



ORANGE COUNTY TRANSPORTATION AUTHORITY 2017 END OF YEAR LEGISLATIVE REPORT

LEGISLATION ENACTED

I. Active Transportation

AB 390 (Santiago, D-Los Angeles) Pedestrian Crossing Signals (Chapter 402, Statutes of 2017)

AB 390 would authorize a pedestrian facing a flashing “DON’T WALK” or “WAIT” or “Upraised Hand” symbol to proceed so long as he or she completes the crossing prior to the display of the steady symbol or message. In addition, clarifies that a pedestrian who has partially crossed a roadway may complete the crossing while a steady symbol or message is still being displayed.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes. Operators of Orange County Transportation Authority (OCTA) vehicles should be aware of the provisions outlined in AB 390 to ensure pedestrian safety.*

AB 1218 (Obernolte, R-Hesperia) California Environmental Quality Act: Exemption (Chapter 149, Statutes of 2017)

AB 1218 extends until January 1, 2021, an exemption from the California Environmental Quality Act (CEQA) for bicycle transportation plans for an urbanized area for restriping of streets and highways, bicycle parking and storage, signal timing to improve street and highway intersection operations, and related signage for bicycles, pedestrians, and vehicles. Also extends the sunset date of an exemption from CEQA for a project that consists of the restriping of streets and highways for bicycle lanes in an urbanized area.

OCTA Position – Monitor

Impact on OCTA: *When the California Department of Transportation (Caltrans), OCTA or a local city or county undertakes a restriping project for bicycle lanes, this exemption can be used if the project is consistent with a bicycle transportation plan prepared by a city or county pursuant to existing provisions within the Streets and Highways Code. In addition, OCTA develops a Commuter Bikeways Strategic Plan every five years, in part, to establish planning and design guidelines for bikeway infrastructure and assist local jurisdictions in qualifying for state and federal funding. AB 1218 would allow bicycle transportation plans stemming from these efforts to be adopted in an expedited manner.*

SB 672 (Fuller, R-Bakersfield) Traffic Actuated Signals: Motorcycles and Bicycles (Chapter 432, Statutes of 2017)

SB 672 removes the sunset on the requirement that cities and counties, when installing traffic-actuated signals, install and maintain systems that can detect bicycles and motorcycles, thereby making the requirement permanent.

OCTA Position – *Monitor*

Impact on OCTA: *SB 672 requires that any traffic-actuated signals installed by OCTA must be able to detect bicycles and motorcycles. According to Caltrans, signals compliant with this bill cost an average of \$7,500 more per intersection.*

II. Audits, Records, Reports and Litigation

AB 459 (Chau, D-Monterey Park) Public Records: Video or Audio Recordings: Crime (Chapter 291, Statutes of 2017)

AB 459 specifies that public agencies are not required to disclose a video or audio recording that was created during the commission or investigation of the crimes of rape, incest, sexual assault, domestic violence, or child abuse that depicts the victim of the incident. The bill would also require the public agency to justify withholding such a video or audio recording by demonstrating that it is in the greatest public interest to not disclose it. In addition, the bill requires public agencies to permit a victim of a crime depicted in such videos to inspect the recording and obtain a copy.

OCTA Position – *Monitor*

Impact on OCTA: *OCTA public record disclosure procedures will need to be reviewed, and amended to comply with the requirements set forth in AB 459.*

AB 804 (Garcia, D-Bell Gardens) Controller: Internal Control Guidelines (Chapter 317, Statutes of 2017)

AB 804 allows the State Controller's Office (SCO) to audit any local agency for purposes of determining whether the agency's internal controls are adequate to detect and prevent financial errors and fraud. The Controller sponsored this bill after finding that certain agencies failed to comply with the auditing standards, as required under AB 1248 (Chapter 190, Statutes of 2013), that would have revealed significant financial deficiencies. AB 804 gives the Controller the ability to proactively monitor and assess an agency's preparedness to spend public funds as required by law.

