



AGENDA

Legislative and Communications Committee Meeting

Committee Members

Shawn Nelson, Chairman
Michael Hennessey, Vice Chairman
Laurie Davies
Barbara Delgleize
Al Murray
Tim Shaw
Gregory T. Winterbottom

Orange County Transportation Authority
Headquarters
550 South Main Street
Board Room – Conf. Room 07
Orange, California
Thursday, April 19, 2018 at 9:00 a.m.

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

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

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

Call to Order

Pledge of Allegiance

Director Shaw

1. Public Comments

Special Calendar

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

An update of legislative items in Sacramento will be provided.



Consent Calendar (Item 3)

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

3. Approval of Minutes

Approval of the minutes of the Legislative and Communications Committee meeting of March 15, 2018.

Regular Calendar

4. State Legislative Status Report Kristin Essner/Lance M. Larson

Overview

An oppose unless amended position is recommended on a bill related to the board membership of the Metro Gold Line Foothill Extension Construction Authority. An overview is provided of two bills related to the allocation of Bradley-Burns sales tax revenues from online sales, which are being supported consistent with the 2017-2018 Orange County Transportation Authority State Legislative Platform. An overview of a bill is provided related to the use of incentive funding for purchase of zero-emission bus technology that is being supported consistent with the 2017-2018 Orange County Transportation Authority State Legislative Platform. A summary is provided on a legislative hearing on litigation related to local sales tax measures.

Recommendation

Adopt an OPPOSE UNLESS AMENDED position on AB 2417 (Rodriguez, D-Pomona), which revises the board membership of the Metro Gold Line Foothill Extension Construction Authority.



5. Federal Legislative Status Report

Dustin Sifford/Lance M. Larson

Overview

An update is provided on the appropriations process, including a detailed overview of the federal fiscal year 2018 omnibus appropriations bill. Summaries of hearings on the President's infrastructure proposal and transportation funding are also included, with an update on the implementation of positive train control.

Recommendation

Receive and file as an information item.

Discussion Items

6. Chief Executive Officer's Report

7. Committee Members' Reports

8. Closed Session

There are no Closed Session items scheduled.

9. Adjournment

The next regularly scheduled meeting of this Committee will be held at **9:00 a.m. on Thursday, May 17, 2018**, at the Orange County Transportation Authority Headquarters, 550 South Main Street, Board Room - Conference Room 07, Orange, California.



Committee Members Present

Shawn Nelson, Chairman
Michael Hennessey, Vice Chairman
Laurie Davies
Barbara Delgleize
Al Murray
Tim Shaw
Gregory T. Winterbottom

Staff Present

Darrell E. Johnson, Chief Executive Officer
Olga Prado, Assistant Clerk of the Board
Sara Meisenheimer, Deputy Clerk of the Board
Cassie Trapesonian, Associate General Counsel
OCTA Staff and members of the General Public

Committee Members Absent

None

Call to Order

Pledge of Allegiance

Director Murray led in the Pledge of Allegiance.

1. Public Comments

No public comments were received.

Special Calendar

There were no Special Calendar matters.

2. Conference Call with State Legislative Advocate Moira Topp

Moira Topp, Sacramento Advocate, reported on the following:

- The bill introduction phase is completed at 2,500 bills; however, a large number of these bills will not be considered.
- In terms of transportation legislation, it is a fairly light year.
- Housing continues to be a high priority issue for the legislature and there are a number of bills that are high priority in transportation.
- Senate Bill (SB) 1119 was introduced as the bill to reform the Low Carbon Transit Operation Program (LCTOP).
- Various struggles with state regulations in regards to how disadvantaged communities are defined and regulated. The law requires to spend 50 percent of the LCTOP funds in disadvantaged communities.
- SB 1119 will help streamline how funds are applied within the program in order to truly assist disadvantaged communities.



2. (Continued)

- The Board of Equalization (BOE) performed its annual review of the gas excise tax and they are required to adjust the gas tax each year to keep it revenue neutral. The data was adjusted and staff and administration recommended to the BOE that the excise tax increase this year; however, the BOE voted to not increase it.
- The California Transportation Commission (CTC) is currently considering applications from agencies state-wide for a number of the programs that were in SB 1 and the legislature should continue to hold hearings on the progress of SB 1.
- On April 3rd, there will be a special election for the three vacancies in the assembly in Los Angeles. The run-off will coincide with the June primaries.

A discussion ensued regarding:

- Impacts of high-speed rail going up to \$77 billion. This is the Governor's project and it will depend on how the next Governor will view it.
- Challenges of the sales tax/point of sale issues, what the audit concluded, and the correction that would need to be made.
- Committee Chairman Nelson requested Ms. Topp to reach out to the California State Association of Counties and Committee Chairman Nelson offered his assistance.

Consent Calendar (Item 3)

3. Approval of Minutes

A motion was made by Director Davies, seconded by Director Murray, and declared passed by those present, to approve the minutes of the Legislative and Communications Committee meeting of February 15, 2018.

Regular Calendar

4. State Legislative Status Report

Lance Larson, Executive Director of External Affairs, provided opening comments and introduced Dustin Sifford, Senior Government Relations Representative, and Jaymal Patel, Associate Government Relations Representative. A report was made on the following:

- Assembly Bill (AB) 1759.



4. (Continued)

- Whether or not San Francisco has met its Regional Housing Needs Assessment goals.
- AB 1759 would interfere with how SB 1 dollars are used.
- Linking housing and transportation together is not ideal.
- Several other stakeholders and agencies are also opposing AB 1759.
- A related housing-tied transportation bill (not AB 1759) went through one of the governing bodies in northern California and there was division up there.
- Recommended a support position on AB 1905 which limits the California Environmental Quality Act litigation to specific circumstances such as an eminent threat to community health and Native American and other historical artifacts.
- AB 1905 was amended this week to remove the severability provisions and limit the scope of the bill to only projects that reduce vehicle miles traveled (VMT).
- Assembly Transportation staff reached out to OCTA regarding the VMT requirements to ensure it works for all stakeholders.
- The VMT requirement cannot be removed, but all roadway construction is intended to reduce greenhouse gas emissions due to less idling and free flow traffic.
- Other regional agencies also support AB 1905.

A motion was made by Director Murray, seconded by Director Davies, and declared passed by those present, to:

- A. Adopt an OPPOSE position on AB 1759 (McCarty, D-Sacramento), which would withhold local street and road money for any local government unable to meet their Regional Housing Need Allocation requirements.
- B. Adopt a SUPPORT position on AB 1905 (Grayson, D-Concord), which would prevent a transportation project from being stayed or enjoined under the California Environmental Quality Act if the project is included in a region's sustainable communities strategy.

Director Winterbottom was not present to vote on this item.

5. Federal Legislative Status Report

Lance Larson, Executive Director of External Affairs, provided opening comments and introduced Dustin Sifford, Senior Government Relations Representative. Mr. Sifford reported on the following:

- A breakdown of the \$200 billion in appropriations from the President's Infrastructure Proposal.
- The funding would not only support transportation projects but it would go to multiples agencies for different purposes.
- The \$10 billion from the Rural Funding Infrastructure Program (not mentioned in the Staff Report) would be handled by the United States Department of Agriculture, not the Department of Transportation.
- There are some concerning new funding mechanisms on the Infrastructure Incentives Program; the project would only be able to make-up 20 percent of the total project cost.
- The infrastructure proposal does not include a long-term solution for the Highway Trust Fund.
- The Breaking Down Barriers Report is something OCTA wants to continue to emphasize in Washington, D.C.
- A summary of Attachment A of the Staff Report.

A discussion ensued regarding:

- An explanation on how the 20 percent of the total project cost would affect OCTA's transit programs.
- Transit programs have traditionally been 80 percent federal and 20 percent local fund, but competitive programs like the OC Streetcar have not been funded that way for many years.
- The importance of passing House Resolution 5003, the reason for the bill, and how it gives state and local agencies the flexibility to achieve their goals.
- The possibility to use the \$200 billion to guarantee bank loans and how the Transportation Infrastructure Finance and Innovation Act is used for that purpose.
- An overview on the appropriations process and a summary of Darrell E. Johnson's, CEO, recent Mobility 21 delegation trip to Washington, D.C., which focused on transportation and infrastructure issues.

5. (Continued)

A motion was made by Director Hennessey, seconded by Director Davies, and declared passed by those present, to:

- A. Adopt the proposed Principles for a Potential Federal Infrastructure Package and direct staff to take necessary and appropriate actions in furtherance of these goals in Washington, D.C.
- B. Adopt a SUPPORT position on H.R. 5003 (Hultgren, R-IL 14), which would reinstate the tax incentive for advance refunding bonds.

Director Winterbottom was not present to vote on this item.

Discussion Items

6. Chief Executive Officer's Report

Darrell E. Johnson, CEO, reported on the following:

- On Wednesday, March 21st and Thursday, March 22nd, OCTA will be hosting the monthly meeting of the CTC. OCTA works closely with the CTC as they are responsible for allocating funds for transportation projects throughout California. Chairwoman Bartlett and Mr. Johnson, CEO, will be presenting an update on Orange County and OCTA to the CTC. A reception will be held on Wednesday, March 21st in front of the 550 building at 5 p.m.
- Committee Chairman Nelson inquired about the layout of the conference center in OCTA's 550 building. Mr. Johnson, CEO, reported that modifications to the second floor in the 600 building is the last part of the construction project for OCTA. Decisions were made in 2013-14 for the layout of the conference center and the space is working great for conducting committee meetings and employee events.

7. Committee Members' Reports

There were no Committee Members' Reports.

8. Closed Session

There were no Closed Session items scheduled.



9. Adjournment

The meeting adjourned at 9:52 a.m.

The next regularly scheduled meeting of this Committee will be held at **9:00 a.m. on Thursday, April 19, 2018**, at the Orange County Transportation Authority Headquarters, 550 South Main Street, Board Room - Conference Room 07, Orange, California.

ATTEST

Shawn Nelson
Committee Chairman

Sahara Meisenheimer
Deputy Clerk of the Board



April 19, 2018

To: Legislative and Communications Committee

From: Darrell Johnson, Chief Executive Officer

Subject: State Legislative Status Report

Overview

An oppose unless amended position is recommended on a bill related to the board membership of the Metro Gold Line Foothill Extension Construction Authority. An overview is provided of two bills related to the allocation of Bradley-Burns sales tax revenues from online sales, which are being supported consistent with the 2017-2018 Orange County Transportation Authority State Legislative Platform. An overview of a bill is provided related to the use of incentive funding for purchase of zero-emission bus technology that is being supported consistent with the 2017-2018 Orange County Transportation Authority State Legislative Platform. A summary is provided on a legislative hearing on litigation related to local sales tax measures.

Recommendation

Adopt an OPPOSE UNLESS AMENDED position on AB 2417 (Rodriguez, D-Pomona), which revises the board membership of the Metro Gold Line Foothill Extension Construction Authority.

Discussion

AB 2417 (Rodriguez, D-Pomona): Metro Gold Line Foothill Extension Construction Authority

AB 2417 (Rodriguez, D-Pomona) would increase to six the voting members of the Metro Gold Line Foothill Extension Construction Authority (Construction Authority) Board of Directors by adding one voting member appointed by the City of Montclair. As a result, the Los Angeles County Metropolitan Authority, the San Gabriel Valley Council of Governments, and the Cities of Los Angeles, Montclair, Pasadena, and South Pasadena would each have a voting member on the board of the Construction Authority. However, the number and designation of the nonvoting members appointed by the Governor, the

San Bernardino County Transportation Authority (SBCTA), and the Cities of Pasadena and South Pasadena would remain unchanged.

While SBCTA is supportive of adding the City of Montclair as a voting member given its role as a regional transit hub, SBCTA has taken an oppose unless amended position on AB 2417. SBCTA's opposition stems from its current status as a nonvoting member. As a planning and funding partner, SBCTA is responsible for providing \$79 million towards the construction of the project, as well as millions of dollars annually for ongoing operations.

The Orange County Transportation Authority (OCTA) supports SBCTA's recommendation to include SBCTA as a voting member as well. Excluding SBCTA would set a concerning precedent, where a board composition could be set in a way to leave off a primary funding and operating partner. This could impact regional participation and empower certain jurisdictions over others without balancing the interests of all the partnering agencies. Thus, taxpayers providing funding for projects through local transportation sales tax measures, such as Measure I in San Bernardino County, deserve representation to ensure that funding is contributed in a manner that is consistent with the transportation sales tax plan.

Stakeholders taking an oppose unless amended position on the bill include the Southern California Association of Governments, Mobility 21, and the Riverside County Transportation Commission. In addition, the Construction Authority is opposing this bill with the notion that the board membership should not be revised until the Gold Line's extension into San Bernardino County is fully funded.

The text of AB 2417 and a comprehensive analysis of the legislation are included as Attachment A. An oppose unless amended position is consistent with OCTA's 2017-18 State Legislative Platform principle to "Oppose efforts to reduce local prerogative over regional program funds."

SB 1466 (Glazer, D-Orinda) and SCA 20 (Glazer, D-Orinda): Local Sales Taxes: Online Sales: Place of Delivery

SB 1466 (Glazer, D-Orinda) and SCA 20 (Glazier, D-Orinda) work in conjunction to specify that revenues generated from online sales under the Bradley-Burns Uniform Local Sales and Use Tax Law are to be allocated based on the place of destination of goods sold. Because the State Constitution currently prohibits changing the method of distributing revenues under the Bradley-Burns Uniform Local Sales and Use Tax Law, SCA 20 is necessary to revise the State Constitution to allow the Legislature to change by statute the method of

distributing revenues, if the sale is of tangible personal property that is completed online.

The Bradley-Burns Uniform Sales and Use Tax Law is a 1.25 percent tax on the retail sales of goods within the State that was first enacted in 1956. Since 1972, 0.25 percent was used for each county's Local Transportation Fund (LTF) to fund transportation programs, primarily focused on transit services. SB 1466 and SCA 20 would apply to the entire 1.25 percent tax, including the portion designated for local governments and the portion provided for the LTF.

Per the direction of the OCTA Board of Directors, and articulated in the 2017-18 State Legislative Platform, on March 3, 2017, Assembly Member Daly (D-Anaheim) and Assembly Member Todd Gloria (D-San Diego) authored a request to the Joint Legislative Audit Committee for the State Auditor to analyze the distribution and assessment of the LTF. OCTA sponsored the audit request after observing that the growth rates for LTF revenues, which have historically funded about 50 percent of OCTA's bus operations, were not keeping pace with local transportation sales taxes such as Measure M in Orange County. Since these taxes are assessed differently, it was believed that an increase in internet sales, and potentially other exclusions, could be impacting these rates. Specifically, the audit request asked the State Auditor to analyze the impact the point-of-sale determination for internet sales is having on LTF revenues and how various exemptions and exclusions may be impacting the fund source.

On November 30, 2017, the State Auditor released an audit on "The Bradley-Burns Tax and Local Transportation Funds." Overall, the audit found the LTF revenue statewide has been steadily increasing, but some counties disproportionately benefit because of existing law, with counties which have more warehouses or distribution centers receiving more revenue. The audit's primary finding was that changing the allocation structure for Bradley-Burns taxes would result in a more equitable distribution of local transportation funding, primarily due to the "point-of-sale" assessment structure and the impact from an increase in internet sales. SB 1466 and SCA 20 were introduced in direct response to this recommendation.

Based on OCTA's most recent forecasts, OCTA is likely receiving about \$2-3 million less in LTF revenues annually because of the current situs rules for LTF and Bradley-Burns as a whole. This directly impacts OCTA's ability to provide sustained transit operations throughout the county. This is the case even though overall purchases from Orange County where the LTF can be assessed, remain stable. If SB 1466 and SCA 20 are successful, OCTA will receive a more equitable share of LTF funding, and extreme fluctuations due to the expected increase in online sales will be mitigated.

Consistent with the principle outlined in the OCTA 2017-18 State Legislative Platform to: "Support efforts to restore equity with regards to the generation and disbursement of sales tax revenues that support the Local Transportation Fund," a SUPPORT position has been taken on SB 1466 and SCA 20. A copy of SB 1466 and letter of support have been included as Attachment B. A copy of SCA 20 and letter of support have been included as Attachment C.

AB 3201 (Daly, D-Anaheim): California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program

AB 3201 (Daly, D-Anaheim), sponsored by the California Transit Association (CTA), would make several clarifications to the California Air Resources Board's (ARB) California Clean Truck, Bus and Off-Road Vehicle and Equipment Technology Program (Program) to create added certainty about the availability of incentive funding for future deployments of zero-emission buses and related infrastructure. Specifically, AB 3201 would require the ARB adopt a five-year funding plan for the Program, detailing how the funding will be used for the investment in truck and bus technologies. It would also clarify that funding provided under the program can be used to meet current and future regulatory compliance obligations, and that fueling infrastructure is an eligible investment.

AB 3201 has been introduced in direct response to the ARB's proposed Innovative Clean Transit (ICT) regulation, which will require all transit agencies within the state to convert their fleets to 100 percent zero-emission technology by 2040 through the use of purchase requirements. The proposed ICT regulation has created concern among transit agencies, including OCTA, regarding the cost of meeting this mandate without impacting existing transit services. ARB has also explained that many existing funding sources, including those provided under the Program, will not be available to meet regulatory requirements once the ICT, or similar regulation, is adopted.

AB 3201 is one step towards ensuring added funding certainty and will provide increased data about funding for future years as any regulatory requirement is implemented. As continued discussions take place regarding the ICT, OCTA will work with CTA and its member agencies to also explore the potential for additional funding possibilities to meet new mandates, while seeking to protect funding already dedicated for existing services.

Consistent with the principle outlined in the OCTA 2017-18 State Legislative Platform to: "Support efforts to ensure the availability of proven technology and adequate funding prior to the implementation of zero-emission bus regulations," a SUPPORT position has been taken on AB 3021. A copy of the bill and letter of support have been included as Attachment D.

Summary of Joint Hearing on California Supreme Court Case Involving the Procedural Rules Governing Ballot Initiatives

On March 7, 2018, the Senate Governance and Finance, Assembly Local Government, and Assembly Revenue and Taxation Committees held a joint hearing entitled “Uproar over *Upland*: Assessing the California Supreme Court’s Decision.” The hearing focused on the effects of the 2016 *Upland* decision on California’s Constitutional initiative power. In *Upland*, the Court held that the procedural rules governing ballot initiatives do not limit citizen-led initiatives, but the Court did not specify which procedural provisions may or may not apply to citizen-led initiatives. As a result, there is uncertainty regarding whether citizen-led initiatives are subject to other Constitutional requirements, such as the two-thirds vote threshold. In reaching this ruling, the Court relied on a definition of “local government” that had not previously been utilized in case law, which also leads to uncertainty about how the procedural limits on ballot initiatives will affect measures pursued by cities or counties.

Witnesses from the Legislative Analyst’s Office and tax firms around California discussed the uncertainty created by the *Upland* decision. The witnesses were split on the implications of the case. Some witnesses argued that only the rules regarding when initiatives appear on the ballot, the specific procedural rule challenged in *Upland*, are affected by the ruling. Other witnesses argued that the ruling invalidated all procedural rules, including the two-thirds vote threshold on tax measures. There was also extensive discussion about how the application of this case could vary depending on the circumstances of future litigation. Witnesses were in agreement that further clarification is needed from the California Supreme Court to resolve this uncertainty, and such cases are expected in coming months as more citizen-led initiatives are being pursued in the wake of the *Upland* decision.

Summary

A position is recommended on a bill related to the membership of the Metro Gold Line Foothill Extension Construction Authority Board of Directors. An update is provided on bills supported related to the distribution of Bradley-Burns local sales tax revenue and incentive funding for zero-emission bus technology. A summary of a hearing on voter thresholds for passing local sales tax measures is included.

Attachments

- A. AB 2417 (Rodriguez, D-Pomona) Bill Analysis with Bill Language
- B. Letter from the Orange County Transportation Authority to Senator Steve Glazer in support of SB 1466, dated April 10, 2018, with Bill Language
- C. Letter from the Orange County Transportation Authority to Senator Steve Glazer in support of SCA 20, dated April 10, 2018, with Bill Language
- D. Letter from the Orange County Transportation Authority to Assembly Member Tom Daly in support of AB 3201, dated April 5, 2018, with Bill Language
- E. Orange County Transportation Authority Legislative Matrix

Prepared by:

Kristin Essner
Manager, State and Federal Relations
External Affairs
(714) 560-5754

Approved by:

Lance M. Larson
Executive Director,
External Affairs
(714) 560-5908

BILL: AB 2417 (Rodriguez, D-Pomona)
Introduced February 14, 2018

SUBJECT: AB 2417 would revise the board membership of the Metro Gold Line Foothill Construction Authority by adding one additional voting member.

STATUS: Pending in the Assembly Local Government Committee

SUMMARY AS OF FEBRUARY 27, 2018:

AB 2417 (Rodriguez, D-Pomona) would add the City of Montclair as a voting member to the nine-member board of directors for the Metro Gold Line Foothill Extension Construction Authority (Construction Authority). As a result, the Los Angeles County Metropolitan Transportation Authority, the San Gabriel Valley Council of Governments, and the Cities of Los Angeles, Montclair, Pasadena, and South Pasadena would each have a voting member on the board of the Construction Authority.

AB 2417 does not change the number and designation of the nonvoting members on the board. Currently, the four nonvoting members are appointed by the Governor, the San Bernardino County Transportation Authority (SBCTA), and the Cities of Pasadena and South Pasadena.

EFFECTS ON ORANGE COUNTY:

The Construction Authority was established under SB 1847 (Chapter 1021, Statutes of 1998), to complete the Metro Gold Line from Los Angeles to Pasadena, with direction to construct a fixed mass transit guideway eastward to Claremont. AB 1600 (Chapter 189, Statutes of 2012) expanded upon this authority to extend the terminus of the Metro Gold Line from Claremont to Montclair in San Bernardino County. AB 1600 acknowledged SBCTA as the regional transportation planning agency in San Bernardino County, and thus designated SBCTA as a non-voting member of the Construction Authority board.

AB 2417 would increase to six the voting members of the board by designating the City of Montclair as a voting member. While SBCTA understands the intent of AB 2417, given the vital role the Montclair Transit Center plays as a regional transit hub for bus and rail service in San Bernardino County, SBCTA has taken an oppose unless amended position on AB 2417. SBCTA's opposition stems from its current status as a nonvoting member. As a planning and funding partner to the Construction Authority, SBCTA would like to convert its ex-officio status on the board to voting member.

The Orange County Transportation Authority (OCTA) supports SBCTA's recommendation to include SBCTA as an additional voting member as well. SBCTA is responsible for providing \$79 million towards construction of the project as well as millions of dollars annually for ongoing operation of the Metro Gold Line Foothill extension. Not including SBCTA as a voting member would set a concerning precedent, where a board composition for a project could be set in a way to leave off a primary funding and operating

partner. This could also empower certain jurisdictions over others without balancing the interests of all the respective agencies in a way that ensures regional participation and accountability. Furthermore, AB 2417 would be inconsistent with voter-approved transportation sales tax measures, such as Measure I in San Bernardino County. The taxpayers providing funding for transportation projects deserve representation to ensure that funding is used in a manner that is consistent with the transportation sales tax plan.

Stakeholders taking an oppose unless amended position on the bill include the San Bernardino County Transportation Authority, the Southern California Association of Governments, Mobility 21, and the Riverside County Transportation Commission.

In addition, the Metro Gold Line Foothill Extension Construction Authority is opposing this bill with the notion that the board membership should not be revised without fully funding the extension of the Gold Line to the City of Montclair in San Bernardino County.

An oppose unless amended position is consistent with OCTA's 2017-18 State Legislative Platform principle to "oppose efforts to reduce local prerogative over regional program funds."

OCTA POSITION:

Staff recommends: OPPOSE UNLESS AMENDED

ASSEMBLY BILL

No. 2417

Introduced by Assembly Member Rodriguez

February 14, 2018

An act to amend Section 132415 of the Public Utilities Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 2417, as introduced, Rodriguez. Metro Gold Line Foothill Extension Construction Authority.

(1) Existing law creates the Metro Gold Line Foothill Extension Construction Authority, governed by a board of 5 voting members and 3 nonvoting members, appointed as specified, for purposes relating to the development of a light rail project extending from the City of Los Angeles to the Cities of Pasadena and Montclair, and authorizes the authority to accept grants, fees, and allocations from federal, state, local agencies, and private entities, and to accept transfers of funds from federal, state, and local agencies.

This bill would increase to 6 the voting members of the board by adding one voting member appointed by the City of Montclair. Because this bill would require a local authority to assume additional responsibilities, it would create a state-mandated local program.

(2) 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: yes.
State-mandated local program: yes.

