommendations to these committees for their review and further guidance.

Unfortunately, in March 2020, the COVID-19 pandemic began, and work on “TDA reform” between the Association and the Legislature was put on hold. In its place, the Legislature enacted in 2020 and 2021, at the Association’s urging, a series of “statutory relief measures” that incorporated elements of the broader reform effort, but which also shielded transit agencies from unwarranted and counterproductive shifts in transit funding as well as a series of financial penalties that otherwise would have resulted under TDA due to the sharp pandemic-induced loss of fare revenues.

As the pandemic has subsided, the Association has restated its commitment to the Legislature to pursue mutually agreeable reforms to TDA’s performance metrics and to transit service, more generally, to help agencies regrow their ridership and establish fiscal stability over the next five years. Such engagement will take place through the process outlined in [AB 761 \(Friedman and Gonzalez\)](#) and through upcoming listening sessions organized by the California State Transportation Agency.

As that work progresses, we urge you to extend the statutory relief provided to transit agencies through FY 2024-25 as this extension would allow more time for transit operations to recover, stave off unwarranted and counterproductive shifts in transit funding, while also allowing agencies to continue operations without service impacts. From the data we have collected, more than 80% of responding agencies noted that such relief has been helpful in maintaining their service and ridership.

- **Maintain Existing Flexibility in State Transit Assistance-State of Good Repair Program, Expand Flexibility in Low Carbon Transit Operations Program:** [SB 1 \(Beall and Frazier\) \[Chapter 5, Statutes of 2017\]](#) created the State Transit Assistance – State of Good Repair Program (STA-SGR) to provide additional revenues for transit infrastructure repair and service improvements.

Under current law, enacted in 2020 and 2021, California transit agencies were granted flexibility to access STA-SGR to address funding shortfalls in operating or capital expenses resulting from the impact of the COVID-19 pandemic. This redirection of SGR funds requires transit agencies to obtain an approved declaration, board resolution and/or other appropriate document(s), from their respective governing board identifying

the fiscal challenges which may cause reduction of service and thereby directing agency staff to pursue the flexibility of redirecting SGR funds toward these expenses. This flexibility expires at the end of FY 2022-23. We urge you to extend this flexibility for five years through FY 2027-28.

Under current law, California transit agencies can access the Low Carbon Transit Operations Program to support new or expanded bus or rail services, expand intermodal transit facilities, including equipment acquisition, fueling, maintenance and other costs to operate those services or facilities, provided each project reduces greenhouse gas emissions. We urge you to provide flexibility in this program for five years through FY 2027-28 to allow LCTOP funds to be used to maintain operations.

We estimate that, combined, these two policy recommendations would maintain and create operating flexibility of approximately \$1.63 billion over five years.

I also wish to thank you for holding hearings in the Senate and Assembly on this important issue and listening sessions at the California State Transportation Agency to discuss the issues facing my industry and for availing yourselves and your staff to us to carry out deeper conversations on how the state can provide support to California transit agencies amidst a difficult state budget outlook and over the long-term. We look forward to meeting with your offices soon to discuss these requests and recommendations in more detail as we work together to implement solutions to the issues our public transit agencies are facing. If you have any questions about our requests, please contact me at Michael@caltransit.org or (916)-446-4656 x1034.

Sincerely,



Michael Pimentel
Executive Director

cc: The Honorable Maria Elena Durazo, Chair, Senate Budget Subcommittee No. 5
The Honorable Josh Becker, Chair, Senate Budget Subcommittee No. 2
The Honorable Steve Bennett, Chair, Assembly Budget Subcommittee No. 3
Toks Omishakin, Secretary, California State Transportation Agency
Mark Tollefson, Undersecretary, California State Transportation Agency
Chad Edison, Chief Deputy Secretary for Rail and Transit, California State Transportation Agency
James Hacker, Deputy Cabinet Secretary, Office of Governor Gavin Newsom
Steve Cliff, Executive Officer, California Air Resources Board

ATTACHMENT 1: California Transit Association – Budget Request (by Funding Category, Source)

California Transit Association - Budget Request (By Funding Category, Source)

Summary Sheet

New Ops. Funding - New Allocations	Annual Funding Opportunity	5-Year Funding Opportunity	5-Year Funding Request (FY 2023-24 - FY 2027-28)	Notes
Redirection - Sales Tax on Diesel Fuel	\$284,000,000	\$1,349,000,000	\$1,349,000,000	Funding in FY 2023-24 available for partial year only.
Appropriation - Cap and Trade Unallocated	\$800,000,000	\$4,000,000,000	\$2,500,000,000	
Subtotal	\$1,084,000,000	\$5,349,000,000	\$3,849,000,000	
New Ops. Funding - Repurposing of Existing Transit Capital Funding	Annual Funding Opportunity (FY 2026-27 - FY 2027-28 Only)	5-Year Funding Opportunity	5-Year Funding Request (FY 2023-24 - FY 2027-28)	Notes
Redirection - TIRCP (TIF Only)	\$250,000,000	\$500,000,000	\$200,000,000	Funding for FY 2023-24 - FY 2025-26 encumbered in existing multi-year grant awards.
Redirection - TIRCP (GGRF Only)	\$400,000,000	\$800,000,000	\$100,000,000	Funding for FY 2023-24 - FY 2025-26 encumbered in existing multi-year grant awards.
Subtotal	\$650,000,000	\$1,300,000,000	\$300,000,000	
Flexibility in Existing Transit Capital Funding	Annual Funding Opportunity (FY 2023-24 - FY 2024-25 Only)	5-Year Funding Opportunity	5-Year Funding Request (FY 2023-24 - FY 2027-28)	Notes
Flexibility - TIRCP (GF Only)	\$2,000,000,000	\$4,000,000,000	\$1,000,000,000	Funding only available in FY 2023-24 - FY 2024-25. Assumes 25% of \$2 billion annual funding.
Subtotal	\$2,000,000,000	\$4,000,000,000	\$1,000,000,000	
TOTAL			\$5,149,000,000	
Statutory Changes to Existing Transit Operations Funding	Annual Funding Opportunity	5-Year Funding Opportunity	5-Year Funding Request (FY 2023-24 - FY 2027-28)	Notes
Flexibility - LCTOP	\$200,000,000	\$1,000,000,000	\$1,000,000,000	Allow LCTOP, an existing operations funding program, to be used to maintain service.
Flexibility - STA-SOGR	\$125,000,000	\$625,000,000	\$625,000,000	Extend current flexibility to use STA-SOGR to maintain service.
Total	\$325,000,000	\$1,625,000,000	\$1,625,000,000	



May 15, 2023

The Honorable Gavin Newsom
Governor, State of California

The Honorable Toni G. Atkins
Senate President Pro Tempore
California State Senate

The Honorable Anthony Rendon
Speaker of the Assembly
California State Assembly

Dear Governor Newsom, President Pro Tempore Atkins, and Speaker Rendon:

The undersigned write to express our support for the recommendations outlined in the budget request letter from the California Transit Association dated April 25, 2023, and underscore the importance of supporting public transportation as a lifeline that keeps our population and economy moving. We represent the transit agencies and county transportation commissions in Southern California. We serve more than 20 million people from San Diego to Santa Barbara. In total, our population is more than one-half of the State's population, and our combined economies would rank as the 15th largest in the world.

Public transportation is critical to mobility in our region and essential to supporting our economy. It plays a crucial role in achieving our shared climate goals by providing a clean alternative to single-occupancy vehicle travel. High quality public transportation will be critical to the State's prosperity as people return to the offices, as we add increased housing, and as we plan for and implement services to support the 2028 Olympics.

As you know, transit agencies across the State are facing significant financial challenges now and in the future. Southern California transit agencies have a long tradition of working together to achieve common goals. Our agencies have taken a responsible approach to addressing this issue, while recognizing the economic challenges that the state faces. We ask that you work with us to address the immediate funding needs of public transit by providing multi-year support from funding sources that have historically supported public transit. Your support will ensure that all transit agencies in California are sustainable. By ensuring the long-term viability of public transit, we will uphold our mutual sustainability goals and provide improved mobility for Southern Californians who rely on our system.

During the pandemic, it became abundantly clear that public transportation is a lifeline service for many residents. The economy relied on essential workers, and essential workers relied on transit. While we are now well-prepared to address the changes coming out of the pandemic, we experienced significantly increased operating costs during this period. Although we received assistance from the federal government to augment operating budgets, federal assistance has ended, and the costs remain. We continue to focus our efforts towards increasing ridership, decreasing congestion, and improving the well-being of our patrons. With your support, we can secure the funding our systems need to remain sustainable.

The provisions detailed in the California Transit Association's budget request (attached) were developed through a consensus-building process involving transit agencies across the State. All agencies involved in this process have endorsed the Association's approach.

On behalf of our agencies and those who ride our systems, we want to stress the importance of a reliable, sustainable, and equitable public transit system. We, the undersigned, ask for your support in securing direct ongoing multi-year financial support that will help us avoid significant service reductions in the near future.

Sincerely,



Stephanie Wiggins
Chief Executive Officer
Los Angeles Metropolitan Transit Authority



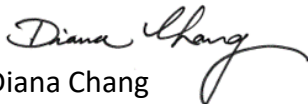
Erin Rogers
Chief Executive Officer/General Manager
OmniTrans



Martin J. Tompkins
Executive Director/CEO
Antelope Valley Transit Authority



Darrell Johnson
Chief Executive Officer
Orange County Transportation Authority



Diana Chang
Chief Transportation Officer
Culver City Bus



Nicole Carranza
Chief Executive Officer
Pomona Valley Transportation Authority



Doran Barnes
Chief Executive Officer
Foothill Transit



Marjie Kirn
Executive Director
Santa Barbara County Association of Governments

Kenneth McDonald

Kenneth McDonald
President and Chief Executive Officer
Long Beach Transit

Kome Ajise

Kome Ajise
Executive Director
Southern California Association of Governments

Darren M. Kettle

Darren M. Kettle
Chief Executive Officer
METROLINK

Jerry Estrada

Jerry Estrada
General Manager
Santa Barbara Metropolitan Transit District

Sharon Cooney

Sharon Cooney
Chief Executive Officer
Metropolitan Transit System

Hasan Ikhata

Hasan Ikhata
Chief Executive Officer
SANDAG

Matthew O. Tucker

Matthew O. Tucker
Executive Officer
North County Transit District

Martin Erickson

Martin Erickson
Executive Director
Ventura County Transportation Commission

ATTACHMENT: California Transit Association – Budget Request Letter Dated April 25, 2023



Connecting us.

May 18, 2023

The Honorable Gavin Newsom
Governor, State of California

The Honorable Toni G. Atkins
Senate President Pro Tempore
California State Senate

The Honorable Anthony Rendon
Speaker of the Assembly
California State Assembly

The Honorable Nancy Skinner
Chair, Senate Budget Committee
California State Senate

The Honorable Phil Y. Ting
Chair, Assembly Budget Committee
California State Assembly

RE: California Transit Association's Proposed Accountability and Reform Framework

Dear Governor Newsom, Pro Tempore Atkins, Speaker Rendon, Senator Skinner, and Assemblymember Ting:

On behalf of the California Transit Association, I write to you today to share our proposed accountability and reform framework for governing access to, and use of, any transit operations funding newly appropriated by the State of California to address the pandemic-induced operating deficits faced by California transit agencies and to support agencies in their recovery from the pandemic and manage other external factors impacting their operations. This proposed framework was developed by our 15-member Transit Operations Funding Subcommittee and serves as an addendum to our budget request for transit operations funding, submitted to the Newsom Administration and Legislature on April 25, 2023.

The transmittal of our proposed framework follows months of engagement with you and your staff on our industry's operations funding needs, including through public hearings, listening sessions, and one-on-one meetings. The proposed framework formally responds to your request that we provide policy recommendations for ensuring that access to any new transit operations funding is conditioned on transit agencies accepting additional and enforceable state accountability and reform requirements. We previously alluded to our proposed framework and transit agencies' standing commitment to improving their services in our presentations to the Senate Budget Subcommittee No. 5 on April 27 and Assembly Budget Subcommittee No. 3 on May 10.

Our proposed framework builds on the extensive oversight and accountability measures already placed on transit agencies by federal, state, regional, and local governments by creating the following additional requirements.

Accountability Prior to Accessing Funding: For an eligible transit agency to receive newly appropriated operations funding, our proposed framework would require its governing board to pass a resolution at a public meeting that:

1. Identifies and demonstrates the agency's estimated operations funding need through FY 2027-28 by year to: a) mitigate service cuts and/or layoffs; and/or b) implement service and/or fare changes and/or ridership retention and recovery strategies.
2. Identifies relevant service and/or fare changes as well as broader ridership retention and recovery and/or operating deficit reduction strategies implemented by the agency on or after March 1, 2020 in response to changing ridership travel patterns.
3. Authorizes the agency to pursue relief funding; and,
4. Identifies broad strategies and tactics for how the agency will apply the funding to address its operating deficit and/or advance ridership recovery in the first year of receiving said funding.

This requirement would ensure that the state and the public have full visibility into how the funding would be used by agencies in their first year of receipt. By mandating a public process at the transit governing board level, this requirement would ensure that the local elected officials that largely comprise transit governing boards, riders, and regional and local stakeholders have the opportunity to influence the use of funds received. This requirement would also provide agencies with the opportunity to identify the steps they have already taken (or are taking) to grow their ridership and reduce their operating deficit in the face of pandemic-induced changes to travel patterns and increased costs, creating for the state a record of transit service and budget changes that subsequently can be used to assess the full balance of agencies' response to the COVID-19 pandemic. Finally, this requirement, when coupled with the accountability, reform, and reporting requirements that apply to agencies after receiving funding (detailed below), would balance the state's interest in transparency and the productive use of state funding with the local interest of putting dollars to use quickly and efficiently to stave off service cuts and/or mass layoffs and to set agencies on a path to recovery. Our proposed framework recommends that the state develop template forms that can be used by eligible transit agencies to ensure that information provided is reported in a standardized manner.

Accountability, Reform, and Reporting Requirements After Receiving Funding: Our proposed framework would further require a recipient transit agency to submit to the state a transit recovery plan (TRP) within 18 months of the agency receiving operations funding that identifies the service and/or fare changes and specific strategies (or reforms) it plans to implement over a "specified period" with this funding to help enhance its ridership and address its operating deficit. This "specified period" would be scaled based on the number of years for which the state provides funding.

The changes and strategies that could be included in a TRP include, but are not limited to, fare and service improvements that enhance the customer experience; accessibility improvements; workforce recruitment, retention and development efforts; improvements that increase transit reliability, speed, or on-time performance, including transit prioritization measures; customer communication enhancements; rider and operator safety enhancements; improvements to the cleanliness of transit stations, stops, and vehicles. The TRP may also include information on the steps the agency will take to achieve operational savings or increase local revenue. The list of changes and strategies we have identified in our framework for possible inclusion in a TRP draw extensively on the findings and recommendations of the [Los Angeles County Metropolitan](#)

[Transportation Authority's Recovery Task Force Report](#) and the [Metropolitan Transportation Commission's Bay Area Transit Transformation Action Plan](#), which were products of research, regional and local deliberations, and extensive public engagement, as well as the scope of [AB 761 \(Friedman and Gonzalez, 2023\)](#).

To ensure that the changes and strategies included in an agency's TRP are supported by data, reflect the pandemic's impacts on travel/commuting for the agency, and facilitate measurable progress toward greater financial and operational viability for the agency, our proposed framework would require that each TRP be informed by a data-driven analysis conducted or commissioned by the agency or its regional transportation planning agency on or after March 1, 2020. Our proposed framework includes flexibility in what constitutes a data-driven analysis to acknowledge that certain analyses are only relevant to some agency types – for example, a comprehensive operational analysis, which often contemplates route changes would be relevant to bus agencies, but not rail agencies; reflect differences in the severity of funding and recovery needs between agencies; and contemplate differences in resource availability between agencies of different sizes.

Finally, to maintain accountability to the state and the public, our proposed framework would require a recipient transit agency to submit to the state a biennial report that provides an update on its implementation of its TRP and that reports on a series of cost and service metrics as well as barriers to implementation of the plan. The submittal of these reports by a recipient transit agency would be a precondition for the agency receiving successive rounds of funding. Our proposed framework recommends that the state develop template forms that can be used by recipient transit agencies to ensure that information provided is reported in a standardized manner.

As we advance our proposed framework and restate our industry's commitment to accountability and reforms, we must also continue to elevate – as we have in our public and private discussions – that today, California transit agencies face significant external challenges that are not of their making, but that impact their budgets, operating environments, and ridership levels. These challenges include, but are not limited to:

- The prevalence of remote work;
- The hollowing out of downtown cores;
- The increase in homelessness, including on our systems;
- The housing crisis;
- The rise in violent crime;
- Rampant inflation and supply chain issues; and
- The opioid epidemic.

As demonstrated by our proposed framework, we are committed to continuing to improve our services while addressing many of these external challenges (to the extent we can). That said, transit agencies will require stepped up state intervention to address those external challenges for which we have no clear role or means of intervention. The Association and our member agencies stand ready to support that intervention moving forward.

We greatly appreciate the continued and open dialogue with you and your staff in addressing the significant operations funding shortfalls California's transit agencies face. If you have any

questions about our proposed framework, please contact me at 916-446-4656 x1034 or at michael@caltransit.org.

Sincerely,



Michael Pimentel
Executive Director

cc: The Honorable Maria Elena Durazo, Chair, Senate Budget Subcommittee No. 5
The Honorable Josh Becker, Chair, Senate Budget Subcommittee No. 2
The Honorable Steve Bennett, Chair, Assembly Budget Subcommittee No. 3
Members, Senate Budget Subcommittee No. 5
Members, Senate Budget Subcommittee No. 2
Members, Assembly Budget Subcommittee No. 3
Toks Omishakin, Secretary, California State Transportation Agency
Mark Tollefson, Undersecretary, California State Transportation Agency
Chad Edison, Chief Deputy Secretary for Rail and Transit, California State
Transportation Agency
James Hacker, Deputy Cabinet Secretary, Office of Governor Gavin Newsom
Ronda Paschal, Deputy Legislative Secretary, Office of Governor Gavin Newsom
Steve Cliff, Executive Officer, California Air Resources Board

ATTACHMENT 1: California Transit Association – Proposed Accountability and Reform Framework

ATTACHMENT 2: California Transit Association – Funding Request and Policy Recommendations to Address Near-Term Operating Deficits (April 25, 2023)

Proposed Accountability and Reform Framework for Newly Appropriated Transit Operations Funding

Front-End Accountability Requirement (Before Receiving Funding)

- A. Governing board of eligible agency passes board resolution at a public meeting that:
1. Identifies and demonstrates the agency's estimated operations funding need through FY 2027-28 by year to:
 - i. Mitigate service cuts and/or layoffs; and/or
 - ii. Implement service and/or fare changes and/or ridership retention and recovery strategies.
 2. Identifies relevant service and/or fare changes as well as broader ridership retention and recovery and/or operating deficit reduction strategies implemented by the agency on or after March 1, 2020 in response to changing ridership or travel patterns;
 3. Authorizes the agency to pursue relief funding; and,
 4. Identifies broad strategies and tactics for how the agency will apply relief funding to address its operating deficit and/or advance ridership recovery in year 1.