OCTA Position – *Monitor*

Impact on OCTA: *OCTA may be subject by proactive audits conducted by the Controller to ensure that the agency's financial reporting standards comply with AB 1248 (Chapter 190, Statutes of 2013).*

AB 1455 (Bocanegra, D-San Fernando Valley) The California Public Records Act: Exemptions (Chapter 560, Statutes of 2017)

AB 1455 extends exemptions under the California Public Records Act that are currently only applicable to state agencies' collective bargaining documents, to local public agencies' collective bargaining documents. The bill extends this exemption because negotiations between Orange County and the Association of Orange County Deputy Sheriffs became public when the superior court did not find a convincing reason to prevent the disclosure. AB 1455 is meant to give local agencies the ability to protect their deliberative processes, impressions, valuations, opinions, recommendations, meeting minutes, research, work products, and other deliberative or confidential materials.

OCTA Position – *Monitor*

Impact on OCTA: *AB 1455 exempts OCTA from disclosing, under the California Public Records Act, potentially sensitive materials relating to labor negotiations. This bill only provides a limited exception for labor relations work products and does not provide a catch-all exemption, nor does it limit disclosure requirements with respect to other records relating to employee relations.*

SB 448 (Wieckowski, D-Fremont) Local Government: Organization: Districts (Chapter 334, Statutes of 2017)

SB 448 requires the California State Controller, on or before November 1, 2018, and every year thereafter, to create a list of special districts that are inactive based upon received financial reports, which shall be published on the Controller's Internet Web Site. Requires the Controller to notify the local agency formation commissions (LAFCO) of the counties on the inactive list, and establishes a process for LAFCOs to dissolve the inactive special districts. Requires the Controller, on or before July 1, 2019, to publish on its Internet Web site a comprehensive list of independent special districts, and requires those districts to file annual audits with the LAFCO in the county or counties in which the district is located.

OCTA Position – *Monitor*

Impact on OCTA: *For informational purposes.*

III. Autonomous Vehicles

AB 669 (Berman, D-Coachella) Department of Transportation: Vehicle Testing (Chapter 472, Statutes of 2017)

AB 669 extends until January 1, 2020, the repeal date for Caltrans in coordination with the California Highway Patrol, to test technologies that enable drivers to safely operate motor vehicles with less than 100 feet between each vehicle or combination of vehicles. Prohibits a person from operating a motor vehicle participating in testing unless the person holds a valid driver's license of the appropriate class for the participating vehicle.

Requires Caltrans to submit an updated report to the Legislature on or before July 1, 2019, on the findings from the testing.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes.*

AB 1444 (Baker, R-Dublin) Livermore Amador Valley Transit Authority (Chapter 719, Statutes of 2017)

AB 1444 authorizes the Livermore Amador Valley Transit Authority to conduct a shared autonomous vehicle demonstration project for the testing of autonomous vehicles not equipped with a steering wheel, brake pedal, accelerator, or operator. The pilot program is limited to the City of Dublin and to an operating speed of 35 miles per hour. The bill also requires that certain information, such as project specifics and insurance information, be submitted to the Department of Motor Vehicles (DMV). Similarly, nothing in the bill limits the authority of the DMV to promulgate regulations on autonomous vehicles.

OCTA Position – *Monitor*

Impact on OCTA: *For informational purposes.*

SB 145 (Hill, D-San Mateo) Autonomous Vehicles: Testing on Public Roads (Chapter 725, Statutes of 2017)

SB 145 cleans up SB 1298 (Chapter 570, Statutes of 2012), which required the DMV to adopt regulations for the operation of autonomous vehicles on California's public roads. SB 145 deletes the requirement that the DMV notify the Legislature of the approval of an application from a manufacturer seeking to operate autonomous vehicles without the presence of a driver on public roads for non-testing purposes, and the requirement that prohibits an application from becoming effective any sooner than 180 days after an application is submitted. Requires the DMV to post a public notice on its Internet Web site when it adopts regulations governing autonomous vehicles. In addition, repeals the 120 day prohibition against limiting or expanding the authority to operate autonomous vehicles, and instead prohibits the DMV from approving a submitted application until 30 days after the required public notice is provided.