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

SECTION 1. Section 132415 of the Public Utilities Code is amended to read:

132415. (a) The authority shall be governed by a board consisting of ~~five~~ six voting members and four nonvoting members who shall be appointed as follows:

(1) ~~Three~~ Four members shall be appointed by the City Councils of the Cities of Los Angeles, *Montclair*, Pasadena, and South Pasadena, with each city council appointing one member by a majority vote of the membership of that city council.

(2) One member shall be appointed by the President of the Governing Board of the San Gabriel Valley Council of Governments, subject to confirmation by that board.

(3) One member shall be appointed by the LACMTA.

(4) One nonvoting member shall be appointed by the Governor.

(5) Two nonvoting members shall be appointed by the City Councils of the Cities of Pasadena and South Pasadena, with each city appointing one nonvoting member.

(6) One nonvoting member shall be appointed by the president of the board of directors of the San Bernardino Associated Governments, subject to confirmation by that board.

(b) All members shall serve a term of not more than four years, with no limit on the number of terms that may be served by any person.

(c) Each appointing authority shall also appoint an alternate member to serve in a member's absence. If the position of a voting member becomes vacant, the alternate member shall serve until the position is filled as required pursuant to subdivision (a).

(d) Members of the board are subject to the Political Reform Act of 1974 (Title 9 (commencing with Section 81000) of the Government Code).

(e) Three members of the board shall constitute a quorum.

(f) The board shall elect a chairperson and vice chairperson from among the membership of the board.

(g) Each member of the board may be compensated at a rate of not more than one hundred fifty dollars (\$150) per day spent

1 attending to the business of the authority. Compensation, if paid,
2 shall not exceed six hundred dollars (\$600) per month, plus
3 expenses directly related to the performance of duties imposed by
4 the authority, including, but not limited to, travel and personal
5 expenses.

6 (h) Members appointed to the board may include members of
7 the entities set forth in subdivision (a), and members of the city
8 councils or other elected officials of the extension cities, or both.
9 The simultaneous membership described in this subdivision shall
10 not constitute a violation of Section 1099 or 1126 of the
11 Government Code.

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.



BOARD OF DIRECTORS

Lisa A. Bartlett
Chairwoman

Tim Shaw
Vice Chairman

Laurie Davies
Director

Barbara Delgleize
Director

Andrew Do
Director

Lori Donchak
Director

Michael Hennessey
Director

Steve Jones
Director

Mark A. Murphy
Director

Richard Murphy
Director

Al Murray
Director

Shawn Nelson
Director

Miguel Pulido
Director

Todd Spitzer
Director

Michelle Steel
Director

Tom Tait
Director

Gregory T. Winterbottom
Director

(Vacant)
Ex-Officio Member

CHIEF EXECUTIVE OFFICE

Darrell E. Johnson
Chief Executive Officer

April 10, 2018

The Honorable Steve Glazer
California State Senate
State Capitol, Room 4072
Sacramento, California 95814

Subject: SB 1466 (Glazer) – SUPPORT

Dear Senator Glazer:

The Orange County Transportation Authority (OCTA) Board of Directors is pleased to support SB 1466, your legislation that will more equitably distribute revenues generated from the sale of tangible goods online under the Bradley-Burns Uniform Local Sales and Use Tax Law. This will be done by distributing these revenues based on the destination of the goods sold rather than the point-of-sale, consistent with a recommendation made by the State Auditor.

Last year, OCTA sponsored an audit request made by Assembly Member Daly (D-Anaheim) and Assembly Member Todd Gloria (D-San Diego) for the State Auditor to analyze the distribution and assessment of the Local Transportation Fund (LTF) for online sales. The LTF is imposed under the Bradley-Burns tax as part of the Transportation Development Act and serves as one of the primary funding sources for transit services statewide. OCTA sponsored the audit request after observing that the growth rates for LTF revenues, which have historically funded about 50 percent of OCTA's bus operations, were not keeping pace with local transportation sales taxes such as Measure M in Orange County.

On November 30, 2017, the State Auditor released an audit on "The Bradley-Burns Tax and Local Transportation Funds." Overall, the audit found the LTF revenue statewide has been steadily increasing, but some counties disproportionately benefit because of existing law, with counties which have more warehouses or distribution centers receiving more revenue. The audit's primary finding was that changing the allocation structure for Bradley-Burns taxes would result in a more equitable distribution of local transportation funding, primarily due to the "point-of-sale" assessment structure and the impact from an increase in internet sales. The audit recommended that the state amend the Bradley-Burns tax law to allocate revenues from internet sales the same way they are allocated for local sales tax measures, which is based on the destination of goods sold rather than their place of sale.

The Honorable Steve Glazer
April 10, 2018
Page 2

Based on OCTA's most recent forecasts, OCTA is likely receiving about \$2-3 million less in LTF revenues annually. This directly impacts OCTA's ability to provide sustained transit operations throughout the county, considering that online sales are expected to dramatically increase in future years. This is the case, even though overall purchases from Orange County where the LTF can be assessed remain stable. If SB 1466 and SCA 20 are successful, OCTA will receive a more equitable share of LTF funding, and extreme fluctuations due to the expected increase in online sales will be mitigated.

A SUPPORT position is consistent with the OCTA 2017-2018 State Legislative Platform's principle to "support efforts to restore equity with regards to the generation and disbursement of sales tax revenues that support the Local Transportation Fund."

If you or your staff have any questions regarding OCTA's position on SB 1466, please contact Kristin Essner, Manager of State and Federal Relations, at (714) 560-5754 or kessner@octa.net.

Sincerely,



Lisa A. Bartlett
Chairwoman

LAB:ke

c: Darrell E. Johnson, Chief Executive Officer
Orange County State Legislative Delegation
Platinum Advisors, LLC

AMENDED IN SENATE MARCH 22, 2018

SENATE BILL

No. 1466

Introduced by Senator Glazer
(Coauthors: Senators Allen and Moorlach)

February 16, 2018

~~An act relating to taxation.~~ *An act to amend Section 7205 of the Revenue and Taxation Code, relating to taxation.*

LEGISLATIVE COUNSEL'S DIGEST

SB 1466, as amended, Glazer. ~~Local sales taxes.~~ *Local sales taxes: online sales: place of delivery.*

The Bradley-Burns Uniform Local Sales and Use Tax Law authorizes counties and cities to impose a local sales and use tax in accordance with that law for tangible personal property sold at retail in the county or city, or purchased for storage, use, or other consumption in the county or city. Existing law requires the city tax rate to be credited against the county rate so that the combined rate does not exceed 1.25%. Existing law requires the county or city to contract with the California Department of Tax and Fee Administration for the administration of the taxes and requires the department to transmit that tax to the city or county.

The Bradley-Burns Uniform Local Sales and Use Tax Law provides that for the purpose of a local sales tax adopted pursuant to that law, all retail sales are consummated at the place of business of the retailer unless otherwise specified. Existing law provides that these local sales taxes are allocated to the place where the sale is deemed to take place.

This bill would instead provide that, in the case of a sale of tangible personal property by a qualified retailer, as defined, that is transacted online, the place at which the retail sale of that tangible personal

property is consummated for the purpose of a local sales tax imposed pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law is the point of the delivery of that tangible personal property to the purchaser's address or any other address designated by the purchaser.

~~The Bradley-Burns Uniform Local Sales and Use Tax Law authorizes counties and cities to impose a local sales and use tax in accordance with that law for tangible personal property sold at retail in the county or city, or purchased for storage, use, or other consumption in the county or city. Existing law requires the city tax rate to be credited against the county rate so that the combined rate does not exceed 1.25%. Existing law requires the county or city to contract with the California Department of Tax and Fee Administration for the administration of the taxes and requires the department to transmit that tax to the city or county.~~

~~The Bradley-Burns Uniform Local Sales and Use Tax Law provides that for the purpose of a local sales tax adopted pursuant to that law, all retail sales are consummated at the place of business of the retailer unless otherwise specified. Existing law provides that these local sales taxes are allocated to the place where the sale is deemed to take place.~~

~~The California Constitution prohibits the Legislature from enacting a statute that would change the method of distributing revenues derived under the Bradley-Burns Uniform Local Sales and Use Tax Law, as that law read on November 3, 2004, except the Legislature may change that law by statute to allow the state to participate in an interstate compact or to comply with federal law.~~

~~*This bill would become operative only if Senate Constitutional Amendment ____ of the 2017–18 Regular Session is approved by the voters and, in that event, would become operative on January 1, 2020.*~~

~~This bill would state the intent of the Legislature to enact legislation that would provide that, in the case of certain sales of tangible personal property that are transacted online, the place at which the retail sale of that tangible personal property is consummated for the purpose of a local sales tax imposed pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law is the point of the delivery of that tangible personal property. The bill would further state that it is the intent of the Legislature that such legislation would be effective only if a constitutional amendment that allows the Legislature to change the method of allocation under the Bradley-Burns Uniform Local Sales and Use Tax Law is approved by the voters.~~

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

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

1 *SECTION 1. Section 7205 of the Revenue and Taxation Code*
2 *is amended to read:*

3 7205. (a) For the purpose of a sales tax imposed by an
4 ordinance adopted pursuant to this part, all retail sales are
5 consummated at the place of business of the retailer unless the
6 tangible personal property sold is delivered by the retailer or his
7 or her agent to an out-of-state destination or to a common carrier
8 for delivery to an out-of-state destination. The gross receipts from
9 those sales shall include delivery charges, when those charges are
10 subject to the state sales and use tax, regardless of the place to
11 which delivery is made.

12 (b) (1) In the event a retailer has no permanent place of business
13 in the state or has more than one place of business, the place or
14 places at which the retail sales are consummated for the purpose
15 of a sales tax imposed by an ordinance adopted pursuant to this
16 part shall, subject to paragraph (2), be determined under rules and
17 regulations to be prescribed and adopted by the board.

18 (2) In the case of a sale of jet fuel, the place at which the retail
19 sale of that jet fuel is consummated for the purpose of a sales tax
20 imposed by an ordinance adopted pursuant to this part is the point
21 of the delivery of that jet fuel to the aircraft.

22 (3) (A) *In the case of a sale of tangible personal property by a*
23 *qualified retailer that is transacted online, the place at which the*
24 *retail sale of that tangible personal property is consummated for*
25 *the purpose of a sales tax imposed by an ordinance adopted*
26 *pursuant to this part is the point of the delivery of that tangible*
27 *personal property to the purchaser's address or any other address*
28 *designated by the purchaser.*

29 (B) *A sale is "transacted online" if all of the following*
30 *conditions are met:*

31 (i) *The purchaser's order and payment for the sale and purchase*
32 *of tangible personal property is transacted and completed on an*
33 *Internet Web site or web-based application.*

34 (ii) *The purchaser's order and payment for the sale and*
35 *purchase of tangible personal property is not initiated by the*

1 *qualified retailer using the qualified retailer's equipment at the*
2 *qualified retailer's place of business.*

3 *(iii) The purchaser does not receive the tangible personal*
4 *property at the qualified retailer's place of business or at another*
5 *location designated by the qualified retailer.*

6 *(C) "Qualified retailer" means a retailer whose total cumulative*
7 *gross receipts from all of the retailer's sales, within the preceding*
8 *12 months, of tangible personal property transacted online exceeds*
9 *one hundred thousand dollars (\$100,000).*

10 *SEC. 2. Section 1 of this act, which amends Section 7205 of*
11 *the Revenue and Taxation Code, shall become operative only if*
12 *Senate Constitutional Amendment ____ of the 2017–18 Regular*
13 *Session is approved by the voters and, in that event, shall become*
14 *operative on January 1, 2020.*

15 ~~SECTION 1. (a) It is the intent of the Legislature to enact~~
16 ~~legislation that would provide that, in the case of certain sales of~~
17 ~~tangible personal property that are transacted online, the place at~~
18 ~~which the retail sale of that tangible personal property is~~
19 ~~consummated for the purpose of a local sales tax imposed pursuant~~
20 ~~to the Bradley-Burns Uniform Local Sales and Use Tax Law (Part~~
21 ~~1.5 (commencing with Section 7200) of Division 2 of the Revenue~~
22 ~~and Taxation Code) is the point of the delivery of that tangible~~
23 ~~personal property.~~

24 ~~(b) It is the intent of the Legislature that the legislation described~~
25 ~~in subdivision (a) would be effective only if a constitutional~~
26 ~~amendment that allows the Legislature to change the method of~~
27 ~~allocation under the Bradley-Burns Uniform Local Sales and Use~~
28 ~~Tax Law is approved by the voters.~~



BOARD OF DIRECTORS

Lisa A. Bartlett
Chairwoman

Tim Shaw
Vice Chairman

Laurie Davies
Director

Barbara Delgleize
Director

Andrew Do
Director

Lori Donchak
Director

Michael Hennessey
Director

Steve Jones
Director

Mark A. Murphy
Director

Richard Murphy
Director

Al Murray
Director

Shawn Nelson
Director

Miguel Pulido
Director

Todd Spitzer
Director

Michelle Steel
Director

Tom Tait
Director

Gregory T. Winterbottom
Director

(Vacant)
Ex-Officio Member

CHIEF EXECUTIVE OFFICE

Darrell E. Johnson
Chief Executive Officer

April 10, 2018

The Honorable Steve Glazer
California State Senate
State Capitol Building, Room 4072
Sacramento, California 95814

Subject: **SCA 20 – SUPPORT**

Dear Senator Glazer:

The Orange County Transportation Authority (OCTA) Board of Directors is pleased to support SCA 20, your legislation that makes the constitutional changes necessary to authorize adjustments in the distribution of revenues generated from the Bradley-Burns Uniform Local Sales and Use Tax Law, as they relate to online sales. A constitutional amendment will allow statutory changes to be pursued that provide for a more equitable distribution of revenues provided under the Bradley-Burns taxes by allowing revenues to flow to the place of distribution of goods sold, rather than point-of-sale, as current law provides.

In 2017, OCTA sponsored an audit request made by Assembly Member Daly (D-Anaheim) and Assembly Member Todd Gloria (D-San Diego) for the State Auditor to analyze the distribution and assessment of the Local Transportation Fund (LTF) for online sales. Since 1972, 0.25 percent of the Bradley Burns Uniform Sales and Use Tax has been used for each county's LTF to fund transportation programs, primarily transit services. OCTA sponsored the audit request after observing that the growth rates for LTF revenues, which have historically funded about 50 percent of OCTA's bus operations, were not keeping pace with local transportation sales taxes such as Measure M in Orange County.

On November 30, 2017, the State Auditor released an audit on "The Bradley-Burns Tax and Local Transportation Funds." Overall, the audit found the LTF revenue statewide has been steadily increasing, but some counties disproportionately benefit because of existing law, with counties which have more warehouses or distribution centers receiving more revenue. The audit's primary finding was that changing the allocation structure for Bradley-Burns taxes would result in a more equitable distribution of local transportation funding, primarily due to the "point-of-sale" assessment structure and the impact from an increase in internet sales. The audit recommended that the

The Honorable Steve Glazer

April 10, 2018

Page 2

state amend the Bradley-Burns tax law to allocate revenues from internet sales the same way they are allocated for local sales tax measures, which is based on the destination of goods sold rather than their place of sale.

As such, based on OCTA's most recent forecasts, OCTA is likely to receive about \$2-3 million less in LTF revenues annually. This will directly impact OCTA's ability to provide sustained transit operations throughout the county. This is the case, even though overall purchases from Orange County where the LTF can be assessed remain stable. If SCA 20 is enacted, OCTA will receive a more equitable share of LTF funding, and extreme fluctuations due to the expected increase in online sales will be mitigated.

A SUPPORT position is consistent with the provision in OCTA 2017-18 State Legislative Platform's to "Support efforts to restore equity with regards to the generation and disbursement of sales tax revenues that support the Local Transportation Fund."

If you or your staff have any questions regarding OCTA's position on SCA 20, please contact Kristin Essner, Manager of State and Federal Relations, at (714) 560-5754 or kessner@octa.net.

Sincerely,



Lisa A. Bartlett
Chairwoman

LAB:jp

c: Darrell E. Johnson, Chief Executive Officer
Orange County State Legislative Delegation
Platinum Advisors, LLC

Introduced by Senator Glazer

March 22, 2018

Senate Constitutional Amendment No. 20—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 25.5 of Article XIII thereof, relating to taxation.

LEGISLATIVE COUNSEL'S DIGEST

SCA 20, as introduced, Glazer. Local sales taxes: online sales.

The Bradley-Burns Uniform Local Sales and Use Tax Law authorizes counties and cities to impose a local sales and use tax in accordance with that law for tangible personal property sold at retail in the county or city, or purchased for storage, use, or other consumption in the county or city. Existing law requires the city tax rate to be credited against the county rate so that the combined rate does not exceed 1.25%. Existing law requires the county or city to contract with the California Department of Tax and Fee Administration for the administration of the taxes and requires the department to transmit those taxes to the city or county.

The Bradley-Burns Uniform Local Sales and Use Tax Law provides that for the purpose of a local sales tax adopted pursuant to that law, all retail sales are consummated at the place of business of the retailer, unless otherwise specified. Existing law provides that these local sales taxes are allocated to the place where the sale is deemed to take place.

The California Constitution prohibits the Legislature from enacting a statute that would change the method of distributing revenues derived under the Bradley-Burns Uniform Local Sales and Use Tax Law, as that law read on November 3, 2004, except the Legislature may change

that law by statute to allow the state to participate in an interstate compact or to comply with federal law.

This bill, on and after January 1, 2020, would allow the Legislature to change by statute the method of distributing the revenues derived under a sales tax imposed pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law for the sale of tangible personal property by a qualified retailer that is transacted online.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

1 *Resolved by the Senate, the Assembly concurring,* That the
2 Legislature of the State of California at its 2017–18 Regular
3 Session commencing on the fifth day of December 2016, two-thirds
4 of the membership of each house concurring, hereby proposes to
5 the people of the State of California, that the Constitution of the
6 State be amended as follows:

7 That Section 25.5 of Article XIII thereof is amended to read:
8 SEC. 25.5. (a) On or after November 3, 2004, the Legislature
9 shall not enact a statute to do any of the following:

10 (1) (A) Except as otherwise provided in subparagraph (B),
11 modify the manner in which ad valorem property tax revenues are
12 allocated in accordance with subdivision (a) of Section 1 of Article
13 XIII A so as to reduce for any fiscal year the percentage of the total
14 amount of ad valorem property tax revenues in a county that is
15 allocated among all of the local agencies in that county below the
16 percentage of the total amount of those revenues that would be
17 allocated among those agencies for the same fiscal year under the
18 statutes in effect on November 3, 2004. For purposes of this
19 subparagraph, “percentage” does not include any property tax
20 revenues referenced in paragraph (2).

21 (B) In the 2009–10 fiscal year only, and except as otherwise
22 provided in subparagraph (C), subparagraph (A) may be suspended
23 for that fiscal year if all of the following conditions are met:

24 (i) The Governor issues a proclamation that declares that, due
25 to a severe state fiscal hardship, the suspension of subparagraph
26 (A) is necessary.

27 (ii) The Legislature enacts an urgency statute, pursuant to a bill
28 passed in each house of the Legislature by rollcall vote entered in
29 the journal, two-thirds of the membership concurring, that contains

1 a suspension of subparagraph (A) for that fiscal year and does not
2 contain any other provision.

3 (iii) No later than the effective date of the statute described in
4 clause (ii), a statute is enacted that provides for the full repayment
5 to local agencies of the total amount of revenue losses, including
6 interest as provided by law, resulting from the modification of ad
7 valorem property tax revenue allocations to local agencies. This
8 full repayment shall be made not later than the end of the third
9 fiscal year immediately following the fiscal year to which the
10 modification applies.

11 (C) A suspension of subparagraph (A) shall not result in a total
12 ad valorem property tax revenue loss to all local agencies within
13 a county that exceeds 8 percent of the total amount of ad valorem
14 property tax revenues that were allocated among all local agencies
15 within that county for the fiscal year immediately preceding the
16 fiscal year for which subparagraph (A) is suspended.

17 (2) (A) Except as otherwise provided in subparagraphs (B) and
18 ~~(C); (C) and in subdivision (b)~~, restrict the authority of a city,
19 county, or city and county to impose a tax rate under, or change
20 the method of distributing revenues derived under, the
21 Bradley-Burns Uniform Local Sales and Use Tax Law set forth in
22 Part 1.5 (commencing with Section 7200) of Division 2 of the
23 Revenue and Taxation Code, as that law read on November 3,
24 2004. The restriction imposed by this subparagraph also applies
25 to the entitlement of a city, county, or city and county to the change
26 in tax rate resulting from the end of the revenue exchange period,
27 as defined in Section 7203.1 of the Revenue and Taxation Code
28 as that section read on November 3, 2004.

29 (B) The Legislature may change by statute the method of
30 distributing the revenues derived under a use tax imposed pursuant
31 to the Bradley-Burns Uniform Local Sales and Use Tax Law to
32 allow the State to participate in an interstate compact or to comply
33 with federal law.

34 (C) The Legislature may authorize by statute two or more
35 specifically identified local agencies within a county, with the
36 approval of the governing body of each of those agencies, to enter
37 into a contract to exchange allocations of ad valorem property tax
38 revenues for revenues derived from a tax rate imposed under the
39 Bradley-Burns Uniform Local Sales and Use Tax Law. The
40 exchange under this subparagraph of revenues derived from a tax

1 rate imposed under that law shall not require voter approval for
2 the continued imposition of any portion of an existing tax rate from
3 which those revenues are derived.

4 (3) Except as otherwise provided in subparagraph (C) of
5 paragraph (2), change for any fiscal year the pro rata shares in
6 which ad valorem property tax revenues are allocated among local
7 agencies in a county other than pursuant to a bill passed in each
8 house of the Legislature by rollcall vote entered in the journal,
9 two-thirds of the membership concurring. The Legislature shall
10 not change the pro rata shares of ad valorem property tax pursuant
11 to this paragraph, nor change the allocation of the revenues
12 described in Section 15 of Article XI, to reimburse a local
13 government when the Legislature or any state agency mandates a
14 new program or higher level of service on that local government.

15 (4) Extend beyond the revenue exchange period, as defined in
16 Section 7203.1 of the Revenue and Taxation Code as that section
17 read on November 3, 2004, the suspension of the authority, set
18 forth in that section on that date, of a city, county, or city and
19 county to impose a sales and use tax rate under the Bradley-Burns
20 Uniform Local Sales and Use Tax Law.

21 (5) Reduce, during any period in which the rate authority
22 suspension described in paragraph (4) is operative, the payments
23 to a city, county, or city and county that are required by Section
24 97.68 of the Revenue and Taxation Code, as that section read on
25 November 3, 2004.

26 (6) Restrict the authority of a local entity to impose a
27 transactions and use tax rate in accordance with the Transactions
28 and Use Tax Law (Part 1.6 (commencing with Section 7251) of
29 Division 2 of the Revenue and Taxation Code), or change the
30 method for distributing revenues derived under a transaction and
31 use tax rate imposed under that law, as it read on November 3,
32 2004.

33 (7) Require a community redevelopment agency (A) to pay,
34 remit, loan, or otherwise transfer, directly or indirectly, taxes on
35 ad valorem real property and tangible personal property allocated
36 to the agency pursuant to Section 16 of Article XVI to or for the
37 benefit of the State, any agency of the State, or any jurisdiction;
38 or (B) to use, restrict, or assign a particular purpose for such taxes
39 for the benefit of the State, any agency of the State, or any
40 jurisdiction, other than (i) for making payments to affected taxing

1 agencies pursuant to Sections 33607.5 and 33607.7 of the Health
2 and Safety Code or similar statutes requiring such payments, as
3 those statutes read on January 1, 2008, or (ii) for the purpose of
4 increasing, improving, and preserving the supply of low and
5 moderate income housing available at affordable housing cost.