Back-End Accountability, Reform, and Report Requirements (After Receiving Funding)

- A. A recipient agency shall submit to the state a transit recovery plan (TRP) within 18 months that identifies relevant service and/or fare changes and specific strategies it will implement to help enhance its ridership and address its operating deficit over a specified period.
1. A transit recovery plan shall be informed by a data-driven analysis conducted or commissioned by the agency or the applicable regional transportation planning agency on or after March 1, 2020 that may include, but is not limited to:
 - i. A comprehensive operational analysis; strategic plan; service growth development plan, comprehensive service planning study; market opportunity analysis; or short-range transit plan or other local, regional, state, or federal planning document that identifies service adjustments to improve transit operations and align service with demand;
 - ii. A ridership/customer experience survey; or
 - iii. A fare study.

2. A TRP shall identify service and/or fare changes, rider retention and recovery strategies, including customer experience improvements, and/or operating deficit reduction strategies that the agency implemented on or after March 1, 2020 in response to changing ridership or travel patterns.
3. A TRP shall identify service and/or fare changes, rider retention and recovery strategies, and/or operating deficit reduction strategies that the agency will continue or implement over a specified period. These changes and/or strategies shall be consistent with the changes and strategies outlined in requirement 5 of the board resolution outlined above and may include, but are not limited to:
 - i. Service and/or fare changes including, but not limited to:
 1. Fare improvements that enhance the customer experience, including:
 - a. Fare coordination or integration between transit agencies;
 - b. Introduction of simplified or reduced fare schedules or fare promotions targeted at growing ridership; or
 - c. Technologies, including digital ticketing and contactless payment system, coordination and integration with neighboring systems, where feasible.
 2. Service improvements that enhance the customer experience, including:
 - a. Service enhancements to meet increased demand;
 - b. Introduction of coordinated scheduling and timed transfers; or
 - c. Introduction of targeted marketing campaigns and service enhancements.
 3. Strategies to increase system accessibility.
 4. Strategies to improve workforce recruitment, retention, and development.
 - ii. Rider retention and recovery strategies including, but not limited to:
 1. Strategies to increase transit reliability, speed, or on-time performance, including transit prioritization measures or right-of-way improvements that help increase reliability, on-time performance, or safety (e.g. dedicated lanes, traffic light synchronization, etc.).
 2. Customer communication enhancements, including:
 - a. Development and publication of GTFS feed and service alerts;

- b. Mapping and wayfinding between transit agencies and to final passenger destinations; or
 - c. Improvements to customer communications systems, including station intercom and onboard systems.
 - 3. Strategies to enhance safety for riders and operators; and
 - 4. Strategies to enhance the cleanliness of transit stations, stops, and vehicles.
 - iii. Operating deficit reduction strategies including, but not limited to:
 - 1. Strategies to achieve operational savings; or
 - 2. Strategies to increase local revenue, including through the introduction of innovative and non-traditional revenue sources.
 - 4. A transit recovery plan shall identify any barriers that impede the agency's recovery or implementation of preferred strategies to recover its ridership and address its operating deficit. Such barriers may include, but are not limited to:
 - i. Long-term funding uncertainty;
 - ii. External economic forces;
 - iii. Workforce recruitment, retention, development challenges, impacting service;
 - iv. Local, state, or federal policies;
 - v. Barriers to introduction of innovative and non-traditional revenue sources; or,
 - vi. A public health emergency.
- B. A recipient agency shall submit to the state a biennial report that provides an update on its implementation of its TRP and that reports on the cost and service metrics identified in (B)(1) and any challenges implementing the plan, including additional operations funding need.
 - 1. Cost and service metrics include the following, as reported by the recipient agency to the National Transit Database:
 - i. Transit operating funds expended, including expenditures from:
 - 1. Fares and directly generated revenue;
 - 2. Local funds;
 - 3. State funds; and,
 - 4. Federal assistance.

- ii. Transit service delivered, including:
 - 1. Average Weekday Unlinked Trips;
 - 2. Average Saturday Unlinked Trips;
 - 3. Average Sunday Unlinked Trips;
 - 4. Annual Vehicle Revenue Miles; and
 - 5. Annual Vehicle Revenue Hours.
- iii. Transit service use, including:
 - 1. Annual Passenger Miles; and
 - 2. Annual Unlinked Trips.
- iv. Transit service cost, and efficiency & effectiveness measures, including:
 - 1. Operating Cost Per Vehicle Revenue Hour;
 - 2. Operating Cost Per Service Revenue Hour;
 - 3. Operating Cost Per Passenger Mile; and
 - 4. Operating Cost Per Unlinked Passenger Trip.

C. The report may include information on the recipient agency's progress in accelerating the state's shared goals, which may include but are not limited to reductions in Vehicle Miles Travelled (VMT), avoided emissions, and progress toward local, regional, state, or national strategies or plans.

NOTE: The Association encourages the creation of standard forms and templates to capture consistent information from transit agencies at the state-level.

April 25, 2023

The Honorable Gavin Newsom
Governor, State of California

The Honorable Toni G. Atkins
Senate President Pro Tempore
California State Senate

The Honorable Anthony Rendon
Speaker of the Assembly
California State Assembly

The Honorable Nancy Skinner
Chair, Senate Budget Committee
California State Senate

The Honorable Phil Y. Ting
Chair, Assembly Budget Committee
California State Assembly

RE: California Transit Association's Funding Request and Policy Recommendations to Address Near-Term Operating Deficits

Dear Governor Newsom, Pro Tempore Atkins, Speaker Rendon, Senator Skinner, and Assemblymember Ting:

On behalf of the California Transit Association, I write to you to today to share our state funding request and policy recommendations to address the near-term operating deficits faced by California transit agencies. Our recommendations were unanimously approved by the Association's leadership in the week of April 16, following months of discussion between our members from across the state and shaped by our engagement with decision makers in Sacramento. With the state itself facing a difficult budget outlook for Fiscal Year 2023-24, our recommendations consciously internalize your message to limit (to the extent possible) new impacts to the state's General Fund and tackle impediments to the long-term financial and operational sustainability of our industry. As public transportation is at the center of the state's strategy for combatting climate change and vital to the mobility of the most vulnerable Californians, we intend for our recommendations to provide actionable guidance to the Legislature and Newsom Administration for addressing in 2023 the near-term needs of California transit agencies and the communities they serve, and to set the stage for a larger discussion about state support for transit operations, potential reforms to long-standing transit funding programs and formulas, and strategies to retain and rebuild riders. We thank you for your continued engagement with us, and for your demonstrated support for public transportation throughout your careers and in this pivotal moment.

Funding Request

As we presented at the Assembly Budget Subcommittee #3 hearing on March 15, **the Association estimates, through surveys of our member agencies, that California transit agencies statewide require at least \$6 billion from FY 2023-24 to FY 2027-28** to address

pandemic-induced operating deficits that threaten transit service and jobs statewide, undermine transit agencies' work to support the state's environmental and mobility objectives, and stymie transit agencies' – and our most vulnerable communities' – recovery from the pandemic. Our data shows that most of this total statewide need derives from the operating deficits of agencies in the San Francisco Bay Area and broader Southern California region, respectively. The remaining balance of this total statewide need derives from the operating deficits of agencies in the broader Northern California region (exclusive of the San Francisco Bay Area), Central Valley and Central Coast. Thus, we argue that this statewide crisis requires a state-level solution, with flexible parameters to address unique local needs.

We find that these operating deficits stem from a variety of factors impacting agencies nationwide, including the depletion of federal emergency relief funding; the increased costs of transit operations resulting from a tight labor market and historically high fuel and energy costs; the increased costs of capital projects, resulting from inflation and supply chain issues; and, a slower-than-anticipated recovery in ridership caused by prevalence and endurance of remote work and the advent of new public safety concerns. The start date and severity of these operating deficits in California, much like for agencies across the nation, vary greatly by agency and depend on the funding portfolios that comprise their operating budgets, their level of dependence on fare revenue, and the socioeconomic characteristics of their ridership (which correlate with ridership retention and recovery).

Our findings are validated by a recent report completed by the UCLA Institute of Transportation Studies, entitled [“Financing the Future: Examining the Fiscal Landscape of California Public Transit in the Wake of the Pandemic.”](#) which found, among other things, that *“[d]espite lagging demand, energy, equipment, and especially labor costs are up, while both ridership and associated fare revenues remain depressed. While state and local subsidies have mostly rebounded, they are falling behind rising costs. As a result, California transit agencies may be forced to cut service to reduce costs, and in doing so precipitate a vicious cycle of falling resources, service, and ridership.”*

To address this near-term funding need, we request that the State of California provide \$5.15 billion in multiyear funding for transit operations from a collection of state funding sources that have historically supported transit capital and operations. As detailed below, our request is intentionally designed to limit its impact to the state's General Fund and is only expected to result in a \$213 million reduction to General Fund revenue in FY 2023-24 (assuming prior year funding commitments are upheld).

Specifically, we request the following:

- **An Additional Appropriation of Revenue from Sales Tax on Diesel Fuel (\$1.35B from FY 2023-24 through FY 2027-28):** Under current law, California transit agencies receive approximately 80% of revenue generated by the state sales tax on diesel fuel. In usual years, the remaining balance of revenue flows to the state's General Fund. However, [AB 194 \(Committee on Budget\) \[Chapter 55, Statutes of 2022\]](#), last year's taxation budget trailer bill, paused collection of the portion of the sales tax on diesel fuel that generates the remaining balance of revenue through October 1, 2023.

We request that you direct the full balance of revenue generated by the state sales tax on diesel fuel to transit operations for the next five years – from FY 2023-24 through FY

2027-28 once collection of that portion of the sales tax on diesel fuel resumes. This element of our request would provide transit agencies with approximately \$213 million in FY 2023-24 and approximately \$284 million annually from FY 2024-25 to FY 2027-28 for operations. This element would reduce General Fund revenue by the corresponding amount in each fiscal year.

- **An Additional Appropriation of Unallocated Cap and Trade Revenue (\$2.5B from FY 2023-24 through FY 2027-28):** In its report to the Senate Budget Subcommittee No. 2, entitled [“Cap-and-Trade Spending Overview.”](#) the Legislative Analyst’s Office identified \$800 million in unallocated (or “discretionary”) Cap and Trade revenue in FY 2022-23 and FY 2023-24 above the Governor’s proposed FY 2023-24 budget, which includes a significant investment of Cap and Trade revenue in zero-emission vehicles and AB 617 communities.

We request that you provide \$500 million in discretionary Cap and Trade revenue annually to transit agencies for operations for the next five years – from FY 2023-24 through FY 2027-28. We argue that this action is prudent in the face of increased demand for this revenue, given the nexus between transit service and greenhouse gas emission reduction, the centrality of public transit service to the state’s long-term environmental goals, the immediate equity co-benefits that such an investment would deliver, and the dearth of other non-General Fund options for this purpose. We also believe it is important to highlight that the [California Air Resources Board’s 2022 Scoping Plan](#) warns that *“[t]ransit’s fiscal crisis has only exacerbated the adverse equity impacts of the pandemic, considering people with low-income, people with disabilities, and BIPOC communities are commonly transit dependent populations and the service available to them are now more limited,”* and argues *“[a]ccordingly, securing the necessary funding to return transit operations to pre-pandemic levels in the short term needs to be considered both a priority climate and equity action for the State.”*

- **The Conversion of Transit Capital Funding to Transit Operations Funding (\$300M in FYs 2026-27, 2027-28):** Under current law, the Transit and Intercity Rail Capital Program receives \$650 million annually for distribution as competitive grant for transformative transit capital projects through the Transit and Intercity Rail Capital Program. These funds have been encumbered through the end of FY 2025-26 under previously approved multi-year grant awards through the Transit and Intercity Rail Capital Program.

We have long supported TIRCP and recognize the significant value the program provides to communities across the state by supporting the construction of transformative projects that will significantly reduce vehicle miles traveled, congestion, and greenhouse gas emissions. That said, in this time of growing needs and fewer resources, we believe it is appropriate to redirect – on a one-time basis – a portion of this capital funding to operations. Specifically, we request that the state convert \$300 million of the \$1.3 billion that will be available in FYs 2026-27 and 2027-28 from capital funding to operations funding. In this process, we urge the state to ensure that all projects that previously received a multi-year commitment of funds see those commitments upheld.

- **Maintenance of \$4 Billion General Fund Investment in Transit, Flexibility to Use this Transit Capital Funding for Transit Operations (Up to \$1B in FYs 2023-24 through FY 2027-28):** The adopted FY 2022-23 budget commits \$4 billion in General Fund revenue in FYs 2023-24 and 2024-25 for transit capital projects, to be distributed to regions via a population-based formula. The Governor’s proposed FY 2023-24 budget proposes to reduce that commitment by \$2 billion.

As we outlined in our letter, dated January 24, we urge the state to maintain its original \$4 billion commitment for FYs 2023-24 and 2024-25. This investment in the TIRCP was a key element of the budget discussions that ultimately led to the historic \$11 billion commitment to transit, active transportation, climate adaptation and high-speed rail in the adopted FY 2022-23 budget. However, we request that the state grant regions the authority to “flex” up to 25% of their share of funding in these years for transit operations. This element would preserve at least 75% of this funding for building transformative capital projects, as originally directed by the FY 2022-23 budget.

Recognizing that this funding request does not address the full balance of our estimated funding need, we look forward to reviewing, and engaging you on, the funding recommendations being prepared by the Legislative Analyst’s Office. As these discussions continue, we will be sharing recommendations with you for a preferred distribution mechanism, eligible uses, eligible entities, and accountability measures. At the highest-level, we have established as priorities that any new funding be available to transit agencies statewide and be accessible to stop service cuts and layoffs, but also to help agencies retool their service in ways that will retain and attract riders.

Policy Recommendations

As we submit this significant funding request, we acknowledge that in our initial round of discussions with you, you have emphasized the importance of continuing to improve transit service and the rider experience, with the goals of increasing the attractiveness of transit service and setting transit agencies on a path to achieving long-term operational and financial sustainability.

In those discussions, we have communicated our industry’s commitment to this work and our continued interest in partnering with you to scope and implement legislation and operational improvements to deliver these shared goals. In recent years, we have demonstrated what this partnership looks like in practice by scoping and co-sponsoring legislation, including [SB 922 \(Wiener\) \[Chapter 987, Statutes of 2022\]](#) and [AB 917 \(Bloom\) \[Chapter 709, Statutes of 2021\]](#) to, among other things, improve transit travel times and on-time performance within existing resources. Today, we offer the following policy recommendations for consideration by the Legislature:

- **Pass Legislation to Address Safety and Homelessness on Transit Systems:** With the cleanliness and safety of our transit systems being a top concern for the public and key impediments to growing transit ridership, we and our member agencies previously supported the creation of the Clean California Program and the passage of [SB 1161 \(Min\) \[Chapter 218, Statutes of 2022\]](#), and called for the state to provide direct access to homelessness funding to transit agencies.

This year, we and/or our member agencies have worked with the members of the Legislature to scope [SB 434 \(Min\)](#) and [AB 1377 \(Friedman\)](#), new legislation to combat street harassment and the incidence of homelessness on our systems. We urge the Legislature to pass both bills. If California transit agencies are to regain riders and establish long-term financial and operational viability, we stress that it is imperative that we receive targeted support to address these larger societal challenges.

- **Continue Discussions on Reforms to Transit Service and Performance Metrics, Extend Current Statutory Relief:** In late 2018, in response to a request by then-Senate Transportation Committee Chair Jim Beall and then-Assembly Transportation Committee Chair Jim Frazier, the Association initiated an effort to reform the performance metrics in the Transportation Development Act (TDA) that provide accountability on transit operations and that govern access to state transit funding. In early 2020, the Association transmitted preliminary reform recommendations to these committees for their review and further guidance.

Unfortunately, in March 2020, the COVID-19 pandemic began, and work on “TDA reform” between the Association and the Legislature was put on hold. In its place, the Legislature enacted in 2020 and 2021, at the Association’s urging, a series of “statutory relief measures” that incorporated elements of the broader reform effort, but which also shielded transit agencies from unwarranted and counterproductive shifts in transit funding as well as a series of financial penalties that otherwise would have resulted under TDA due to the sharp pandemic-induced loss of fare revenues.

As the pandemic has subsided, the Association has restated its commitment to the Legislature to pursue mutually agreeable reforms to TDA’s performance metrics and to transit service, more generally, to help agencies regrow their ridership and establish fiscal stability over the next five years. Such engagement will take place through the process outlined in [AB 761 \(Friedman and Gonzalez\)](#) and through upcoming listening sessions organized by the California State Transportation Agency.

As that work progresses, we urge you to extend the statutory relief provided to transit agencies through FY 2024-25 as this extension would allow more time for transit operations to recover, stave off unwarranted and counterproductive shifts in transit funding, while also allowing agencies to continue operations without service impacts. From the data we have collected, more than 80% of responding agencies noted that such relief has been helpful in maintaining their service and ridership.

- **Maintain Existing Flexibility in State Transit Assistance-State of Good Repair Program, Expand Flexibility in Low Carbon Transit Operations Program:** [SB 1 \(Beall and Frazier\) \[Chapter 5, Statutes of 2017\]](#) created the State Transit Assistance – State of Good Repair Program (STA-SGR) to provide additional revenues for transit infrastructure repair and service improvements.

Under current law, enacted in 2020 and 2021, California transit agencies were granted flexibility to access STA-SGR to address funding shortfalls in operating or capital expenses resulting from the impact of the COVID-19 pandemic. This redirection of SGR funds requires transit agencies to obtain an approved declaration, board resolution and/or other appropriate document(s), from their respective governing board identifying

the fiscal challenges which may cause reduction of service and thereby directing agency staff to pursue the flexibility of redirecting SGR funds toward these expenses. This flexibility expires at the end of FY 2022-23. We urge you to extend this flexibility for five years through FY 2027-28.

Under current law, California transit agencies can access the Low Carbon Transit Operations Program to support new or expanded bus or rail services, expand intermodal transit facilities, including equipment acquisition, fueling, maintenance and other costs to operate those services or facilities, provided each project reduces greenhouse gas emissions. We urge you to provide flexibility in this program for five years through FY 2027-28 to allow LCTOP funds to be used to maintain operations.

We estimate that, combined, these two policy recommendations would maintain and create operating flexibility of approximately \$1.63 billion over five years.

I also wish to thank you for holding hearings in the Senate and Assembly on this important issue and listening sessions at the California State Transportation Agency to discuss the issues facing my industry and for availing yourselves and your staff to us to carry out deeper conversations on how the state can provide support to California transit agencies amidst a difficult state budget outlook and over the long-term. We look forward to meeting with your offices soon to discuss these requests and recommendations in more detail as we work together to implement solutions to the issues our public transit agencies are facing. If you have any questions about our requests, please contact me at Michael@caltransit.org or (916)-446-4656 x1034.