Urgency Bill – Effective Immediately

OCTA Position – Monitor

Impact on OCTA: *For informational purposes.*

IV. Employment Terms and Conditions

AB 44 (Reyes, D-San Bernardino) Workers' Compensation: Medical Treatment: Terrorist Attacks: Workplace Violence (Chapter 736, Statutes of 2017)

AB 44 requires that employers shall provide immediate support from a nurse case manager for employees injured by an act of domestic terrorism. Requires employers to assist injured employees in obtaining the necessary medical treatment and to assist providers of medical services in seeking authorization and payment of medical treatment. Only applies if the Governor has declared a state of emergency in connection with the act of terrorism. Requires employers that have been notified of a claim for compensation arising out of the acts that resulted in the Governor's declaration, to provide a notice within three days to the claimant advising the claimant of the necessary medical services.

OCTA Position – Monitor

Impact on OCTA: *OCTA's workers' compensation program will need to be reviewed and amended to comply with the provisions outlined in AB 44.*

AB 168 (Eggman, D-Stockton) Employers: Salary Information (Chapter 688, Statutes of 2017)

AB 168 prohibits an employer from using the salary history of an applicant for employment as a factor in determining whether to make an employment offer or what salary to offer the applicant. The employer is not prohibited from using salary information voluntarily disclosed by the applicant.

OCTA Position – *Monitor*

Impact on OCTA: *OCTA will be required to comply with the provisions of AB 168 in employment decisions, which will potentially require updates to employment application forms and internal processes.*

AB 450 (Chiu, D-San Francisco) Employment Regulation: Immigration Worksite Enforcement Actions (Chapter 492, Statutes of 2017)

AB 450 imposes various requirements on public and private employers regarding federal immigration agency worksite enforcement actions. The bill prohibits an employer from providing voluntary consent to an immigration enforcement agent to enter nonpublic areas of a place of labor without a warrant. It also prohibits an employer or other person acting on the employer's behalf from providing voluntary consent to an immigration enforcement agent to obtain employee records without a subpoena or court order. Employers are also prohibited from reverifying the employment eligibility of a current employee at a time or in a manner not required by specified federal law. Failure to adhere to these new requirements can result in penalties of up to \$10,000 per violation.

OCTA Position – *Monitor*

Impact on OCTA: *AB 450 prohibits OCTA from giving federal immigration enforcement officials access to nonpublic areas of work without a warrant. Similarly, OCTA must have proof of a subpoena or court order before turning over employment records to federal immigration officials. Also, OCTA may not reverify the employment eligibility of a current employee unless required by federal law.*

AB 551 (Levine, D-San Rafael) Political Reform Act of 1974: Postemployment (Chapter 196, Statutes of 2017)

AB 551 prohibits certain local government officials – a local elected official; a chief administrative officer of a county, city manager; or a general manager or chief administrator of a special district – from appearing before or communicating with their former agency – or any committee, subcommittee, or present member of that local government agency, or any officer or employee of the local government agency – for compensation as an independent contractor for another government agency within a year after leaving that position. The prohibition includes working to influence agency decisions on rules or regulations that the employee’s former agency may be considering.

OCTA Position – *Monitor*

Impact on OCTA: *OCTA must be aware of the restrictions on hiring independent contractors retaining anyone that would perform work, under the scope of the contract, with a government agency that had previously been his or her employer within the last year.*

AB 1008 (McCarty, D-Sacramento) Employment Discrimination: Conviction History (Chapter 789, Statutes of 2017)

AB 1008 makes it unlawful under the California Fair Employment and Housing Act for an employer with five or more employees to inquire about and consider a job applicant’s conviction history prior to a conditional offer of employment. Provides that if the employer makes a preliminary decision that the applicant’s conviction history disqualifies the applicant from employment, the employer shall notify the applicant in writing. Provides the applicant with five business days to respond to the notice before an employer can make a final decision. In addition, provides that, if the applicant notifies the employer within five business days in writing that the applicant disputes the accuracy of the conviction history report and is taking steps to obtain evidence in support of that assertion, then the applicant shall have five additional business days to respond to the notice.