6 *(b) (1) On and after January 1, 2020, the Legislature may*
7 *change by statute the method of distributing the revenues derived*
8 *under a sales tax imposed pursuant to the Bradley-Burns Uniform*
9 *Local Sales and Use Tax Law for the sale of tangible personal*
10 *property by a qualified retailer that is transacted online.*

11 *(2) A sale is “transacted online” if all of the following*
12 *conditions are met:*

13 *(A) The purchaser’s order and payment for the sale and*
14 *purchase of tangible personal property is transacted and completed*
15 *on an Internet Web site or web-based application.*

16 *(B) The purchaser’s order and payment for the sale and*
17 *purchase of tangible personal property is not initiated by the*
18 *qualified retailer using the qualified retailer’s equipment at the*
19 *qualified retailer’s place of business.*

20 *(C) The purchaser does not receive the tangible personal*
21 *property at the qualified retailer’s place of business or at another*
22 *location designated by the qualified retailer.*

23 *(3) “Qualified retailer” means a retailer whose total cumulative*
24 *gross receipts from all of the retailer’s sales, within the preceding*
25 *12 months, of tangible personal property transacted online exceeds*
26 *one hundred thousand dollars (\$100,000).*

27 ~~(b)~~

28 *(c) For purposes of this section, the following definitions apply:*

29 *(1) “Ad valorem property tax revenues” means all revenues*
30 *derived from the tax collected by a county under subdivision (a)*
31 *of Section 1 of Article XIII A, regardless of any of this revenue*
32 *being otherwise classified by statute.*

33 *(2) “Local agency” has the same meaning as specified in Section*
34 *95 of the Revenue and Taxation Code as that section read on*
35 *November 3, 2004.*

36 *(3) “Jurisdiction” has the same meaning as specified in Section*
37 *95 of the Revenue and Taxation Code as that section read on*
38 *November 3, 2004.*

O



BOARD OF DIRECTORS

Lisa A. Bartlett
Chairwoman

Tim Shaw
Vice Chairman

Laurie Davies
Director

Barbara Delgleize
Director

Andrew Do
Director

Lori Donchak
Director

Michael Hennessey
Director

Steve Jones
Director

Mark A. Murphy
Director

Richard Murphy
Director

Al Murray
Director

Shawn Nelson
Director

Miguel Pulido
Director

Todd Spitzer
Director

Michelle Steel
Director

Tom Tait
Director

Gregory T. Winterbottom
Director

(Vacant)
Ex-Officio Member

CHIEF EXECUTIVE OFFICE

Darrell E. Johnson
Chief Executive Officer

April 5, 2018

**The Honorable Tom Daly
California State Assembly
State Capitol Building, Room 3120
Sacramento, California 95814**

Subject: AB 3201 (Daly)

Dear Assembly Member Daly:

The Orange County Transportation Authority (OCTA) Board of Directors is pleased to support AB 3201, your legislation which would create added certainty about the availability of incentive funding for future deployments of zero-emission buses and related infrastructure by mandating the creation of a long-term investment plan and clarifying eligibility parameters.

The California Air Resources Board (ARB) is currently undertaking rulemaking, which if adopted, would require transit agencies statewide to convert their fleets to 100 percent zero-emission technology by 2040 through the use of purchase requirements. Transit agencies, including OCTA, have expressed strong concerns about the adequacy of funding availability to meet these requirements without the potential for transit service reductions. One of the few available sources of funding dedicated for investment in zero- and near-zero emission heavy-duty trucks and buses is under the California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program, which guides ARB funding investment in associated technologies. While not completely devoted to transit purposes, transit buses are an eligible recipient of funding. However, funding eligibility is limited to voluntary deployments, and a long-term projection of funding availability and proposed allocations is unavailable.

AB 3201 attempts to help resolve many of these issues by requiring that ARB create a five-year investment plan for investments under the California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program, and clarifying that purchases made for infrastructure or to comply with regulatory requirements are eligible for funding. This will allow added certainty in analyzing funding availability as any potential regulation to mandate the purchase of zero-emission buses is discussed.

The Honorable Tom Daly
April 5, 2018
Page 2

While AB 3201 does strive to create added certainty to allow for any future technology transition, funding limitations are still present to meet the 2040 transit fleet transition goals proposed by the ARB. OCTA has already taken steps to pilot zero-emission transit bus technology as a recipient of funding under ARB's Air Quality Improvement Program, which allowed OCTA to purchase ten hydrogen fuel cell buses and related fueling infrastructure. OCTA is also currently applying under other state and federal grant programs to add hydrogen fuel cell and electric battery buses to its fleet. As the ARB continues discussion related to any regulatory requirements, OCTA will seek opportunities to promote an incentive-based approach which will allow testing of all compatible technologies, resulting in a more complete analysis of the cost implications and technology associated with zero-emission buses. However, a dedicated funding mechanism to mitigate any increased costs associated with the purchase and operation of zero-emission buses is still needed. AB 3201 represents one step towards that goal.

A SUPPORT position is consistent with the provision in OCTA 2017-18 State Legislative Platform to "Support efforts to ensure the availability of proven technology and adequate funding prior to the implementation of zero-emission bus regulations."

If you or your staff have any questions regarding OCTA's position on AB 3201, please contact Kristin Essner, Manager of State and Federal Relations, at (714) 560-5754 or kessner@octa.net.

Sincerely,



Lisa A. Bartlett
Chairwoman

LAB:ke

c: Darrell E. Johnson, Chief Executive Officer
Orange County State Legislative Delegation
Platinum Advisors, LLC

AMENDED IN ASSEMBLY MARCH 22, 2018

CALIFORNIA LEGISLATURE—2017–18 REGULAR SESSION

ASSEMBLY BILL

No. 3201

Introduced by Assembly Member Daly

February 16, 2018

An act to amend Section 39719.2 of the Health and Safety Code, relating to ~~air resources~~: greenhouse gases.

LEGISLATIVE COUNSEL'S DIGEST

AB 3201, as amended, ~~Daly. State Air Resources Board. California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program.~~

The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act authorizes the state board to include the use of market-based compliance mechanisms. Existing law requires all moneys, except for fines and penalties, collected by the state board as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation by the Legislature.

The California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program, upon appropriation from the Greenhouse Gas Reduction Fund, funds zero- and near-zero-emission truck, bus, and off-road vehicle and equipment technologies and related projects, including, among others, projects for zero- and near-zero-emission bus technology development, demonstration, precommercial pilots, and early commercial deployments. Existing law requires the state board, in consultation with the State Energy Resources

Conservation and Development Commission, to create an annual framework and plan for the program. Existing law, for the purposes of the program, defines zero- and near-zero-emission to mean vehicles, fuels, and related technologies that reduce greenhouse gas emissions and improve air quality when compared with conventional or fully commercialized alternatives, as defined by the state board in consultation with the commission.

This bill would add large-scale deployments to the program's list of eligible projects, require the annual framework and plan for the program to instead be a 5-year framework and plan, and revise the definition of zero- and near-zero-emission to include infrastructure that reduces greenhouse gas emissions and improves air quality when compared with conventional or fully commercialized alternatives.

~~Existing law the California Alternative and Renewable Fuel, Vehicle Technology, Clean Air, and Carbon Reduction Act of 2007, creates the Air Quality Improvement Program, administered by the State Air Resources Board. Existing law requires the primary purpose of the Air Quality Improvement Program to be the funding of projects to reduce criteria air pollutants, to improve air quality, and to fund research to determine and improve the air quality impacts of alternative transportation fuels and vehicles, vessels, and equipment technologies.~~

~~This bill would provide that it is the intent of the Legislature to enact legislation to require the State Air Resources Board to develop and conduct a program to accelerate emission reductions from California's public transit fleet.~~

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

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

1 SECTION 1. Section 39719.2 of the Health and Safety Code
2 is amended to read:
3 39719.2. (a) The California Clean Truck, Bus, and Off-Road
4 Vehicle and Equipment Technology Program is hereby created,
5 to be administered by the state board in conjunction with the State
6 Energy Resources Conservation and Development Commission.
7 The program, from moneys appropriated from the fund for the
8 purposes of the program, shall fund development, demonstration,
9 precommercial pilot, and early commercial deployment of zero-
10 and near-zero-emission truck, bus, and off-road vehicle and

1 equipment technologies. Priority shall be given to projects
2 benefiting disadvantaged communities pursuant to the requirements
3 of Sections 39711 and 39713.

4 (b) Projects eligible for funding pursuant to this section include,
5 but are not limited to, the following:

6 (1) Technology development, demonstration, precommercial
7 pilots, and early commercial deployments of zero- and
8 near-zero-emission medium- and heavy-duty truck technology,
9 including projects that help to facilitate clean goods-movement
10 corridors. Until December 31, 2020, no less than 20 percent of
11 funding made available for purposes of this paragraph shall support
12 early commercial deployment of existing zero- and
13 near-zero-emission heavy-duty truck technology.

14 (2) Zero- and near-zero-emission bus technology development,
15 demonstration, precommercial pilots, ~~and early commercial~~
16 ~~deployments, including pilots of multiple vehicles at one site or~~
17 ~~region. region, and large-scale deployments, including deployments~~
18 ~~that meet current and future regulatory compliance obligations.~~

19 (3) Zero- and near-zero-emission off-road vehicle and equipment
20 technology development, demonstration, precommercial pilots,
21 and early commercial deployments, including vehicles and
22 equipment in the port, agricultural, marine, construction, and rail
23 sectors.

24 (4) Purchase incentives, which may include point-of-sale, for
25 commercially available zero- and near-zero-emission truck, bus,
26 and off-road vehicle and equipment technologies and fueling
27 infrastructure to support early market deployments of alternative
28 technologies and to increase manufacturer volumes and accelerate
29 market acceptance.

30 (5) Projects that support greater commercial motor vehicle and
31 equipment freight efficiency and greenhouse gas emissions
32 reductions, including, but not limited to, advanced intelligent
33 transportation systems, autonomous vehicles, and other freight
34 information and operations technologies.

35 (c) The state board, in consultation with the State Energy
36 Resources Conservation and Development Commission, shall
37 develop guidance through the existing Air Quality Improvement
38 Program funding plan process for the implementation of this
39 section that is consistent with the California Global Warming

1 Solutions Act of 2006 (Division 25.5 (commencing with Section
2 38500)) and this chapter.

3 (d) The guidance developed pursuant to subdivision (c) shall
4 do all of the following:

5 (1) Outline performance criteria and metrics for deployment
6 incentives. The goal shall be to design a simple and predictable
7 structure that provides incentives for truck, bus, and off-road
8 vehicle and equipment technologies that provide significant
9 greenhouse gas reduction and air quality benefits.

10 (2) Ensure that program investments are coordinated with
11 funding programs developed pursuant to the California Alternative
12 and Renewable Fuel, Vehicle Technology, Clean Air, and Carbon
13 Reduction Act of 2007 (Chapter 8.9 (commencing with Section
14 44270) of Part 5).

15 (3) Promote projects that assist the state in reaching its climate
16 goals beyond 2020, consistent with Sections 38550 and 38551.

17 (4) Promote investments in medium- and heavy-duty trucking,
18 including, but not limited to, vocational trucks, short-haul and
19 long-haul trucks, buses, and off-road vehicles and equipment,
20 including, but not limited to, port equipment, agricultural
21 equipment, marine equipment, and rail equipment.

22 (5) Implement purchase incentives for eligible technologies to
23 increase the use of the cleanest vehicles in disadvantaged
24 communities.

25 (6) Allow for remanufactured and retrofitted vehicles to qualify
26 for purchase incentives if those vehicles meet warranty and
27 emissions requirements, as determined by the state board.

28 (7) Establish a competitive process for the allocation of moneys
29 for projects funded pursuant to this section.

30 (8) Leverage, to the maximum extent feasible, federal or private
31 funding.

32 (9) Ensure that the results of emissions reductions or benefits
33 can be measured or quantified.

34 (10) Ensure that activities undertaken pursuant to this section
35 complement, and do not interfere with, efforts to achieve and
36 maintain federal and state ambient air quality standards and to
37 reduce toxic air contaminants.

38 (e) In evaluating potential projects to be funded pursuant to this
39 section, the state board shall give priority to projects that
40 demonstrate one or more of the following characteristics:

(1) Benefit disadvantaged communities pursuant to Sections 39711 and 39713.

(2) The ability to leverage additional public and private funding.

(3) The potential for cobenefits or multiple-benefit attributes.

(4) The potential for the project to be replicated.

(5) Regional benefit, with focus on collaboration between multiple entities.

(6) Support for technologies with broad market and emissions reduction potential.

(7) Support for projects addressing technology and market barriers not addressed by other programs.

(8) Support for enabling technologies that benefit multiple technology pathways.

(f) ~~In the implementation of~~ *implementing* this section, the state board, in consultation with the State Energy Resources Conservation and Development Commission, shall create ~~an annual~~ *a five-year* framework and plan. The framework and plan shall be developed with public input and may utilize existing investment plan processes and workshops as well as existing state and third-party research and technology roadmaps. The framework and plan shall do all of the following:

(1) Articulate an overarching vision for technology development, demonstration, precommercial pilot, and early commercial deployments, with a focus on moving technologies through the commercialization process.

(2) Outline technology categories and performance criteria for technologies and applications that may be considered for funding pursuant to this section. This shall include technologies for medium- and heavy-duty trucking, including, but not limited to, vocational trucks, short-haul and long-haul trucks, buses, and off-road vehicles and equipment, including, but not limited to, port equipment, agricultural equipment, construction equipment, marine equipment, and rail equipment.

(3) Describe the roles of the relevant agencies and the process for coordination.

(g) For purposes of this section, “zero- and near-zero-emission” means vehicles, fuels, *infrastructure*, and related technologies that reduce greenhouse gas emissions and improve air quality when compared with conventional or fully commercialized alternatives, as defined by the state board in consultation with the State Energy

1 Resources Conservation and Development Commission. “Zero-
2 and near-zero-emission” may include, but is not limited to,
3 zero-emission technology, enabling technologies that provide a
4 pathway to emissions reductions, advanced or alternative fuel
5 engines for long-haul trucks, and hybrid or alternative fuel
6 technologies for trucks and off-road equipment.

7 ~~SECTION 1. It is the intent of the Legislature to enact~~
8 ~~legislation to require the State Air Resources Board to develop~~
9 ~~and conduct a program to accelerate emission reductions from~~
10 ~~California’s public transit fleet.~~



Orange County Transportation Authority Legislative Matrix

2018 State Legislation Session
April 19, 2018

| BILL NO. / AUTHOR | COMMENTARY | STATUS | OCTA POSITION / OTHER AGENCY POSITIONS |
|--|--|---|--|
| BILLS WITH POSITIONS | | | |
| AB 278 (Steinorth – R) California Environmental Quality Act: Transportation | Exempts from the CEQA provisions a project, or the issuance of a permit for a project, that consists of the inspection, maintenance, repair, rehabilitation, replacement, or removal of, or the addition of an auxiliary lane or bikeway to, existing transportation infrastructure and that meets certain requirements. | <p>INTRODUCED: 02/02/2017 LOCATION: ASSEMBLY</p> <p>STATUS: 02/01/2018 Died pursuant to Art. IV, Sec. 10(c) of the Constitution.</p> <p>02/01/2018 From Committee: Filed with the Chief Clerk pursuant to JR 56.</p> | <p>SUPPORT (partial list) Support: California Chamber of Commerce, County of San Bernardino, Ventura County Transportation Commission</p> <p>Oppose: California Bicycle Coalition, California League of Conservation Voters, Coalition for Clean Air</p> |

| BILL NO. / AUTHOR | COMMENTARY | STATUS | OCTA POSITION / OTHER AGENCY POSITIONS |
|---|--|--|---|
| AB 302 (Gipson – D) South Coast Air Quality Management District: Fleets | Authorizes the governing board of the South Coast Air Quality Management District to adopt rules and regulations that require specified operators of public and commercial fleet vehicles to purchase zero-emission and near-zero-emission vehicles and that require those zero-emission and near-zero-emission vehicles to be operated in the South Coast District. | INTRODUCED: 02/06/2017 LAST AMEND: 04/17/2017 LOCATION: ASSEMBLY STATUS: 02/01/2018 Died pursuant to Art. IV, Sec. 10(c) of the Constitution. 02/01/2018 From Committee: Filed with the Chief Clerk pursuant to JR 56. | OPPOSE Support: California Natural Gas Vehicle Coalition (Sponsor), Clean Energy, Coalition for Clean Air, Tesla Oppose: California Trucking Association, Truck and Engine Manufacturers Association |
| AB 344 (Melendez – R) Toll Evasion Violations | Provides that a person contesting a notice of toll evasion violation or notice of delinquent toll evasion is not required to pay the toll evasion penalty until after a processing agency or issuing agency finds as a result of an investigation, or the processing agency finds as a result of an administrative review, or a court finds as a result of a hearing, that the contestant did commit a toll evasion violation. Authorizes an administrative review to include reviews of multiple notices of toll evasion. | INTRODUCED: 02/07/2017 LAST AMEND: 07/03/2017 LOCATION: Senate Transportation and Housing Committee STATUS: 07/03/2017 In SENATE. Read second time and amended. Referred to Committee on TRANSPORTATION AND HOUSING | OPPOSE Support: American Civil Liberties Union Oppose: Transportation Corridor Agencies, Metropolitan Transportation Commission |

| BILL NO. / AUTHOR | COMMENTARY | STATUS | OCTA POSITION / OTHER AGENCY POSITIONS |
|---|--|--|--|
| AB 686 (Santiago – D) Housing Discrimination: Further Fair Housing | <p>Requires a public agency to administer its programs and activities relating to housing and community development in a manner to affirmatively further fair housing. authorize the Director of Fair Employment and Housing to exercise his or her discretion to investigate, or to bring a civil action, based on a verified complaint that alleges a violation of these provisions. Requires an agency that completes an assessment of fair housing to submit it and post it on its Web site.</p> | <p>INTRODUCED: 02/15/2017 LAST AMEND: 07/17/2017 LOCATION: Senate Transportation and Housing Committee</p> <p>STATUS: 07/17/2017 In SENATE. Read second time and amended. Referred to Committee on TRANSPORTATION AND HOUSING..</p> | <p>OPPOSE</p> <p>(partial list)</p> <p>Support: National Housing Law Project (co-sponsor), Public Advocates (co-sponsor), Western Center on Law & Poverty (co-sponsor), Fair Housing Council of Orange County</p> <p>Oppose: California Association of Councils of Government (CALCOG), Riverside County Transportation Commission (RCTC), Southern California Association of Governments (SCAG)</p> |

| BILL NO. / AUTHOR | COMMENTARY | STATUS | OCTA POSITION / OTHER AGENCY POSITIONS |
|--|--|--|---|
| AB 1454 (Bloom – D) Transportation Projects: Lease Agreements | Amends the existing law which authorizes for the Department of Transportation and regional transportation agencies to enter into comprehensive development lease agreements with public and private entities, or consortia of those entities, for certain transportation projects that may charge certain users of those projects tolls and user fees, subject to various terms and requirements. Reestablishes the authority under state law to engage in public-private partnerships for projects on the state highway system. | INTRODUCED: 02/17/2017 LAST AMEND: 05/01/2017 LOCATION: ASSEMBLY STATUS: 02/01/2018 Died pursuant to Art. IV, Sec. 10(c) of the Constitution. 02/01/2018 From Committee: Filed with the Chief Clerk pursuant to JR 56. | SUPPORT Support: Associated General Contractors, California and San Diego Chapters Oppose: American Federation of State, County, and Municipal Employees, California School Employees Association, Professional Engineers in California Government |
| AB 1640 (Garcia – D) Transportation Funding: Low Income Communities | Requires each regional transportation improvement program to allocate 25 percent of available funds to projects or programs that provide direct, meaningful, and assured benefits to low income individuals who live in identified communities or to riders of transit service that connects low income residents to critical amenities and services. | INTRODUCED: 02/17/2017 LOCATION: ASSEMBLY STATUS: 02/01/2018 Died pursuant to Art. IV, Sec. 10(c) of the Constitution. 02/01/2018 From Committee: Filed with the Chief Clerk pursuant to JR 56. | OPPOSE Oppose: Self-Help Counties Coalition |

| BILL NO. / AUTHOR | COMMENTARY | STATUS | OCTA POSITION / OTHER AGENCY POSITIONS |
|--|--|---|---|
| AB 1759 (McCarthy – D) General Plans: Housing Element: Production Report | Requires the Department of Housing and Community Development to review each production report submitted by a city or county in accordance with specified provisions to determine whether that city or county has met the applicable minimum production goal for that reporting period. | INTRODUCED: 01/04/2018 LOCATION: Assembly Transportation Committee STATUS: 02/12/2018 To ASSEMBLY Committees on TRANSPORTATION and HOUSING AND COMMUNITY DEVELOPMENT. | OPPOSE Oppose: Metrolink, RCTC, San Bernardino County Transportation Authority (SBCTA), SCAG, Self-Help Counties Coalition, Association of California Cities - Orange County |

| BILL NO. / AUTHOR | COMMENTARY | STATUS | OCTA POSITION / OTHER AGENCY POSITIONS |
|--|---|--|---|
| <p>► AB 1905 (Grayson – D) Environmental Quality: Judicial Review: Transportation</p> | <p>Prohibits a court, in an action or proceeding seeking judicial review under the State Environmental Quality Act, from staying or enjoining a transportation project that would <i>reduce total vehicle miles traveled</i>, that is included in a sustainable communities strategy, and for which an environmental impact report has been certified, unless the court makes specified findings.</p> | <p>INTRODUCED: 01/22/2018 LAST AMEND: 03/12/2018 LOCATION: Assembly Natural Resources Committee</p> <p>STATUS: 03/12/2018 From ASSEMBLY Committee on NATURAL RESOURCES with author's amendments.</p> <p>03/12/2018 In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.</p> | <p>SUPPORT</p> <p>Support: RCTC, SBCTA, California Transportation Commission</p> |

| BILL NO. / AUTHOR | COMMENTARY | STATUS | OCTA POSITION / OTHER AGENCY POSITIONS |
|--|--|--|--|
| <p>► AB 2417 Rodriguez – D) Metro Gold Line Foothill Extension Construction Authority</p> | <p>Increases the voting members of the Metro Gold Line Foothill Extension Construction Authority by adding one voting member appointed by the City of Montclair.</p> | <p>INTRODUCED: 02/14/2018 LOCATION: Assembly Local Government Committee</p> <p>STATUS: 03/08/2018 To ASSEMBLY Committee on LOCAL GOVERNMENT.</p> <p>HEARING: 04/11/2018 1:30 pm</p> | <p>Staff Recommends: OPPOSE UNLESS AMENDED</p> <p>Oppose: Metro Gold Line Foothill Extension Construction Authority</p> <p>Oppose unless amended: SBCTA, RCTC, SCAG, and Mobility 21.</p> |
| <p>► AB 3201 Daly – D) California Clean Truck, Bus, and Off- Road Vehicle</p> | <p>Adds large-scale deployments to the California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program's list of eligible projects. Requires the annual framework and plan for the program to instead be a 5-year framework and plan. Revises the definition of zero- and near-zero-emission to include infrastructure that reduces greenhouse gas emissions and improves air quality when compared with conventional or fully commercialized alternatives.</p> | <p>INTRODUCED: 02/16/2018 LOCATION: Assembly Transportation Committee</p> <p>STATUS: 03/22/2018 In ASSEMBLY. Read second time and amended. Referred to ASSEMBLY Committee on TRANSPORTATION.</p> <p>HEARING: 04/09/2018 2:30 pm</p> | <p>SUPPORT</p> <p>Support: California Transit Association (Sponsor)</p> |

| BILL NO. / AUTHOR | COMMENTARY | STATUS | OCTA POSITION / OTHER AGENCY POSITIONS |
|---|---|---|---|
| SB 264 (Nguyen – R) High-Occupancy Toll Lanes: Interstate 405 | Requires net excess toll revenues, as defined, received from high-occupancy toll lanes on a specified portion of an approximately 16-mile-long project corridor in the County of Orange on Interstate 405 and that traverses the Cities of Costa Mesa, Fountain Valley, Huntington Beach, Westminster, and Seal Beach to be allocated to the Orange County Transportation Authority and certain project corridor jurisdictions according to a specified schedule. | INTRODUCED: 02/08/2017 LAST AMEND: 04/04/2017 LOCATION: SENATE STATUS: 2/01/2018 In SENATE. Returned to Secretary of Senate pursuant to Joint Rule 56. | OPPOSE Oppose: HNTB Corporation, Self-Help Counties Coalition, Professional Engineers in California Government |

| BILL NO. / AUTHOR | COMMENTARY | STATUS | OCTA POSITION / OTHER AGENCY POSITIONS |
|---|--|---|---|
| SB 268 (Mendoza – R) Los Angeles County Metropolitan Transportation | Requires the Los Angeles County Metropolitan Transportation Authority to submit a plan to the Legislature for revising the composition of the authority, if the number of members of the board of supervisors is increased, within a specified number of days of the increase. Adds the county auditor as a nonvoting member of the board of directors. Reduces the number of the board of supervisors. Requires that one supervisor represent the largest population in the unincorporated area of the County of Los Angeles. | INTRODUCED: 02/08/2017 LAST AMEND: 09/05/2017 LOCATION: Assembly Local Government Committee STATUS: In ASSEMBLY. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT. | OPPOSE (partial list) Support: California Contract Cities Association, Gateway Cities Council of Governments, League of California Cities, Los Angeles County Division Oppose: Los Angeles Area Chamber of Commerce, Los Angeles County Board of Supervisors, LA Metro, Orange County Business Council, SBCTA, RCTC, Metrolink |

| BILL NO. / AUTHOR | COMMENTARY | STATUS | OCTA POSITION / OTHER AGENCY POSITIONS |
|--|--|---|--|
| SB 768 (Allen – D) Transportation Projects: Comprehensive Development | Extends the authorization of the Department of Transportation and regional transportation agencies to enter into comprehensive development lease agreements with public and private entities, or consortia of those entities, for certain transportation projects that may charge certain users of those projects tolls and user fees. | INTRODUCED: 02/17/2017 LAST AMEND: 03/27/2017 LOCATION: SENATE STATUS: 02/01/2018 In SENATE. Returned to Secretary of Senate pursuant to Joint Rule 56. | SUPPORT Support: Associated General Contractors, California and San Diego chapters, California Conference of Carpenters, California State Council of Laborers Oppose: American Federation of State, County, and Municipal Employees, California School Employees Association, Professional Engineers in California Government |

| BILL NO. / AUTHOR | COMMENTARY | STATUS | OCTA POSITION / OTHER AGENCY POSITIONS |
|---|--|---|--|
| <p>► SB 1119 (Newman – D) Low Carbon Transit Operations Program</p> | <p>Authorizes a recipient transit agency to satisfy requirements of the Low Carbon Transit Operations Program by expending at least a specified percentage of program funds received on transit fare subsidies, specified transit connections, or technology improvements that reduce emissions of greenhouse gases.</p> | <p>INTRODUCED: 02/13/2018 LOCATION: Senate Transportation and Housing Committee</p> <p>STATUS: 02/22/2018 To SENATE Committees on TRANSPORTATION AND HOUSING and ENVIRONMENTAL QUALITY.</p> <p>HEARING: 04/10/2018 1:30 pm</p> | <p>SPONSOR</p> <p>Support: California Transit Association (Co-sponsor), SCAG, RCTC, SBCTA, Metrolink, Metropolitan Transportation Commission, San Francisco Municipal Transportation Agency, AC Transit, San Diego Metropolitan Transit System, Association of California Cities - Orange County, CALCOG.</p> |

| BILL NO. / AUTHOR | COMMENTARY | STATUS | OCTA POSITION / OTHER AGENCY POSITIONS |
|--|---|--|--|
| <p>► SB 1466 Glazer – D)</p> <p>Local Sales Taxes: Online Sales: Place Of Delivery</p> | <p>Provides that, in the case of a sale of tangible personal property by a qualified retailer that is transacted online, the place at which the retail sale of that tangible personal property is consummated for the purpose of a local sales tax imposed pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law is the point of the delivery of that tangible personal property to the purchaser's address or any other address designated by the purchaser.</p> | <p>INTRODUCED: 02/13/2018 LOCATION: Senate Rules Committee</p> <p>STATUS: 03/22/2018 From SENATE Committee on RULES with author's amendments.</p> <p>03/22/2018 In SENATE. Read second time and amended. Re-referred to Committee on RULES.</p> | SUPPORT |
| <p>► SCA 20 Glazer – D)</p> <p>Local sales taxes: online sales</p> | <p>Allows the Legislature to change by statute the method of distributing the revenues derived under a sales tax imposed pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law for the sale of tangible personal property by a qualified retailer that is transacted online.</p> | <p>INTRODUCED: 03/22/2018 LOCATION: SENATE</p> <p>STATUS: 03/22/2018 INTRODUCED.</p> | SUPPORT |