Sincerely,



Michael Pimentel
Executive Director

cc: The Honorable Maria Elena Durazo, Chair, Senate Budget Subcommittee No. 5
The Honorable Josh Becker, Chair, Senate Budget Subcommittee No. 2
The Honorable Steve Bennett, Chair, Assembly Budget Subcommittee No. 3
Toks Omishakin, Secretary, California State Transportation Agency
Mark Tollefson, Undersecretary, California State Transportation Agency
Chad Edison, Chief Deputy Secretary for Rail and Transit, California State Transportation Agency
James Hacker, Deputy Cabinet Secretary, Office of Governor Gavin Newsom
Steve Cliff, Executive Officer, California Air Resources Board

ATTACHMENT 1: California Transit Association – Budget Request (by Funding Category, Source)

California Transit Association - Budget Request (By Funding Category, Source)

Summary Sheet

New Ops. Funding - New Allocations	Annual Funding Opportunity	5-Year Funding Opportunity	5-Year Funding Request (FY 2023-24 - FY 2027-28)	Notes
Redirection - Sales Tax on Diesel Fuel	\$284,000,000	\$1,349,000,000	\$1,349,000,000	Funding in FY 2023-24 available for partial year only.
Appropriation - Cap and Trade Unallocated	\$800,000,000	\$4,000,000,000	\$2,500,000,000	
Subtotal	\$1,084,000,000	\$5,349,000,000	\$3,849,000,000	
New Ops. Funding - Repurposing of Existing Transit Capital Funding	Annual Funding Opportunity (FY 2026-27 - FY 2027-28 Only)	5-Year Funding Opportunity	5-Year Funding Request (FY 2023-24 - FY 2027-28)	Notes
Redirection - TIRCP (TIF Only)	\$250,000,000	\$500,000,000	\$200,000,000	Funding for FY 2023-24 - FY 2025-26 encumbered in existing multi-year grant awards.
Redirection - TIRCP (GGRF Only)	\$400,000,000	\$800,000,000	\$100,000,000	Funding for FY 2023-24 - FY 2025-26 encumbered in existing multi-year grant awards.
Subtotal	\$650,000,000	\$1,300,000,000	\$300,000,000	
Flexibility in Existing Transit Capital Funding	Annual Funding Opportunity (FY 2023-24 - FY 2024-25 Only)	5-Year Funding Opportunity	5-Year Funding Request (FY 2023-24 - FY 2027-28)	Notes
Flexibility - TIRCP (GF Only)	\$2,000,000,000	\$4,000,000,000	\$1,000,000,000	Funding only available in FY 2023-24 - FY 2024-25. Assumes 25% of \$2 billion annual funding.
Subtotal	\$2,000,000,000	\$4,000,000,000	\$1,000,000,000	
TOTAL			\$5,149,000,000	
Statutory Changes to Existing Transit Operations Funding	Annual Funding Opportunity	5-Year Funding Opportunity	5-Year Funding Request (FY 2023-24 - FY 2027-28)	Notes
Flexibility - LCTOP	\$200,000,000	\$1,000,000,000	\$1,000,000,000	Allow LCTOP, an existing operations funding program, to be used to maintain service.
Flexibility - STA-SOGR	\$125,000,000	\$625,000,000	\$625,000,000	Extend current flexibility to use STA-SOGR to maintain service.
Total	\$325,000,000	\$1,625,000,000	\$1,625,000,000	



Orange County Transportation Authority Legislative Matrix

**2023 State Legislation Session
June 15, 2023**

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
BILLS WITH POSITIONS			
<p>► AB 6 (Friedman – D)</p> <p><i>Transportation Planning: Regional Transportation Plans</i></p>	<p><i>Requires a metropolitan planning organization to submit an adopted sustainable communities strategy or an alternative planning strategy, if applicable, to the State Air Resources Board for review.</i></p>	<p>INTRODUCED: 12/05/2022 LOCATION: Assembly Third Reading LAST AMEND: 03/16/2023</p> <p>STATUS: 05/11/2023 <i>In ASSEMBLY. Read second time. To third reading.</i></p>	<p><i>Recommend Position: Oppose (partial list)</i></p> <p><i>Support: 350 Bay Area Action, Streets For All, California Environmental Voters</i></p> <p><i>Oppose: Mobility 21, Orange County Business Council, Rebuild SoCal Partnership, Transportation California</i></p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<p>► AB 7 (Friedman – D)</p> <p>Transportation: Planning: Project Selection Processes</p>	<p><i>Requires the California State Transportation Agency, the California Department of Transportation, and the California Transportation Commission to incorporate specified principles into their processes for project development, selection, and implementation.</i></p>	<p>INTRODUCED: 12/05/2022 LOCATION: Assembly Third Reading LAST AMEND: 05/25/2023</p> <p>STATUS: 05/25/2023 <i>In ASSEMBLY. Read third time and amended. To third reading.</i></p>	<p><i>Recommend Position:</i> Oppose <i>(partial list)</i></p> <p><i>Support: Coalition for Clean Air, Streets For All, California Environmental Voters</i></p> <p><i>Oppose: Mobility 21, Orange County Business Council, Rebuild SoCal Partnership, Transportation California</i></p>
<p>► AB 96 (Kalra – D)</p> <p>Public Employment: Local Public Transit Agencies</p>	<p><i>Requires a public transit employer, at least a specified number of months before beginning a procurement process to acquire or deploy any autonomous transit vehicle technology for public transit services that would eliminate job functions or jobs of a workforce, to provide written notice to the exclusive employee representative of the workforce affected by the autonomous transit vehicle technology of its determination to begin that procurement process.</i></p>	<p>INTRODUCED: 01/09/2023 LOCATION: Senate Labor, Public Employment and Retirement Committee LAST AMEND: 05/01/2023</p> <p>STATUS: 05/17/2023 <i>To SENATE Committee on LABOR, PUBLIC EMPLOYMENT AND RETIREMENT.</i></p>	<p><i>Neutral</i> <i>(partial list)</i></p> <p><i>Support: Amalgamated Transit Union (Co-Sponsor) California Labor Federation, AFL-CIO (Co-Sponsor) California State Legislative Board of the Sheet Metal, Air, Rail and Transportation Workers – Transportation Division (Co-Sponsor) California Teamsters Public Affairs Council (Co-Sponsor)</i></p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<p>► AB 463 (Hart – D)</p> <p>Electricity: Prioritization of Service: Public Transit</p>	<p>Requires the Public Utilities Commission, in establishing specified electrical priorities to also consider the economic, social equity, and mobility impacts of a temporary discontinuance in electrical service to the customers that rely on electrical service to operate public transit vehicles.</p>	<p>INTRODUCED: 02/06/2023 LOCATION: Assembly Appropriations Committee</p> <p>STATUS: 05/18/2023 <i>In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.</i></p>	<p>Support (partial list)</p> <p>Support: California Transit Association (CTA) (co-sponsor), Alameda-Contra Costa Transit District (co-sponsor), Monterey-Salinas Transit, San Diego Metropolitan Transit (SD MTS)</p>
<p>► AB 610 (Holden – D)</p> <p><i>Student Transit Pass Pilot Program: Free Student Passes</i></p>	<p><i>Creates the Student Transit Pass Pilot Program, administered by the Department of Transportation, for purposes of awarding grants to transit agencies for the costs of creating, designing, developing, advertising, distributing, and implementing free student transit passes to persons attending public educational institutions, and persons 18 years of age or younger, providing free transit service to holders of those passes, and administering and participating in the program.</i></p>	<p>INTRODUCED: 02/09/2023 LOCATION: Assembly Third Reading LAST AMEND: 05/18/2023</p> <p>STATUS: 05/22/2023 <i>In ASSEMBLY. Read second time. To third reading.</i></p>	<p>Support (partial list)</p> <p>Support: Move LA, ClimatePlan, Greenlining Institute, Los Angeles County Metropolitan Transportation Authority (LA Metro)</p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<p>► AB 719 (Boerner Horvath - D)</p> <p>Medi-Cal benefits</p>	<p>Requires the Department of Health Care Services to require managed care plans to contract with public transit operators for the purpose of establishing reimbursement rates for nonmedical and nonemergency medical transportation trips provided by a public transit operator. Requires the rates reimbursed by the managed care plan to the public transit operator to be based on the department's fee-for-service rates for nonmedical and nonemergency medical transportation service.</p>	<p>INTRODUCED: 02/13/2023 LOCATION: <i>Assembly Third Reading</i></p> <p>STATUS: 05/30/2023 <i>In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.</i></p>	<p>Support</p> <p>Support: California Transit Association (CTA) (co-sponsor), SD MTS (co-sponsor)</p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<p>AB 817 (Pacheco – D)</p> <p>Open Meetings: Teleconferencing: Subsidiary Body</p>	<p>Relates to the Ralph Brown Act. Authorizes a subsidiary body to use alternative teleconferencing provisions similar to the emergency provisions indefinitely and without regard to a state of emergency.</p>	<p>INTRODUCED: 02/13/2023 LOCATION: Assembly Local Government Committee LAST AMEND: 03/16/2023</p> <p>STATUS: 03/16/2023 To ASSEMBLY Committee on LOCAL GOVERNMENT.</p> <p>03/16/2023 From ASSEMBLY Committee on LOCAL GOVERNMENT with author's amendments.</p> <p>03/16/2023 In ASSEMBLY. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.</p>	<p>Support</p> <p>Support: California Association of Recreation and Park Districts (co-sponsor), League of California Cities (co-sponsor), Rural County Representatives of California (co-sponsor), and the Urban Counties of California (co-sponsor)</p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<p>► SB 381 (Min – D)</p> <p>Electric Bicycles: Study</p>	<p>Requires the Mineta Transportation Institute at San Jose State University to conduct a study on electric bicycles to inform efforts to improve the safety of users of the transportation system, and to submit a report of the findings to the Legislature. Requires the study to examine, identify, and analyze available information regarding, among other things, data on injuries, crashes, emergency room visits, and deaths related to bicycles and electric bicycles and policies to promote safe use of such bicycles.</p>	<p>INTRODUCED: 02/09/2023 LOCATION: Assembly Transportation Committee LAST AMEND: 03/14/2023</p> <p>STATUS: 05/04/2023 <i>To ASSEMBLY Committee on TRANSPORTATION.</i></p>	<p>Support</p> <p>Support: California Association of Bicycling Organizations, City of Huntington Beach</p>
<p>► SB 434 (Min – D)</p> <p>Transit Operators: Street Harassment Survey</p>	<p>Requires a transit operator, upon appropriation of funds by the Legislature, to collect and publish specified survey data for the purpose of informing efforts to improve the safety of riders and reduce street harassment on public transit. Authorizes a transit operator to collect survey data in multiple languages to reach limited-English-proficient riders impacted by street harassment. Requires a transit operator to publish and make publicly available on its internet website the survey data.</p>	<p>INTRODUCED: 02/13/2023 LOCATION: ASSEMBLY LAST AMEND: 03/16/2023</p> <p>STATUS: 05/25/2023 <i>In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY. (40-0)</i></p>	<p>Support (partial list)</p> <p>Support: Stop Asian American Pacific Islander Hate (sponsor), LA Metro, CTA</p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<p>► SB 617 (Newman – D)</p> <p>Public Contracts: Progressive Design-Build</p>	<p>Authorizes a transit district, municipal operator, consolidated agency, joint powers authority, regional transportation agency, or local or regional agency to use the progressive design-build process. Specifies that the authority to use the progressive design-build process does not include inspection services for projects on, or interfacing with, the State highway system.</p>	<p>INTRODUCED: 02/15/2023 LOCATION: <i>Assembly Local Government Committee</i> LAST AMEND: 03/30/2023</p> <p>STATUS: 05/11/2023 <i>To ASSEMBLY Committee on LOCAL GOVERNMENT.</i></p>	<p>Support</p> <p>Support: Self-Help Counties Coalition (sponsor)</p>
<p>► SB 706 (Caballero – D)</p> <p>Public Contracts: Progressive Design-build</p>	<p><i>Authorizes all cities, counties, city and counties, or special districts to use the progressive design-build process for other projects in addition to water-related projects and extends these provisions until specified date.</i></p>	<p>INTRODUCED: 02/16/2023 LOCATION: <i>Assembly Local Government Committee</i> LAST AMEND: 04/10/2023</p> <p>STATUS: 05/04/2023 <i>To ASSEMBLY Committee on LOCAL GOVERNMENT.</i></p>	<p>Support (partial list)</p> <p>Support: California State Association of Counties (Co-Sponsor) County of San Diego (Co-Sponsor) Design Build Institute of America Western Pacific Chapter (Co-Sponsor) League of California Cities (Co-Sponsor), California Special Districts Association, San Bernardino County</p>

BILLS BEING MONITORED

▶ AB 9	AUTHOR:	Muratsuchi [D]
	TITLE:	<i>Greenhouse Gases: Market-Based Compliance Mechanism</i>
	INTRODUCED:	12/05/2022
	LAST AMEND:	04/17/2023
	LOCATION:	<i>Assembly Third Reading</i>
	SUMMARY:	<i>Authorizes the State Air Resources Board to include the use of market-based compliance mechanisms in regulating greenhouse gas emissions. Requires the State Board to prepare and approve a scoping plan for achieving the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions and to update the scoping plan at least once every specified number of years.</i>
	STATUS:	
	05/18/2023	<i>From ASSEMBLY Committee on APPROPRIATIONS: Do pass. (11-4)</i>
	05/18/2023	<i>In ASSEMBLY. Read second time. To third reading.</i>
	CATEGORY:	Environment

CA AB 16 (Dixon), which pertained to motor vehicle fuel tax law, failed to meet policy committee deadlines and is now a two-year bill. Therefore, the bill has been removed from the matrix.

CA AB 53 (Fong), which pertained to motor vehicle fuel tax law, failed to meet policy committee deadlines and is now a two-year bill. Therefore, the bill has been removed from the matrix.

CA AB 69 (Waldron), which pertained to traffic signal synchronization, failed to meet policy committee deadlines and is now a two-year bill. Therefore, the bill has been removed from the matrix.

▶ AB 72	AUTHOR:	Boerner Horvath [D]
	TITLE:	Coastal resources: landslide and Erosion
	INTRODUCED:	12/13/2022
	LAST AMEND:	05/17/2023
	LOCATION:	Senate Education Committee
	SUMMARY:	
		<i>Provides that existing law requires the Scripps Institution of Oceanography to conduct real-time measurements of land deformation to identify and analyze conditions that precede catastrophic bluff failure on two specified sites as a condition of receiving funds. Requires those real-time measurements, and identification and analysis of those conditions, for a 3rd specified site as a condition of receiving that funding, and postpones the deadline for the research to be completed to specified date.</i>
	STATUS:	
	05/17/2023	From SENATE Committee on EDUCATION with author's amendments.
	05/17/2023	In SENATE. Read second time and amended. Re-referred to Committee on EDUCATION.
	CATEGORY:	Planning

▶ AB 99	AUTHOR:	Connolly [D]
	TITLE:	Department of Transportation: State Roads and Highways
	INTRODUCED:	01/09/2023
	LAST AMEND:	04/17/2023
	LOCATION:	Senate
	SUMMARY:	
		<i>Requires the Department of Transportation to adopt, on or before specified date, a statewide policy to use integrated pest management on State roads and highways and to implement the statewide policy in cities or counties that have adopted integrated pest management approaches to road-side vegetation management. Requires the Department to make publicly available on its website the amount, location, and type of pesticides, and the formulation it uses, at least 24 hours before applying a pesticide.</i>
	STATUS:	
	05/22/2023	In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (55-16)
	CATEGORY:	Public Works

▶ AB 251	AUTHOR:	Ward [D]
	TITLE:	California Transportation Commission: Vehicle Weight
	INTRODUCED:	01/18/2023
	LAST AMEND:	03/02/2023
	LOCATION:	Senate
	SUMMARY:	Requires the California Transportation Commission to convene a task force to study the relationship between vehicle weight and injuries to vulnerable road users, such as pedestrians and cyclists and degradation to roads, and to study the costs and benefits of imposing a passenger vehicle weight fee or restructuring an existing fee to include consideration of vehicle weight.
	STATUS:	
	05/22/2023	In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (58-15)
	CATEGORY:	Active Transportation

CA AB 291 (Patterson, Jim), which pertained to sales and use tax exemptions, failed to meet policy committee deadlines and is now a two-year bill. Therefore, the bill has been removed from the matrix.

▶ AB 295	AUTHOR:	Fong, Vince [R]
	TITLE:	Department of Transportation: Maintenance Projects
	INTRODUCED:	01/25/2023
	LAST AMEND:	05/18/2023
	LOCATION:	Assembly Third Reading File
	SUMMARY:	Requires the Department of Transportation to expedite roadside maintenance for specified projects related to roadside maintenance and the removal and clearing of material. Authorizes local governmental entities, fire protection districts, fire safe councils, and tribal entities to notify the department of those projects that have not been completed in an efficient and timely manner. Requires the Division of Maintenance to begin the maintenance project within a specified number of days.
	STATUS:	
	05/22/2023	In ASSEMBLY. Read second time. To third reading.
	CATEGORY:	Public Works

▶ AB 316	AUTHOR:	Aguiar-Curry [D]
	TITLE:	Vehicles: Autonomous Vehicles
	INTRODUCED:	01/26/2023
	LAST AMEND:	04/24/2023
	LOCATION:	Assembly Third Reading File
	SUMMARY:	<i>Requires the Department of Motor Vehicles, by specified date, or a specified number of years after commencement of testing, whichever occurs later, and upon appropriation by the Legislature, to submit a report to the appropriate policy and fiscal committees of the Legislature evaluating the performance of autonomous vehicle technology and its impact on public safety and employment in the transportation sector for autonomous vehicles with a gross vehicle weight of a specified number of pounds or more.</i>
	STATUS:	
	05/18/2023	From ASSEMBLY Committee on APPROPRIATIONS: Do pass. (13-1)
	5/18/2023	In ASSEMBLY. Read second time. To third reading.
	CATEGORY:	Public Works

CA AB 321 (Wilson), which pertained to zero-emission ferries, failed to meet fiscal committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

CA AB 324 (Pacheco), which pertained to gas corporations, failed to meet fiscal committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

▶ AB 334	AUTHOR:	Rubio [D]
	TITLE:	Public Contracts: Conflicts of Interest
	INTRODUCED:	01/30/2023
	LAST AMEND:	05/30/2023
	LOCATION:	Senate Elections and Constitutional Amendments Committee
	HEARING:	06/06/2023 9:30am
	SUMMARY:	Establishes that an independent contractor, who meets specified requirements, is not an officer for purposes of being subject to the prohibition on being financially interested in a contract.
	STATUS:	
	05/30/2023	From SENATE Committee on ELECTIONS AND CONSTITUTIONAL AMENDMENTS with author's amendments.
	05/30/2023	In SENATE. Read second time and amended. Re-referred to Committee on ELECTIONS AND CONSTITUTIONAL AMENDMENTS.
	CATEGORY:	Public Works

CA AB 340 (Fong), which pertained to the California Environmental Quality Act, failed to meet policy committee deadlines and is now a two-year bill. Therefore, the bill has been removed from the matrix.