OCTA Position – *Monitor*

Impact on OCTA: *OCTA hiring and salary determination practices will need to be reviewed and amended to comply with the provisions set forth in AB 1008.*

**AB 1556 (Stone, D-Monterey Bay) Employment Discrimination: Unlawful Employment Practice
(Chapter 799, Statutes of 2017)**

AB 1556 replaces each gender specific term in the California Fair Employment and Housing Act and the Moore-Brown-Roberti Family Rights Act with gender neutral terms. Allows for more inclusive statutes that clarify that all Californians are protected against discrimination in employment and housing, including discrimination against female employees on the basis of pregnancy or a pregnancy-related medical condition.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes. OCTA must ensure consistency with the provisions outlined in AB 1556, in employment practices.*

**SB 31 (Lara, D-Bell Gardens) California Religious Freedom Act: State Agencies: Disclosure of Religious Affiliation Information
(Chapter 826, Statutes of 2017)**

SB 31, known as the California Religious Freedom Act, prohibits a state or local agency, or a public employee from initiating, participating in, or assisting with any program to create a religious list, registry, or database that requires information about an individual's religious belief, practice, or affiliation, national origin, or ethnicity for law enforcement or immigration purposes. Prohibits state and local law enforcement agencies from assisting or collecting this information, except as part of a targeted investigation when it may be relevant. Provides that an agency or employee will only be deemed to be in violation of the bill if the agency or employee acted with actual knowledge that the information shared would be used for purposes prohibited by these provisions.

OCTA Position – Monitor

Impact on OCTA: *OCTA, as a public agency, must comply with the provisions outlined in SB 31.*

**SB 63 (Jackson, D-Santa Barbara) Unlawful Employment Practice: Parental Leave
(Chapter 686, Statutes of 2017)**

SB 63 prohibits an employer of 20 or more employees, from refusing to allow an employee with more than 12 months of service with the employer, who has at least 1,250 hours of service with the employer during the previous 12-month period, and who works at a location in which the employer employs at least 20 employees within 75 miles, to take up to 12 weeks of parental leave to bond with a new child within one year of the child's birth, adoption, or foster care placement. Prohibits an employer from refusing to maintain and pay for group health coverage of an eligible employee during the duration of the parental leave. Requires the employer to provide a guarantee of employment in the same or comparable position upon return. Allows the employee to utilize accrued vacation pay, paid sick time, other paid time off, or other paid or unpaid time off negotiated with the employer, during the period of leave. Authorizes the employer to grant simultaneous leave if the employer employs both parents.

OCTA Position – Monitor

Impact on OCTA: *OCTA already has a leave of absence policy in effect, which will need to be reviewed, and amended to comply with the new provisions set forth in SB 63.*

**SB 65 (Hill, D-San Mateo) Vehicles: Alcohol and Marijuana: Penalties
(Chapter 232, Statutes of 2017)**

SB 65 makes drinking an alcoholic beverage or smoking or ingesting marijuana, or any marijuana product while driving, or while riding as a passenger in a motor vehicle upon a highway or on any lands punishable as an infraction.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes. OCTA already has a Drug and Alcohol Policy manual with regulations and compliance requirements in effect, which can be reviewed, and if needed, amended to be consistent with the provisions of SB 65.*

**SB 285 (Atkins, D-South Park/Golden Hill) Public Employers: Union Organizing
(Chapter 567, Statutes of 2017)**

SB 285 expands labor protections in current law by prohibiting public employers from deterring or discouraging membership by public employees in an employee organization. The bill delegates jurisdiction over violations of this new protection to the Public Employment Relations Board.

OCTA Position – *Monitor*

Impact on OCTA: *OCTA policies and procedures related to employee participation in unions are to be consistent with these provisions.*

**SB 396 (Lara, D-Bell Gardens) Employment: Gender Identity, Gender Expression,
and Sexual Orientation
(Chapter 858, Statutes of 2017)**

SB 396 requires employers with 50 or more employees to include, in existing sexual harassment training and education for supervisors, training on harassment based on gender identity, gender expression, and sexual orientation. Requires each employer to post a poster developed by the Department of Fair Employment and Housing regarding transgender rights. Expands the definition of an “individual with employment barriers” to include transgender and gender nonconforming individuals.