BILLS BEING MONITORED

| | |
|----------|---|
| CA AB 33 | <p>AUTHOR: Quirk [D] TITLE: Transportation Electrification INTRODUCED: 12/05/2016 LAST AMEND: 06/22/2017 DISPOSITION: Pending LOCATION: Senate Energy, Utilities and Communications Committee SUMMARY: Requires the Public Utilities Corporation to consider authorizing electrical corporations to offer programs and investments that support customers who purchase a used electric vehicle. Requires that the programs and investments be designed to accelerate widespread transportation electrification, achieve ratepayer benefits, reduce dependence on petroleum, meet air quality standards, and reduce emissions of greenhouse gases. STATUS: 07/03/2017 In SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS: Not heard. CATEGORY: Funding</p> |
| CA AB 87 | <p>AUTHOR: Ting [D] TITLE: Autonomous Vehicles INTRODUCED: 01/05/2017 LAST AMEND: 01/03/2018 DISPOSITION: Pending - Carryover LOCATION: SENATE SUMMARY: Requires the Department of Motor Vehicles to adopt application requirements for the testing of autonomous vehicles on public roads without the presence of a driver inside. Requires that the manufacturer certify that the local authorities within the jurisdiction where the autonomous vehicle will be tested have been provided with a written notification. Requires that the manufacturer provide certain law enforcement agencies with a copy of a law enforcement interaction plan. STATUS: 01/29/2017 In ASSEMBLY. Read third time. Passed ASSEMBLY. To SENATE. To SENATE. CATEGORY: Miscellaneous</p> |
| CA AB 91 | <p>AUTHOR: Cervantes [D] TITLE: High-Occupancy Vehicle Lanes INTRODUCED: 01/09/2017 LAST AMEND: 06/20/2017 DISPOSITION: Pending - Carryover LOCATION: Senate Inactive File SUMMARY: Prohibits a high-occupancy vehicle lane from being established in the County of Riverside, unless that lane is established as a high-occupancy vehicle lane only during the hours of heavy commuter traffic, as determined by the Department of Transportation. STATUS: 09/15/2017 In SENATE. From third reading. To Inactive File. CATEGORY: Miscellaneous</p> |

| | |
|-----------|--|
| CA AB 161 | <p>AUTHOR: Levine [D] TITLE: Department of Finance: Infrastructure Investment FISCAL COMMITTEE: yes INTRODUCED: 01/13/2017 DISPOSITION: Pending LOCATION: Senate Appropriations Committee SUMMARY: Authorizes the Department of Finance to identify infrastructure projects in the state for which the department will guarantee a rate of return on investment for an investment made in that infrastructure project by the Public Employees' Retirement System. STATUS: 08/21/2017 In SENATE Committee on APPROPRIATIONS: Not heard. CATEGORY: Funding</p> |
| CA AB 419 | <p>AUTHOR: Salas [D] TITLE: Greenhouse Gases: Life Cycle Emissions Profiles INTRODUCED: 02/09/2017 LAST AMEND: 08/21/2017 DISPOSITION: Pending LOCATION: Senate Rules Committee SUMMARY: Designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. Authorizes the state board to include the use of market-based compliance mechanisms. Amends existing law which requires all moneys, except for fines and penalties, collected by the state board to be deposited in the Greenhouse Gas Reduction Fund. Appropriates a specified sum for the purpose of funding a study by one or more campuses of the University of California. STATUS: 08/21/2017 From SENATE Committee on RULES with author's amendments. 08/21/2017 In SENATE. Read second time and amended. Re-referred to Committee on RULES. CATEGORY: Environment</p> |
| CA AB 533 | <p>AUTHOR: Holden [D] TITLE: State Highway Route 710 INTRODUCED: 02/13/2017 LAST AMEND: 07/03/2017 DISPOSITION: Pending LOCATION: Senate Transportation and Housing Committee SUMMARY: Require the Department of Transportation, in consultation with the Los Angeles County Metropolitan Transportation Authority, to establish the State Route 710 North Advisory Committee to study the alternatives considered in the State Route 710 North Draft Environmental Impact Review and other transit options to improve travel in the State Route 710 North project area, along with alternatives not considered by the environmental review. Implements the alternative recommended by the advisory committee. STATUS: 07/03/2017 From SENATE Committee on TRANSPORTATION AND HOUSING with author's amendments. 07/03/2017 In SENATE. Read second time and amended. Re-referred to Committee on TRANSPORTATION AND HOUSING. CATEGORY: Transit, Environment</p> |

| | |
|-----------|--|
| CA AB 623 | AUTHOR: Rodriguez [D] TITLE: Autonomous Vehicles: Accident Reporting INTRODUCED: 02/14/2017 LAST AMEND: 07/05/2017 DISPOSITION: Pending LOCATION: Senate Appropriations Committee SUMMARY: <p>Requires the operator of an autonomous vehicle who is involved in an accident that results in damage to the property of any one person in excess of a specified amount, or in bodily injury, or in the death of a person, to report the accident to the Department of Motor Vehicles. Requires a traffic collision report prepared by a member of the Department of the California Highway Patrol or any other peace officer to specify if an autonomous vehicle was involved in the traffic collision in any manner.</p> STATUS: 07/05/2017 In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS. CATEGORY: Miscellaneous |
| CA AB 636 | AUTHOR: Irwin [D] TITLE: Local Streets and Roads: Expenditure Reports INTRODUCED: 02/14/2017 LAST AMEND: 06/27/2017 DISPOSITION: Pending LOCATION: Senate Rules Committee SUMMARY: <p>Amends reporting requirements related to the Highway Users Tax Account. Requires a complete report of expenditures for street and road purposes to be submitted to the Controller within a certain number of months after the close of the fiscal year adopted by a county, city, or city and county. Makes conforming changes. Requires the Controller to adjust related timelines in the uniform construction cost accounting procedure to conform with the submission of certain information.</p> STATUS: 06/27/2017 From SENATE Committee on RULES with author's amendments. 06/27/2017 In SENATE. Read second time and amended. Re-referred to Committee on RULES. CATEGORY: Funding |
| CA AB 697 | AUTHOR: Fong [R] TITLE: Tolls: Exemption for Privately Owned Ambulances INTRODUCED: 02/15/2017 LAST AMEND: 06/12/2017 DISPOSITION: Pending - Carryover LOCATION: Senate Inactive File SUMMARY: <p>Modifies the exemption of authorized emergency vehicles from the payment of a toll to apply to the use of a toll facility. Expands the exemption, dispute resolution procedures, and agreement provisions to include a privately owned emergency ambulance licensed by the Department of the California Highway Patrol.</p> STATUS: 09/16/2017 In SENATE. From third reading. To Inactive File. CATEGORY: Toll Lanes |

| | |
|------------|---|
| CA AB 1017 | AUTHOR: Santiago [D] TITLE: Collective Bargaining Agreements: Arbitration INTRODUCED: 02/16/2017 LAST AMEND: 07/05/2017 DISPOSITION: Pending - Carryover LOCATION: Senate Inactive File SUMMARY: Amends the existing law, with regard to disputes concerning collective bargaining agreements for private employees. Provides for such provision apply to public employment. Limits liability for attorney's fees under such provisions to a labor organization or employer. STATUS: 09/15/2017 In ASSEMBLY. Ordered returned to SENATE. To SENATE. CATEGORY: Employment |
| CA AB 1041 | AUTHOR: Levine [D] TITLE: Bay Area Toll Authority: Conflict of Interest INTRODUCED: 02/16/2017 LAST AMEND: 01/03/2018 DISPOSITION: Pending - Carryover LOCATION: SENATE SUMMARY: Amends existing law relating to the Metropolitan Transportation Commission. Prohibits a representative appointed to the Oversight Committee from being affiliated, in any manner, with the Metropolitan Transportation Commission. STATUS: 01/16/2018 In ASSEMBLY. Read third time. Passed ASSEMBLY. To SENATE. CATEGORY: Funding |
| CA AB 1160 | AUTHOR: Bonta [D] TITLE: Autonomous Vehicles INTRODUCED: 02/17/2017 LAST AMEND: 04/17/2017 DISPOSITION: Pending LOCATION: Senate Transportation and Housing Committee SUMMARY: Changes the definition of autonomous vehicle to mean any vehicle equipped with autonomous technology that has been integrated into that vehicle or a vehicle that meets specified levels of driving automation. STATUS: 06/08/2017 To SENATE Committee on TRANSPORTATION AND HOUSING. CATEGORY: Miscellaneous |

| | |
|------------|---|
| CA AB 1395 | AUTHOR: Chu [D] TITLE: Department of Transportation: Litter Cleanup and Abatement INTRODUCED: 02/17/2017 LAST AMEND: 01/22/2018 DISPOSITION: Pending - Carryover LOCATION: SENATE SUMMARY: <p>Requires the Department of Transportation to assign the highest priority to litter along state highways and other high litter incidence areas for the reallocation of existing litter cleanup resources. Requires the Department to conduct an assessment of the problem of litter on state highways.</p> STATUS: 01/29/2018 In ASSEMBLY. Read third time. Passed ASSEMBLY. To SENATE. CATEGORY: Funding |
| CA AB 1421 | AUTHOR: Dababneh [D] TITLE: Railroads: Noise and Vibration Levels INTRODUCED: 02/17/2017 LAST AMEND: 03/22/2017 DISPOSITION: Pending LOCATION: Senate Rules Committee SUMMARY: <p>Requires the Department of Transportation to conduct a study to determine the noise and vibration levels associated with all railroad lines in the vicinity of residential areas or schools.</p> STATUS: 06/08/2017 To SENATE Committee on RULES. CATEGORY: Rail |
| CA AB 1603 | AUTHOR: Ridley-Thomas S [D] TITLE: Meyers-Milias-Brown Act: Local Public Agencies INTRODUCED: 02/17/2017 LAST AMEND: 08/24/2017 DISPOSITION: Pending - Carryover LOCATION: Senate Inactive File SUMMARY: <p>Relates to the Meyers-Milias-Brown Act which allows employees of local public agencies have the right to form, join, and participate in the activities of employee organizations of their own choosing for the purpose of representation on all matters of employer-employee relations. Revises the definition of public employee to include persons jointly employed by a public agency and any other employer at specified clinics and hospitals. Specifies rules and regulations.</p> STATUS: 09/16/2017 In SENATE. From third reading. To Inactive File. CATEGORY: Employment |

| | |
|--------------|---|
| CA AB 1683 | AUTHOR: Burke [D] TITLE: Transformative Climate Communities Program: Report INTRODUCED: 02/17/2017 LAST AMEND: 04/03/2017 DISPOSITION: Pending LOCATION: Senate Rules Committee SUMMARY: Requires the Strategic Growth Council to submit a specified report on the Transformative Climate Communities Program to the Governor and specified committees of the Legislature. STATUS: 06/14/2017 To SENATE Committee on RULES. CATEGORY: Environment |
| CA AB 1745 | AUTHOR: Ting [D] TITLE: Vehicles: Clean Cars 2040 Act INTRODUCED: 01/03/2018 DISPOSITION: Pending LOCATION: Assembly Transportation Committee SUMMARY: Requires all new passenger vehicles to be zero emissions vehicles after January 1, 2040. States that zero emissions vehicles cannot produce exhaust emissions of any criteria pollutant or greenhouse gas under any operational mode or condition. Exempts large commercial vehicles (larger than 10,000 pounds) and does not apply to vehicles owned by people moving into California from other states. STATUS: 01/16/2018 To ASSEMBLY Committee on TRANSPORTATION. CATEGORY: Environment |
| ► CA AB 1755 | AUTHOR: Steinorth [R] TITLE: Bicycle and Pedicab Operation INTRODUCED: 01/03/2018 DISPOSITION: Pending LOCATION: Assembly Transportation Committee HEARING: 04/09/2018, 2:30 pm SUMMARY: Subjects a person riding a bicycle or operating a pedicab on a bikeway or other publicly maintained trail or road to those rights and requirements of the Vehicle Code. STATUS: 03/13/2018 From ASSEMBLY Committee on TRANSPORTATION with author's amendments. 03/13/2018 In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION. CATEGORY: Active Transportation |

| | | |
|--------------|--|---|
| CA AB 1756 | AUTHOR: TITLE: INTRODUCED: DISPOSITION: LOCATION: SUMMARY: Repeals the Road Repair and Accountability Act of 2017 which establishes, among other things, a comprehensive transportation funding program by increasing the motor vehicle fuel (gasoline) tax. STATUS: 01/16/2018 CATEGORY: | Brough [R] Transportation Funding 01/04/2018 Pending Assembly Transportation Committee To ASSEMBLY Committee on TRANSPORTATION. Funding |
| ► CA AB 1778 | AUTHOR: TITLE: INTRODUCED: LAST AMEND: DISPOSITION: LOCATION: HEARING: SUMMARY: Creates the Community Redevelopment Law. Authorizes a city or county to propose the formation of a redevelopment agency by adopting a resolution of intention that meets specified requirements, and submitting that resolution to each affected taxing entity and to each owner of land within the district. Authorizes a redevelopment project plan to provide for the division of taxes levied upon taxable property, if any, between an affected taxing entity and the agency. STATUS: 03/22/2018 03/22/2018 03/22/2018 CATEGORY: | Holden [D] Community Redevelopment Law 01/04/2018 03/22/2018 Pending Assembly Local Government Committee 04/18/2018, 1:30 pm To ASSEMBLY Committees on LOCAL GOVERNMENT and HOUSING AND COMMUNITY DEVELOPMENT. From ASSEMBLY Committee on LOCAL GOVERNMENT with author's amendments. In ASSEMBLY. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT. Miscellaneous |
| CA AB 1866 | AUTHOR: TITLE: INTRODUCED: DISPOSITION: LOCATION: SUMMARY: Creates the Traffic Relief and Road Improvement Program to address traffic congestion and deferred maintenance on the state highway system and the local street and road system. Provides for the deposit of various existing sources of revenue in the Traffic Relief and Road Improvement Account as created by this bill in the State Transportation Fund, including specified revenues attributable to sales and use tax on vehicles, from motor vehicle insurance policies, diesel fuel and registration fees. STATUS: 01/29/2018 CATEGORY: | Fong [R] Transportation funding 01/12/2018 Pending Assembly Transportation Committee To ASSEMBLY Committee on TRANSPORTATION. Funding |

| | |
|--------------|--|
| CA AB 1867 | AUTHOR: Reyes [D] TITLE: Employment Discrimination: Sexual Harassment INTRODUCED: 01/12/2018 DISPOSITION: Pending LOCATION: ASSEMBLY SUMMARY: <p>Requires an employer with 50 or more employees to maintain records of employee complaints of sexual harassment for 10 years from the date of filing. Requires the Department of Fair Employment and Housing to seek an order requiring an employer that violates the recordkeeping requirement to comply.</p> STATUS: 01/12/2018 INTRODUCED. CATEGORY: Employment |
| ► CA AB 1898 | AUTHOR: Mathis [R] TITLE: State Highways: Property Leases INTRODUCED: 01/22/2018 LAST AMEND: 03/19/2018 DISPOSITION: Pending COMMITTEE: Assembly Transportation Committee HEARING: 04/16/2018, 2:30 pm SUMMARY: <p>Requires the Department of Transportation to offer a lease on a right of first refusal basis of any airspace under a freeway, or real property acquired for highway purposes, located in a disadvantaged community, that is not excess property to the city or county in which the disadvantaged community is located for purposes of an emergency shelter or feeding program, or for park, recreational, or open-space purposes for a rental amount of a certain amount per month, subject to certain conditions.</p> STATUS: 03/19/2018 <i>From ASSEMBLY Committee on TRANSPORTATION with author's amendments.</i> 03/19/2018 <i>In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION.</i> CATEGORY: Public Works |
| ► CA AB 1907 | AUTHOR: Choi [R] TITLE: Unsecured Vehicle Loads INTRODUCED: 01/22/2018 LAST AMEND: 03/19/2018 DISPOSITION: Pending COMMITTEE: Assembly Transportation Committee HEARING: 04/09/2018 2:30 pm SUMMARY: <p>Makes the penalty for driving with an unsecured load the same as the penalty for driving with animals that have not been properly secured.</p> STATUS: 03/19/2018 <i>To ASSEMBLY Committee on TRANSPORTATION.</i> 03/19/2018 <i>From ASSEMBLY Committee on TRANSPORTATION with author's amendments.</i> 03/19/2018 <i>In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION.</i> CATEGORY: Miscellaneous |

| | | |
|--------------|--|---|
| ► CA AB 1937 | AUTHOR: TITLE: INTRODUCED: LAST AMEND: DISPOSITION: LOCATION: | Santiago [D] Public Employment: Payroll Deductions 01/25/2018 03/20/2018 Pending Assembly Public Employees, Retirement and Social Security Committee |
| | SUMMARY: | Expands certain authorizations and requirements currently applicable to the Controller and employees of the state and California State University to apply also to the Regents of the University of California, the Judicial Council, and public authorities. Authorizes employee organizations and bona fide associations to request payroll deductions and requires public employers to honor these requests. Authorizes public employers to make rules and regulations for deduction administration. |
| | STATUS: | |
| | 03/20/2018 | <i>From ASSEMBLY Committee on PUBLIC EMPLOYEES, RETIREMENT AND SOCIAL SECURITY with author's amendments.</i> |
| | 03/20/2018 | <i>In ASSEMBLY. Read second time and amended. Re-referred to Committee on PUBLIC EMPLOYEES, RETIREMENT AND SOCIAL SECURITY.</i> |
| | CATEGORY: | Employment |

| | | |
|------------|---|--|
| CA AB 1938 | AUTHOR: TITLE: INTRODUCED: DISPOSITION: LOCATION: SUMMARY: | Burke [D] Employment Discrimination: Familial Status 01/25/2018 Pending ASSEMBLY |
| | SUMMARY: | Prohibits an employer or other covered entity from making a nonjob-related inquiry to, or expressing any limitation, specification, or limitation based upon a person's familial status. |
| | STATUS: | |
| | 01/25/2018 | INTRODUCED. |
| | CATEGORY: | Employment |

| | |
|--------------|---|
| ► CA AB 1969 | <p>AUTHOR: Salas [D] TITLE: Transportation Funds: Transit Operators: Fare Revenues INTRODUCED: 01/31/2018 LAST AMEND: 03/19/2018 DISPOSITION: Pending LOCATION: Assembly Transportation Committee SUMMARY: Authorizes an operator that fails to maintain the generally established ratio of fare revenues to operating costs to request an exemption from the California Transportation Commission. Requires the operator to be granted a temporary exemption while the commission reviews the request. Authorizes the commission to grant the operator's request and allow the operator to instead maintain a lower ratio, which would be set by the commission.</p> <p>STATUS: 03/19/2018 To ASSEMBLY Committee on TRANSPORTATION. 03/19/2018 From ASSEMBLY Committee on TRANSPORTATION with author's amendments. 03/19/2018 In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION.</p> <p>CATEGORY: Funding</p> |
| ► CA AB 2017 | <p>AUTHOR: Chiu [D] TITLE: Public Employers: Employee Organizations INTRODUCED: 02/05/2018 LAST AMEND: 03/21/2018 DISPOSITION: Pending LOCATION: Assembly Public Employees, Retirement and Social Security Committee SUMMARY: Prohibits a public employer from deterring or discouraging prospective public employees from becoming or remaining members of an employee organization. <i>Expands the definition of public employer to include those employers of excluded supervisory employees and judicial council employees.</i></p> <p>STATUS: 03/21/2018 From ASSEMBLY Committee on PUBLIC EMPLOYEES, RETIREMENT AND SOCIAL SECURITY with author's amendments.</p> <p>CATEGORY: Employment</p> |
| ► CA AB 2034 | <p>AUTHOR: Kalra [D] TITLE: Human Trafficking: Notice INTRODUCED: 02/06/2018 DISPOSITION: Pending LOCATION: Assembly Judiciary Committee SUMMARY: Requires a business or other establishment that operates an intercity passenger rail, light rail, or bus station, to train its new and existing employees who are likely to receive a report from another employee about suspected human trafficking, in recognizing the signs of human trafficking and how to report those signs to the appropriate law enforcement agency. Requires the Department of Justice to develop guidelines to assist employers in providing the employee training.</p> <p>STATUS: 02/16/2018 To ASSEMBLY Committee on JUDICIARY.</p> <p>CATEGORY: Employment</p> |

| | |
|--------------|---|
| ► CA AB 2061 | <p>AUTHOR: Frazier [D] TITLE: Near-Zero Emission and Zero-Emission Vehicles INTRODUCED: 02/07/2018 DISPOSITION: Pending COMMITTEE: Assembly Transportation Committee SUMMARY: Authorizes a near-zero-emission vehicle or a zero-emission vehicle to exceed axle, tandem, gross, or bridge formula weight limits, up to a specified pound maximum, by an amount equal to the difference between the weight of the vehicle attributable to the fueling system carried by that vehicle and the weight of a comparable diesel tank and fueling system. STATUS: 03/19/2018 <i>From ASSEMBLY Committee on TRANSPORTATION: Do pass to Committee on APPROPRIATIONS.</i> CATEGORY: Miscellaneous</p> |
| ► CA AB 2062 | <p>AUTHOR: Maienschein [R] TITLE: State Highways: Landscaping INTRODUCED: 02/07/2018 DISPOSITION: Pending COMMITTEE: Assembly Transportation Committee SUMMARY: Requires highway planting projects undertaken or approved by the Department of Transportation to include, when appropriate, California native wildflowers as an integral and permanent part of the planting design, with priority given to those species of wildflower that will help rebuild pollinator populations. STATUS: 03/20/2018 <i>In ASSEMBLY. Coauthors revised.</i> CATEGORY: Public Works</p> |
| ► CA AB 2065 | <p>AUTHOR: Ting [D] TITLE: Local Agencies: Surplus Land INTRODUCED: 02/07/2018 DISPOSITION: Pending HEARING: 04/11/2018, 1:30 pm SUMMARY: Expands the definition of local agency to include sewer, water, utility, and local and regional park districts, joint powers authorities, successor agencies to former redevelopment agencies, housing authorities, and other political subdivisions of this state and any instrumentality thereof that is empowered to acquire and hold real property, thereby requiring these entities to comply with the requirements for the disposal of surplus land. STATUS: 02/22/2018 <i>To ASSEMBLY Committee on LOCAL GOVERNMENT.</i> CATEGORY: Public Works</p> |