▶ AB 350	AUTHOR:	Aguiar-Curry [D]
	TITLE:	Regional Transportation Plans: Sacramento Area Council
	INTRODUCED:	01/31/2023
	LAST AMEND:	03/30/2023
	LOCATION:	Senate
	SUMMARY:	Requires the updated regional transportation plan, sustainable communities strategy, and environmental impact report adopted by the Sacramento Area Council of Governments (SACOG) on November 18, 2019, to remain in effect for all purposes until the SACOG adopts its next update to its regional transportation plan.
	STATUS:	
	05/18/2023	In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (74-0)
CATEGORY:	Planning	

▶ AB 354	AUTHOR:	Nguyen, Stephanie [D]
	TITLE:	Sacramento Regional Transit District
	INTRODUCED:	01/31/2023
	LAST AMEND:	03/30/2023
	LOCATION:	Senate Transportation Committee
	HEARING:	06/13/2023 1:30pm
	SUMMARY:	Relates to law that authorizes the formation of the Sacramento Regional Transit District with various powers and duties with respect to transportation planning, programming, construction, and operations. Provides that the government of the district is vested in a board of directors. Authorizes the City of Elk Grove to appoint a specified number of members to the board.
	STATUS:	
05/24/2023	To SENATE Committee on TRANSPORTATION.	
CATEGORY:	Public Works	

▶ AB 364	AUTHOR:	Bryan [D]
	TITLE:	Street Furniture Data: Statewide Data Platform
	INTRODUCED:	02/01/2023
	LAST AMEND:	04/11/2023
	LOCATION:	Assembly Third Reading File
	SUMMARY:	
		Requires the Department of Transportation to develop guidelines for data sharing, documentation, public access, quality control, and promotion of open-source and accessible platforms and decision support tools related to street furniture data. Requires the Department to designate the Integrated Climate Adaptation and Resiliency Program Technical Advisory Council to advise on the development of the initial and subsequent guidelines, and review the reports related to those guidelines.
	STATUS:	
	05/18/2023	From ASSEMBLY Committee on APPROPRIATIONS: Do pass. (15-0)
	05/18/2023	In ASSEMBLY. Read second time. To third reading.
	CATEGORY:	Transit

▶ AB 376	AUTHOR:	Villapudua [D]
	TITLE:	Student Financial Aid: Cal Grant C: Driver Training
	INTRODUCED:	02/01/2023
	LAST AMEND:	03/28/2023
	LOCATION:	Assembly Third Reading File
	SUMMARY:	
		Requires the Student Aid Commission to classify an institution as a qualifying institution if its driver training program has a graduation rate of at least a specified percent, is listed on the Federal Motor Carrier Safety Administration training provider registry, and has been approved by the Bureau for Private Postsecondary Education.
	STATUS:	
	05/18/2023	From ASSEMBLY Committee on APPROPRIATIONS: Do pass. (15-0)
	05/18/2023	In ASSEMBLY. Read second time. To third reading.
	CATEGORY:	Miscellaneous

▶ AB 382	AUTHOR:	Cervantes [D]
	TITLE:	High-Occupancy Vehicle Lanes: County of Riverside
	INTRODUCED:	02/02/2023
	LOCATION:	Senate
	SUMMARY:	
		Requires the Transportation Agency, on or before January 1, 2025, to report to the transportation policy committees of the Legislature on the feasibility and appropriateness of removing from high-occupancy vehicle lanes in the County of Riverside, except for certain high-occupancy toll lanes, any double parallel solid lines to restrict the entrance into or exit from those lanes, including the use of the appropriate markings and signage.
	STATUS:	
	05/18/2023	In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (74-0)
	CATEGORY:	Planning

▶ AB 400	AUTHOR:	Rubio [D]	
	TITLE:	Local Agency Design-Build Projects: Authorization	
	INTRODUCED:	02/02/2023	
	LAST AMEND:	05/01/2023	
	LOCATION:	Senate	
	SUMMARY:		
		<i>Provides that existing law authorizes local agencies to use the design-build procurement process for specified types of projects, and requires specified information submitted by a design-build entity to be certified under penalty of perjury. Extends the repeal date to a specified date.</i>	
	STATUS:		
	05/18/2023	In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (74-0)	
CATEGORY:	Public Works		

CA AB 411 (Bennett), which pertained to creating the California Recreational Trails and Greenways Act, failed to meet fiscal committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

▶ AB 427	AUTHOR:	Alvarez [D]	
	TITLE:	Otay Mesa East Toll Facility Act: Project Delivery	
	INTRODUCED:	02/06/2023	
	LOCATION:	Senate Transportation Committee	
	HEARING:	06/13/2023 1:30pm	
	SUMMARY:		
		Provides that the San Diego Association of Governments (SANDAG) is no longer required to use the design-bid-build delivery method for construction of a project if specified conditions for utilizing an alternative delivery method are not met. This bill would authorize SANDAG to use the Construction Manager/General Contractor method (CMGC) as an additional alternative project delivery method.	
	STATUS:		
	05/24/2023	To SENATE Committee on TRANSPORTATION.	
CATEGORY:	Public Works		

▶ AB 457	AUTHOR:	Patterson [R]
	TITLE:	Surplus Land Act: exempt surplus land: leases
	INTRODUCED:	02/06/2023
	LAST AMEND:	03/15/2023
	LOCATION:	<i>Senate Governance and Finance Committee</i>
	SUMMARY:	
		Expands exempt surplus land to include a parcel that is identified in the local agency's circulation element or capital improvement program for future roadway development, no larger than a specified number of acres, zoned for retail commercial use, and leased for a purpose consistent with the underlying zoning, and abuts a State highway right-of-way.
	STATUS:	
	05/03/2023	<i>To SENATE Committee on GOVERNANCE AND FINANCE.</i>
	CATEGORY:	Surplus Land

▶ AB 469	AUTHOR:	Fong, Vince [R]
	TITLE:	California Public Records Act Ombudsperson
	INTRODUCED:	02/06/2023
	LOCATION:	<i>Senate</i>
	SUMMARY:	
		Establishes, within the California State Auditors Office, the California Public Records Act Ombudsperson. Requires the ombudsperson to receive and investigate requests for review, as defined, determine whether the denials of original requests, as defined, complied with the California Public Records Act, and issue written opinions of its determination, as provided.
	STATUS:	
	05/25/2023	<i>In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (77-0)</i>
	CATEGORY:	Records

CA AB 476 (Villapudua), which pertained to outdoor advertising has been amended to only apply to San Joaquin County. Therefore, the bill has been removed from the matrix.

▶ AB 480	AUTHOR:	Ting [D]
	TITLE:	Surplus Land
	INTRODUCED:	02/07/2023
	LAST AMEND:	04/05/2023
	LOCATION:	Senate
	SUMMARY:	
		<i>Exempts a local agency, in specified instances, from making a declaration at a public meeting for land that is exempt surplus land if the local agency identifies the land in a notice that is published and available for public comment at least a specified number of days before the exemption takes effect.</i>
	STATUS:	
	05/22/2023	<i>In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (53-16)</i>
	CATEGORY:	Surplus Land

▶ AB 499	AUTHOR:	Rivas, Luz [D]
	TITLE:	Los Angeles County Metropolitan Transportation
	INTRODUCED:	02/07/2023
	LAST AMEND:	05/30/2023
	LOCATION:	Assembly Third Reading File
	SUMMARY:	
		Establishes a pilot program to authorize the Los Angeles County Metropolitan Transportation Authority to use job order contracting as a procurement method. Imposes a specified cap on awards under a single job order contract and a specified cap on any single job order. Limits the term of an initial contract to a maximum of 12 months, with extensions as prescribed.
	STATUS:	
	05/30/2023	<i>In ASSEMBLY. Read third time and amended. To third reading.</i>
	CATEGORY:	Public Works

▶ AB 518	AUTHOR:	Wicks [D]
	TITLE:	Paid Family Leave
	INTRODUCED:	02/07/2023
	LAST AMEND;	04/04/2023
	LOCATION:	Assembly Third Reading File
	SUMMARY:	
		<i>Expands eligibility for benefits under the paid family leave program to include individuals who take time off work to care for a seriously ill designated person. Defines designated person to mean any individual related by blood or whose association with the employee is the equivalent of a family relationship. Authorizes the employee to identify the designated person when they file a claim for benefits.</i>
	STATUS:	
	05/18/2023	<i>From ASSEMBLY Committee on APPROPRIATIONS: Do pass. (12-1)</i>
	05/18/2023	<i>In ASSEMBLY. Read second time. To third reading.</i>
	CATEGORY:	Employment

▶ AB 524	AUTHOR:	Wicks [D]
	TITLE:	Discrimination: Family Caregiver Status
	INTRODUCED:	02/07/2023
	LAST AMEND:	05/18/2023
	LOCATION:	<i>Assembly Third Reading File</i>
	SUMMARY:	
		Prohibits employment discrimination on account of family caregiver status. Recognizes the opportunity to seek, obtain, and hold employment without discrimination because of family caregiver status as a civil right.
	STATUS:	
	05/22/2023	<i>In ASSEMBLY. Read second time. To third reading.</i>
	CATEGORY:	Employment

CA AB 540 (Wicks), which pertained to the Social Service Transportation Improvement Act, failed to meet policy committee deadlines and is now a two-year bill. Therefore, the bill has been removed from the matrix.

▶ AB 557	AUTHOR:	Hart [D]
	TITLE:	Open Meetings: Local Agencies: Teleconferences
	INTRODUCED:	02/08/2023
	LOCATION:	<i>Senate Governance and Finance Committee</i>
	HEARING:	06/07/2023 9:00am
	SUMMARY:	
		Extends the abbreviated teleconferencing provisions when a declared state of emergency is in effect, or in other situations related to public health, indefinitely. The bill would also extend the period for a legislative body to make specified findings related to a continuing state of emergency and social distancing to not later than 45 days after the first teleconferenced meeting, and every 45 days thereafter, in order to continue to meet under the abbreviated teleconferencing procedures.
	STATUS:	
	05/24/2023	<i>To SENATE Committees on GOVERNANCE AND FINANCE and JUDICIARY.</i>
	CATEGORY:	Public Meetings

▶ AB 579	AUTHOR:	Ting [D]	
	TITLE:	School buses: Zero-emission Vehicles	
	INTRODUCED:	02/08/2023	
	LAST AMEND:	03/13/2023	
	LOCATION:	<i>Assembly Third Reading File</i>	
	SUMMARY:		
		Requires, commencing on specified date, a specified percent of all newly purchased or contracted schoolbuses of a school district, county office of education, or charter school to be zero-emission vehicles, where feasible. Authorizes local educational agencies to request a one-time extension for a term not to exceed a specified number of years if a local educational agency determines that the purchase or contracting of a zero-emission schoolbus is not feasible due to both terrain and route constraints.	
	STATUS:		
	05/18/2023	<i>From ASSEMBLY Committee on APPROPRIATIONS: Do pass. (11-3)</i>	
	05/18/2023	<i>In ASSEMBLY. Read second time. To third reading.</i>	
CATEGORY:	Environment		

CA AB 627 (Jackson), which pertained to heavy-duty trucks, failed to meet policy committee deadlines and is now a two-year bill. Therefore, the bill has been removed from the matrix.

▶ AB 630	AUTHOR:	Ramos [D]	
	TITLE:	Department of Transportation: Contracts: Tribes	
	INTRODUCED:	02/09/2023	
	LAST AMEND:	03/16/2023	
	LOCATION:	<i>Senate</i>	
	SUMMARY:		
		Authorizes the Department of Transportation to enter into contracts with federally recognized Indian tribes and entities owned by those tribes. Subjects off-reservation traffic impact mitigation contracts between the department and entities owned by those tribes to the same requirements as are applicable to department contracts with those tribes.	
	STATUS:		
	05/18/2023	<i>In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (74-0)</i>	
	CATEGORY:	Public Works	

▶ AB 645	AUTHOR:	Friedman [D]
	TITLE:	Vehicles: Speed Safety System Pilot Program
	INTRODUCED:	02/09/2023
	LAST AMEND:	05/01/2023
	LOCATION:	Assembly Third Reading File
	SUMMARY:	
		<i>Authorizes the Cities of Los Angeles, San Jose, Oakland, Glendale, and Long Beach, and the City and County of San Francisco to establish a Speed Safety System Pilot Program if the system meets specified requirements. Designates all photographic or administrative records, not including data about the number of violations issued or the speeds at which they were issued for, made by a system as confidential, and authorizes public agencies to use and allow access to these records for specified purposes.</i>
	STATUS:	
	05/18/2023	In ASSEMBLY. Joint Rule 62(a) suspended.
	05/18/2023	From ASSEMBLY Committee on APPROPRIATIONS: Do pass. (11-3)
	05/18/2023	In ASSEMBLY. Read second time. To third reading.
	CATEGORY:	Planning

CA AB 673 (Bennett), which pertained to hydrogen fueling stations, failed to meet fiscal committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

▶ AB 744	AUTHOR:	Carrillo, J. [D]
	TITLE:	California Transportation Commission: Data
	INTRODUCED:	02/13/2023
	LAST AMEND:	05/18/2023
	LOCATION:	Senate
	SUMMARY:	
		<i>Authorizes the California Transportation Commission to provide a direct allocation of funding to local agencies for specified purposes, and requires State and local agencies that receive the funds or access to data, modeling, and analytic software tools to submit reports to the commission no later than specified date, regarding their use of the data, modeling, and analytic software tools.</i>
	STATUS:	
	05/30/2023	In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (79-0)
	CATEGORY:	Reports

▶ AB 752	AUTHOR:	Rubio [D]
	TITLE:	State Highways: Worker Safety
	INTRODUCED:	02/13/2023
	LAST AMEND:	03/14/2023
	LOCATION:	Senate
	SUMMARY:	
		Requires the Department of Transportation to require, when certain criteria are met, the use of barriers and other devices placed between workers and motorized traffic for all construction, utility work, maintenance, and repair activities on state highways. Requires the department to require alternative methods to protect workers under certain conditions. Authorizes the Division of Occupational Safety and Health to adopt rules and regulations to administer and enforce these provisions.
	STATUS:	
	05/30/2023	In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (80-0)
	CATEGORY:	Public Works

▶ AB 761	AUTHOR:	Friedman [D]
	TITLE:	Transit Transformation Task Force
	INTRODUCED:	02/13/2023
	LOCATION:	Senate
	SUMMARY:	
		Requires the Transportation Secretary, on or before July 1, 2024, to establish and convene the Transit Transformation Task Force to include representatives from the department, the Controller's office, various local agencies, academic institutions, nongovernmental organizations, and other stakeholders. Requires the task force to develop a structured, coordinated process for early engagement of all parties to develop policies to grow transit ridership and improve the transit experience.
	STATUS:	
	05/30/2023	In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (79-0)
	CATEGORY:	Transit

▶ AB 819	AUTHOR:	Bryan [D]
	TITLE:	Crimes: Public Transportation: Fare Evasion
	INTRODUCED:	02/13/2023
	LOCATION:	Senate Public Safety Committee
	SUMMARY:	
		States that it would no longer categorize as a misdemeanor a 3rd or subsequent violation, by an adult, of evading the payment of a fare of a public transportation system, the misuse of a transfer, pass, ticket, or token with the intent to evade the payment of a fare, or the unauthorized use of a discount ticket, and would make a 3rd or subsequent violation punishable only by a fine of up to \$400.
	STATUS:	
	05/24/2023	To SENATE Committee on PUBLIC SAFETY.
	CATEGORY:	Safety and Security

CA AB 823 (Schiavo), which pertained to the Clean Transportation Program, failed to meet fiscal committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

▶ AB 824	AUTHOR:	Calderon [D]
	TITLE:	Highway Greening: Statewide Strategic Plan
	INTRODUCED:	02/13/2023
	LAST AMEND:	03/14/2023
	LOCATION:	Senate
	SUMMARY:	Enacts the Highway Greening Act, which would require the Department of Transportation to complete a statewide strategic plan to work to achieve at least a specified percent increase of green highways in urban areas, disadvantaged communities, and low-income communities by specified year. Requires the department to submit the plan to the Legislature and specified committees of the Legislature on or before specified date.
	STATUS:	
	05/30/2023	In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (63-9)
	CATEGORY:	Public Works

▶ AB 825	AUTHOR:	Bryan [D]
	TITLE:	Vehicles: Bicycles on Sidewalks
	INTRODUCED:	02/13/2023
	LOCATION:	Senate
	SUMMARY:	Prohibits a local authority from prohibiting the operation of a bicycle on a sidewalk adjacent to a highway or corridor that does not include a Class I, Class II, or Class IV bikeway. Requires a person riding a bicycle upon a sidewalk to yield the right-of-way to pedestrians and to adhere to a 10-miles-per-hour speed limit.
	STATUS:	
	05/25/2023	In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (61-14)
	CATEGORY:	Active Transportation

▶ AB 832	AUTHOR:	Cervantes [D]
	TITLE:	California Transportation Commission: Membership
	INTRODUCED:	02/13/2023
	LAST AMEND:	03/01/2023
	LOCATION:	Senate
	SUMMARY:	
		Requires that at least one of the Governor-appointed members of the California Transportation Commission have expertise in transportation issues and professional experience that includes experience working in, or representing, disadvantaged communities.
	STATUS:	
	05/22/2023	In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (61-15)
	CATEGORY:	Miscellaneous

▶ AB 844	AUTHOR:	Gipson [D]
	TITLE:	Zero-Emission Trucks: Insurance
	INTRODUCED:	02/14/2023
	LAST AMEND:	04/13/2023
	LOCATION:	Senate Insurance Committee
	SUMMARY:	
		<i>Requires the Department of Insurance to implement specific data collections on the availability and affordability of insurance for heavy-duty trucks and truck fleets. Requires the Insurance Commissioner to establish and maintain a link on the department internet website that provides public access to this information.</i>
	STATUS:	
	05/17/2023	To SENATE Committees on INSURANCE and JUDICIARY.
	CATEGORY:	Zero Emission

CA AB 858 (Muratsuchi), which pertained to a State Climate Cashback Program, failed to meet policy committee deadlines and is now a two-year bill. Therefore, the bill has been removed from the matrix.

▶ AB 894	AUTHOR:	Friedman [D]
	TITLE:	Parking Requirements: Shared Parking
	INTRODUCED:	02/14/2023
	LATS AMEND:	04/20/2023
	LOCATION:	Senate
	SUMMARY:	
		<i>Requires a public agency to allow parking spaces identified in shared parking agreements to count toward meeting automobile parking requirements for a new or existing development or use, including, but not limited to, shared parking in underutilized spaces and in parking lots and garages that will be constructed as part of the development or developments when specified conditions regarding the distance between the entities that will share the parking are met.</i>
	STATUS:	
	05/22/2023	<i>In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (62-10)</i>
	CATEGORY:	Planning

▶ AB 902	AUTHOR:	Rodriguez [D]
	TITLE:	Ambulances: Fee and Toll Exemptions
	INTRODUCED:	02/14/2023
	LAST AMEND:	04/19/2023
	LOCATION:	Senate
	SUMMARY:	
		<i>Provides that existing law requires the owner or operator of a toll facility, upon the request of the local emergency service provider, to enter into an agreement for the use of a toll facility. Clarifies that the owner or operator of a toll facility is required to enter into an agreement for the use of a toll facility upon the request of a private or public local emergency service provider.</i>
	STATUS:	
	05/18/2023	<i>In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (74-0)</i>
	CATEGORY:	Tolling

CA AB 920 (Bryan), which pertained to housing status, failed to meet policy committee deadlines and is now a two-year bill. Therefore, the bill has been removed from the matrix.

CA AB 930 (Friedman), which pertained to Reinvestment in Infrastructure for a Sustainable and Equitable California districts, failed to meet fiscal committee deadlines and is now a two-year bill. Therefore, the bill has been removed from the matrix.