OCTA Position – Monitor

Impact on OCTA: *All OCTA employees are currently responsibly for adhering to the OCTA workplace harassment and discrimination prevention policy. Supervisors and managers are responsible for participating in harassment and discrimination prevention training and taking appropriate action to enforce the policy. OCTA’s prevention policy and*

hiring practices will need to be reviewed, and if needed, amended to comply with the provisions set forth in SB 396.

SB 306 (Hertzberg, D-Sherman Oaks) Retaliation Actions: Complaints: Administrative Review (Chapter 460, Statutes of 2017)

SB 306 grants the Labor Commissioner the authority to authorize an investigation of an employer without receiving a formal retaliation complaint. The Labor Commissioner may seek immediate injunctive relief if there is reasonable cause to believe that the employer is engaged in unlawful retaliation. This bill also gives the Labor Commissioner authority to issue citations and penalties directly to enforce retaliation claims, rather than exclusively through the courts.

OCTA Position – *Monitor*

Impact on OCTA: SB 306 empowers the Labor Commissioner new, expedited authority to investigate and stop retaliation against employees who report violations of the law. The Labor Commissioner is allowed to step in even before the employee files a complaint, and the Commissioner may issue penalties against an employer without going to court first. Similarly, the bill makes it much easier for injunctive relief to be awarded against an employer for unlawful retaliatory actions.

SB 671 (Moorlach, R-Costa Mesa) County Employees' Retirement: Retirement Funds (Chapter 76, Statutes of 2017)

SB 671 clarifies that the governing body of a county or district is authorized to make an advance payment of the estimated annual retirement contributions for the year, or part of the year, as long as the advance payment is made no later than 30 days after the commencement of the fiscal year for which the advance payment is made. The bill is meant to clarify that the prepayment authorization given to San Bernardino County in state law is explicitly granted to every county and district statewide.

OCTA Position – *Monitor*

Impact on OCTA: The Orange County Employees Retirement System (OCERS) has offered plan sponsors prepayment authority each year since FY 2005-06. As such, SB 671 does not grant any new authority to OCTA. Instead, the bill clarifies, in statute, that the prepayment authorization is available statewide.

V. Environment

AB 28 (Frazier, D-Oakley) Department Of Transportation: Environmental Review Process: Federal Pilot Program (Chapter 4, Statutes of 2017)

AB 28 allows Caltrans to make decisions pertaining to the National Environmental Policy Act (NEPA) review process until January 1, 2020. Federal law created a pilot program allowing up to five states to assume responsibility for the U.S. Department of Transportation's role in the NEPA decision-making process, which is often referred to as NEPA delegation. California started utilizing this authority in 2007, but the Legislature failed to reauthorize the state's participation in the program before the January 1, 2017 statutory sunset. In passing this bill, California rejoins the program until January 1, 2020.

Urgency bill – Effective Immediately

OCTA Position – *Support*

Impact on OCTA: Authorizes continuation of the existing process delegating NEPA authority for highway projects to Caltrans instead of the Federal Highway Administration (FHWA). According to Caltrans, the pilot program resulted in a median time savings of 10.7 months in approving draft Environmental Assessment documents and a nearly 23-month time savings in finalizing draft Environmental Impact Statements. Absent the extension of NEPA delegation authority, numerous locally-funding OCTA freeway projects would be delayed, including improvements to State Route (SR) 91, SR-57, SR-55, and Interstate 405. OCTA estimates that approximately \$2.1 billion in infrastructure investments could be delayed if NEPA delegation expired indefinitely.

AB 246 (Santiago, D-Los Angeles) Environmental Quality: Jobs and Economic Improvement Through Environmental Leadership Act of 2011 (Chapter 522, Statutes of 2017)

AB 246 extends until January 1, 2020, the authority of the Governor, under the Jobs and Economic Improvement Through Environmental Leadership Act of 2011, to certify a residential, retail, commercial, sports, cultural, or recreational use project that will not have a significant effect on the environment. Provides that the certification expires and is no longer valid if the lead agency fails to approve a certified project before January 1, 2021. Establishes procedures for expedited judicial review, which requires courts to resolve CEQA lawsuits within 270 days from the date the certified record of proceedings is filed with the court. Requires contractors and subcontractors to pay all construction workers at least the general prevailing rate of per diem wages and provides for the enforcement of this requirement.