| | | |
|--------------|---|---|
| ► CA AB 2069 | AUTHOR: Bonta [D] TITLE: Medical Cannabis: Employment Discrimination INTRODUCED: 02/07/2018 DISPOSITION: Pending LOCATION: <i>Assembly Labor and Employment Committee</i> HEARING: 04/18/2018, 1:30 pm SUMMARY: Provides worker protections to patients using medical cannabis outside of the workplace and not during work hours. Exempts employers whose workers are in safety sensitive positions subject to federal drug testing mandates. STATUS: 03/22/2018 CATEGORY: | <i>To ASSEMBLY Committee on LABOR AND EMPLOYMENT.</i> Employment |
| ► CA AB 2127 | AUTHOR: Ting [D] TITLE: Electric Vehicle Infrastructure: Assessment and Roadmap INTRODUCED: 02/08/2018 DISPOSITION: Pending LOCATION: <i>Assembly Communications and Conveyance Committee</i> SUMMARY: Requires the Energy Commission, in consultation with the State Air Resources Board and the PUC, to create a statewide assessment of electric vehicles charging infrastructure needed to support the levels of electric vehicles adoption needed for the state to reduce emissions of greenhouse gases to 40 percent below 1990 levels by 2030. STATUS: 03/01/2018 CATEGORY: | <i>To ASSEMBLY Committees on COMMUNICATIONS AND CONVEYANCE and TRANSPORTATION.</i> Public Works, Environment |
| ► CA AB 2145 | AUTHOR: Reyes [D] TITLE: Vehicular Air Pollution INTRODUCED: 02/12/2018 DISPOSITION: Pending LOCATION: <i>Assembly Transportation Committee</i> SUMMARY: Adds, as eligible projects for the Clean Truck, Bus, and Off Road Vehicle and Equipment Technology Program, those projects that support grid integration and integrated storage solutions and charging management demonstration and analytics. STATUS: 03/19/2018 CATEGORY: | <i>From ASSEMBLY Committee on TRANSPORTATION: Do pass to Committee on APPROPRIATIONS.</i> Environment |

| | |
|--------------|--|
| ► CA AB 2154 | AUTHOR: Bonta [D] TITLE: Public Employment: Labor Relations: Release Time INTRODUCED: 02/12/2018 DISPOSITION: Pending LOCATION: Assembly Public Employees, Retirement and Social Security Committee HEARING: 04/04/2018, 9:00 am Prescribes requirements relating to release time that would apply to all of the public employers and employees subject to specified public employee acts and would generally repeal the provisions relating to release time in those acts. STATUS: 02/26/2018 To ASSEMBLY Committee on PUBLIC EMPLOYEES, RETIREMENT AND SOCIAL SECURITY. CATEGORY: Employment |
| ► CA AB 2249 | AUTHOR: Cooley [D] TITLE: Public Contracts: Local Agencies: Alternative Procedure INTRODUCED: 02/13/2018 DISPOSITION: Pending HEARING: 04/11/2018, 1:30 pm SUMMARY: Authorizes public projects of a specified amount or less to be performed by the employees of a public agency, authorize public projects of a specified amount or less to be let to contract by informal procedures, and require public projects of more than a specified amount to be let to contract by formal bidding procedures. STATUS: 03/01/2018 To ASSEMBLY Committee on LOCAL GOVERNMENT. CATEGORY: Public Works |
| ► CA AB 2252 | AUTHOR: Limon [D] TITLE: State Grants: State Grant Administrator INTRODUCED: 02/13/2018 DISPOSITION: Pending LOCATION: Assembly Accountability and Administrative Review Committee SUMMARY: Establishes, within the Government Operations Agency, a state grant administrator who is designated by the Governor to serve as the state's primary point of contact for information on grants provided by state agencies. Authorizes the state grant administrator, among other things, to support the establishment of a statewide network of individuals who serve as a point of contact for state grant opportunities in state agencies. STATUS: 03/21/2018 From ASSEMBLY Committee on ACCOUNTABILITY AND ADMINISTRATIVE REVIEW: Do pass as amended to Committee on APPROPRIATIONS. CATEGORY: Funding |

| | | |
|--------------|--|---|
| ► CA AB 2304 | AUTHOR: Holden [D] TITLE: Transit Pass Programs: Status Report INTRODUCED: 02/13/2018 DISPOSITION: Pending HEARING: 04/09/2018, 2:30 pm SUMMARY: Requires the Department of transportation to submit a report specified committees of the Legislature on the status of transit pass programs statewide. STATUS: 03/01/2018 CATEGORY: | To ASSEMBLY Committee on TRANSPORTATION. Transit |
| ► CA AB 2317 | AUTHOR: Eggman [D] TITLE: Whistleblower Protection: State and Local Contractors INTRODUCED: 02/13/2018 DISPOSITION: Pending LOCATION: Assembly Labor and Employment Committee SUMMARY: Extends the whistleblower protections afforded to employees to independent contractors working for a state and local government who are tasked with monitoring, and receiving complaints from facilities, services, and programs operated by state and local government. STATUS: 03/22/2018 CATEGORY: | To ASSEMBLY Committee on LABOR AND EMPLOYMENT. Government Accountability |
| ► CA AB 2341 | AUTHOR: Mathis [R] TITLE: California Environmental Quality Act INTRODUCED: 02/10/2018 DISPOSITION: Pending HEARING: 04/09/2018, 2:30 pm SUMMARY: Specifies that, except as provided, the aesthetic effects of projects meeting certain requirements are not significant effects on the environment for the purposes of California Environmental Quality Act and that the lead agency is not required to evaluate the aesthetic of those projects. STATUS: 03/01/2018 CATEGORY: | To ASSEMBLY Committee on NATURAL RESOURCES. Environment |
| ► CA AB 2353 | AUTHOR: Frazier [D] TITLE: Construction Defects: Actions: Statute of Limitations INTRODUCED: 02/13/2018 DISPOSITION: Pending LOCATION: Assembly Judiciary Committee SUMMARY: Specifies the requirements for actions for construction defects. Includes a statute of limitations that, except as specified, prohibits an action from being brought to recover under these provisions more than 5 years after substantial completion of the improvement but no later than the date the notice of the completion is recorded. STATUS: 03/01/2018 CATEGORY: | To ASSEMBLY Committee on JUDICIARY. Public Works |

| | |
|--------------|--|
| ► CA AB 2366 | <p>AUTHOR: Bonta [D]</p> <p>TITLE: Employment: Victims of Sexual Harassment: Protections</p> <p>INTRODUCED: 02/14/2018</p> <p>DISPOSITION: Pending</p> <p>HEARING: 04/11/2018, 1:30 pm</p> <p>SUMMARY: Extends employment protections to the victims of sexual harassment, also extend these employment protections to immediate family members of the victims for taking time off from work to provide assistance to the victims when seeking relief or obtaining those services and counseling.</p> <p>STATUS: 03/22/2018 <i>To ASSEMBLY Committees on LABOR AND EMPLOYMENT and JUDICIARY.</i></p> <p>CATEGORY: Employment</p> |
| ► CA AB 2411 | <p>AUTHOR: McCarty [D]</p> <p>TITLE: Solid Waste: Use of Compost: Planning</p> <p>INTRODUCED: 02/14/2018</p> <p>LAST AMEND: 03/21/2018</p> <p>DISPOSITION: Pending</p> <p>LOCATION: <i>Assembly Accountability and Administrative Review Committee</i></p> <p>SUMMARY: Amends the Integrated Waste Management Act. Requires the Department of Resources Recycling, and Recovery to develop and implement a plan to maximize the use of compost for slope stabilization and establishing vegetation in the course of providing debris removal services following a fire. Requires the Department to identify best practices of each of DOT's districts regarding the cost effective use of compost along roadways and to develop a plan to expand the identified best practices to the other districts.</p> <p>STATUS: 03/22/2018 <i>Withdrawn from ASSEMBLY Committee on ACCOUNTABILITY AND ADMINISTRATIVE REVIEW.</i></p> <p>03/22/2018 <i>Re-referred to ASSEMBLY Committee on RULES.</i></p> <p>03/22/2018 <i>Re-referred to ASSEMBLY Committee on ACCOUNTABILITY AND ADMINISTRATIVE REVIEW.</i></p> <p>CATEGORY: Planning</p> |
| ► CA AB 2418 | <p>AUTHOR: Mullin [D]</p> <p>TITLE: Transportation: Emerging Technologies: Grant Program</p> <p>INTRODUCED: 02/14/2018</p> <p>LAST AMEND: 03/15/2018</p> <p>DISPOSITION: Pending</p> <p>HEARING: 04/16/2018 2:30 pm</p> <p>SUMMARY: Establishes the Smart City Challenge Grant Program. Enables municipalities to compete for grant funding for emerging transportation technologies to serve their transportation system needs. Specifies certain program goals. Requires the Transportation Commission to form the Smart City Challenge Workgroup. Authorizes the Commission to develop guidelines for the program not subjected to the Administrative Procedure Act.</p> <p>STATUS: 03/15/2018 <i>In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION.</i></p> <p>CATEGORY: Funding</p> |

| | | |
|--------------|---|---|
| ► CA AB 2433 | AUTHOR: Salas [D] TITLE: Department of Transportation: Voluntary Inspection INTRODUCED: 02/14/2018 DISPOSITION: Pending LOCATION: ASSEMBLY SUMMARY: <p>Authorizes the Department of Transportation to establish a subaccount of the State Highway Account to accommodate deposits and expenditures of moneys relative to voluntary inspection and testing services.</p> STATUS: 03/05/2018 CATEGORY: | To ASSEMBLY Committee on TRANSPORTATION. Funding |
| ► CA AB 2434 | AUTHOR: Bloom [D] TITLE: Strategic Growth Council: Health in All Policies INTRODUCED: 02/14/2018 DISPOSITION: Pending HEARING: 04/03/2018 1:30 pm SUMMARY: <p>Establishes the Health in All Policies Program, to be administered by the Strategic Growth Council, for the purposes of incorporating health, equity, and sustainability considerations into decision making across sectors and policy areas.</p> STATUS: 03/21/2018 CATEGORY: | In ASSEMBLY. Read second time and amended. Re-referred to Committee on HEALTH. Miscellaneous |
| ► CA AB 2482 | AUTHOR: Voepel [R] TITLE: Employment: Flexible Work Schedules INTRODUCED: 02/14/2018 DISPOSITION: Pending LOCATION: Assembly Labor and Employment Committee SUMMARY: <p>Permits an individual nonexempt employee to request an employee's selected flexible work schedule providing for workdays up to 10 hours per day within a 40-hour workweek, and would allow an employer to implement this schedule without the obligation to pay overtime compensation for those additional hours in a workday, except as specified. Requires that the flexible work schedule contain specified information and the employer's and employee's original signature.</p> STATUS: 03/05/2018 CATEGORY: | To ASSEMBLY Committee on LABOR AND EMPLOYMENT. Employment |

| | |
|--------------|---|
| ► CA AB 2506 | AUTHOR: Burke [D] TITLE: State Vehicle Fleet: Near-Zero-Emission Vehicles INTRODUCED: 02/14/2018 DISPOSITION: Pending LOCATION: <i>Assembly Accountability and Administrative Review Committee</i> HEARING: 04/11/2018 9:30 am SUMMARY: <p>Requires, by a specified date, at least a specified percentage of newly purchased vehicles with a gross vehicle weight of specified pounds or more purchased by the Department of General Services and other state entities for the state fleet to be near-zero emission.</p> STATUS: 03/08/2018 <i>To ASSEMBLY Committee on ACCOUNTABILITY AND ADMINISTRATIVE REVIEW.</i> CATEGORY: Environment |
| ► CA AB 2530 | AUTHOR: Melendez [R] TITLE: Bonds: Transportation INTRODUCED: 02/14/2018 DISPOSITION: Pending HEARING: 04/16/2018 2:30 pm SUMMARY: <p>Provides that no further bonds shall be sold for high-speed rail purpose pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, except as specifically provided with respect to an existing appropriation for high-speed rail purposes for early improvement projects in Phase I blended system.</p> STATUS: 03/05/2018 <i>To ASSEMBLY Committee on TRANSPORTATION.</i> CATEGORY: High-Speed Rail |
| ► CA AB 2535 | AUTHOR: Obernolte [R] TITLE: High-occupancy Toll Lanes: Toll Evasion Violation INTRODUCED: 02/14/2018 LAST AMEND: 03/19/2018 DISPOSITION: Pending HEARING: 04/02/2018 2:30 pm SUMMARY: <p>Requires the notice of toll evasion violation to include a copy of photographic evidence on which the toll evasion determination was based if the vehicle was found, by automated devices, to have evaded the toll through failure to meet occupancy requirements in a high-occupancy toll lane.</p> STATUS: 03/19/2018 <i>In ASSEMBLY. Read second time and amended. Re referred to Committee on TRANSPORTATION.</i> CATEGORY: Toll Lanes |

| | |
|--------------|---|
| ► CA AB 2543 | <p>AUTHOR: Eggman [D] TITLE: State Agencies: Infrastructure Project Budget: Report INTRODUCED: 02/15/2018 DISPOSITION: Pending LOCATION: <i>Assembly Appropriations Committee</i> SUMMARY: Requires each state agency or department authorized to undertake any infrastructure project costing more than a specified sum to publicly post on its Internet Web site any change in the cost or schedule of the project that would result in the project exceeding its established budget by a certain percent or being delayed by a certain amount of time. Requires the posted information describes how much the project is expected to exceed its established budget or delay its construction schedule. STATUS: 03/21/2018 <i>From ASSEMBLY Committee on ACCOUNTABILITY AND ADMINISTRATIVE REVIEW: Do pass to Committee on APPROPRIATIONS.</i> CATEGORY: Government Accountability</p> |
| ► CA AB 2548 | <p>AUTHOR: Friedman [D] TITLE: Commute Benefit Policies INTRODUCED: 02/15/2018 DISPOSITION: Pending LOCATION: <i>Assembly Transportation Committee</i> SUMMARY: Authorizes the Los Angeles County Metropolitan Transportation Authority (LACMTA) in coordination with the South Coast Air Quality Management District to jointly adopt a commute benefit ordinance that requires covered employers operating within the common area of the 2 entities with a specified number of employees to offer certain employees commute benefits, as specified. STATUS: 03/05/2018 <i>To ASSEMBLY Committee on TRANSPORTATION.</i> CATEGORY: Employment</p> |
| ► CA AB 2564 | <p>AUTHOR: Rodriguez [D] TITLE: Civil and Administrative Penalties: Policy INTRODUCED: 02/15/2018 DISPOSITION: Pending LOCATION: <i>Assembly Natural Resources Committee</i> SUMMARY: Requires the state board to review, update, and publish the penalty policy or specified civil administrative penalties relating to vehicular air pollution for specified civil or administrative penalties no later than a specified date. STATUS: 03/08/2018 <i>To ASSEMBLY Committee on NATURAL RESOURCES.</i> CATEGORY: Environment</p> |

| | |
|--------------|--|
| ► CA AB 2615 | <p>AUTHOR: Carrillo [D] TITLE: Department of Transportation: Powers and Duties INTRODUCED: 02/15/2018 DISPOSITION: Pending LOCATION: <i>Assembly Transportation Committee</i> SUMMARY: Requires the Department of Transportation to partner with appropriate public agencies, including, but not limited to, the Department of Parks and Recreation, any federal department or agency, and any regional or local public entity, to develop strategies and plans to maximize safe and convenient access for bicycles and pedestrians to federal, state, regional, and local parks adjacent to or connected to the state highway system. STATUS: 03/21/2018 <i>In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION.</i> CATEGORY: Active Transportation</p> |
| ► CA AB 2650 | <p>AUTHOR: Lackey [R] TITLE: Public Transit Buses: Illuminated Signs INTRODUCED: 02/15/2018 DISPOSITION: Pending LOCATION: <i>Assembly Transportation Committee</i> SUMMARY: Increases the maximum display area of an illuminated sign on a public transit bus to 4,320 inches and allows paid advertising to be displayed on the illuminated sign. STATUS: 03/08/2018 <i>To ASSEMBLY Committee on TRANSPORTATION.</i> CATEGORY: Transit</p> |
| ► CA AB 2652 | <p>AUTHOR: Quirk [D] TITLE: Telecommunications: Universal Service INTRODUCED: 02/15/2018 DISPOSITION: Pending LOCATION: <i>Assembly Communications and Conveyance Committee</i> SUMMARY: Relates to existing law which requires the PUC to adopt a portability freeze rule for the lifeline program. Requires the commission to consider including a 6-month duration of the portability freeze in the rule. Requires a provider of mobile telephony service providing lifeline service to offer, as part of the service, a plan that includes unlimited minutes, unlimited text messages, and, to the extent possible, unlimited mobile data service. STATUS: 03/08/2018 <i>To ASSEMBLY Committee on COMMUNICATIONS AND CONVEYANCE.</i> CATEGORY: Miscellaneous</p> |

| | |
|--------------|---|
| ► CA AB 2712 | <p>AUTHOR: Allen T [R]</p> <p>TITLE: Bonds: Safe, Reliable High-Speed Passenger Train</p> <p>INTRODUCED: 02/15/2018</p> <p>LAST AMEND: 03/12/2018</p> <p>DISPOSITION: Pending</p> <p>LOCATION: Assembly Transportation Committee</p> <p>SUMMARY:</p> <p>Amends the Safe, Reliable High Speed Passenger Train Bond Act for the 21st Century. Requires redirection of the unspent proceeds received from outstanding bonds issued and sold for other high speed rail purposes prior to the effective date of these provisions, for distribution as refunds to state taxpayers in the manner prescribed at the time an appropriation is made.</p> <p>STATUS:</p> <p>03/12/2018 <i>In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION.</i></p> <p>CATEGORY: High-Speed Rail</p> |
| ► CA AB 2730 | <p>AUTHOR: Harper [R]</p> <p>TITLE: Franchise Tax Board: Collection Of Delinquent Tolls</p> <p>INTRODUCED: 02/15/2018</p> <p>LAST AMEND: 03/22/2018</p> <p>DISPOSITION: Pending</p> <p>LOCATION: Assembly Revenue and Taxation Committee</p> <p>SUMMARY:</p> <p><i>Removes the Franchise Tax Board's authority to collect unpaid tolls, toll evasion penalties, and any related administrative service fees by issuance of an order and levy for earning withholding and by notice for withholding to a depository institution.</i></p> <p>STATUS:</p> <p>03/22/2018 <i>In ASSEMBLY. Read second time and amended. Re-referred to Committee on REVENUE AND TAXATION.</i></p> <p>CATEGORY: Toll Lanes</p> |
| ► CA AB 2734 | <p>AUTHOR: Frazier [D]</p> <p>TITLE: California Transportation Commission</p> <p>INTRODUCED: 02/15/2018</p> <p>DISPOSITION: Pending</p> <p>HEARING: 04/02/2018 2:30 pm</p> <p>SUMMARY:</p> <p>Excludes the California Transportation Commission from the Transportation Agency. Establishes it as an entity in state government, and requires it to act in an independent oversight role.</p> <p>STATUS:</p> <p>03/15/2018 <i>To ASSEMBLY Committees on TRANSPORTATION and ACCOUNTABILITY AND ADMINISTRATIVE REVIEW.</i></p> <p>CATEGORY: Miscellaneous</p> |

| | |
|--------------|--|
| ► CA AB 2851 | <p>AUTHOR: Grayson [D]</p> <p>TITLE: Regional Traffic Signal Optimization Plans</p> <p>INTRODUCED: 02/16/2018</p> <p>LAST AMEND: 03/19/2018</p> <p>DISPOSITION: Pending</p> <p>COMMITTEE: Assembly Transportation Committee</p> <p>HEARING: 04/16/2018 2:30 pm</p> <p>SUMMARY: Requires all moneys, except for fines and penalties, collected by the State Air Resources Board from a market-based compliance mechanism relative to reduction of greenhouse gas emissions to be deposited in the Greenhouse Gas Reduction Fund. Requires each city located within the jurisdiction of a metropolitan planning organization to develop and implement a traffic signal optimization plan. Creates the Traffic Signal Optimization Fund.</p> <p>STATUS: 03/19/2018 <i>In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION.</i></p> <p>CATEGORY: Environment</p> |
| ► CA AB 2865 | <p>AUTHOR: Chiu [D]</p> <p>TITLE: High-Occupancy Toll Lanes: Santa Clara Valley</p> <p>INTRODUCED: 02/16/2018</p> <p>DISPOSITION: Pending</p> <p>LOCATION: Assembly Transportation Committee</p> <p>SUMMARY: Authorizes Valley Transportation Authority to conduct, administer, and operate a value pricing high-occupancy toll lane program on State Highway Route 101 and a specified portion of State Highway Route 280 in the City and County of San Francisco in coordination with the San Francisco County Transportation Authority, as prescribed.</p> <p>STATUS: 03/19/2018 <i>In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION.</i></p> <p>CATEGORY: Toll Lanes</p> |
| ► CA AB 2886 | <p>AUTHOR: Daly [D]</p> <p>TITLE: Public Employee Relations Board: Orange County Transit</p> <p>INTRODUCED: 02/16/2018</p> <p>LOCATION: Assembly Public Employees, Retirement and Social Security Committee</p> <p>SUMMARY: Requires employers and employees of the Orange County Transit District to adjudicate complaints of specified labor violations before Public Employee Relations Board as an unfair practice. Authorizes specified parties aggrieved by PERB's decision or order to petition for relief from that decision or order.</p> <p>STATUS: 03/23/2018 <i>In ASSEMBLY. Read second time and amended. Re-referred to Committee on PUBLIC EMPLOYEES, RETIREMENT AND SOCIAL SECURITY.</i></p> <p>CATEGORY: Employment</p> |

| | |
|--------------|--|
| ► CA AB 2919 | <p>AUTHOR: Frazier [D] TITLE: Transportation: Permits INTRODUCED: 02/16/2018 LAST AMEND: 03/19/2018 DISPOSITION: Pending LOCATION: Assembly Transportation Committee HEARING: 04/16/2018 2:30 pm SUMMARY: Requires the Department of Fish and Wildlife, the State Water Resources Control Board, and the California Coastal Commission, upon receipt of a completed request from the Department of Transportation for a permit for a project, to complete its review of the request no later than two years after receipt. STATUS: 03/19/2018 <i>In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION.</i></p> |
| ► CA AB 2938 | <p>AUTHOR: Bloom [D] TITLE: Sales and Use Taxes: Credit: City Of Santa Monica INTRODUCED: 02/16/2018 DISPOSITION: Pending LOCATION: Assembly Revenue and Taxation Committee HEARING: 04/02/2018 2:30 pm SUMMARY: Allows the City of Santa Monica to apply as a credit the amount the City of Santa Monica paid to the California Department of Tax and Fee Administration for the taxes imposed pursuant to this part, as measured by rental receipts, for the lease or rental of bicycles as part of a publicly shared regional bicycle system within the County of Los Angeles against an amount equal to what the City of Santa Monica would have paid as sales tax reimbursement or use tax. STATUS: 03/08/2018 <i>To ASSEMBLY Committee on REVENUE AND TAXATION.</i> CATEGORY: Funding</p> |
| ► CA AB 2966 | <p>AUTHOR: Aguiar-Curry [D] TITLE: Disaster Relief INTRODUCED: 02/16/2018 DISPOSITION: Pending LOCATION: Assembly Governmental Organization Committee SUMMARY: Provides that the state share for the removal of dead and dying trees in connection with the Governor's proclamation of a state of emergency issued on a specified date is no more than 90 percent of total state eligible costs. STATUS: 03/08/2018 <i>To ASSEMBLY Committee on GOVERNMENTAL ORGANIZATION.</i> CATEGORY: Miscellaneous</p> |