▶ AB 966	AUTHOR:	Davies [R]
	TITLE:	Division of Boating and Waterways
	INTRODUCED:	02/14/2023
	LAST AMEND:	03/02/2023
	LOCATION:	<i>Assembly Third Reading File</i>
	SUMMARY:	
		Requires the Division of Boating and Waterways within the Department of Parks and Recreation to, no later than specified date, and in cooperation with the State Coastal Conservancy, prepare and submit a joint report to the Legislature on shoreline erosion control and public beach restoration programs.
	STATUS:	
	05/18/2023	<i>From ASSEMBLY Committee on APPROPRIATIONS: Do pass. (15-0)</i>
	05/18/2023	<i>In ASSEMBLY. Read second time. To third reading.</i>
	CATEGORY:	Miscellaneous

▶ AB 971	AUTHOR:	Lee [D]
	TITLE:	Vehicles: Local Ordinances
	INTRODUCED:	02/14/2023
	LAST AMEND:	04/11/2023
	LOCATION:	<i>Senate Transportation Committee</i>
	HEARING:	06/13/2023 1:30pm
	SUMMARY:	
		<i>Relates to law that prohibits a person from operating a motor vehicle, or stopping, parking, or leaving a vehicle standing, on a portion of the highway designated for the exclusive use of public transit buses, subject to specified exceptions. Relates to a requirement for a public transit agency to place and maintain signs and traffic control devices indicating that a portion of a highway is designated for the exclusive use of public transit buses. Makes provisions applicable to transit-only traffic lanes.</i>
	STATUS:	
	02/23/2023	To ASSEMBLY Committee on TRANSPORTATION.
	CATEGORY:	Planning

CA AB 980 (Friedman), which pertained to the Active Transportation Program, failed to meet fiscal committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

CA AB 981 (Friedman), which pertained to a pilot program for highway maintenance projects failed to meet fiscal committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

CA AB 1012 (Quirk-Silva), which pertained to mobile source regulations, failed to meet fiscal committee deadlines and is now a two-year bill. Therefore, the bill has been removed from the matrix.

▶ AB 1017	AUTHOR:	Friedman [D]
	TITLE:	Engineering and Traffic surveys: Equestrian Safety
	INTRODUCED:	02/15/2023
	LOCATION:	Senate Transportation Committee
	HEARING:	06/13/2023 1:30pm
	SUMMARY:	
	Authorizes a local authority to consider equestrian safety when conducting an engineering and traffic survey.	
	STATUS:	
	05/10/2023	To SENATE Committee on TRANSPORTATION.
	CATEGORY:	Planning

▶ AB 1052	AUTHOR:	McCarty [D]
	TITLE:	Sacramento Regional Transit District: Taxes
	INTRODUCED:	02/15/2023
	LAST AMEND:	05/04/2023
	LOCATION:	Assembly Third Reading File
	SUMMARY:	
	Authorizes the board of directors of the Sacramento Regional Transit District to adopt a retail transactions and use tax ordinance. Authorizes the district to impose a property tax or retail transactions and use tax in the entirety of, or a portion of, the incorporated and unincorporated territory. Authorizes the district to impose a special tax pursuant to specified procedures. Authorizes the district to impose the special tax in the entirety of, or a portion of, the territory.	
	STATUS:	
	05/31/2023	In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.
	CATEGORY:	Funding

CA AB 1100 (Low), which pertained to workweeks, failed to meet policy committee deadlines and is now a two-year bill Therefore, the bill has been removed from the matrix.

▶ AB 1121	AUTHOR:	Haney [D]
	TITLE:	Public Works: Ineligibility List
	INTRODUCED:	02/15/2023
	LAST AMEND:	03/20/2023
	LOCATION:	Senate
	SUMMARY:	
	Requires awarding authorities to submit to the Department of Industrial Relations electronic project registration database a list of ineligible contractors, as specified, pursuant to local debarment or suspension processes.	
	STATUS:	
	05/30/2023	In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (79-0)
	CATEGORY:	Public Works

CA AB 1149 (Grayson), which pertained to human trafficking, failed to meet fiscal committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

▶ AB 1159	AUTHOR:	Aguiar-Curry [D]
	TITLE:	State Global Warming Solutions Act: Lands
	INTRODUCED:	02/16/2023
	LAST AMEND:	04/12/2023
	LOCATION:	Senate
	SUMMARY:	<i>Prohibits natural and working lands projects and actions that receive State funding from generating credits under any market-based compliance mechanism for any greenhouse gas emissions reduced or removed as a result of the State funding.</i>
	STATUS:	
	05/30/2023	In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (80-0)
CATEGORY:	Environment	

▶ AB 1248	AUTHOR:	Bryan [D]
	TITLE:	Local Redistricting: Independent Commissions
	INTRODUCED:	02/16/2023
	LAST AMEND:	05/18/2023
	LOCATION:	Senate
	SUMMARY:	<i>Requires a county, general law city, charter city, or charter city and county that contains over a specified number of residents, and a school district or community college district that contains over a specified number of residents, to establish an independent redistricting commission to adopt district boundaries after each federal decennial census.</i>
	STATUS:	
	05/30/2023	In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (61-17)
CATEGORY:	Miscellaneous	

▶ AB 1250	AUTHOR:	Friedman [D]
	TITLE:	Department of Transportation: Low-Carbon Materials
	INTRODUCED:	02/16/2023
	LAST AMEND:	03/16/2023
	LOCATION:	Senate
	SUMMARY:	Requires the Secretary of Transportation, in consultation with the Director of Transportation, to submit a report to the Legislature that discusses, among other things, the carbon emissions associated with materials currently used in State transportation projects, alternative materials with lower carbon emissions, and benchmarks for using materials with lower carbon materials.
	STATUS:	
	05/25/2023	In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (76-0)
CATEGORY:	Public Works	

CA AB 1265 (Gallagher), which pertained to transportation fuels, failed to pass its policy committee vote threshold and is now dead. Therefore, the bill has been removed from the matrix.

CA AB 1295 (Friedman), which pertained to Affordable Housing and Sustainable Communities Program, failed to meet fiscal committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

▶ AB 1308	AUTHOR:	Quirk-Silva [D]
	TITLE:	Planning and Zoning Law: Single-family Residences
	INTRODUCED:	02/16/2023
	LAST AMEND:	03/30/2023
	LOCATION:	Senate
	SUMMARY:	Prohibits a public agency from increasing the minimum parking requirement that applies to a single-family residence as a condition of approval of a project to remodel, renovate, or add to a single-family residence, with specified exceptions.
	STATUS:	
	05/25/2023	In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (71-3)
CATEGORY:	Planning	

▶ AB 1335	AUTHOR:	Zbur [D]
	TITLE:	Local Government: Transportation Planning and Land Use
	INTRODUCED:	02/16/2023
	LAST AMEND:	05/11/2023
	LOCATION:	Senate
	SUMMARY:	
		<i>Provides that existing law requires specified designated transportation planning agencies to prepare and adopt a regional transportation plan directed at achieving a coordinated and balanced regional transportation system. Requires each metropolitan planning organization to include in the sustainable communities strategy the total number of new housing units necessary to house all the population of the region over the course of the planning period of the regional transportation plan.</i>
	STATUS:	
	05/18/2023	<i>In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (60-10)</i>
	CATEGORY:	Planning

CA AB 1374 (Alvarez), which pertained to the Greenhouse Gas Reduction Fund, failed to meet policy committee deadlines and is now a two-year bill. Therefore, the bill has been removed from the matrix.

▶ AB 1377	AUTHOR:	Friedman [D]
	TITLE:	Interagency Council on Homelessness
	INTRODUCED:	02/17/2023
	LAST AMEND:	04/13/2023
	LOCATION:	Senate
	SUMMARY:	
		<i>Relates to the Homeless Housing, Assistance, and Prevention program. Relates to law that requires applicants to provide specified information for all rounds of program allocations through a data collection, reporting, performance monitoring, and accountability framework. Requires data and a narrative summary of specific and quantifiable steps that the applicant has taken to improve the delivery of housing and services to people experiencing homelessness or at risk of homelessness, on transit facilities.</i>
	STATUS:	
	05/18/2023	<i>In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (74-0)</i>
	CATEGORY:	Transit

▶ AB 1385	AUTHOR:	Garcia [D]
	TITLE:	Riverside County Transportation Commission: Transaction
	INTRODUCED:	02/17/2023
	LAST AMEND:	03/23/2023
	LOCATION:	Senate
	SUMMARY:	
		Raises the maximum tax rate the Riverside County Transportation Commission may impose to a specified percent.
	STATUS:	
	05/18/2023	In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (54-10)
	CATEGORY:	Funding

CA AB 1401 (Garcia), which pertained to Low Carbon Fuel Standard Regulations, failed to meet policy committee deadlines and is now a two-year bill. Therefore, the bill has been removed from the matrix

▶ AB 1447	AUTHOR:	Flora [R]
	TITLE:	Vehicles: Motorized Scooters
	INTRODUCED:	02/17/2023
	LAST AMEND:	04/17/2023
	LOCATION:	Senate
	SUMMARY:	
		<i>Changes the definition of a motorized scooter by including 3-wheeled devices, limiting its maximum weight to a specified number of pounds and width to a specified number of feet, and specifying that it is powered by a motor that ceases to provide power at a specified number of miles per hour. Prohibits a person from operating a motorized scooter in excess of a specified number of miles per hour while standing up or in excess of a specified number of miles per hour while sitting down.</i>
	STATUS:	
	05/25/2023	In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (76-0)
	CATEGORY:	Active Transportation

▶ AB 1484	AUTHOR:	Zbur [D]
	TITLE:	Temporary Public Employees
	INTRODUCED:	02/17/2023
	LAST AMEND:	05/18/2023
	LOCATION:	Assembly Third Reading File
	SUMMARY:	
		Relates to the Meyers-Milias-Brown Act. Requires a public employer to, upon hire, provide each temporary employee with their job description, wage rates, and eligibility for benefits, anticipated length of employment, and procedures to apply for open, permanent positions. Requires complaints alleging a violation of its provisions to be processed as unfair practice charges under the act.
	STATUS:	
	05/22/2023	In ASSEMBLY. Read second time. To third reading.
	CATEGORY:	Employment

▶ AB 1519	AUTHOR:	Bains [D]
	TITLE:	Vehicles: Catalytic Converters
	INTRODUCED:	02/17/2023
	LAST AMEND:	04/19/2023
	LOCATION:	Assembly Third Reading File
	SUMMARY:	
		Relates to law prohibits a motor vehicle dealer or retail seller from selling any motor vehicle that is not in compliance with the requirements enumerated in the Vehicle Code. Prohibits any person, except as exempted, from removing, altering, or obfuscating the vehicle identification number that has been added to a catalytic converter, or from knowingly possessing a specified number or more catalytic converters that have been so altered. Provides that a violation would be punishable as a misdemeanor.
	STATUS:	
	05/18/2023	In ASSEMBLY. Joint Rule 62(a) suspended.
	05/18/2023	From ASSEMBLY Committee on APPROPRIATIONS: Do pass. (15-0)
	05/18/2023	In ASSEMBLY. Read second time. To third reading.
	CATEGORY:	Safety and Security

CA AB 1525 (Bonta), which pertained to allocations for transportation projects, failed to meet fiscal committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

CA AB 1530 (Ortega), which pertained to public employment, failed to meet policy committee deadlines and is now a two-year bill. Therefore, the bill has been removed from the matrix.

▶ AB 1550	AUTHOR:	Bennett [D]
	TITLE:	Green Hydrogen
	INTRODUCED:	02/17/2023
	LAST AMEND:	05/22/2023
	LOCATION:	Assembly Third Reading File
	SUMMARY:	
		<i>Prohibits green hydrogen used by a generating facility from qualifying as an eligible renewable energy resource for purposes of that requirement, with exceptions. Relates to all hydrogen produced and used in California for the generation of electricity or fueling of vehicles shall be green hydrogen in furtherance of the state's policy to achieve net zero greenhouse gas emissions as soon as possible.</i>
	STATUS:	
	05/23/2023	<i>In ASSEMBLY. Read second time. To third reading.</i>
	CATEGORY:	Environment

▶ AB 1567	AUTHOR:	Garcia [D]
	TITLE:	Safe Drinking Water, Wildfire Prevention, Drought Prep
	INTRODUCED:	02/17/2023
	LAST AMEND:	05/26/2023
	LOCATION:	Assembly Third Reading File
	SUMMARY:	
		<i>Enacts the Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, Clean Energy, and Workforce Development Bond Act of 2024, which, if approved by the voters, would authorize the issuance of bonds in a specified amount to finance projects for safe drinking water, wildfire prevention, drought preparation, flood protection, extreme heat mitigation, clean energy, and workforce development programs.</i>
	STATUS:	
	05/23/2023	<i>In ASSEMBLY. Read second time. To third reading.</i>
	CATEGORY:	Funding

CA AB 1580 (Bennett), which pertained to electric vehicle infrastructure, failed to meet fiscal committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

CA AB 1609 (Garcia), which pertained to motor vehicle registration, failed to meet fiscal committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

▶ AB 1614	AUTHOR:	Gabriel [D]
	TITLE:	Gasoline Fueling Stations: Phase Out: Study
	INTRODUCED:	02/17/2023
	LAST AMEND:	04/26/2023
	LOCATION:	Assembly Third Reading File
	SUMMARY:	
		<i>Requires the State Energy Resources Conservation and Development Commission to conduct a study on the feasibility of phasing out the existence of gasoline fueling stations by a specified date. Requires the study to include an assessment by the Energy Commission that identifies the potential incentives and regulatory barriers for gasoline fueling stations to convert to electric vehicle charging stations.</i>
	STATUS:	
	05/18/2023	From ASSEMBLY Committee on APPROPRIATIONS: Do pass. (11-4)
	05/18/2023	In ASSEMBLY. Read second time. To third reading.
	CATEGORY:	Reports

CA AB 1626 (McCarty), which pertained to transportation electrification, failed to meet fiscal committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

▶ AB 1637	AUTHOR:	Irwin [D]
	TITLE:	Local Government: Internet Websites and Email Addresses
	INTRODUCED:	02/17/2023
	LAST AMEND:	05/18/2023
	LOCATION:	Assembly Third Reading File
	SUMMARY:	
		<i>Requires, no later than specified date, a local agency that maintains an internet website for use by the public to ensure that the internet website utilizes a .gov top-level domain or a .ca.gov second-level domain and requires a local agency that maintains an internet website that is noncompliant with that requirement to redirect that internet website to a domain name that does utilize a .gov or .ca.gov domain.</i>
	STATUS:	
	05/22/2023	In ASSEMBLY. Read second time. To third reading.
	CATEGORY:	Public Meetings

CA AB 1700 (Hoover), which pertained to the California Environmental Quality Act, failed to meet policy committee deadlines and is now a two-year bill. Therefore, the bill has been removed from the matrix.

▶ AB 1735	AUTHOR:	Low [D]
	TITLE:	Transit Districts: Prohibition Orders
	INTRODUCED:	02/17/2023
	LOCATION:	Senate Transportation Committee
	HEARING:	06/13/2023 1:30pm
	SUMMARY:	
		Relates to existing law which prohibits a person subject to a prohibition order from entering the property, facilities, or vehicles of the transit district for specified periods of time. Provides that the Santa Clara Valley Transportation Authority is a transit district for purposes of these provisions regarding prohibition orders.
	STATUS:	
	05/10/2023	To SENATE Committee on TRANSPORTATION.
	CATEGORY:	Transit

ACA 1	AUTHOR:	Aguar-Curry [D]
	TITLE:	Local Government Financing: Affordable Housing
	INTRODUCED:	12/05/2022
	LAST AMEND:	05/30/2023
	LOCATION:	Assembly Local Government Committee
	SUMMARY:	
		Creates an additional exception to the one percent limit that would authorize a city, county, city and county, or special district to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, or the acquisition or lease of real property for those purposes, if the proposition proposing that tax is approved by 55 percent of the voters of the city or county.
	STATUS:	
	05/30/2023	From ASSEMBLY Committee on LOCAL GOVERNMENT with author's amendments.
	05/30/2023	In ASSEMBLY. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.
	CATEGORY:	Funding

▶ ACR 38	AUTHOR:	Alvarez [D]
	TITLE:	Freeway Lids
	INTRODUCED:	03/09/2023
	LOCATION:	Assembly Third Reading File
	SUMMARY:	
		Recognizes the need to reunite communities split by the creation of the interstate highway system and the importance of freeway lids as a partial solution to that problem. Declares that the Legislature should utilize federal resources, in partnership with state agencies and local entities, to begin reconnecting these communities with, among other things, freeway lids.
	STATUS:	
	05/22/2023	In ASSEMBLY. From Consent Calendar. To third reading.
	CATEGORY:	Planning

▶ SB 5	AUTHOR:	Nguyen [R]
	TITLE:	Motor Vehicle Fuel Tax Law: Limitation on Adjustment
	INTRODUCED:	12/05/2022
	LOCATION:	Senate Governance and Finance Committee
	SUMMARY:	Limits the annual adjustment of the tax upon motor vehicle fuel removed from a refinery or terminal rack to a maximum of two percent for rate adjustments made on or after July 1, 2023.
	STATUS:	
	05/03/2023	<i>In SENATE Committee on GOVERNANCE AND FINANCE: Failed passage.</i>
	05/03/2023	<i>In SENATE Committee on GOVERNANCE AND FINANCE: Reconsideration granted.</i>
	CATEGORY:	Funding

CA SB 12 (Stern), which pertained to the Global Warming Solutions Act of 2006, failed to meet fiscal committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

▶ SB 30	AUTHOR:	Umberg [D]
	TITLE:	Transportation: Zero-Emission Vehicle Signage
	INTRODUCED:	12/05/2022
	LAST AMEND:	02/27/2023
	LOCATION:	<i>Assembly Transportation Committee</i>
	SUMMARY:	Requires the Department of Transportation, in coordination with the Governor's Office of Business and Economic Development (GO-Biz) and the State Energy Resources Conservation and Development Commission, to develop and design light-duty zero-emission vehicle charging and fueling station signage to be placed along State highways based on charger or fueling type and vehicle compatibility, to increase consumer confidence in locating electric vehicle chargers and hydrogen fueling stations.
	STATUS:	
	05/26/2023	<i>To ASSEMBLY Committee on TRANSPORTATION.</i>
	CATEGORY:	Public Works

CA SB 32 (Jones), which pertained to motor vehicle fuel tax, failed to meet policy committee deadlines and is now a two-year bill. Therefore, the bill has been removed from the matrix.