OCTA Position – *Monitor*

Impact on OCTA: For informational purposes. Two potential projects relating to residential, commercial, retail, and recreational purposes have shown interest in obtaining

this authority: the Millennium Hollywood mixed-use project in Hollywood, and the Facebook Willow Campus Master Plan in Menlo Park.

**AB 355 (Chu, D- Fremont) Water Pollution: Enforcement
(Chapter 524, Statutes of 2017)**

AB 355 authorizes the State Water Board to impose a civil penalty on an owner of an underground storage tank for failure to comply with permitting, reporting, and operating requirements on underground storage tank management. Requires the executive director of the State Water Board to consult with the appropriate local agency or agencies before issuing a complaint.

OCTA Position – Monitor

Impact on OCTA: For informational purposes. With underground storage tanks located at OCTA's five bus bases, OCTA should be aware of the civil liabilities outlined in AB 355 to ensure appropriate underground storage tank management.

**AB 398 (Garcia, D-Coachella) Emissions: Compliance Mechanisms: Tax Exemptions
(Chapter 135, Statutes of 2017)**

AB 398 extends California's cap-and-trade program through 2030. Requires the California Air Resources Board (ARB) to establish a price ceiling on greenhouse gas (GHG) emission allowances. Adds new conditions governing the management and allocation of allowances and reduces the limits on compliance offsets. Requires the ARB to update the scoping plan, and authorizes all GHG emissions rules and regulations to be consistent with the scoping plan. Establishes priorities for cap-and-trade expenditures with regards to air quality, low-and-zero carbon transportation alternatives, sustainable agricultural practices, climate pollutants, healthy forests, urban greening, and climate and clean energy research.

Urgency Bill – Effective Immediately

OCTA Position – Monitor

Impact on OCTA: With the extension of cap-and-trade until 2030, continuous appropriations from the Greenhouse Gas Reduction Fund (GGRF) will be provided for formula programs like the Low Carbon Transit Operations Program (LCTOP), and competitive programs like Transit and Intercity Rail Capital Program (TIRCP), which provides opportunities for OCTA to pursue funding in support of OCTA projects. In addition, OCTA will remain eligible to compete for discretionary funding in other programs provided by the GGRF, such as the Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project (HVIP), Carl Moyer Program, and various clean freight programs. However, a long-term expenditure plan for the remaining excess revenues has yet to be adopted by the legislature.

AB 617 (Garcia, D-Bell Gardens) Nonvehicular Air Pollution: Criteria Air Pollutants (Chapter 136, Statutes of 2017)

AB 617 requires the ARB to develop a uniform system for reporting of emissions of criteria air pollutants and toxic air contaminants for use by stationary sources. Requires the ARB to prepare a plan regarding technologies for monitoring criteria air pollutants and toxic air contaminants. Requires the ARB to prepare a statewide strategy to reduce emissions of toxic air contaminants and criteria pollutants in impacted and disadvantaged communities. Authorizes the ARB to establish a statewide clearinghouse that identifies the best available control technology, best available retrofit technology for criteria air pollutants, and related technologies for the control of toxic air contaminants.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes. Provides a number of new programs, such as a state clearinghouse of best available retrofit control technology in response to concerns about the disproportionate air quality burdens faced by disadvantaged communities.*

AB 733 (Berman, D-Palo Alto) Enhanced Infrastructure Financing Districts: Climate Change (Chapter 657, Statutes of 2017)

AB 733 adds climate change projects to the existing list of projects that may be undertaken by Enhanced Infrastructure Financing Districts. Specifically, the bill envisions projects that help communities address higher average temperatures, decreased air and water quality, the spread of diseases, extreme weather events, sea level rise, flooding, heat waves, wildfires, and drought.