| | |
|--------------|--|
| ► CA AB 3000 | <p>AUTHOR: Friedman [D] TITLE: Sales and Use Taxes: Retail Hydrogen Vehicle Fuel INTRODUCED: 02/16/2018 LAST AMEND: 03/22/2018 DISPOSITION: Pending LOCATION: Assembly Revenue and Taxation Committee SUMMARY: Exempts from sales and use taxes the gross receipts from the sale in this state of, and the storage, use, or other consumption in this state of, retail hydrogen vehicle fuel. STATUS: 03/22/2018 <i>In ASSEMBLY. Read second time and amended. Re-referred to Committee on REVENUE AND TAXATION.</i> CATEGORY: Miscellaneous</p> |
| ► CA AB 3018 | <p>AUTHOR: Low [D] TITLE: State Contracts: Skilled and Trained Workforce INTRODUCED: 02/16/2018 LAST AMEND: 03/22/2018 DISPOSITION: Pending COMMITTEE: Assembly Labor and Employment Committee HEARING: 04/18/2018 1:30 pm SUMMARY: Requires the public agency or other awarding body to forward a copy of the monthly report to the Labor Commissioner for issuance of a civil wage and penalty assessment, as prescribed, if the monthly report does not demonstrate compliance with skilled and trained workforce requirements. Requires a contractor or subcontractor to pay a civil penalty to the state of not more than \$5,000 per month of work performed in violation of the skilled and trained workforce requirements. STATUS: 03/22/2018 <i>To ASSEMBLY Committee on LABOR AND EMPLOYMENT.</i> 03/22/2018 <i>From ASSEMBLY Committee on LABOR AND EMPLOYMENT with author's amendments.</i> 03/22/2018 <i>In ASSEMBLY. Read second time and amended. Re-referred to Committee on LABOR AND EMPLOYMENT.</i> CATEGORY: Public Works</p> |
| ► CA AB 3031 | <p>AUTHOR: Quirk [D] TITLE: Safety in Employment: Power Tools: Training INTRODUCED: 02/16/2018 DISPOSITION: Pending LOCATION: Assembly Labor and Employment Committee SUMMARY: Requires an employer whose employees are involved in using power tools or other equipment for the cutting, grinding, coring, or drilling of concrete or masonry materials to provide specified training to those employees to reduce health hazards associated with the inhalation or ingestion of dust arising from those operations. STATUS: 03/12/2018 <i>To ASSEMBLY Committee on LABOR AND EMPLOYMENT.</i> CATEGORY: Employment</p> |

| | |
|--------------|---|
| ► CA AB 3034 | AUTHOR: Low [D] TITLE: Public Transit Employer-Employee Relations: BART INTRODUCED: 02/16/2018 DISPOSITION: Pending LOCATION: <i>Assembly Public Employees, Retirement and Social Security Committee</i> |
| | SUMMARY: <p>Gives employees within the supervisory units of the San Francisco Bay Area Rapid Transit District the right to form, join, and participate in the activities of employee organizations of their own choosing for the purposes of representation on all employer-employee relations matters. Permits these employees to meet, confer, and enter into memoranda of understanding for these purposes pursuant to the Meyers-Milias-Brown Act.</p> STATUS: 03/23/2018 <i>In ASSEMBLY. Read second time and amended. Re-referred to Committee on PUBLIC EMPLOYEES, RETIREMENT AND SOCIAL SECURITY.</i> CATEGORY: Transit |
| ► CA AB 3037 | AUTHOR: Chiu [D] TITLE: Community Development Law of 2018 INTRODUCED: 02/16/2018 LAST AMEND: 03/19/2018 DISPOSITION: Pending COMMITTEE: <i>Assembly Housing and Community Development Committee</i> HEARING: 04/11/2018 9:00 am |
| | SUMMARY: <p>Amends the Community Redevelopment Law of 2018 which would authorize a city or county to propose the formation of a redevelopment housing and infrastructure agency by adoption of a resolution of intention that meets specified requirements. Provide that resolution to each affected tax entity.</p> STATUS: 03/19/2018 <i>In ASSEMBLY. Read second time and amended. Re-referred to Committee on HOUSING AND COMMUNITY DEVELOPMENT.</i> CATEGORY: Miscellaneous |
| ► CA AB 3059 | AUTHOR: Bloom [D] TITLE: Congestion Pricing Demonstration Pilot Projects INTRODUCED: 02/16/2018 DISPOSITION: Pending LOCATION: <i>Assembly Transportation Committee</i> |
| | SUMMARY: <p>Authorizes 2 congestion pricing demonstration projects in Northern California and 2 in Southern California. Defines congestion pricing to mean the assessment of a charge on motor vehicles using local streets and roads in a participating jurisdiction, which charge could vary based on the time of day or the day of the week.</p> STATUS: 03/12/2018 <i>To ASSEMBLY Committee on TRANSPORTATION.</i> CATEGORY: Toll Lanes |

| | |
|--------------|--|
| ► CA AB 3077 | <p> AUTHOR: Caballero [D] TITLE: Vehicles: Children Safety INTRODUCED: 02/16/2018 DISPOSITION: Pending LOCATION: <i>Assembly Transportation Committee</i> HEARING: <i>04/16/2018 2:30 pm</i> SUMMARY: Authorizes a citation for not wearing a bicycle helmet to be dismissed by a local agency if the parent or legal guardian of the person in violation of the provision demonstrates that the person has a helmet meeting the specified requirements and the person either commits to wearing the helmet or completes a local bicycle safety course. Authorizes a school district to install and operate an automated schoolbus video enforcement system. STATUS: <i>03/12/2018 To ASSEMBLY Committees on TRANSPORTATION and JUDICIARY.</i> CATEGORY: Active Transportation </p> |
| ► CA AB 3079 | <p> AUTHOR: O'Donnell [D] TITLE: Transportation Corridors Enhancement Account: Project INTRODUCED: 02/16/2018 LAST AMEND: <i>03/22/2018</i> DISPOSITION: Pending LOCATION: <i>Assembly Transportation Committee</i> SUMMARY: Creates the California Port Efficiency Program. Requires the commission to allocate not less than a certain percent of the funds that are required to be allocated to projects nominated by the department to projects nominated pursuant to the Program. Requires the department to nominate projects proposed by port authorities and regional transportation agencies that most effectively improve velocity, throughput, and reliability of port operations. STATUS: <i>03/22/2018 In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION.</i> CATEGORY: Miscellaneous </p> |
| ► CA AB 3084 | <p> AUTHOR: Levine [D] TITLE: Public Employees: Retirement Systems: Annual Report INTRODUCED: 02/16/2018 LAST AMEND: DISPOSITION: Pending LOCATION: <i>Assembly Public Employees, Retirement and Social Security Committee</i> SUMMARY: Requires each state and local public retirement system to, in its annual audited financial statements submitted to the Controller, in a form prescribed by the Controller, show that the retirement system has met or if it has not met, specified parameters related to the provision of other postemployment benefits. STATUS: <i>03/12/2018 To ASSEMBLY Committee on PUBLIC EMPLOYEES, RETIREMENT AND SOCIAL SECURITY.</i> CATEGORY: Employment </p> |

| | |
|--------------|--|
| ► CA AB 3099 | <p>AUTHOR: Santiago [D]</p> <p>TITLE: Environmental Quality Act: Statute Of Limitations</p> <p>INTRODUCED: 02/16/2018</p> <p>LAST AMEND: 03/22/2018</p> <p>DISPOSITION: Pending</p> <p>LOCATION: Assembly Natural Resources Committee</p> <p>SUMMARY:</p> <p>Requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect.</p> <p>STATUS:</p> <p>03/22/2018 <i>In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.</i></p> <p>CATEGORY: Environment</p> |
| ► CA AB 3124 | <p>AUTHOR: Bloom [D]</p> <p>TITLE: Vehicles: Length Limitations: Buses: Bicycles</p> <p>INTRODUCED: 02/16/2018</p> <p>DISPOSITION: Pending</p> <p>LOCATION: Assembly Transportation Committee</p> <p>SUMMARY:</p> <p>Amends existing law imposing a limitation on the length of vehicles that may be operated on the highways, with specified exemptions. Relates to an articulated bus or articulated trolley coach equipped with a folding device attached to the front that is designed and used exclusively for transporting bicycles. Increases the lengths in the exemption.</p> <p>STATUS:</p> <p>03/15/2018 <i>To ASSEMBLY Committee on TRANSPORTATION.</i></p> <p>CATEGORY: Transit</p> |
| ► CA AB 3135 | <p>AUTHOR: Frazier [D]</p> <p>TITLE: High-speed Rail Authority: Rights-of-way: Security</p> <p>INTRODUCED: 02/16/2018</p> <p>LAST AMEND: 03/22/2018</p> <p>DISPOSITION: Pending</p> <p>COMMITTEE: Assembly Transportation Committee</p> <p>HEARING: 04/16/2018, 2:30 pm</p> <p>SUMMARY:</p> <p>Authorizes the High-speed Rail Authority to contract with the Department of the California Highway Patrol to provide any necessary security services for property acquired by the state as a right-of-way for high-speed rail purposes.</p> <p>STATUS:</p> <p>03/22/2018 <i>In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION.</i></p> <p>CATEGORY: High-Speed Rail</p> |

| | |
|--------------|--|
| ► CA AB 3155 | <p>AUTHOR: Cooper [D]</p> <p>TITLE: Public Works: Definition</p> <p>INTRODUCED: 02/16/2018</p> <p>DISPOSITION: Pending</p> <p>LOCATION: <i>Assembly Labor and Employment Committee</i></p> <p>SUMMARY: Expands the meaning of the term public works for purposes of requirements regarding the payment of prevailing wages, to include warranty work, and would include warranty work within the definition of construction as it is used to define "public works".</p> <p>STATUS: 03/12/2018 <i>To ASSEMBLY Committee on LABOR AND EMPLOYMENT.</i></p> <p>CATEGORY: Public Works</p> |
| ► CA AB 3165 | <p>AUTHOR: Friedman [D]</p> <p>TITLE: Hydrogen Fueled Vehicles</p> <p>INTRODUCED: 02/16/2018</p> <p>DISPOSITION: Pending</p> <p>LOCATION: ASSEMBLY</p> <p>SUMMARY: Repeals the provision which provides that the Commission may cease funding for certain stations once the Commission determines that the private sector is establishing publicly available hydrogen fueling stations without the need for government support.</p> <p>STATUS: 02/16/2018 INTRODUCED.</p> <p>CATEGORY: Miscellaneous</p> |
| ► CA AB 3253 | <p>AUTHOR: Banking and Finance Committee</p> <p>TITLE: Local Government: Financial Affairs</p> <p>INTRODUCED: 03/12/2018</p> <p>LAST AMEND: 03/22/2018</p> <p>DISPOSITION: Pending</p> <p>LOCATION: <i>Assembly Local Government Committee</i></p> <p>SUMMARY: Increases the percentage of a local agency's funds that can be invested of the agency's surplus funds in deposits at specified types of financial institutions that use a private sector entity to assist in the placement of deposits and in certificates of deposit at specified types of financial institutions.</p> <p>STATUS: 03/22/2018 <i>In ASSEMBLY. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.</i></p> <p>CATEGORY: Funding</p> |

| | |
|-----------|--|
| CA ACA 21 | AUTHOR: Mayes [R] TITLE: State infrastructure: funding: investment fund INTRODUCED: 01/03/2018 DISPOSITION: Pending LOCATION: ASSEMBLY SUMMARY: Amends the California Constitution to create the California Infrastructure Investment Fund in the State Treasury. Requires the Controller to transfer from the General Fund to the California Infrastructure Investment Fund in each fiscal year an amount equal to up to 2.5% of the estimated General Fund revenues for that fiscal year. Requires the amounts in the fund to be allocated for specified infrastructure investments. STATUS: 01/03/2018 INTRODUCED. CATEGORY: Funding |
| CA SB 21 | AUTHOR: Hill [D] TITLE: Law Enforcement Agencies: Surveillance: Policies INTRODUCED: 12/05/2016 LAST AMEND: 08/21/2017 DISPOSITION: Pending LOCATION: Assembly Appropriations Committee SUMMARY: Establishes procedures for the Department of the California Highway Patrol and the Department of Justice to establish their own Surveillance Use Policies. Requires that these agencies ensure that the collection, use, maintenance, sharing, and dissemination of information or data collected with surveillance technology is consistent with respect for individual privacy and civil liberties, and that the policy be publicly available on the agency' s Internet Web site. STATUS: 09/01/2017 In ASSEMBLY Committee on APPROPRIATIONS: Held in committee. CATEGORY: Government Accountability |
| CA SB 49 | AUTHOR: de Leon [D] TITLE: Environmental and Workers' Defense Act INTRODUCED: 12/05/2016 LAST AMEND: 09/12/2017 DISPOSITION: Pending LOCATION: Assembly Rules Committee SUMMARY: Relates to the California Environmental, Public Health, and Workers Defense Act of 2017. Relates to clean air, drinking water, discharge of pollutants into the atmosphere and waters, and endangered species. Requires specified agencies to take prescribed actions to maintain and enforce standards pertaining to air, water, and protected species. Prohibits a state agency from amending rules to be less stringent in protection of workers' rights and workers' safety than established by federal law. STATUS: 09/12/2017 From ASSEMBLY Committee on RULES with author's amendments. 09/12/2017 In ASSEMBLY. Read second time and amended. Re-referred to Committee on RULES. CATEGORY: Environment |

| | |
|-----------|--|
| CA SB 137 | AUTHOR: Allen [D] TITLE: Transit Districts: Ordinances INTRODUCED: 01/12/2017 DISPOSITION: Pending LOCATION: Assembly Transportation Committee SUMMARY: <p>Requires a transit district to publish an ordinance on its Internet Web site, or the otherwise appropriate Internet Web site, within fifteen days after the ordinance's passage and in a manner that is accessible and easily navigable. Requires a local agency to perform an additional duty.</p> STATUS: 06/01/2017 To ASSEMBLY Committee on TRANSPORTATION. CATEGORY: Transit |
| CA SB 158 | AUTHOR: Monning [D] TITLE: Commercial Drivers License: Education INTRODUCED: 01/19/2017 DISPOSITION: Pending LOCATION: Assembly Appropriations Committee SUMMARY: <p>Requires the Department of Motor Vehicles to adopt regulations related to entry-level driver training requirements for drivers of commercial motor vehicles including specified minimum hours of behind-the-wheel training. Exempts a driver operating certain farm vehicles under certain conditions from these new training requirements.</p> STATUS: 09/01/2017 In ASSEMBLY Committee on APPROPRIATIONS: Held in committee. CATEGORY: Miscellaneous |
| CA SB 244 | AUTHOR: Lara [D] TITLE: Privacy: Agencies: Personal Information INTRODUCED: 02/06/2017 DISPOSITION: Pending LOCATION: Assembly Inactive File SUMMARY: <p>Revises the existing provision to provide that information is not open for public inspection, is confidential, and shall not be disclosed. Establishes that personal information collected or obtained pursuant to these provisions is confidential, and provide that information would only be collected, used, and retained to administer to public services or programs for which that information was collected or obtained.</p> STATUS: 09/14/2017 In ASSEMBLY. From third reading. To Inactive File. CATEGORY: Public Records |

| | |
|-----------|---|
| CA SB 262 | AUTHOR: Wieckowski [D] TITLE: Climate Change: Climate Adaptation: Advisory Council INTRODUCED: 02/08/2017 DISPOSITION: Pending LOCATION: Assembly Natural Resources Committee SUMMARY: Amends an existing law which requires the Office of Planning and Research to establish an advisory council. Specifies that members on the advisory council shall serve staggered terms. STATUS: 05/18/2017 To ASSEMBLY Committee on NATURAL RESOURCES. CATEGORY: Environment |
| CA SB 348 | AUTHOR: Leyva [D] TITLE: County Voter Information Guide: Taxpayer Notice INTRODUCED: 02/14/2017 DISPOSITION: Pending LOCATION: Assembly Local Government Committee SUMMARY: Requires, if a local special tax measure is presented to voters for approval, an elections official to include in a county voter information guide a notice regarding the process for initiating a validation action challenging the levy of a special tax. Requires the notice to conform with certain formatting, print, and type requirements. STATUS: 06/14/2017 From ASSEMBLY Committee on ELECTIONS AND REDISTRICTING: Do pass to Committee on LOCAL GOVERNMENT. (6-0) CATEGORY: Government Accountability |
| CA SB 477 | AUTHOR: Cannella [R] TITLE: Intercity rail corridors: extensions INTRODUCED: 02/16/2017 DISPOSITION: Pending LOCATION: Assembly Appropriations Committee SUMMARY: Provides that at any time after an interagency transfer agreement between the Department of Transportation and a joint powers board has been entered into, the amendment of the agreement may provide for the extension of an affected rail corridor to provide intercity rail service beyond the defined boundaries of the corridor. Requires a proposed extension to be approved through a specified business plan. STATUS: 09/01/2017 In ASSEMBLY Committee on APPROPRIATIONS: Held in committee. CATEGORY: Rail |

| | |
|-------------|--|
| CA SB 760 | AUTHOR: Wiener [D] TITLE: Transportation Funding: Active Transportation: INTRODUCED: 02/17/2017 LAST AMEND: 01/23/2018 DISPOSITION: Pending - Carryover LOCATION: ASSEMBLY SUMMARY: <p>Authorizes a city, county, regional, other local agency, when using alternative minimum safety design criteria for the planning and construction of bikeways, to consider additional design guides, including the Urban Street Design Guide of the National Association of City Transportation Officials. Authorizes a state entity that is responsible for the planning and construction of roadways to consider additional design guides.</p> STATUS: 01/29/2018 In SENATE. Read third time. Passed SENATE. To ASSEMBLY. CATEGORY: Funding |
| CA SB 771 | AUTHOR: de Leon [D] TITLE: California Environmental Quality Act INTRODUCED: 02/17/2017 LAST AMEND: 07/18/2017 DISPOSITION: Pending - Carryover LOCATION: Assembly Inactive File SUMMARY: <p>Relates to The California Environmental Quality Act. Establishes a continuing education requirement for employees of public agencies who have primary responsibility to administer the act.</p> STATUS: 09/13/2017 In ASSEMBLY. To Inactive File. CATEGORY: Environment |
| ► CA SB 827 | AUTHOR: Wiener [D] TITLE: Planning and zoning: transit-rich housing bonus INTRODUCED: 01/03/2018 LAST AMEND: 03/01/2018 DISPOSITION: Pending LOCATION: Senate Transportation and Housing Committee SUMMARY: <p><i>Requires a local government to grant a development proponent of a transit-rich housing project a transit-rich housing bonus if that development meets specified planning standards. Defines transit-rich housing. Requires an applicant who receives a transit-rich housing bonus to provide benefits to eligible displaced persons who are displaced persons for moving and related expenses as well as for relocation benefits.</i></p> STATUS: 03/01/2018 In SENATE. Read second time and amended. Re-referred to Committee on TRANSPORTATION AND HOUSING. CATEGORY: Planning |

| | |
|-------------|--|
| CA SB 893 | AUTHOR: Nguyen [R] TITLE: Planning and zoning: density bonus INTRODUCED: 01/11/2018 DISPOSITION: Pending LOCATION: Senate Transportation and Housing Committee SUMMARY: Deletes existing law that prohibits, at the request of a developer, a county or county from imposing a vehicular parking ratio in excess of specified ratios on a development that meets specified criteria. STATUS: 01/24/2018 To SENATE Committees on TRANSPORTATION AND HOUSING and GOVERNANCE AND FINANCE. CATEGORY: Planning |
| CA SB 903 | AUTHOR: Cannella [R] TITLE: Transportation Development Act: County of Stanislaus INTRODUCED: 01/16/2018 DISPOSITION: Pending LOCATION: Senate Transportation and Housing Committee SUMMARY: Authorizes the Stanislaus Council of Governments, a transportation planning agency, to consider population density when determining if specified operators have met the requirements for claims for transit funds, and to reduce the applicable ratio of fare revenues to operating cost for specified operators by up to 5 percentage points from the ratio that was effective during the 2016-17 fiscal year if the population density of the County of Stanislaus is less than, or equal to, 1000 persons per square mile. STATUS: 01/24/2018 To SENATE Committee on TRANSPORTATION AND HOUSING. CATEGORY: Funding |
| ► CA SB 936 | AUTHOR: Allen [D] TITLE: Autonomous Vehicles Smart Planning Task Force INTRODUCED: 01/25/2018 LAST AMEND: 03/21/2018 DISPOSITION: Pending LOCATION: Senate Governmental Organization Committee SUMMARY: Requires the Office of Planning and Research to convene an Autonomous Vehicles Smart Planning Task Force, consisting of representatives from the University of California, local government, and specified others. Requires the Task Force to submit recommendations before a certain date to ensure that deployment of autonomous vehicles does not hinder specified state policies. STATUS: 03/21/2018 <i>In SENATE. Read second time and amended. Re-referred to Committee on GOVERNMENTAL ORGANIZATION.</i> CATEGORY: Miscellaneous |

| | |
|-------------|--|
| CA SB 957 | <p>AUTHOR: Lara [D] TITLE: Vehicles: High-Occupancy Vehicle Lanes INTRODUCED: 01/30/2018 DISPOSITION: Pending LOCATION: Senate Transportation and Housing Committee SUMMARY: Authorizes an identifier to be issued to super-low emissions vehicles (SULEV's), enhanced advanced technology partial zero-emission vehicles (AT PEZEV's) and transitional zero emission vehicles (TZEV's) for a vehicle that had previously been issued an identifier and would make that identifier valid until a specified date the 4th year after the year in which the identifier was issued if the applicant for the identifier has a household income at or below a specified percentage of the statewide median income. STATUS: 02/08/2018 To SENATE Committee on TRANSPORTATION AND HOUSING. CATEGORY: Toll Lanes</p> |
| ► CA SB 961 | <p>AUTHOR: Allen [D] TITLE: Enhanced Infrastructure Financing Districts INTRODUCED: 01/31/2018 LAST AMEND: 03/22/2018 DISPOSITION: Pending LOCATION: Senate Natural Resources and Water Committee SUMMARY: Enacts the Second Neighborhood Infill Finance and Transit Improvements. Authorizes a city, county, or city and county to adopt a resolution, at any time before or after the adoption of the infrastructure financing plan for an enhanced infrastructure financing district, to allocate tax revenues of that entity to the district, including revenues derived from local sales and use taxes imposed under certain conditions. Authorizes bonds to be issued without voter approval. STATUS: 03/22/2018 <i>In SENATE. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES AND WATER.</i> CATEGORY: Funding</p> |
| CA SB 993 | <p>AUTHOR: Hertzberg [D] TITLE: Sales Tax: Services INTRODUCED: 02/05/2018 DISPOSITION: Pending LOCATION: Senate Governance and Finance Committee SUMMARY: Expands, as specified, the Sales and Use Tax Law to impose a tax on the purchase of services by businesses in California at a specified percentage of the sales price of the service. Requires the tax be collected and remitted by the seller of the services. Exempts certain types of services, including health care services, from the tax and exempts from the tax a business with gross receipts of less than a specified amount in the previous 4 quarters. STATUS: 02/14/2018 To SENATE Committee on GOVERNANCE AND FINANCE. CATEGORY: Funding</p> |

| | |
|--------------|--|
| ► CA SB 1014 | <p>AUTHOR: Skinner [D] TITLE: Zero-Emission Vehicles INTRODUCED: 02/06/2018 LAST AMEND: 03/22/2018 DISPOSITION: Pending LOCATION: Senate Energy, Utilities and Communications Committee SUMMARY: Requires the Public Utilities Commission, in consultation with the State Air Resource Board, to establish the California Clean Miles Standard and Incentive Program for zero-emission vehicles, used by participating drivers to provide prearranged transportation services for compensation for a transportation network company with the goal to increase the percentage of passenger miles provided by zero-emissions vehicles used on behalf of transportation network companies. STATUS: 03/22/2018 <i>In SENATE. Read second time and amended. Re-referred to Committee on ENERGY, UTILITIES AND COMMUNICATIONS.</i> CATEGORY: Environment</p> |
| ► CA SB 1015 | <p>AUTHOR: Allen [D] TITLE: California Climate Resiliency Program INTRODUCED: 02/07/2018 DISPOSITION: Pending COMMITTEE: Senate Natural Resources and Water Committee HEARING: 03/13/2018, 9:30 am SUMMARY: Establishes the California Climate Resiliency Program to increase resiliency to climate change impacts in urban and rural communities throughout the state and to fund the planning and implementation of projects that improve and enhance developed areas. Requires that the program be developed and implemented by the Wildlife Conservation Board. STATUS: 03/13/2018 <i>From SENATE Committee on NATURAL RESOURCES AND WATER: Do pass to Committee on ENVIRONMENTAL QUALITY.</i> CATEGORY: Environment</p> |
| ► CA SB 1027 | <p>AUTHOR: Pan [D] TITLE: Greenhouse Gases INTRODUCED: 02/07/2018 LAST AMEND: 03/12/2018 DISPOSITION: Pending LOCATION: Senate Environmental Quality Committee HEARING: 04/04/2018, 9:30 am SUMMARY: <i>Amends existing law relating to state agency greenhouse gas emission reduction target goals. Requires an update to a specified voluntary survey on state employee commutes by a certain date and at specified time periods thereafter. Requires calculations for associated greenhouse gas emissions, as specified. Requires the Department of General Services and State Air Resources Board to develop incentives to increase state employee's voluntary participation in the survey.</i> STATUS: 03/12/2018 <i>In SENATE. Read second time and amended. Re-referred to Committee on ENVIRONMENTAL QUALITY.</i> CATEGORY: Environment</p> |