▶ SB 34	AUTHOR:	Umberg [D]
	TITLE:	Surplus Land Disposal: Violations: Orange County
	INTRODUCED:	12/05/2022
	LAST AMEND:	02/22/2023
	LOCATION:	<i>Assembly Local Government Committee</i>
	SUMMARY:	Requires the County of Orange, or any city located within Orange County, if notified by the Department of Housing and Community Development that its planned sale of surplus land is in violation of existing law, to cure or correct the alleged violation within 60 days. Prohibits an Orange County jurisdiction that has not cured or corrected any alleged violation from disposing of the parcel until the department determines that it has complied with existing law.
	STATUS:	
	05/26/2023	<i>To ASSEMBLY Committees on LOCAL GOVERNMENT and HOUSING AND COMMUNITY DEVELOPMENT.</i>
	CATEGORY:	Surplus Land

▶ SB 49	AUTHOR:	Becker [D]
	TITLE:	Renewable Energy: Solar Canopy Tax Incentives
	INTRODUCED:	12/05/2023
	LAST AMEND:	04/24/2023
	LOCATION:	<i>Assembly</i>
	SUMMARY:	<i>Requires the Department of Transportation, in coordination with the State Energy Resources Conservation and Development Commission and the Public Utilities Commission, to develop a strategic plan to lease and license department-owned rights-of-way to public utilities or other entities to build and operate renewable energy generation facilities, energy storage facilities connected to renewable energy generation facilities, and electrical transmission facilities.</i>
	STATUS:	
	05/25/2023	<i>In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY. (40-0)</i>
	CATEGORY:	Funding

▶ SB 69	AUTHOR:	Cortese [D]
	TITLE:	Environmental Quality Act: Proceedings: Limitations
	INTRODUCED:	01/05/2023
	LAST AMEND:	05/18/2023
	LOCATION:	Assembly
	SUMMARY:	<i>Relates to the California Environmental Quality Act. Relates to local agencies filing of notices of determination or exemption. Requires a lead agency to prepare or cause to be prepared and certify the completion of an environmental impact report with significant effect on the environment. Requires local agency to file a notice of determination with the Office of Planning and research in addition to the county clerk of each county where the project will be located.</i>
	STATUS:	
	05/30/2023	<i>In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY. (40-0)</i>
	CATEGORY:	Environment

CA SB 222 (Nguyen), which pertained to outdoor advertising, failed to meet policy committee deadlines and is now a two-year bill. Therefore, the bill has been removed from the matrix.

▶ SB 229	AUTHOR:	Umberg [D]
	TITLE:	Surplus Land: Disposal of Property: Violations
	INTRODUCED:	01/23/2023
	LAST AMEND:	02/23/2023
	LOCATION:	Assembly Local Government Committee
	SUMMARY:	Requires a local agency that has received a notification of violation from the Department of Housing and Community Development to hold an open and public session to review and consider the substance of the notice of violation. Requires the local agency's governing body to provide prescribed notice no later than 14 days before the public session. Prohibits the local agency's governing body from taking final action to ratify or approve the proposed disposal until a public session is held as required.
	STATUS:	
	05/26/2023	<i>To ASSEMBLY Committees on LOCAL GOVERNMENT and HOUSING AND COMMUNITY DEVELOPMNENT.</i>
	CATEGORY:	Surplus Land

► SB 258	AUTHOR:	Roth [D]
	TITLE:	General Aviation Airports: Funding Needs Assessment
	INTRODUCED:	01/30/2023
	LAST AMEND:	03/15/2023
	LOCATION:	Assembly
	SUMMARY:	Requires the California Transportation Commission to prepare a funding needs assessment for the State's general aviation airports. Requires the commission, as part of the needs assessment, to forecast the expected revenue to pay for the costs identified in the needs assessment, any shortfall in revenue to cover the costs, and recommendations on how any shortfall should be addressed. Requires the assessment to be informed by the California Aviation System Plan and the most recent capital improvement plan.
	STATUS:	
	05/25/2023	In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY. (40-0)
	CATEGORY:	Miscellaneous

► SB 259	AUTHOR:	Seyarto [R]
	TITLE:	Reports Submitted to Legislative Committees
	INTRODUCED:	01/30/2023
	LOCATION:	Assembly Accountability and Administrative Review Committee
	HEARING:	06/07/2023 9:30am
	SUMMARY:	Requires a state agency to post on its internet website any report, as defined, that the state agency submits to a committee of the Legislature.
	STATUS:	
	05/04/2023	To ASSEMBLY Committee on ACCOUNTABILITY AND ADMINISTRATIVE REVIEW.
	CATEGORY:	Reports

► SB 265	AUTHOR:	Hurtado [D]
	TITLE:	Cybersecurity Preparedness: Critical Infrastructure
	INTRODUCED:	01/31/2023
	LAST AMEND:	05/18/2023
	LOCATION:	Assembly
	SUMMARY:	Requires the Office of Emergency Services to direct the California Cybersecurity Integration Center to prepare, and Cal OES to submit to the Legislature, a strategic, multiyear outreach plan to assist critical infrastructure sectors, in their efforts to improve cybersecurity and an evaluation of options for providing grants or alternative forms of funding to, and potential voluntary actions that do not require funding and that assist, that sector in their efforts to improve cybersecurity preparedness.
	STATUS:	
	05/30/2023	In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY. (40-0)
	CATEGORY:	Safety and Security

CA SB 270 (Wiener), which pertained to the California Environmental Quality Act, failed to meet fiscal committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

▶ SB 272	AUTHOR:	Laird [D]
	TITLE:	Sea Level Rise: Planning and Adaptation
	INTRODUCED:	01/31/2023
	LAST AMEND:	05/18/2023
	LOCATION:	Assembly
	SUMMARY:	<i>Requires a local government lying, in whole or in part, within the coastal zone, as defined, or within the jurisdiction of the San Francisco Bay Conservation and Development Commission, to implement sea level rise planning and adaptation through either submitting, and receiving approval for, a local coastal program to the California Coastal Commission. Establishes guidelines for the preparation of that planning and adaptation on or before specified date.</i>
	STATUS:	
	05/24/2023	In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY. (37-1)
	CATEGORY:	Environment

▶ SB 304	AUTHOR:	Laird [D]
	TITLE:	Monterey-Salinas Transit District: Public Contracting
	INTRODUCED:	02/02/2023
	LAST AMEND:	03/20/2023
	LOCATION:	Senate Transportation Committee
	HEARING:	04/11/2023 1:30pm
	SUMMARY:	<i>Increases the monetary threshold for contracts above which the Monterey-Salinas Transit District is required to award contracts to the lowest responsible bidder, or to the responsible bidder that provides the best value. Provides that, until specified date, the rules concerning monetary thresholds, excluding services related to certain public construction projects and architectural, landscape architectural, engineering, environmental, land surveying, or construction project management services, apply.</i>
	STATUS:	
	03/20/2023	From SENATE Committee on TRANSPORTATION with author's amendments.
	03/20/2023	In SENATE. Read second time and amended. Re-referred to Committee on TRANSPORTATION.
	CATEGORY:	Public Works

CA SB 312 (Wiener), which pertained to state highways, failed to meet policy committee deadlines and is now a two-year bill. Therefore, the bill has been removed from the matrix.

CA SB 334 (Cortese), which pertained to the Public Employment Relations Board, failed to meet fiscal committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

CA SB 352 (Padilla), which pertained to the California Workforce Development Board, failed to meet fiscal committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

▶ SB 360	AUTHOR:	Blakespear [D]
	TITLE:	California Coastal Commission: Member Voting
	INTRODUCED:	02/08/2023
	LAST AMEND:	04/18/2023
	LOCATION:	Assembly Natural Resources Committee
	SUMMARY:	
		<i>Provides that the provisions of the California Coastal Act do not preclude or prevent any member or employee of the California Coastal Commission who is also an employee of another public agency, a county supervisor or city councilperson, a member of specified associations or organizations, members of a joint powers authority, or members of the local agency formation commission.</i>
	STATUS:	
	05/18/2023	To ASSEMBLY Committee on NATURAL RESOURCES.
	CATEGORY:	Resiliency and adaptation

▶ SB 411	AUTHOR:	Portantino [D]
	TITLE:	Open Meetings: Teleconferences: Neighborhood Councils
	INTRODUCED:	02/09/2023
	LAST AMEND:	04/24/2023
	LOCATION:	Assembly Local Government Committee
	SUMMARY:	
		<i>Authorizes an eligible legislative body to use alternate teleconferencing provisions related to notice, agenda, and public participation, if the city council has adopted an authorizing resolution and a specified fraction of an eligible legislative body votes to use the alternate teleconferencing provisions. Requires an eligible legislative body authorized to provide publicly accessible physical locations for public participation.</i>
	STATUS:	
	05/26/2023	To ASSEMBLY Committee on LOCAL GOVERNMENT.
	CATEGORY:	Public Meetings

▶ SB 422	AUTHOR:	Portantino [D]	
	TITLE:	California Environmental Quality Act	
	INTRODUCED:	02/09/2023	
	LAST AMEND:	03/20/2023	
	LOCATION:	Assembly	
	SUMMARY:		
		<i>Requires specified public agencies, at the time of adoption of a rule or regulation requiring the reduction in emissions of greenhouse gases, criteria air pollutants, or toxic air contaminants, to perform an environmental analysis of the reasonably foreseeable methods of compliance with the California Environmental Quality Act.</i>	
	STATUS:		
	05/24/2023	In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY. (38-0)	
CATEGORY:	Public Meetings		

CA SB 358 (Gonzalez), which pertained to public contracts, failed to meet policy committee deadlines and is now a two-year bill. Therefore, the bill has been removed from the matrix.

▶ SB 493	AUTHOR:	Min [D]	
	TITLE:	Air Pollution: Alternative Vehicles and Hydrogen	
	INTRODUCED:	02/14/2023	
	LAST AMEND:	04/24/2023	
	LOCATION:	Assembly	
	SUMMARY:		
		<i>Provides that existing law requires the State Energy Resources Conservation and Development Commission to prepare a statewide assessment of fuel cell electric vehicle fueling infrastructure and fuel production needed to support the adoption of zero-emission trucks, buses, and off-road vehicles at levels necessary for the State to meet specified goals and requirements. Requires the assessment of the infrastructure and fuel production to include an assessment of storage and transport facilities.</i>	
	STATUS:		
	05/26/2023	In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY. (36-0)	
CATEGORY:	Zero Emission		

▶ SB 506	AUTHOR:	Laird [D]
	TITLE:	Public Utilities Commission: Railroads
	INTRODUCED:	02/14/2023
	LAST AMEND:	04/18/2023
	LOCATION:	Assembly
	SUMMARY:	<i>Requires the Public Utilities Commission, to the extent permitted by federal law or regulation, to develop and implement a pilot or limited demonstration and research project for colored pavement markings at one or more at-grade highway-railroad crossings no later than specified date to measure and evaluate the effectiveness of such a project to reduce incidents.</i>
	STATUS:	
	05/25/2023	In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY. (40-0)
	CATEGORY:	Public Works

CA SB 507 (Gonzalez), which pertained to electric vehicle charging station infrastructure, failed to meet fiscal committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

▶ SB 511	AUTHOR:	Blakespear [D]
	TITLE:	Greenhouse Gas Emissions Inventories
	INTRODUCED:	02/14/2023
	LAST AMEND:	04/24/2023
	LOCATION:	Assembly
	SUMMARY:	<i>Provides that the California Global Warming Solutions Act requires the State Air Resources Board to prepare and approve a scoping plan for achieving the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions and to update the scoping plan. Requires the Board to develop, and publish on its website, a report on greenhouse gas emissions inventories for the specified calendar year for each city, county, or city and county that requests inclusion in the report.</i>
	STATUS:	
	05/24/2023	In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY. (38-0)
	CATEGORY:	Environment

▶ SB 532	AUTHOR:	Wiener [D]
	TITLE:	Ballot Measures: Local Taxes
	INTRODUCED:	02/14/2023
	LAST AMEND:	05/18/2023
	LOCATION:	Senate Third Reading File
	SUMMARY:	<i>Provides that if including the fiscal disclosure in the ballot would result in the total number of words on the ballot label to exceed the 75 word limit and would necessitate the printing of an extra ballot card compared to the ballot labels not exceeding the 75 word limit, the type size of the fiscal disclosure may be reduced by the minimal amount needed to stop from necessitating an extra ballot card, as long as the type size meets specified requirements.</i>
	STATUS:	
	05/22/2023	In SENATE. Read second time. To third reading.
	CATEGORY:	Funding

▶ SB 537	AUTHOR:	Becker [D]
	TITLE:	Open Meetings: Local Agencies: Teleconferences
	INTRODUCED:	02/14/2023
	LAST AMEND:	04/24/2023
	LOCATION:	Assembly
	SUMMARY:	<i>Relates to law that authorizes the legislative body of a local agency to use alternative teleconferencing in certain circumstances related to the particular member. Provides that these circumstances include if a member shows just cause. Expands the circumstances of just cause to apply to the situation in which an immunocompromised child, parent, grandparent, or other specified relative requires the member to participate remotely.</i>
	STATUS:	
	05/30/2023	In SENATE. Read third time, urgency clause adopted. Passed SENATE. *****To ASSEMBLY. (32-8)
	CATEGORY:	Public Meetings

▶ SB 538	AUTHOR:	Portantino [D]
	TITLE:	Department of Transportation
	INTRODUCED:	02/14/2023
	LAST AMEND:	04/18/2023
	LOCATION:	Assembly Transportation Committee
	SUMMARY:	<i>Requires the Director of Transportation to appoint a Chief Advisor on Bicycling and Active Transportation, to serve as the Department of Transportation's primary advisor on all issues related to bicycle transportation, safety, and infrastructure.</i>
	STATUS:	
	05/26/2023	To ASSEMBLY Committee on TRANSPORTATION.
	CATEGORY:	Active Transportation

▶ SB 544	AUTHOR:	Laird [D]
	TITLE:	Bagley-Keene Open Meeting Act: Teleconferencing
	INTRODUCED:	02/15/2023
	LAST AMEND:	04/27/2023
	LOCATION:	Assembly Governmental Organization Committee
	SUMMARY:	<i>Relates to the Bagley-Keene Open Meeting Act. Provides that existing law authorizes, subject to specified requirements, a State body to hold public meetings through teleconferencing. Requires a State body, upon discovering that a means of remote participation required by the bill has failed during a meeting and cannot be restored, to end or adjourn the meeting in accordance with prescribed adjournment and notice provisions, including information about reconvening.</i>
	STATUS:	
	05/26/2023	To ASSEMBLY Committee on GOVERNMENTAL ORGANIZATION.
	CATEGORY:	Public Meetings

CA SB 546 (Alvarado-Gil), which pertained to sales and use taxes, failed to meet policy committee deadlines and is now a two-year bill. Therefore, the bill has been removed from the matrix.

▶ SB 553	AUTHOR:	Cortese [D]
	TITLE:	Occupational Safety: Workplace Violence
	INTRODUCED:	02/15/2023
	LAST AMEND:	05/22/2023
	LOCATION:	Senate Third Reading File
	SUMMARY:	<i>Authorizes a collective bargaining representative of an employee to seek a temporary restraining order and an order after hearing on behalf of the employee and other employees at the workplace. Requires every employer to establish, implement, and maintain at all times in all of their facilities a workplace violence prevention plan as part of the injury prevention program. Requires the employer to record information in a violent incident log about every incident, postincident response, and investigation.</i>
	STATUS:	
	05/23/2023	In SENATE. Read second time. To third reading.
	CATEGORY:	Employment

CA SB 563 (Archuleta), which pertained to the air pollution control districts, failed to meet fiscal committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

CA SB 574 (Wahab), which pertained to project labor agreements, failed to meet policy committee deadlines and is now a two-year bill. Therefore, the bill has been removed from the matrix.

▶ SB 638	AUTHOR:	Eggman [D]
	TITLE:	Climate Resiliency and Flood Protection Bond Act
	INTRODUCED:	02/16/2023
	LAST AMEND:	05/18/2023
	LOCATION:	Senate Third Reading File
	SUMMARY:	Enacts the Climate Resiliency and Flood Protection Bond Act of 2024 which, if approved by the voters, would authorize the issuance of bonds in the amount of a specified amount pursuant to the State General Obligation Bond Law, for flood protection and climate resiliency projects. <i>Provides that this bill is operative only if SB 867 of the 2023-24 Regular Session is enacted and takes effect on or before specified date.</i>
	STATUS:	
	05/22/2023	In SENATE. Read second time. To third reading.
CATEGORY:	Funding	

CA SB 670 (Allen), which pertained to vehicle miles traveled, failed to meet fiscal committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

▶ SB 672	AUTHOR:	McGuire [D]
	TITLE:	State Highways: Parklets
	INTRODUCED:	02/16/2023
	LAST AMEND:	04/19/2023
	LOCATION:	Assembly
	SUMMARY:	<i>Requires the Department of Transportation to establish a standard fee structure for the application and placement of a parklet on a State highway. Prohibits the department from charging an encroachment permit fee for the application and placement of a parklet on a State highway. Requires the department to consider an encroachment permit application for commercial use.</i>
	STATUS:	
	05/25/2023	In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY. (40-0)
CATEGORY:	Public Works	

► SB 677	AUTHOR:	Blakespear [D]
	TITLE:	Intercity Rail: LOSSAN Rail Corridor
	INTRODUCED:	02/16/2023
	LAST AMEND:	04/17/2023
	LOCATION:	Assembly Transportation Committee
	SUMMARY:	<i>Requires the LOSSAN Rail Corridor Agency, as part of the annual business plan submitted to the Secretary of Transportation, to include a description of the effects of climate change on the LOSSAN corridor, to identify projects planned to increase climate resiliency on the corridor, and to discuss possible funding options for those identified projects.</i>
	STATUS:	
	05/18/2023	To ASSEMBLY Committee on TRANSPORTATION.
	CATEGORY:	Transit

CA SB 682 (Skinner), which pertained to low carbon cement and concrete, failed to meet fiscal committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

CA SB 689 (Blakespear), which pertained to the Local Coastal Program, failed to meet policy committee deadlines and is now a two-year bill. Therefore, the bill has been removed from the matrix.

► SB 695	AUTHOR:	Gonzalez [D]
	TITLE:	Department of Transportation: State Highway System
	INTRODUCED:	02/16/2023
	LAST AMEND:	05/18/2023
	LOCATION:	Assembly
	SUMMARY:	<i>Requires the Department of Transportation to annually prepare and make available on its internet website information and data about activities on the state highway system from the prior fiscal year. requires the department to prepare and post on its internet website data and information about activities on the state highway system covering a specified time period. Requires the California Transportation Commission to include this data and information in its annual report to the Legislature.</i>
	STATUS:	
	05/30/2023	In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY. (40-0)
	CATEGORY:	Reports

CA SB 703 (Niello), which pertained to flexible work schedules, failed to meet its policy committee vote threshold and is now dead. Therefore, the bill has been removed from the matrix.