| | |
|--------------|--|
| CA SB 1049 | <p>AUTHOR: Moorlach [R] TITLE: Public Contracts: Local Public Entities: Project Labor INTRODUCED: 02/08/2018 DISPOSITION: Pending LOCATION: Senate Governance and Finance Committee SUMMARY: Deletes provisions relative to requirements for solicitation and evaluation of bids and awarding of contracts by public entities, including local public entities, requiring a project labor agreement entered into by a public entity, or required of contractors by the public entity. Deletes existing law prohibiting the use of state funding or financial assistance to support a charter city project as specified. STATUS: 02/22/2018 To SENATE Committee on GOVERNANCE AND FINANCE. CATEGORY: Public Works</p> |
| CA SB 1074 | <p>AUTHOR: Moorlach [R] TITLE: Motor Vehicle Fuel: Disclosure of Government Costs INTRODUCED: 02/12/2018 DISPOSITION: Pending LOCATION: SENATE SUMMARY: Requires that every service station display, at a conspicuous place on, at, or near the dispensing apparatus or at or near the point of sale, at least one clearly visible sign showing a list of applicable state and federal fuel taxes per gallon of motor vehicle fuel sold from the dispensing apparatus, and require to display the state sales tax, refinery reformatting costs, state underground storage fee costs, cap-and-trade program compliance costs and Low-Carbon Fuel Standard program costs per gallon. STATUS: 02/12/2018 INTRODUCED. CATEGORY: Government Accountability</p> |
| ► CA SB 1077 | <p>AUTHOR: Wilk [R] TITLE: Construction Contracts: Wrap-Up Insurance INTRODUCED: 02/12/2018 DISPOSITION: Pending LOCATION: Senate Judiciary Committee HEARING: 04/24/2018, 1:30 pm SUMMARY: Recasts the wrap-up insurance to other consolidated insurance program requirements into a single provision regulating all contracts for public and private works of improvement, entered into or amended on and after a specified date, for which a wrap-up insurance policy or consolidated insurance program is applicable. STATUS: 02/22/2018 To SENATE Committee on JUDICIARY. CATEGORY: Public Works</p> |

| | |
|--------------|---|
| ► CA SB 1080 | <p>AUTHOR: Newman [D] TITLE: Transportation Network Companies: Driver Identification INTRODUCED: 02/12/2018 DISPOSITION: Pending LOCATION: Senate Transportation and Housing Committee HEARING: 04/10/2018, 1:30 pm SUMMARY:</p> <p>Requires a transportation network company driver to possess either a valid driver's license issued by the state or California or, in the case of a nonresident active duty military member or a nonresident dependent of an active duty military member, a valid driver's license issued by the other state or territory of the United States in which the member or dependent is a resident.</p> <p>STATUS: 02/22/2018 To SENATE Committees on TRANSPORTATION AND HOUSING and ENERGY, UTILITIES AND COMMUNICATIONS. CATEGORY: Miscellaneous</p> |
| CA SB 1145 | <p>AUTHOR: Leyva [D] TITLE: Enhanced Infrastructure Financing District: Maintenance INTRODUCED: 02/14/2018 DISPOSITION: Pending LOCATION: Senate Governance and Finance Committee SUMMARY:</p> <p>Authorizes an infrastructure financing district to finance the ongoing or capitalized costs to maintain public capital facilities financed by the district.</p> <p>STATUS: 02/22/2018 To SENATE Committee on GOVERNANCE AND FINANCE. CATEGORY: Funding</p> |
| ► CA SB 1151 | <p>AUTHOR: Bates [R] TITLE: Neighborhood Electric Vehicles INTRODUCED: 02/14/2018 LAST AMEND: 03/20/2018 DISPOSITION: Pending LOCATION: Senate Rules Committee SUMMARY:</p> <p>This bill would authorize the County of San Diego or any city in the county to establish a NEV transportation plan. The bill would require, if the county or any city in the county adopts a NEV plan to consult with the San Diego Association of Governments (SANDAG) and any agency having traffic law enforcement responsibilities in an entity included in the plan area. The bill would require a report to the Legislature by January 1, 2023, in consultation with SANDAG, the Department of Transportation, the Department of the California Highway Patrol, and any applicable local law enforcement agency.</p> <p>STATUS: 03/21/2018 In SENATE. Read second time and amended. Re-referred to Committee on RULES. CATEGORY: Planning</p> |

| | |
|--------------|---|
| CA SB 1167 | AUTHOR: Anderson [R] TITLE: Eminent Domain: Final Offer of Compensation INTRODUCED: 02/14/2018 DISPOSITION: Pending LOCATION: Senate Judiciary Committee SUMMARY: Provides that if a court finds, on motion of a defendant that a plaintiff's offer was lower than a specified percentage of the compensation awarded in the proceeding, then the court would be required to include the defendant's litigation costs in the costs allowed. STATUS: 02/22/2018 To SENATE Committee on JUDICIARY. CATEGORY: Government Accountability |
| ► CA SB 1172 | AUTHOR: Beall [D] TITLE: High-Speed Rail Authority INTRODUCED: 02/14/2018 DISPOSITION: Pending LOCATION: <i>Senate Third Reading File</i> SUMMARY: Authorizes the California High-Speed Rail Authority, under the High-Speed Rail Act, to keep the public informed through activities, including, but not limited to, community outreach events, public information workshops, and newsletters posted on the authority's Internet Web site. STATUS: 03/22/2018 <i>In SENATE. From Consent Calendar. To third reading.</i> CATEGORY: High-Speed Rail |
| ► CA SB 1194 | AUTHOR: Lara [D] TITLE: Privacy: Lodging, Common Carriers, Public Accommodation INTRODUCED: 02/15/2018 LAST AMEND: 03/21/2018 DISPOSITION: Pending LOCATION: <i>Senate Rules Committee</i> SUMMARY: Prohibits specified entities that offer lodging, transportation, or other accommodation to the public from disclosing, producing, providing, releasing, transferring, disseminating, or otherwise communicating all or any part of any guest record orally, in writing, or by electronic or any other means to a third party, other than a state peace officer, without a court issued subpoena, warrant, or order. Authorizes a person in a guest record that is disclosed in violation to bring a civil action for damages. STATUS: 03/21/2018 <i>In SENATE. Read second time and amended. Re-referred to Committee on RULES.</i> CATEGORY: Public Records |

| | |
|--------------|---|
| ► CA SB 1227 | <p>AUTHOR: Skinner [D]</p> <p>TITLE: Density Bonuses</p> <p>INTRODUCED: 02/15/2018</p> <p>LAST AMEND: 03/20/2018</p> <p>DISPOSITION: Pending</p> <p>LOCATION: Senate Transportation and Housing Committee</p> <p>SUMMARY:</p> <p>Requires a density bonus to be provided to a developer that agrees to construct a housing development in which all units in the development are used for students enrolled full-time at an institution of higher education accredited by the Western Association of Schools and Colleges, and that a certain percent of the units are used for lower income students and provided at a specified rent level. Prohibits a city from requiring a vehicular parking ratio if a development consists solely of student units.</p> <p>STATUS:</p> <p>03/20/2018 <i>In SENATE. Read second time and amended. Re-referred to Committee on TRANSPORTATION AND HOUSING.</i></p> <p>CATEGORY: Miscellaneous</p> |
| ► CA SB 1262 | <p>AUTHOR: Newman [D]</p> <p>TITLE: Construction Manager/General Contractor Project</p> <p>INTRODUCED: 02/15/2018</p> <p>LAST AMEND: 03/20/2018</p> <p>DISPOSITION: Pending</p> <p>LOCATION: Senate Transportation and Housing Committee</p> <p>SUMMARY:</p> <p>Removes the cap on the number of projects for which the Department of Transportation is authorized to use the Construction Manager/General Contractor (CM/GC) method, eliminates the minimum construction costs limitation, and makes conforming changes to existing provisions.</p> <p>STATUS:</p> <p>03/20/2018 <i>From SENATE Committee on TRANSPORTATION AND HOUSING with author's amendments.</i></p> <p>CATEGORY: Public Works, Planning</p> |
| ► CA SB 1301 | <p>AUTHOR: Beall [D]</p> <p>TITLE: State Permitting: Environment: Processing Times</p> <p>INTRODUCED: 02/16/2018</p> <p>DISPOSITION: Pending</p> <p>LOCATION: Senate Natural Resources and Water Committee</p> <p>HEARING: 04/16/2018, 9:30am</p> <p>SUMMARY:</p> <p>Requires the department of Fish and Wildlife, the San Francisco Bay Conservation and Development Commission, the California Coastal Commission, the State Water Resources Control Board, and a California Regional Water Quality Control Board, for certain permits that each entity administers, to keep an accurate record of permit processing times.</p> <p>STATUS:</p> <p>03/01/2018 <i>To SENATE Committees on NATURAL RESOURCES AND WATER and ENVIRONMENTAL QUALITY.</i></p> <p>CATEGORY: Environment</p> |

| | |
|--------------|--|
| ► CA SB 1307 | <p>AUTHOR: Galgiani [D] TITLE: High Speed Rail Authority: County Assessors Records INTRODUCED: 02/16/2018 LAST AMEND: 03/22/2018 DISPOSITION: Pending LOCATION: Senate Rules Committee SUMMARY: Amends existing law relating to the High Speed Rail Authority. Amends the Eminent Domain Law to specify that the State Public Works Board is the governing body, as defined, for the purposes in the case of a taking of private property by the Authority. Provides exceptions of inventory requirements for state owned property obtained by the Authority. Requires County Assessors to disclose information and permit access to records to the Authority and to be reimbursed for any costs incurred. STATUS: 03/22/2018 <i>In SENATE. Read second time and amended. Re-referred to Committee on RULES.</i> CATEGORY: Purchasing</p> |
| ► CA SB 1328 | <p>AUTHOR: Beall [D] TITLE: Mileage-Based Road Usage Fee INTRODUCED: 02/16/2018 DISPOSITION: Pending LOCATION: Senate Transportation and Housing Committee SUMMARY: Extends the operation of the California Transportation Commission to create a Road Usage Charge (RUC) technical Advisory Committee until a specified date. Requires the technical advisory committee to assess the potential for mileage-based revenue collection for California's roads and highways as an alternative to the gas tax system. STATUS: 03/01/2018 <i>To SENATE Committee on TRANSPORTATION AND HOUSING.</i> CATEGORY: Funding</p> |
| ► CA SB 1376 | <p>AUTHOR: Hill [D] TITLE: Transportation Network Companies: Accessibility Plans INTRODUCED: 02/16/2018 LAST AMEND: 03/22/2018 DISPOSITION: Pending LOCATION: Senate Rules Committee SUMMARY: Requires the Public Utilities Commission to develop regulations relating to accessibility for persons with disabilities, including wheelchair users who need an accessible vehicle, who utilize transportation network company transportation services, and to consider assessing a fee on transportation network companies to fund on-demand accessible transportation services for persons with disabilities to ensure full and equal access to transportation network company services. STATUS: 03/22/2018 <i>In SENATE. Read second time and amended. Re-referred to Committee on RULES.</i> CATEGORY: Miscellaneous</p> |

| | |
|--------------|---|
| ► CA SB 1384 | <p>AUTHOR: Bates [R]</p> <p>TITLE: Repatriation Infrastructure Fund</p> <p>INTRODUCED: 02/16/2018</p> <p>DISPOSITION: Pending</p> <p>LOCATION: Senate Governance and Finance Committee</p> <p>SUMMARY:</p> <p>Relates to federal corporate repatriation statute pursuant to which foreign earnings of United States-based corporations that are currently invested abroad are moved to the United States. Requires the remaining repatriation revenues to be transferred to the Repatriation Infrastructure Fund in the State Treasury, which the bill would create.</p> <p>STATUS:</p> <p>03/08/2018 To SENATE Committees on GOVERNANCE AND FINANCE and RULES.</p> <p>CATEGORY: Funding</p> |
| ► CA SB 1403 | <p>AUTHOR: Lara [D]</p> <p>TITLE: Clean Truck, Bus, and Off Road Vehicle Technology</p> <p>INTRODUCED: 02/16/2018</p> <p>LAST AMEND: 03/22/2018</p> <p>DISPOSITION: Pending</p> <p>LOCATION: Senate Rules Committee</p> <p>SUMMARY:</p> <p>Amends existing law relating to the Clean Truck, Bus, and Off Road Vehicle and Equipment Technology Program. Includes demonstration projects for integrated storage and charging management, and efficient zero and near zero emission fueling and charging strategies as projects eligible for funding under the Program.</p> <p>STATUS:</p> <p>03/22/2018 In SENATE. Read second time and amended. Re-referred to Committee on RULES.</p> <p>CATEGORY: Transit</p> |
| ► CA SB 1412 | <p>AUTHOR: Bradford [D]</p> <p>TITLE: Applicants for Employment: Criminal History</p> <p>INTRODUCED: 02/16/2018</p> <p>DISPOSITION: Pending</p> <p>LOCATION: Senate Labor and Industrial Relations Committee</p> <p>HEARING: 04/11/2018, 9:30 am</p> <p>SUMMARY:</p> <p>Specifies that provisions do not prohibit an employer from asking an applicant about, or seeking from any source information regarding, a particular conviction of the applicant if, pursuant to state or federal law, the employer regardless of whether the conviction has been expunged, judicially ordered sealed, statutorily eradicated, or judicially dismissed following probation.</p> <p>STATUS:</p> <p>03/08/2018 To SENATE Committees on LABOR AND INDUSTRIAL RELATIONS and PUBLIC SAFETY.</p> <p>CATEGORY: Employment</p> |

| | | |
|--------------|---------------------|---|
| ► CA SB 1434 | AUTHOR: | Leyva [D] |
| | TITLE: | Transportation Electrification: Electrical Rate Design |
| | INTRODUCED: | 02/16/2018 |
| | LAST AMEND: | 03/22/2018 |
| | DISPOSITION: | Pending |
| | LOCATION: | Senate Rules Committee |
| | SUMMARY: | Requires the Public Utilities Commission to direct electrical corporations with more than a specified number of service connections to file rate design applications specific to transit agencies as commercial customers, that support and accelerate the deployment of zero-emission transit buses to reduce dependence on petroleum, meet air quality standards, and reduce emissions of greenhouse gases. |
| | STATUS: | |
| | 03/22/2018 | <i>In SENATE. Read second time and amended. Re-referred to Committee on RULES.</i> |
| | CATEGORY: | Transit |



April 19, 2018

To: Legislative and Communications Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Federal Legislative Status Report

Overview

An update is provided on the appropriations process, including a detailed overview of the federal fiscal year 2018 omnibus appropriations bill. Summaries of hearings on the President's infrastructure proposal and transportation funding are also included, with an update on the implementation of positive train control.

Recommendation

Receive and file as an information item.

Discussion

Appropriations Process Update

On March 22, 2018, the House passed a federal fiscal year (FFY) 2018 omnibus appropriations bill by a vote of 256-167. Just after midnight, the measure passed the Senate by a vote of 65-32. The President signed it into law that afternoon. The \$1.3 trillion omnibus bill was written to the budget deal's funding levels, allowing for \$143 billion of additional discretionary spending for the remainder of the fiscal year. The \$579 billion in nondefense discretionary spending, an increase of \$63 billion over FFY 2017 enacted levels, significantly increases funding for federal transportation programs. Below is a detailed summary of how the omnibus bill will affect the Orange County Transportation Authority (OCTA).

The Transportation, Housing and Urban Development (THUD) Appropriations Subcommittee received \$70.3 billion in discretionary funding, the largest ever appropriation for the THUD Subcommittee in nominal dollars. At \$12.7 billion above FFY 2017 enacted levels, the more than 20 percent increase is the largest relative increase of any of the 12 Appropriations Subcommittees. The omnibus funds transportation grant programs at nearly 25 percent above levels authorized by the Fixing America's Surface Transportation (FAST) Act, and

programs funded by the Highway Trust Fund (HTF), are approximately six percent above authorized levels.

The Capital Investment Grants (CIG) program was a point of interest in the omnibus negotiations. While the President's budget only requested \$1.232 billion for the CIG program, the omnibus provided \$2.645 billion, which is more than double the President's budget request, approximately \$343 million above the FAST Act authorized level, and over \$232 million above FFY 2017 enacted levels. With this significant funding increase, the bill allocates over \$1.5 billion for New Starts projects, approximately \$715 million for Core Capacity projects, and more than \$400 million for Small Starts projects. Based on the FFY 2018 Annual Report on Funding Recommendations for the CIG program prepared by the Federal Transit Administration (FTA), the CIG New Starts funding increase allows for approximately \$400 billion for new Full Funding Grant Agreements (FFGA), such as the OC Streetcar. In FFY 2017, report language directed FTA to spend \$285 million on projects without a signed FFGA, with a \$50 million line item for the OC Streetcar.

Although the FFY 2018 omnibus does not specify how FTA should allocate the CIG New Starts spending increase, the bill does contain language directing the Administration to "continue to administer the capital investment grant program in accordance with the procedural and substantive requirements of" the CIG authorizing statute. There is also language requiring that \$2.25 billion (85 percent) of CIG funding be obligated by December 31, 2019. This language, taken with the funding increase, should allow action to be taken on an OC Streetcar FFGA.

The omnibus language on the CIG program differed from previous years due to a dispute about the Gateway Program, a ten-mile stretch of Amtrak's Northeast Corridor between New York and New Jersey, with an estimated total project cost of at least \$30 billion. Given its size, decisions about the Gateway Program could affect federal transportation funding allocations for years to come. The first phase of the project requested \$6.7 billion in CIG New Starts funding. The House version of the bill included approximately \$474 million in Gateway Program funding through the Federal Railroad Administration's (FRA) Federal-State Partnership for State of Good Repair program and \$400 million in CIG funding. Previous efforts to remove this funding from the bill were unsuccessful. The issue became contentious during a series of hearings, summarized below, that brought to the forefront a disagreement over the Gateway Program's local funding share. As a result, there was opposition to the idea of including specific line items for any projects in the omnibus bill itself or in the report language.

The omnibus did not allocate any CIG funding for the Gateway Program, freeing up funds for other projects in the pipeline, such as the OC Streetcar. The bill does, however, allow for as much as \$541 million in Gateway Program funding through increases to certain formula programs. The omnibus included an additional \$400 million for FTA's State of Good Repair program, of which approximately \$153 million will go to New York and New Jersey without requiring any approvals from the Department of Transportation. In addition, the Gateway Program could receive an estimated \$388 million from increased Amtrak funding, although the Secretary of Transportation has statutory authority to approve uses of these funds. In addition, report language allows project sponsors to request a new CIG project rating, creating a process through which the Gateway Program could compete for CIG funding. In deference to the Administration's cost-share arguments, the bill itself contains language prohibiting FFGAs if the share of CIG New Starts funding is greater than 51 percent of total project cost.

The omnibus funds HTF programs above levels authorized in the FAST Act, allowing for an additional \$3.359 billion of appropriations out of the General Fund for highway and transit programs. Of this additional funding, transit programs will see an additional \$834 million, with \$400 million for the Bus and Bus Facilities programs and the Low or No Emission Vehicle Program, \$400 million for FTA's State of Good Repair program, and \$34 million for other accounts. Highway programs funded by the HTF will receive an additional \$2.525 billion, including a \$1.980 billion increase for the Surface Transportation Block Grant Program, a new \$225 million bridge program for states with a population density below 100 people per square mile, and \$320 million for infrastructure on federal lands and in the territories. The Infrastructure for Rebuilding America (INFRA) program was funded at the FAST Act authorized level of \$900 million, but the omnibus did include a provision requiring written notice to both the House and Senate Appropriations Committees 60 days before an INFRA grant selection. Unlike last year's funding bill, no transportation funds were rescinded in the bill. A detailed summary of funding for programs important to OCTA can be found in Attachment A.

Despite the President's budget request to eliminate the Transportation Investment Generating Economic Recovery (TIGER) program, the omnibus provides \$1.5 billion for the program, which is the same funding level as the 2009 stimulus bill and triple the FFY 2017 enacted level. The omnibus continues to set aside 30 percent of TIGER funding for rural projects. The bill retained many of the same provisions governing TIGER awards from recent funding bills. No one state can receive more than ten percent of the TIGER allocation. With the funding increase, the maximum TIGER funding California could receive from the bill is \$147.5 million. The maximum federal share of a project is still

80 percent, although a higher federal share is possible for rural projects. The maximum TIGER grant is still \$25 million, and grant minimums remain at \$1 million for rural projects and \$5 million for non-rural projects. New bill language was included that prevents the share of federal funding from being used as a selection criteria, as well as a mandate to issue a notice of funding opportunity within 60 days of enactment, which is May 23, 2018.

The omnibus provides \$1.94 billion in funding for Amtrak, which is more than \$446 million, or nearly 30 percent above FFY 2017 levels. This funding increase designates \$50 million for positive train control (PTC) implementation. The bill also includes more than \$862 million for the three FRA grant programs created under the FAST Act. As illustrated in Attachment A, the omnibus provides over \$592 million for Consolidated Rail Grants, \$250 million for Good Repair Partnership Grants, and \$20 million Restoration/Enhancement Grants. These grant programs are nearly double authorized levels and over eight times FFY 2017 levels. There is also a provision allowing certain State-Supported Amtrak routes to use Congestion Mitigation and Air Quality (CMAQ) funding as operating assistance in attainment areas. This provision gives this option to states, but under AB 466 (Chapter 736, Statutes of 2013), only transportation planning agencies and metropolitan planning organizations are eligible recipients of CMAQ funding in California. Furthermore, the Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency uses state funding from the Public Transportation Account to fund operations. As such, the provision will likely not affect the intercity rail operations in Southern California.

Summaries of Recent Transportation-Related Hearings

On March 6, 2018, the House Committee on Transportation and Infrastructure hosted Secretary of Transportation, Elaine L. Chao, to testify about the President's infrastructure proposal. After summarizing the proposal, the Secretary fielded questions. The CIG program was a particular point of interest during this hearing. Representative Rick Larsen (D-Washington) asked about projects in the CIG pipeline. The Secretary responded by saying that while the budget does not provide funding for new FFGAs, she looked forward to working with Congress if funding bills are written above the President's budget request. Representative Alan Lowenthal (D-Long Beach) submitted a similar question pertaining to the OC Streetcar for the hearing record. Responding to a question from Representative Jared Huffman (D-San Rafael), the Secretary admitted that it was her legal responsibility to carry out the CIG program. On a different note, Representative Lloyd Smucker (R-Pennsylvania) discussed the need to ensure that the infrastructure proposal's new grant programs do not negatively harm Pennsylvania, where the gas tax was raised in stages over the last few years.

At this hearing, Secretary Chao was also asked multiple times about CIG funding for the Gateway Program. Over the course of the hearing, the Secretary disclosed more details about the Administration's view on funding such a large project. The Secretary noted that New York and New Jersey are counting Transportation Infrastructure Finance and Innovation Act (TIFIA) loans as local share when TIFIA loans are not the same thing as local funds. As a result of this interpretation, the Secretary discussed how sections of the project have a local share as low as five percent, which is what led FTA to downgrade the CIG rating of the first Gateway Program project. Furthermore, the Secretary also noted that project proponents are relying on statements made by a previous administration that were never put in writing through the formal CIG project approval process. While there were other discussions at different hearings, this particular hearing featured the most thorough discussion of the issues underlying the Gateway Program. No resolution was reached in any of the hearings, and the contentious discussions led to the CIG provisions in the omnibus detailed above.

On March 7, 2018, the House Committee on Transportation and Infrastructure's Subcommittee on Highways and Transit held a hearing to examine the long-term stability of transportation funding, specifically examining solutions to the HTF long-term structural deficit. The noteworthy topics of discussion included Tennessee's efforts to raise the state gas tax, road user charge studies in Colorado and California, and the U.S. Chamber of Commerce's proposal to raise the federal gas tax. In regards to the road user charge studies, witnesses answered questions about when such a policy structure might be able to replace more traditional fuel taxes, how these systems might affect different users, and staffing needs for states as they implement these innovative revenue streams. Mr. Michael Lewis, Executive Director of the Colorado Department of Transportation, estimated that some type of road user charge, with further study, would be viable in the next ten years. The witness for the Chamber of Commerce noted that the proposal to raise the federal gas tax \$0.25 would only cost the average driver about \$9 per month. A witness for the American Trucking Association stated that the trucking industry loses \$63.4 billion per year due to congestion, which is equivalent to a nine percent tax on the industry.

On March 13, 2018, the Senate Committee on Commerce, Science, and Transportation's Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety and Security, held a hearing on the infrastructure proposal. Subcommittee Chair Deb Fischer (R-Nebraska) emphasized that traffic congestion costs an American family as much as \$1,400 per year and highlighted the importance of allowing states to conduct environmental review in place of federal agencies, as California currently does. Senator Amy Klobuchar (D-Minnesota) and the witnesses discussed how the

demand for CIG and TIGER funding illustrates the desire for multi-modal transportation solutions in communities across the country.

On March 14, 2018, the Senate Committee on Commerce, Science, and Transportation held a hearing on the infrastructure proposal featuring Secretary Chao and four other Cabinet officials. Each Cabinet official outlined how the proposal would affect their agency before answering questions. Secretary Chao noted that the proposal is not legislative language and discussed how she looks forward to working with Congress to develop a detailed legislative proposal. While transportation projects were discussed, the hearing was broadly focused on many of the provisions falling under the jurisdiction of the other federal agencies. For instance, Secretary of Commerce Wilbur Ross discussed the Transformative Projects Program, noting that the projects he had in mind include satellite-based broadband, blockchain supply management, augmented reality technology, and new dredging techniques.

Update on PTC Implementation

On March 28, 2018, Ronald L. Batory, FRA Administrator, sent a letter, included as Attachment B, to Art Leahy, Chief Executive Officer of Metrolink, on PTC implementation. In the letter, Administrator Batory references the agency's appreciation for Metrolink's efforts to implement PTC. Mr. Leahy and Metrolink staff met with FRA to discuss the issue, and Metrolink reaffirmed its support for maintaining the current statutory deadline of December 31, 2018. As a Metrolink Member Agency, OCTA will continue to work with Metrolink staff and other stakeholders to monitor PTC implementation in Southern California and keep the OCTA Board of Directors updated on any developments affecting rail operations in the region.

Summary

An overview on the appropriations process and the omnibus bill are provided. Summaries of recent transportation-related hearings are also included, along with an update on the implementation of positive train control. The March monthly activity report from OCTA's Washington advocate, Potomac Partners DC, is provided as Attachment C.

Attachments

- A. Omnibus Funding Summary Table
- B. Letter from Ronald L. Batory, Administrator, Federal Railroad Administration, to Art Leahy, Chief Executive Officer, Southern California Regional Rail Authority on Implementation of Positive Train Control, dated March 28, 2018
- C. Potomac Partners DC, Monthly Legislative Report - March 2018

Prepared by:

Dustin Sifford
Senior Government Relations Representative,
External Affairs
(714) 560-5389

Approved by:

Lance M. Larson
Executive Director,
External Affairs
(714) 560-5908

Omnibus Funding Summary Table

| Agency | Program | Funding Level | Amount Above Authorized Level |
|--------|--|-------------------|-------------------------------------|
| FHWA | Bridge Program in Low-Density States | \$225,000,000 | Program Created by Omnibus |
| FHWA | Congestion Mitigation and Air Quality (CMAQ) Improvement Program | \$2,405,000,000* | Authorized Level |
| FHWA | Infrastructure for Rebuilding America (INFRA) Grants | \$900,000,000 | Authorized Level |
| FHWA | Surface Transportation Block Grant Program | \$13,647,000,000* | \$1,980,000,000 |
| FRA | Amtrak Grants | \$1,941,600,000 | \$341,600,000 |
| FRA | Consolidated Rail Infrastructure and Safety Improvements (CRISI) Program | \$592,547,000 | \$362,547,000 |
| FRA | Federal-State Partnership for State of Good Repair Program | \$250,000,000 | \$75,000,000 |
| FRA | Restoration and Enhancement Grants | \$20,000,000 | Authorized Level |
| FTA | Urbanized Area Formula Program Grants [§5307] | \$4,696,907,174 | Authorized Level |
| FTA | Capital Investment Grants Program [§5309] | \$2,644,960,000 | \$343,174,240 |
| FTA | Enhanced Mobility of Seniors and Individuals with Disabilities [§5310] | \$273,840,764 | Authorized Level |
| FTA | Public Transportation Innovation [§5312(h)] | \$5,000,000 | \$2,000,000 |
| FTA | Bus Testing Facility [§5318] | \$5,000,000 | \$2,000,000 |
| FTA | State of Good Repair Grants [§5337] | \$2,993,703,558 | \$400,000,000 |
| FTA | Bus and Bus Facilities Formula [§5339(a)] | \$654,623,476 | \$209,104,000 |
| FTA | Bus and Bus Facilities Discretionary [§5339(b)] | \$407,960,000 | \$161,446,000 |
| FTA | Low or No Emission Vehicle Program [§5339(c)] | \$84,450,000 | \$29,450,000 |
| FTA | High Density States Program [§5340(d)] | \$582,783,547 | \$30,000,000 |
| OST | Transportation Investment Generating Economic Recovery (TIGER) Program | \$1,500,000,000 | \$1,000,000,000 Above Enacted Level |

Agency Acronyms

FHWA – Federal Highway Administration

FRA – Federal Railroad Administration

FTA – Federal Transit Administration

OST – Office of the Secretary of Transportation

*Funding based on estimated apportionments.



U.S. Department
of Transportation
**Federal Railroad
Administration**

Administrator

1200 New Jersey Avenue, SE
Washington, DC 20590

March 28, 2018

Mr. Art Leahy
CEO
Southern California Regional Rail Authority
One Gateway Plaza, 12th Floor
Los Angeles, CA 90012

Dear Mr. Leahy:

Following Secretary Elaine L. Chao's letter of December 27, 2017, regarding the importance of timely compliance with the requirements for implementation of positive train control (PTC) systems, the Federal Railroad Administration (FRA) met with 41 railroads subject to the statutory PTC mandate.

On behalf of FRA, I sincerely appreciate that you and staff associates met with us to discuss your ongoing efforts to implement a PTC system. Knowing that safety is your top priority, it is critically important that you take all possible measures to meet the requirements specified by Congress.

At FRA we will continue to provide support and technical assistance, to the greatest extent possible, to facilitate your implementation of a PTC system by the statutory deadline of December 31, 2018—or, at a minimum, meet the statutory criteria necessary to qualify for an alternative schedule.

Your continued commitment to rail safety and your efforts to achieve timely PTC implementation are highly respected.

Sincerely,

A handwritten signature in black ink, appearing to read "Ronald L. Batory", written over a circular stamp.

Ronald L. Batory
Administrator



Potomac Partners DC

Monthly Legislative Report – March 2018

March Advocacy Meetings

Chairman Mario Diaz-Balart (R-FL) – We met with Congressman Mario Diaz-Balart, Chairman of the House Appropriations Subcommittee on Transportation, Housing, and Urban Development and his staff multiple times this month to discuss the Capital Investments Grant (CIG) program and the OC Streetcar. We discussed support for the CIG program, specifically for the OC Streetcar in the fiscal year 2018 (FY18) omnibus appropriations package. The FY18 omnibus, discussed in detail later in this report, ultimately provided \$2.64 billion for the CIG program and \$1.5 billion for New Starts projects, making \$399 million available for New Starts projects anticipating an FFGA — well in excess of what is required to fully fund the FFGA for the OC Street Car this year.

Congressman Alan Lowenthal (D-CA) – We met with Congressman Lowenthal and his staff to discuss the OC Streetcar and the FY18 omnibus negotiations. At the beginning of the month Secretary Chao testified before the House T&I Committee. Congressman Lowenthal provided the following question for the record to Secretary Chao:

“Like many of my colleagues, I’m concerned about the delays and uncertainty regarding the New Starts program.

In my district, the first phase of the Orange County Streetcar will connect downtown Santa Ana with Garden Grove. While modest, this project is the start of a new paradigm for transit in the County, and OCTA hopes to enter a Full Funding Grant Agreement with FTA in April to begin construction this summer.

If they do not enter an agreement soon, the county faces schedule delays and cost increases.

This project has been in the New Starts process since 2015, and my constituents have committed over \$57 million of local sales tax revenue to make it a reality. Will you commit to moving this project forward in April?”

We are still awaiting a written answer from the Secretary’s office. In addition to this question, we discussed with the office next steps in the wake of the FY18 omnibus for the CIG program. We also discussed potential rescissions in the FY 18 omnibus that were ultimately not included that could negatively impact OCTA. Finally we discussed the President Trump’s infrastructure proposal and the Transportation Committee’s upcoming hearings.

Congressman Lou Correa (D-CA) – We met with Congressman Correa and his Chief of Staff throughout the month to discuss the OC Streetcar, the funding for new FFGA's in the FY 18 Omnibus Appropriations bill. We discussed ways to help expedite the FFGA at FTA. We also discussed the timeline for the President's Infrastructure proposal and the FY19 appropriations process.

Chairman Sam Graves (R-MO) – We with Congressman Sam Graves and his senior staff to discuss the OC Streetcar project. During our meetings we discussed the possible cost escalations if there is further delay in signing an FFGA. We also discussed the timeline for the President's infrastructure proposal and opportunities for language that would facilitate key projects in any upcoming legislation. We also discussed what to expect in the upcoming hearings regarding the proposal expected this next month.

Congressman Ed Royce (R-CA) – We met with Congressman Royce and his staff to discuss the OC Streetcar. We discussed next steps on the FFGA and gave an update on our conversations with the FTA last month. We also discussed the FY18 omnibus funding levels for the CIG program.

House Transportation and Infrastructure Committee – We met with senior staff on the House Transportation and Infrastructure Committee to discuss President Trump's infrastructure proposal and upcoming hearings on the subject. We also discussed the OC Streetcar and updated our conversations with the DOT and the FTA.

Congressman Ken Calvert (R-CA) – We met with staff in Congressman Calvert's office to discuss FY18 appropriations and support for the CIG program, specifically discussing support for the additional funds for projects expecting an FFGA and bill language that would direct the USDOT to continue to administer the CIG program. We discussed the OC Streetcar and the costs incurred by delays at the Federal Transit Administration (FTA).

Senate Appropriations Committee – We met with staff on the Senate Appropriations Committee to discuss support for the CIG program in the FY18 omnibus. We discussed the timeline for the bill and what to expect in the FY19 appropriations process. We discussed the OC Streetcar and the potential escalation cost associated with project delay should the FTA not sign the FFGA soon.

Senate Banking, Housing, and Urban Affairs Committee – We met with Professional Staff from the Senate Subcommittee on Housing, Transportation, and Community Development multiple times this month to discuss the CIG program and funding levels in the FY 18 Consolidated Appropriations bill. During our discussions we spoke about next steps for the OC Streetcar and the status of an FFGA at the Federal Transit Administration (FTA). We gave an update on the project's status. We provided additional materials regarding possible cost increases should the FFGA not be signed soon.

Senator Feinstein (D-CA) – We followed-up with senior transportation staff in Senator Feinstein's office to discuss the OC Streetcar and next steps on the FFGA from FTA. We

provided additional materials outlining the procurement process for the streetcars and the positive impact the project will have on job creation.

FY18 Omnibus

HR 1625

| | | |
|-----------------------------------|------------------------------------|--|
| Passed <u>House</u> 3/22/18 | Passed <u>Senate</u> 3/23/18 | Signed by <u>President</u> 3/23/18 |
|-----------------------------------|------------------------------------|--|

The FY18 omnibus ([HR 1625](#)) provides discretionary funding for the government for fiscal year 2018. The 2200+ page omnibus package includes all 12 individual appropriations bills, which were updated to match new topline spending levels set by the Bipartisan Budget Act of 2018, passed earlier this year.

One-page summaries and the explanatory statements (PDF) from each of the individual subcommittees are linked below.

- [Agriculture](#) - \$23.259 billion (up from \$20.88 billion in FY17) ([PDF](#))
- [Commerce, Justice, Science](#) - \$59.6 billion (up from \$56.6 billion in FY17) ([PDF](#))
- [Defense](#) - \$589.5 billion base funding (up from \$516.1 billion in FY17) ([PDF](#))
- [Energy and Water](#) - \$43.2 billion (up from \$37.8 billion in FY17) ([PDF](#))
- [Financial Services](#) - \$23.4 billion (up from \$21.5 billion in FY17) ([PDF](#))
- [Homeland Security](#) - \$55.6 billion (up from \$42.4 billion in FY17) ([PDF](#))
- [Interior and Environment](#) - \$35.25 billion (up from \$32.28 billion in FY17) ([PDF](#))
- [Labor, Health and Human Services, and Education](#) - \$177.1 billion (up from \$161 billion in FY17) ([PDF](#))
- [Legislative Branch](#) - \$4.7 billion (up from \$4.4 billion in FY17) ([PDF](#))
- [Military Construction and Veterans Affairs](#) - \$92.7 billion (up from \$83 billion in FY17) ([PDF](#))
- [State, Foreign Operations](#) - \$54 billion (up from \$53.1 billion in FY17) ([PDF](#))
- [Transportation, Housing and Urban Development](#) - \$70.3 billion (up from \$56.474 billion in FY17) ([PDF](#))

Most importantly for the OC Street Car, the FY18 Consolidated Appropriations bill includes a total of \$2.6 billion for the Capital Investment Grant Program (CIG), \$1.4 billion more than was requested in the President's FY18 Budget request. An in-depth table outlining the likely funding for the CIG program is included in the table below:

FTA Capital Investment Grants Account (in millions of dollars)

New Start – Signed FFGA

| <u>FY18</u> | <u>FY18</u> | <u>FY18</u> | <u>FY18</u> |
|-----------------------|---------------------|----------------------|-----------------------|
| <u>Request</u> | <u>House</u> | <u>Senate</u> | <u>Omnibus</u> |

| | | | | |
|--|----------------|----------------|----------------|----------------|
| CA Los Angeles Regional Connector | 100 | 100 | 100 | 100 |
| CA Los Angeles Westside Section 1 | 100 | 100 | 100 | 100 |
| CA Los Angeles Westside Section 2 | 100 | 100 | 100 | 100 |
| CA San Francisco Third Street Phase 2 | 23 | 23 | 23 | 23 |
| CA San Diego Mid-Coast Corridor | 100 | 100 | 100 | 100 |
| CA San Jose Berryessa Extension | 97.4 | 97.4 | 97.4 | 97.4 |
| CO Denver, Eagle Commuter Rail | 63.3 | 63.3 | 63.3 | 63.3 |
| MA Cambridge-Bedford Green Line | 150 | 150 | 150 | 150 |
| MD National Capital Area Purple Line | 0 | 0 | 100 | 100 |
| NC Charlotte LYNX Blue Line Extension | 74.2 | 74.2 | 74.2 | 74.2 |
| OR Portland-Milwaukie Light Rail | 100 | 100 | 100 | 100 |
| TX Fort Worth TEX Rail | 100 | 100 | 100 | 100 |
| TOTAL, NEW STARTS WITH SIGNED FFGAS | 1,007.9 | 1,007.9 | 1,107.9 | 1,107.9 |
| New Starts Anticipating FFGA in FY17-FY18 | 0 | 0 | 354 | 399 |
| Core Capacity | 200 | 100 | 200 | 715.7 |
| Small Starts | 0 | 182 | 318.3 | 400.9 |
| Oversight Set-Aside | 12.3 | 17.4 | 21.3 | 26.4 |
| TOTALS | 1,232 | 1,753 | 2,132 | 2,644 |

As seen in the table above, appropriators have drastically increased funding for the CIG program, which significantly increase the chances of the OC Street Car receiving an FFGA in the near term. The exact language in the bill for the CIG program is as follows:

CAPITAL INVESTMENT GRANTS For necessary expenses to carry out fixed guideway capital investment grants under section 5309 of title 49, United States Code, \$2,644,960,000 to remain available until September 30, 2021: Provided, That of the amounts made available under this heading, \$2,252,508,586 shall be obligated by December 31, 2019: Provided further, That \$5,050,000 from unobligated amounts appropriated for the buses and bus facilities program under section 5309 of such title from fiscal years 2000 to 2005 shall remain available until September 30, 2021 to carry out section 5309: Provided further, That of the amounts made available under this heading, \$1,506,910,000 shall be available for projects authorized under section 5309(d) of such title, \$715,700,000 shall be available for projects authorized under section 5309(e) of such title, \$400,900,000 shall be available for projects authorized under section 5309(h) of such title: Provided further, That the Secretary shall continue to administer the capital investment grant program in accordance with the procedural and substantive requirements of section 5309 of such title.

The FY18 omnibus provides \$399 million for projects anticipating an FFGA such as the OC Streetcar, which many believe is next in line. We are continuing to work with House and Senate Appropriators/Authorizers to ensure the FTA acts expeditiously on advancing projects in the CIG program.

For the Federal Highway Administration (FHWA) the omnibus appropriations package contains \$47.5 billion in funding. The final bill does not rescind any federal-aid highway contract authority that could have negatively impacted OCTA. Ultimately, the bill provides

the exact obligation limitation on federal-aid highway program contract authority called for in the FAST Act of 2015 – \$44.234 billion.

In terms of additional highway funding, the bill provided for \$2.525 billion (in addition to the contract authority programs) for some the following programs (*in millions*):

| | |
|--|--------------|
| STBGP Formula | 1,980 |
| Puerto Rico Highways | 15.8 |
| Other Territories | 4.2 |
| Federal Lands/Tribal | 300 |
| New Bridge Program | 225 |
| Total General Fund Appropriations | 2,525 |

STBGP Formula. The bulk of the extra money, \$1.98 billion, is for the STBG formula program. The money is available for obligation for four years (FY18-FY21) and can be spent on the “construction of highways, bridges, tunnels, including designated routes of the Appalachian development highway system and local access roads under section 14501 of title 40.” 53% of the money is to be sub-allocated by population per 23 U.S.C. §133(d).

Bridge program. \$225 million is set aside for “a competitive highway bridge program for States that have a population density of less than 100 individuals per square mile.” The bill orders FHWA to calculate density based on the latest Census data. The funding is “to be used for highway bridge replacement or rehabilitation projects on public roads that demonstrate cost savings by bundling multiple highway bridge projects.”

Rescissions. As mentioned earlier, the final bill does not contain any of the drastic rescissions that some had expected. (The FY 2017 bill rescinded \$857 million and the House FY 18 bill \$800 million.)

Dead earmarks. Section 126 of the omnibus bill once again allows states to reprogram “dead earmarks” and transfer the money to other STBGP-eligible purposes located within 50 miles of the original earmark. In order to be considered dead, an earmark has to be at least 10 years old and have had no more than 10 percent of its available funding obligated.

Toll credits. Section 129 of the bill amends the 1991 ISTEA law to free up excess toll revenues from toll agreements negotiated under the 1987 highway act.

As it relates to rail programs in the FY 18 Consolidated Appropriations some items of note in the FRA section of the THUD title include the following:

Amtrak. The bill provides a total of \$1.942 billion for grants to Amtrak (passing through DOT), an increase of \$447 million, or 30 percent, over last year. In terms of the budget

request and authorization, the bill is \$342 million over the authorization levels set in the FAST Act, and almost \$1.2 billion higher than the levels requested by the President.

Northeast Corridor. The bill continues to set aside \$50 million of the NEC money for Americans with Disabilities Act compliance in train stations. Some believe that \$388 million of its \$650 million in NEC grants could be used for projects in New York and New Jersey in the Gateway program. However, the Secretary also has a role in that process. Read 49 U.S.C. §24319 – the Secretary can disapprove proposals to spend Amtrak’s grant money, and §24319(g) prevents Amtrak grants from being used for “capital costs of commuter rail passenger or freight rail transportation” which, though vague, may give USDOT a justification for saying “no” to Gateway projects that will be primarily used by Jersey Transit.

National Network. Of the appropriation for the non-NEC routes, \$50 million is set aside for “the development, installation and operation of railroad safety technology, including the implementation of a positive train control system, on State-supported routes as defined under section 24102(13) of title 49, United States Code, on which positive train control systems are not required by law or regulation.” And \$5 million is set aside for Amtrak’s legal costs in suing freight railroads before the Surface Transportation Board for delays.

FAST Act Grant Programs. The 2015 FAST Act created three new FRA grant programs. The omnibus bill gives them, collectively, \$813 million, which is more than eight times last year’s total appropriation and almost twice what the FAST Act authorized. Some important funding details of note include:

- ✓ \$250 million of the Consolidated (CRISI) grant program is set aside for positive train control (PTC) implementation grants, and the bill makes commuter railroads eligible for this money. Another \$35.5 million is set aside for rail capital projects that some believe is already (informally) earmarked for the restorations Amtrak Sunset Limited service between Orlando and New Orleans (the infrastructure was destroyed by Hurricane Katrina in 2005).
- ✓ The omnibus funding the joint federal-state partnership for state of good repair grant program at \$250 million and removes the language directing the money to Gateway giving over rail entities a chance to compete for the money. The bill also clarifies that an otherwise eligible project on the Northeast Corridor may receive a grant if the entities at the project locations have valid cost allocation agreements with Amtrak pursuant to section 24905(c)(2) title 49 U.S.C.
- ✓ The bill gives \$20 million to the rail restoration and enhancement grant program.

CMAQ for Amtrak. Section 421 of the bill amends section 149 of title 23 to allow a state to spend its CMAQ highway money on “a State-Supported Amtrak route with a valid cost-sharing agreement under section 209 of the Passenger Rail Investment and Improvement

Act of 2008 and no current nonattainment areas under subsection (d)". This provision was likely included to help rural projects outside CA.

RRIF. The RRIF rail loan program works differently from the TIFIA program. Instead of using federal appropriations or contract authority to pay the loan subsidy cost (as TIFIA does), RRIF requires borrowers to pay the subsidy cost through loan fees, rendering the loans less attractive. The omnibus bill appropriates \$25 million for RRIF credit subsidy authority and orders the Office of Management and Budget to start rating RRIF loans by annual cohort.

California High Speed Rail. As expected, the final bill drops House-passed provisions that would have cut federal funding from the California high-speed rail project.

Infrastructure Proposal Update

On March 6th the House Transportation and Infrastructure Committee held a hearing entitled "*Examining the Administration's Infrastructure Proposal*". The sole witness was Secretary of Transportation Elaine Chao. During his opening statements, Chairman Bill Shuster (R-PA) praised the President's commitment to rebuilding the nation's crumbling infrastructure and said, "an infrastructure plan must be bipartisan if it's going to pass Congress. I plan to work with Ranking Member DeFazio and my colleagues to develop a plan that attracts bipartisan support and can pass the Senate. To do that, we have to be realistic about our needs, and how we can address them in a fiscally responsible way." This is similar to what the Chairman has said in a number of past meetings and in his Op-eds on the subject of his plans for an infrastructure bill.

Secretary Chao said multiple times during the hearing that all "pay-fors" are on the table, including an increase of the national gas tax. Members from the New York-New Jersey delegation questioned why the administration seemed to be working against the "Gateway" project during appropriations negotiations. Secretary Chao remarked that the administration does not feel as though the two states are doing enough to contribute to the project and reiterated that a major principle in identifying future projects will rely on how much is being contributed by local stakeholders.

To tout his infrastructure proposals President Trump visited Richfield, Ohio, a key battleground district. This was his first official trip to promote his infrastructure plan since the principles document came out in February. The President's Cabinet officials have written a number of op-eds supporting the need for an infrastructure bill. The House Transportation and Infrastructure Committee has held three hearings in March, but little else has been accomplished in terms of producing legislative text. However, we are hearing that majority and minority staff will begin working on drafts in the coming weeks on several potential elements of an infrastructure bill.

Positive Train Control Update

On March 30th, the Department of Transportation's (DOT) Office of the Inspector General (OIG) reported that more than 60% of railroads required to implement positive train control are getting some level of federal funding, though most have yet to spend all the funds they've received despite the fast-approaching deadline. FRA said it expects to obligate the remaining \$12.1 million in PTC grants by May 31, but railroads must meet certain milestones by December 31st to be eligible for another 2-year extension.

Secretary of Transportation Chao said that she is willing to work with railroads to help them meet the deadlines, but railroads must step up their efforts to meet the statutory deadlines set by Congress. While DOT has provided \$2.9 billion for PTC implementation, the OIG said that about \$2.3 billion has actually been obligated to railroads as of the end of fiscal 2017. Just four agencies out of the 37 funding recipients have spent all the federal money received, more than half of those railroads reported expending more than 50% of their money. Amtrak stated in a hearing before the House Transportation and Infrastructure Committee last month that they will not continue to operate on railroads that have not met their PTC milestones.