▶ SB 731	AUTHOR:	Ashby [D]
	TITLE:	Employment Discrimination: Unlawful Practices
	INTRODUCED:	02/17/2023
	LAST AMEND:	04/20/2023
	LOCATION:	Assembly
	SUMMARY:	<i>Makes it an unlawful employment practice for an employer to fail to provide an employee who is working from home pursuant to an agreement with, or policy of, the employer with at least a specified number of days' advance notice before requiring that employee to return to work in person. Requires that notice to include, at a minimum, prescribed text with information about the rights of an employee to reasonable accommodation for a disability.</i>
	STATUS:	
	05/25/2023	<i>In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY. (40-0)</i>
	CATEGORY:	Employment

▶ SB 747	AUTHOR:	Caballero [D]
	TITLE:	Land Use: Economic Development: Surplus Land
	INTRODUCED:	02/17/2023
	LAST AMEND:	05/18/2023
	LOCATION:	Senate Third Reading
	SUMMARY:	<i>Relates to exempt surplus land, including surplus land that is not contiguous to land owned by a State or local agency, that is used for open space or low and moderate-income housing purposes and meets specified conditions. Authorizes a local agency to administratively declare that land is exempt surplus land if the land is located within a city, county, or city and county that has been found to have a substantially compliant housing element and has been designated prohousing.</i>
	STATUS:	
	05/22/2023	<i>In SENATE. Read second time. To third reading.</i>
	CATEGORY:	Planning

▶ SB 769	AUTHOR:	Gonzalez [D]
	TITLE:	Local Government: Fiscal and Financial Training
	INTRODUCED:	02/17/2023
	LAST AMEND:	04/20/2023
	LOCATION:	Assembly Local Government Committee
	SUMMARY:	<i>Provides that existing law imposes ethics training and sexual harassment prevention training and education on specified local agency officials. Exempts a local agency official from the training requirements if they comply with specified criteria under existing law relating to eligibility for appointment or election to, and continuing education for, the office of county treasurer, county tax collector, or county treasurer-tax collector.</i>
	STATUS:	
	05/26/2023	<i>To ASSEMBLY Committee on LOCAL GOVERNMENT.</i>
	CATEGORY:	Miscellaneous

▶ SB 790	AUTHOR:	Padilla [D]
	TITLE:	Public Records: Contracts for Goods and Services
	INTRODUCED:	02/17/2023
	LAST AMEND:	03/22/2023
	LOCATION:	Assembly Judiciary Committee
	HEARING:	06/06/2023 9:00am
	SUMMARY:	Provides that any executed contract for the purchase of goods or services by a State or local agency, including the price and terms of payment, is a public record subject to disclosure under the California Public Records Act.
	STATUS:	
	05/11/2023	To ASSEMBLY Committee on JUDICIARY.
	CATEGORY:	Records

CA SB 794 (Niello), which pertained to the California Environmental Quality Act, failed to meet policy committee deadlines and is now a two-year bill. Therefore, the bill has been removed from the matrix.

▶ SB 822	AUTHOR:	Durazo [D]
	TITLE:	Workforce Development: Interagency High Road Team
	INTRODUCED:	02/17/2023
	LAST AMEND:	05/18/2023
	LOCATION:	Senate Third Reading File
	SUMMARY:	Requires the Department of Industrial Relations and the California Workforce Development Board, within the Labor and Workforce Development Agency, to collectively be responsible for oversight and decision-making, including, among other duties, creating high road evaluation metrics and providing technical assistance to agencies. Requires, upon request by a State agency, the board to establish interagency agreements that advance the objectives of high road procurement, contracting, and incentive programs.
	STATUS:	
	05/22/2023	In SENATE. Read second time. To third reading.
	CATEGORY:	Employment

CA SB 827 (Glazer), which pertained to the San Francisco Bay Area Rapid Transit District, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

▶ SB 848	AUTHOR:	Rubio [D]
	TITLE:	Employment: Leave for Loss Causing Grief
	INTRODUCED:	02/17/2023
	LAST AMEND:	05/18/2023
	LOCATION:	Assembly
	SUMMARY:	Makes it an unlawful employment practice for an employer to refuse to grant a request by an eligible employee to take up to a specified number of days of reproductive loss leave upon a specified event, including a miscarriage, unsuccessful assisted reproduction, or failed adoption. <i>Provides that if an employee experiences more than one reproductive loss leave event within a specified period, the total amount of time taken shall not exceed a specified number of days within a specified period.</i>
	STATUS:	
	05/24/2023	In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY. (35-3)
	CATEGORY:	Employment

▶ SB 891	AUTHOR:	Senate Transportation Committee
	TITLE:	Transportation: Omnibus Bill
	INTRODUCED:	03/23/2023
	LOCATION:	Assembly Transportation Committee
	SUMMARY:	Repeals the requirement for the San Diego Metropolitan Transit System to coordinate the operation of all regional public transportation services in the area under its jurisdiction and to establish and adopt regulations for the dispute resolution process.
	STATUS:	
	05/11/2023	To ASSEMBLY Committee on TRANSPORTATION.
	CATEGORY:	Miscellaneous

▶ SCR 21	AUTHOR:	Archuleta [D]
	TITLE:	Clean Energy: Hydrogen
	INTRODUCED:	02/08/2023
	LAST AMEND:	03/21/2023
	LOCATION:	Assembly Transportation Committee
	SUMMARY:	Urges the Alliance for Renewable Clean Hydrogen Energy Systems to prioritize renewable, clean hydrogen for California, as provided.
	STATUS:	
	05/04/2023	To ASSEMBLY Committee on TRANSPORTATION.
	CATEGORY:	Environment



June 15, 2023

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

A handwritten signature in blue ink, appearing to read "Darrell Johnson", is written over the "To:" and "From:" lines of the header.

Overview

The Orange County Transportation Authority regularly updates the Legislative and Communications Committee on policy and regulatory issues directly impacting the agency's programs, projects, and operations. An overview of the negotiated federal debt ceiling deal and a summary of projects the Orange County delegation members have submitted for community project funding and congressionally directed spending on behalf of the Orange County Transportation Authority are provided herein.

Recommendation

Receive and file as an information item.

Discussion

Community Project Funding/Congressionally Directed Spending Requests

Similar to what occurred during the federal fiscal year (FY) 2022 and FY 2023 appropriations process, Members of Congress have again solicited earmark requests for FY 2024. For context, the House of Representatives (House) uses the term, "community project funding," (CPF) while the Senate uses "congressionally directed spending" (CDS). Both are colloquially known as earmarks and can be defined as any congressionally directed spending, tax benefit or tariff benefit that would benefit an entity or a specific state, locality, or congressional district. CPF and CDS are similar to the earmark process, but with added transparency and accountability rules to ensure the funding is being used for its intended purposes, supported by the community, and can be used on a project or program in a timely manner. The House created additional parameters to requests this year to require a federal nexus.

This year, the Orange County Transportation Authority (OCTA) has been actively engaged with the Orange County delegation members to submit requests for a variety of multimodal projects. The following projects have been submitted for consideration in the FY 2024 appropriations package by members:

- \$5 million for the acceleration of zero-emission bus deployment in Orange County submitted by Senator Padilla (D-CA). This project would support the advancement of zero emission buses including necessary infrastructure upgrades.
- \$4 million for the Coastal Rail Corridor Relocation Study in Southern Orange County submitted by Representative Mike Levin (D-Dana Point). This study will examine long-term solutions to address slope failure and beach erosion in South Orange County, including potential relocation of the railroad.
- \$3 million for the Orange County (OC) Loop submitted by Representative Young Kim (R-Placentia). The OC Loop includes 66 miles of seamless connections that provide the community opportunities to bike, walk, and connect to some of California's most scenic beaches and inland reaches. This funding would be used to close gaps on the trail that cut off continuous use and enhance existing segments, specifically Segment A in the City of La Habra and Segment B in the City of Brea. In the FY 2023 appropriations process, Representative Young Kim also secured a \$3 million CPF for the OC Loop for OCTA.
- \$3 million for Segment 2 of the State Route 91 Improvement Project submitted by Representative Young Kim. The Project will add a new eastbound general purpose lane and reconstruct Kramer Boulevard and Tustin Avenue overcrossings to include standard lanes, shoulders, and sidewalks in each direction. In the FY 2023 appropriations process, Representative Young Kim also secured a \$5 million CPF for Segment 1 of State Route 91 Improvement Project for OCTA.
- \$2 million for the South Coast Rail Infrastructure Study submitted by Senator Diane Feinstein (D-CA). This study will evaluate strategies to ensure uninterrupted rail operations in Southern Orange County in the short and medium term. The funding from the requested CDS will allow the OCTA to move identified strategies to the next phase of project approval and environmental documentation.

This list does not include other projects that were submitted within Orange County, which were requested by individual cities, the County, or other transportation agencies like Metrolink. Although a project may be submitted by a member for funding, this does not guarantee that the project will receive

funding in the final FY 2024 appropriations bill. Staff will continue to work with the delegation members throughout the appropriations process and will provide updates to the OCTA Board of Directors.

Summary of Approved Debt Limit Deal

The United States Secretary of the Treasury communicated that the United States will be unable to meet its financial commitments on June 5, 2023, if Congress does not suspend or increase the debt limit. In an effort to keep the federal government from defaulting on its debt, the Biden Administration and Congress have been engaging in weeks-long negotiations to finalize a deal regarding the debt limit. On May 31, 2023, the House of Representatives approved HR 3746, or the Fiscal Responsibility Act of 2023, with a vote of 314 to 117 and on June 1, 2023, the Senate approved the legislation with a vote of 63-36. The President signed the bill on June 3, 2023. The Fiscal Responsibility Act of 2023 suspends the debt limit through January 1, 2025, and reduces spending and makes policy changes in several ways, as detailed below.

This legislation establishes budgetary caps on both defense and nondefense spending for FYs 2024 and 2025. In FY 2024, total nondefense spending, which includes transportation funding, is \$703.7 billion, which is a \$40.2 billion (5.4 percent) decrease compared to FY 2023 funding levels. Following enactment, appropriators will begin to determine how that funding will be distributed across the 12 FY 2024 spending bills; therefore, it is not yet clear what the exact impacts will be to the Department of Transportation.

Additionally, the bill includes new accountability measures for future spending. If Congress cannot agree on any or all of the annual FY 2024 appropriations bills this year, and any agencies are still operating on stopgap “continuing resolutions” as of January 1, 2024, then the spending cap for 2024 for that respective side of government will be reduced to 99 percent of its 2023 level. Then, if any of the twelve appropriations bills are still not enacted by April 30, 2024, then whatever continuing resolution that is in effect at that time will be subject to further reductions across the board of one percent. It also provides that, whenever a federal agency is considering an action that is not required by law and would increase mandatory federal spending by more than \$100 million in a year or more than \$1 billion over a decade, the agency must also include a proposal that would decrease federal spending by the same amount. This will expire on December 31, 2024.

The bill also rescinds the unobligated balances of remaining coronavirus (COVID-19) funds from a variety of programs. For OCTA’s purposes, it is expected that the Highway Infrastructure Programs is estimated to have a rescission amount of \$2.242 billion of the supplemental funds that were provided through the Coronavirus Response and Relief Supplemental Appropriations Act in FY 2021. These rescissions are anticipated to occur immediately upon

enactment. At the time of writing this staff report, California transportation planning agencies engaged with state and federal agencies to ensure these dollars could be obligated before the rescission took place. It should be noted, however, that the bill does not rescind public transit COVID-19 unobligated balances as originally proposed by House of Representatives leadership. The legislation does ensure that funding, including the advanced appropriations, in the Infrastructure Investments and Jobs Act are not impacted by these rescissions.

Finally, the bill also amends the National Environmental Policy Act (NEPA) for the first time since 1982 to incorporate streamlined environmental review processes. The legislation sets timelines for completing environmental reviews and establishes responsibilities for lead agencies during the review process, codifying elements of the “One Federal Decision” policy.

Specifically, environmental impact statements are directed to be completed within two years, environmental assessments are to be completed within one year, and limits are placed on the number of pages for both documents. Additionally, the amendments would require a lead federal agency to be appointed and for a single environmental analysis to be done even if multiple agencies are involved in approving a specific project. It also expands categorical exclusions by allowing agencies to adopt a categorical exclusion listed in a different agency’s NEPA procedures. Perhaps most notably, the amendments limit where NEPA applies to “reasonably foreseeable” environmental impacts and a “reasonable range” of alternatives that are “technically and economically feasible.” Many of these NEPA reforms were largely informed by OCTA’s commissioned Breaking Down Barriers initiative, which sought to accelerate the federal transportation project approval process.

Also under this legislation, the White House Council on Environmental Quality is directed to study within a year addressing delays in NEPA reviews and improve public accessibility, including the potential for technologies to aid in communications and data sharing during the environmental review process with the potential of a government-wide permitting portal.

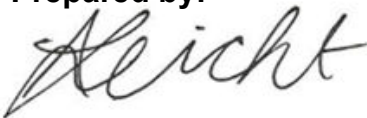
Summary

An update is provided on the federal debt ceiling negotiated deal and the fiscal year 2024 community project funding and congressionally directed spending requests.

Attachments

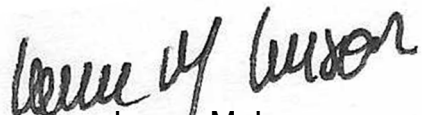
- A. Potomac Partners DC, Monthly Legislative Report – April 2023
- B. Potomac Partners DC, Monthly Legislative Report – May 2023

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Monthly Legislative Report – April 2023

April Advocacy Meetings

Congresswoman Young Kim (R-CA) – We met with Congresswoman Kim and her staff to discuss our Fiscal Year 2024 Community Project Funding requests. We also provided the office with additional information for the two submissions the Congresswoman made with House Appropriations Committee for the State Route-91 Improvement project and the Orange County Loop project.

Congressman Mike Levin (D-CA) – We met with Congressman Levin’s staff to discuss our Fiscal Year 2024 Community Project Funding request and provided support materials for the request. We also obtained a support letter from the Congressman for Orange County Transportation Authority’s (OCTA) grant application for the Low or No Emission and the Buses and Bus Facilities Competitive Grant Programs. We also followed up with the Congressman and provided a thank you letter for his support for OCTA’s Transit and Intercity Rail Capital Program (TIRCP) funding request.

Congresswoman Katie Porter (D-CA) – We were in contact with Congresswoman Porter’s staff to discuss OCTA’s grant application for the Low or No Emission Grant Program and the Buses and Bus Facilities Competitive Grant Program. The Congresswoman subsequently provided a support letter for the grant applications.

Congressman Troy Nehls (R-TX) – We met with the Congressman Nehls, Chairman of the Railroads, Pipelines, and Hazardous Materials Subcommittee, this month to discuss the Congressman’s possible trip to Southern California this summer. We also continued to discuss with the Congressman staff potential rail safety legislation and the Congressman’s priorities for that legislation that includes robust funding for passenger rail service.

Congressman Sam Graves (R-MO) – We met with the Chairman of the Transportation and Infrastructure Committee’s staff to discuss rail safety legislation as well as the Committee’s upcoming plans for additional oversight of the Infrastructure Investment and Jobs Act (IIJA) during the month of May.

Senator Dianne Feinstein (D-CA) – We met with Senator Feinstein’s staff to discuss the submitted Fiscal Year 2024 Congressionally Directed Spending request for the Los Angeles – San Diego – San Luis Obispo Rail Corridor (LOSSAN Corridor) rail study and provided the Senator’s appropriations staff members with additional information for the project. We also provided the staff with update on the LOSSAN Corridor rail service.

Senator Alex Padilla (D-CA) – We met with Senator Padilla’s staff to discuss the submitted Fiscal Year 2024 Congressionally Directed Spending request and provided updates and additional information for OCTA’s Advancement of zero emission buses request.

Senator Roger Wicker (R-MS) – We met with Senator Wicker to discuss upcoming legislation in the Senate Commerce, Science, and Transportation Committee, the rail safety bill, and the FAA Reauthorization.

Fiscal Year 2024 (FY24) Appropriations

In March and April Members submitted the following appropriations requests for OCTA projects:

\$2,000,000 – Sen. Dianne Feinstein (D-CA) - Short-term LOSSAN corridor rail study- a list of Senator's requests can be found at the following [LINK](#)

\$4,000,000 – Rep. Mike Levin (D-CA) - Coastal Rail Corridor Relocation Study – a list of the Congressman's requests can be found at the following [LINK](#)

\$3,000,000 – Rep. Kim (R-CA) – State Route-91 Improvement Project and
\$3,000,000 – Orange County Loop Project – a list of the Congresswoman's requests can be found at the following [LINK](#)

\$5,000,000 – Sen. Alex Padilla (D-CA) – Advancement of zero emission buses – a list of the Senator's requests can be found at the following [LINK](#)

The House Appropriations Committee Chairwoman released a preliminary Appropriations markup schedule (dates below). The specific bills that will be marked up on each day have yet to be determined as of this report, but we are expecting markups of the Defense, Energy-Water, Homeland Security, Military Construction-Veteran Affairs, and Legislative Branch bills to be held first followed by Transportation-Housing and Urban Development, Interior-Environment, State-Foreign Operations, Financial Services, and Labor-Health and Human Services-Education. House Appropriations Subcommittee leaders will also likely receive their Subcommittee allocation numbers in May.

- **May 17th and 18th** - Subcommittee markups will be scheduled on these dates and are expected to be finished by the time votes end on May 18th.
- **May 23rd, 24th, and 25th** - Full Committee markups will be scheduled on these dates and are likely to go well into the afternoon and evening. Members are expected to remain in Washington, D.C., after votes on Thursday, May 25th, as these markups will not be completed by the time votes end on May 25th.
- **June 7th and 8th** - Subcommittee markups will be scheduled on these dates and are expected to be finished by the time votes end on June 8th.
- **June 13th, 14th, and 15th** - Full Committee markups will be scheduled on these dates and will likely go well into the afternoon and evening. Members are expected to

remain in Washington, DC, after votes on June 15th, as these markups will not be completed by the time votes end on Thursday, June 15th.

In the Senate, Appropriations Leaders are expecting to begin the markup process in June but no dates have been scheduled as of this report.

Limit, Save, Grow Act of 2023 and Debt Ceiling Negotiations

The House passed H.R. 2811 - Limit, Save, Grow Act of 2023, Republican Leadership's debt limit proposal, by a vote of 217-215, with 4 Republicans voting no. The House bill is seen as the opening salvo in the upcoming debt ceiling negotiations. As part of the negotiations leading up to the bill's passage, Speaker McCarthy (R-CA) agreed to remove several provisions in the original bill that would have repealed ethanol and other bio-fuel tax incentives, but the repeal of the alternative fuels tax did remain.

The legislation would suspend the debt ceiling through March 2024, or raise the limit by \$1.5 trillion above the current \$31.4 trillion ceiling. If enacted, it would also limit new discretionary spending by capping FY24 spending at FY22 levels while capping annual federal spending growth at 1% each year for the next decade. The bill would also rescind unspent Coronavirus relief funds and repeal most new tax incentives included within President Biden's Inflation Reduction Act of 2023 (IRA), including energy and climate tax credits. It would also rescind the Inflation Reduction Act of 2023 increased funding for the Internal Revenue Service (IRS) enforcement efforts. It would also expand work requirements in safety net programs, including the Temporary Assistance for Needy Families (TANF) and Supplemental Nutrition Assistance Program (SNAP).

The U.S. Department of Transportation (DOT) released a factsheet on the impacts of the Limit, Save, Grow Act of 2023 ahead of the House floor vote. In the release, the DOT stated that the enacted proposal would cut critical programs by 22%, which would lead to 7,500 fewer rail safety inspection days, 30,000 fewer miles of track inspected, a shutdown of services at 375 Air Traffic Control Towers, and longer Transportation Security Administration (TSA) security wait times. Additionally, DOT stated that the proposal would claw back funding for transportation programs, putting \$5.2 billion in funding for transit and highway infrastructure projects at risk. A state-by-state breakdown is available at the following link found [here](#).

Nearly all Senate Democrats are opposed to the bill and the White House quickly issued a statement saying the President would veto this legislation if it reached his desk. Nevertheless, the bill serves as a starting point for House Republicans in the debt-limit negotiations with the Biden Administration and Senate Democrats. House and Senate Leaders are expected to meet at the White House with President Biden on May 9th. That May 9th meeting was announced after Treasury Secretary Janet Yellen sent a letter to House Speaker McCarthy updating the debt ceiling timeline and indicating that legislative action was needed to raise the debt ceiling in June.

House Appropriations U.S. Department of Transportation Budget Hearing

On April 20th, Secretary Buttigieg appeared before the House Appropriations Subcommittee on Transportation and Housing and Urban Development (THUD) to provide testimony and answer questions about President Biden’s proposed Fiscal Year 2024 budget for the U.S. Department of Transportation (DOT). Buttigieg described the current DOT funded projects and defended the funding provided in the Infrastructure Investment and Jobs Act (IIJA), as well as DOT’s ongoing repairs of over 4,500 bridges in the US and the agency’s efforts to improve 70,000 miles of road. Republican Members of the committee expressed concern over the allocation of funding from the IIJA, and many said that the upcoming THUD appropriations bill they were preparing would likely cut or eliminate funding for several IIJA programs.

Department of Transportation Seeks Applications for \$848 Million PROTECT Grant

The U.S. Department of Transportation’s Federal Highway Administration (FHWA) opened applications for the first round of the Bipartisan Infrastructure Law’s Promoting Resilient Operations for Transformative, Efficient, and Cost-Saving Transportation (PROTECT) Discretionary Grant Program. The Notice of Funding Opportunity for Fiscal Years 2022 and 2023 is available at the link [HERE](#) and will remain open for applicants through August 18, 2023.

Other resources are as follows:

- [PROTECT Grant Opportunity \(Promoting Resilient Operations for Transformative, Efficient, and Cost-Saving Transportation\)](#)
- [PROTECT Grant Factsheet](#)

U.S. Department of Transportation Announces More Than \$1 Billion for Local Communities to Improve Roadway Safety through the “Safe Streets and Roads for All (SS4A) Grant

On April 17th, the U.S. Department of Transportation (DOT) announced the availability of \$1.177 billion in grant funding for local projects that improve roadway safety. The funds are from the competitive grant program “*Safe Streets and Roads for All (SS4A)*.” In February, DOT announced 473 communities received Action Planning grants, and 37 communities received Implementation grants from the first round of SS4A funding. With similar funding available this year, the Department is encouraging all interested communities to apply.

National Highway Traffic Safety Administration’s Estimates for Roadway Fatalities

The National Highway Traffic Safety Administration (NHTSA) has released its latest projections for traffic fatalities in 2022, estimating that 42,795 people died in motor vehicle traffic crashes. This represents a small decrease of about 0.3% compared to 42,939 fatalities reported for 2021. The estimated fatality rate decreased to 1.35 fatalities per 100 million vehicle miles traveled (VMT) in 2022, down from 1.37 fatalities per 100 million VMT

in 2021. Americans are driving more than they did during the height of the pandemic, almost a 1% increase over 2021.

NHTSA also projects a decline in fatalities during the fourth quarter of 2022. This is the third straight quarterly decline in fatalities after seven consecutive quarters of increases that started in the third quarter of 2020.

Department of Transportation Requests Public Input on Ways to Improve the Environmental Review Process

The Federal Highway Administration (FHWA) will consider ideas and recommendations from public and private stakeholders on how to reduce project delays through the development of more efficient and effective environmental reviews. FHWA is also seeking information on the following:

- The types of assistance that would be most beneficial to recipients of direct funding and facilitate an efficient and effective environmental review process for surface transportation projects.
- What program areas would most benefit from new or continued research; and,
- Ways in which FHWA can make resources available to the eligible entities while promoting equity and maximizing the opportunity to improve the efficiency and effectiveness of the environmental review process.

The full request for information from the FHWA can be found at the link [HERE](#).

Department of Transportation Opens Applications for Grant Program to Reduce Truck Air Pollution at America's Ports

FHWA has opened applications for the first round of the Reduction of Truck Emissions at Port Facilities grant, which focuses on port electrification and efficiency improvements. The FY 22-23 funding for the Reduction of Truck Emissions at Port Facilities Grant Program totals \$160 million and aims to reduce emissions from idling trucks at ports, improving air quality for surrounding communities, truck drivers, and port workers. Eligible projects include developing port-related infrastructure, and on-truck technologies, using zero or low emissions powertrains or fuels on trucks, reducing truck congestion within or adjacent to ports, and reducing port-related emissions from idling trucks through port electrification and improving efficiency. The program aims to install more charging stations and electrical hookups for trucks alongside auxiliary electric power units, providing power to the cab or sleeper berth while allowing the truck's engine to be turned off and save fuel.

Department of Transportation Opens Grant Opportunity for Electric Vehicle Charging and Fueling Infrastructure

This FHWA grant program will fund projects for electric vehicle charging infrastructure, as well as hydrogen and natural gas fueling infrastructure located on public roads or publicly accessible locations or along designated alternative fuel corridors. This program is intended to accelerate the development and implementation of an advanced electric and alternative fuel transportation system that is convenient, affordable, reliable, equitable, and safe. The goal is to have a nationwide network of 500,000 charging stations and improved fueling networks by 2030. Further, the program is intended to supplement private sector investments; and complement existing federal programs to facilitate broad public access to a national charging and alternative fuel infrastructure network. The program also seeks to reduce transportation costs, and advance workforce development; and reduce greenhouse gas and vehicle-related emissions. The program is split between two grant categories that include a “Community Program” and a “Corridor Program.” Community program grants must be located on any public road or in publicly accessible areas such as public parking facilities. Funds may be used to contract with private organizations; and charging infrastructure must be accessible by individuals with disabilities. Corridor grants follow the same criteria as community grants, however, corridor grants are limited to locations within 1 mile of designated alternative fuel corridors previously identified.

Eligible Entities: City, County, State, and Special district governments, MPO’s, Port Authorities, and agencies or instrumentalities owned by one or more of the previously listed entities.

Total Program Funding Available: \$700 million.

- \$350 million for the Community Program Award, with a minimum award amount of \$500,000 and maximum award amount of \$15 million.
- \$350 million for the Corridor Program Award, with a minimum award amount of \$1 million and no maximum award amount.

Required Cost Sharing or Match: A cost match of at least 20% is required.

Application Deadline: May 30th, 2023 at 11:59 PM EST.



Monthly Legislative Report – May 2023

May Advocacy Meetings

Congresswoman Young Kim (R-CA) – We met with Congresswoman Kim and staff to discuss support for the two “Community Project Funding” requests to be included in the Transportation, Housing and Urban Development, and Related Agencies bill.

Congressman Mike Levin (D-CA) – We met with Congressman Levin’s staff to discuss support for the Community Project Funding request to be included in the Transportation, Housing and Urban Development, and Related Agencies bill. We also discussed the debt ceiling negotiations as well as the transportation rescissions that were part of the final deal and the impact it could have for Orange County Transportation Authority (OCTA). Finally, we facilitated a meeting with the Congressman’s staff to discuss the Los Angeles – San Diego – San Luis Obispo Rail Corridor (**LOSSAN** Corridor).

Congresswoman Katie Porter (D-CA) – We met with Congresswoman Porter’s staff to provide an update on OCTA projects and grant requests.

Congressman Troy Nehls (R-TX) – We met with Congressman Nehls’ staff to discuss rail safety legislation and other issues to include the House Transportation and Infrastructure’s Rail Subcommittee letter to the Federal Railroad Administration (FRA) Administrator. The Committee’s letter can be found [HERE](#).

Congressman Sam Graves (R-MO) – We met with the Chairman’s staff to discuss transportation projects in the region and updated his staff on the LOSSAN service. We also discussed potential rail safety legislation and funding for commuter rail.

Senator Dianne Feinstein (D-CA) – We met with Senator Feinstein’s appropriations and transportation staff to discuss support for our Congressionally Directed Spending request to be included in the Transportation, Housing and Urban Development, and Related Agencies bill. We also discussed the impact of transportation rescissions on transportation entities.

Senator Alex Padilla (D-CA) – We met with Senator Padilla’s staff to discuss support for our Congressionally Directed Spending request to be included in the Transportation, Housing and Urban Development, and Related Agencies bill and provided additional project details. We also provided the staff with updates on the LOSSAN rail service. We discussed with staff the debt limit and how rescissions have the potential to impact transportation programs in California.

Debt Ceiling Negotiations

On May 31st, the House passed a bill to raise the debt limit, rescind certain COVID-19 emergency funding, and impose new budget requirements. The bill, [H.R. 3746](#) - *Fiscal Responsibility Act of 2023*, was passed by a vote of 314-117 (2-R & 2-D not voting). On June 1st the Senate passed the debt limit bill on a 63-to-36 vote clearing the 60-vote threshold. The bill will now head to the President's desk for signing.

Rep. Porter (D-CA) voted against the bill. All votes are available at the following link [here](#).

Bill Summary:

- Rescinds certain unobligated funds that were provided to address COVID-19 and to the Internal Revenue Service (*see the attached summary*).
- Reinstates pay-as-you-go rules (Administrative actions that cost money must be offset).
- Terminates the suspension of federal student loan payments.
- Expands work requirements for the Supplemental Nutrition Assistance Program (SNAP) and the Temporary Assistance for Needy Families (TANF) program.
- Expedites the permitting process for certain energy projects.
- If Congress does not pass the appropriations bills on time, there will be an automatic cut of 1% to all discretionary accounts in the Continuing Resolution.
- Provides funding for the Department of Veterans Affairs Cost of War Toxic Exposure Fund.
- Provides funding for the Department of Commerce Nonrecurring Expenses Fund.

A Republican House Budget Committee summary is available at the following link [here](#).

The House Rules Committee Hearing, where Members from both parties discussed the bill, is available at the following link [here](#).

The Appropriations process has been halted while Congress focused on the debt limit, but appropriators are expected to resume the process in June.

Federal Transit Administration (FTA) \$220 million for Ferry Service

On May 18th, the U.S. Department of Transportation's (USDOT) FTA announced the availability of \$220 million to support or modernize passenger ferry service in rural and urban communities. This funding will be allocated to two grant programs, the Passenger Ferry Program and the Ferry Service for Rural Communities Program, and will be used to buy, replace, or modernize passenger ferries, terminals, and related equipment, as well as to provide funding to ensure essential ferry service in rural communities. Instructions for applying and eligibility can be found on [FTA's website](#) and at [GRANTS.GOV](#). Proposals must be submitted electronically by July 17, 2023.

LOCAL Infrastructure Act Reintroduced in Senate

Senators Roger Wicker (R-MS) and Debbie Stabenow (D-MI) have reintroduced [S.1453](#) - *LOCAL Infrastructure Act*, which would allow counties to advance refunds of municipal bonds on a tax-exempt basis. The tax-exempt status of advance refunding municipal bonds has been unavailable to counties since 2017 due to a spending offset provision of the Tax Cuts and Jobs Act. Counties have historically relied on tax-exempt advance refunding to lower borrowing costs, freeing up funds to be used for other important capital projects and minimizing costs to taxpayers. The *LOCAL Infrastructure Act* has been sponsored in the U.S. Senate by Sens. Wicker and Stabenow since the 116th Congress. Although a companion bill has not yet been introduced in the U.S. House, House Municipal Finance Caucus co-Chair Rep. Dutch Ruppersberger (D-MD) and Rep. David Kustoff (R-TN) recently reintroduced the "*Investing in Our Communities Act*," which would also restore the tax-exempt status of advance refunding municipal bonds. More information is available [HERE](#).

Charging and Fueling Infrastructure Discretionary Grant Program

On May 15th, the *Charging and Fueling Infrastructure Discretionary Grant Program* details were announced. The program would deploy publicly accessible electric vehicle charging and alternative fueling infrastructure in urban and rural areas. The program provides two funding categories of grants and offers up to \$700 million from Fiscal Years 2022 and 2023. The application submission deadline has been extended to June 13, 2023. Eligible applicants include States or political subdivision of states, metropolitan planning organizations, unit of local governments, special purpose districts or public authorities with a transportation function, including port authorities, Indian tribes, U.S. territories authorities, agencies, or instrumentalities or entities owned by, one or more entities listed above group of, entities listed above, state or local authorities with ownership of publicly accessible, transportation facilities (applies to community program only). More information is available [HERE](#).

U.S. Environmental Protection Agency (EPA) Electrification Programs

The EPA has earmarked \$3 billion for the Clean Ports Program, focusing on electrifying port infrastructure, as part of efforts to reduce carbon emissions and transition to cleaner energy sources. The EPA, in collaboration with the Department of Energy (DOE) and the USDOT, is actively working on a goal for decarbonizing transportation. In early May, the EPA announced a \$4 billion investment from the 2022 legislation, with \$3 billion allocated to technologies targeting harmful air and climate pollutants at US ports, primarily for the development of electrification infrastructure under the Clean Ports Program. The remaining funding will be used for reducing vehicle emissions through the Clean Heavy-Duty Vehicle Program. More information can be found [HERE](#).

Federal Railroad Administration's Interstate Rail Compacts (IRC) Program

On May 8th, the FRA made \$5.8 million in funding available through the Interstate Rail Compacts (IRC) Program. The program aims to support the development of multi-state and regional intercity passenger rail services by providing federal funding and technical assistance to implementing entities. The grants can be used for administering IRCs, systems planning, promoting intercity passenger rail operations, preparing grant applications, and coordinating operations. The funds will help entities prepare for rail capital projects aligned with the USDOT's strategic goals. Applications must be submitted by July 10, 2023. Additional information can be found [HERE](#).

Rail Research and Development Center of Excellence

On May 1st, the FRA announced the availability of \$5 million in funding to establish a rail research and development Center of Excellence. The program aims to enhance the safety, performance, and sustainability of freight, intercity passenger, and commuter rail systems. The three-year initiative will support research, education, workforce development, and training efforts related to various aspects of rail, including safety technologies, energy efficiency, maintenance, and operational reliability. Eligible applicants are encouraged to have a strong track record in rail research and development can apply for grants, with the Center of Excellence funding up to 50 percent of selected proposals. More information can be found at the link [HERE](#).

Rail Vehicle Replacement Program Awards

On May 5th, the FTA announced the selection of six projects across six states to receive funding for the replacement of aging passenger railcars. With approximately \$703 million in funding, these projects aim to improve reliability, safety, and accessibility on rail transit systems. The Rail Vehicle Replacement Program, established to enhance service and the customer experience on subways, commuter rail, and light rail systems, will allocate a total of \$1.5 billion in funding through 2026. By replacing outdated railcars, which contribute to service delays and lack modern amenities and accessibility features, these grants will provide faster, safer, and more reliable service for millions of Americans who rely on rail transit. The selected projects include the purchase of new rail vehicles by transit agencies

in Sacramento, California; South Florida; Chicago; the Missouri-Illinois Metropolitan District; Greater Cleveland; and Utah. For more information click [HERE](#).

Federal Aviation Administration (FAA) Blueprint for Air Taxis

The FAA has unveiled an updated blueprint outlining airspace and procedure changes to accommodate future air taxis and other Advanced Air Mobility (AAM) operations. The blueprint shows gradual implementation of AAM operations, starting with air taxis using existing routes and infrastructure like helipads and vertiports. As the number of operations increases, air taxis are expected to fly in designated corridors between major airports and vertiports in city centers. Over time, these corridors may become more complex, accommodating multiple flows of aircraft in both directions. The FAA anticipates that aircraft technology, including automation and real-time data sharing, will play an increasingly significant role in these corridors. Developed in collaboration with NASA and industry stakeholders, the blueprint serves as a common reference for research and decision-making in the field of AAM. More information can be found [HERE](#).

2023 FAA Drone Symposium and Advanced Air Mobility Summit

On May 5th, the FAA and the Association for Uncrewed Vehicle Systems International (AUVSI) announced the co-hosting of two significant events: the 8th Annual FAA Drone Symposium and the inaugural Advanced Air Mobility (AAM) Summit. Taking place from August 1-3 at the Baltimore Convention Center in Maryland, these events will gather representatives from the FAA, government agencies, international aviation experts, industry leaders, and academia. The symposium will focus on accelerating the safe integration of drones, including advanced operations such as beyond visual line of sight and UAS Traffic Management. The AAM Summit will explore the transformative potential of air taxis and electric vertical take-off and landing aircraft, highlighting the FAA's efforts to ensure safe and efficient operations that meet rigorous safety standards. More information can be found [HERE](#).

\$52 Million in grants to Improve Safety and Reduce Travel Times

On May 25th, the USDOT granted \$52 million to eight states for technology-based solutions to improve travel experiences in highways and transit systems. The program is called Advanced Transportation Technology and Innovation and includes funding for projects in rural areas and areas of persistent poverty. To view the grant recipient and more information on the program click [HERE](#).

USDOT Partners with Supply Chain Companies to Launch New Data Exchange to Strengthen Supply Chains

The *Freight Logistics Optimization Works* (FLOW) was launched in March 2022 and is a first-of-its-kind program to develop new shared data infrastructure to give companies information to proactively address supply chain challenges via a forward-looking, integrated view of container volumes and equipment in the US. The initiative aims to improve supply

chain resilience and address structural weaknesses exposed by the COVID-19 pandemic. FLOW currently has 53 member companies. More information about the initiative and private partners is available [HERE](#).

Wildlife Crossings Program from Federal Highway Administration

The Wildlife Crossings Pilot Program (WCPP) is a competitive grant program aimed at reducing Wildlife Vehicle Collisions (WVCs) and improving habitat connectivity for terrestrial and aquatic species. There is an authorized total of \$350 million in federal-aid contract authority funding from 2022 to 2026 for the WCPP. 60% of the funds will be allocated towards rural areas. The USDOT, through the Federal Highway Administration (FHWA), is responsible for awarding these funds with applications open until August 1st. Additional information can be found at the link [HERE](#).

DOE funding for Electric Vehicle Infrastructure

On May 22nd, the DOE introduced a funding opportunity of \$99.5 million and have selected 45 projects amounting to \$87 million to propel the development of electric vehicle (EV) technologies, train a skilled workforce for electrified transportation, and ensure fair access to clean mobility options in disadvantaged communities. These projects aim to expedite the adoption of EV transportation. The recently unveiled funding opportunity also aims to assist projects that enhance EV charging infrastructure in underserved communities, create EV batteries utilizing readily available materials, and provide further education to consumers about EVs and charging. More information can be found [HERE](#).

2023 Natural Gas Distribution Infrastructure and Safety Modernization Grant

The Pipeline and Hazardous Materials Safety Administration (PHMSA) has released the funding opportunity for the Natural Gas Distribution Infrastructure Safety and Modernization (NGDISM) grant program. The funding totals to \$1 billion over the next five years and the grants will be accessible to municipalities or community-owned utilities (excluding for-profit organizations) with the aim of addressing the repair, rehabilitation, or replacement of their natural gas distribution pipeline systems, or specific sections. The funding can be utilized to acquire equipment that serves the purpose of reducing incidents and fatalities and preventing economic losses. More information can be found [HERE](#).

\$1 Billion for Local Communities to Improve Roadway Safety through the “Safe Streets and Roads for All (SS4A) Grant

On April 17th, the US Department of Transportation announced the availability of \$1.177 billion in grant funding for local projects that improve roadway safety. The funds are from the competitive grant program “*Safe Streets and Roads for All (SS4A)*.” In February, USDOT announced 473 communities received Action Planning grants, and 37 communities received Implementation grants from the first round of SS4A funding. With similar funding available this year, the Department is encouraging all interested communities to apply.

More Resources:

- [Safe Streets and Roads for All Notice of Funding Opportunity](#)
- [Funding can be targeted toward known high-crash areas, identified here](#)