OCTA Position – *Monitor*

Impact on OCTA: *For informational purposes. AB 733 authorizes additional projects that can be utilized by EFIDs.*

AB 739 (Chau, D-Monterey Park) State Vehicle Fleet: Purchases (Chapter 639, Statutes of 2017)

AB 739 requires that, beginning December 31, 2025, at least 15 percent of newly purchased vehicles with a gross vehicle weight rating of 19,000 pounds or more purchased by the Department of General Services for the state fleet be zero-emission. The bill also requires that, beginning December 31, 2030, at least 30 percent of those vehicles to be zero-emission. If the Department cannot meet these goals, the bill requires that it hold a public hearing on or after December 31, 2026 to disclose the reasons why. The Department must also disclose these findings to the Legislature.

OCTA Position – *Monitor*

Impact on OCTA: *For informational purposes. AB 739 illustrates the commitment of the state to zero-emission vehicles (ZEVs), specifically as it affects any vehicle procurement done by the Department of General Services on behalf of Caltrans.*

**ACA 1 (Mayes, R-Yucca Valley) Greenhouse Gas Reduction Reserve Fund
(Chapter 105, Statutes of 2017)**

ACA 1 would, if approved by voters in June of 2018, require a two-thirds vote in each house for any appropriation from the cap-and-trade program after January 1, 2024. The intent is to create a one-time two-thirds vote requirement sometime between now and the expiration of the cap-and-trade program on January 1, 2031, as outlined in AB 398 (Chapter 135, Statutes of 2017).

OCTA Position – *Monitor*

Impact on OCTA: *Funding that OCTA receives through the cap-and-trade program, including through the LCTOP, will be threatened if this constitutional amendment becomes law. Absent the two-thirds vote required by the measure, moneys could not be appropriated from the GGRRF. If approved by the voters, there is still a chance that cap-and-trade funding is not interrupted, assuming that a legislative deal supported by two-thirds of the Legislature passes before January 1, 2024.*

VI. Funding

**AB 56 (Holden, D-Pasadena) California Infrastructure and Economic Development Bank: Housing
(Chapter 289, Statutes of 2017)**

AB 56 clarifies the definition of housing-related infrastructure for the purposes of programs administered through the California Infrastructure and Economic Development Bank, including projects funded through the Infrastructure State Revolving Fund. Specifically, the bill ensures that the Infrastructure and Economic Development Bank can finance house-related infrastructure, such as streets, drainage, water supply, and flood control facilities

OCTA Position – *Monitor*

Impact on OCTA: *AB 56 broadens the pool of potential uses for funds expended by the Infrastructure and Economic Development bank by allowing for additional infrastructure projects relating to housing development, including transportation-related projects.*

**AB 467 (Mullin, D-South San Francisco) Local Transportation Authorities: Transactions and Tax
(Chapter 640, Statutes of 2017)**

AB 467 exempts a county elections official from including, on a measure to impose a retail transactions and use tax, the entire transportation expenditure plan in the voter information guide as long as the authority posts the plan on its website. The authority must ensure that the sample ballot and the voter information guide sent to voters include

information on viewing an electronic version of the plan on the website as well as instructions for how to obtain a printed copy of the plan if a voter so desires.

OCTA Position – *Monitor*

Impact on OCTA: Allows an agency pursuing a retail transaction and use tax, to post the full transportation expenditure plan online rather than posting printed versions in the voter information guide. The agency must take the necessary steps to ensure that the sample ballot and voter information guide give voters instructions on accessing the website and how to, if they prefer, obtain a printed version of the expenditure plan. There may be some concern that if an expenditure plan is not included in the voter information guide, that voters may not understand that those projects are to be funded by the measure and are also included in the vote. Additional outreach may be required.

AB 805 (Gonzalez Fletcher, D-Sherman Heights) County of San Diego: Transportation Agencies (Chapter 658, Statutes of 2017)

AB 805 imposes state-mandated changes to the governing structure and voting authority of the San Diego Association of Governments (SANDAG). The bill mandates that the mayor and city council president of San Diego serve on the SANDAG Board while removing a provision requiring that the chair of the County of San Diego Board of Supervisors serve on the Board. It also creates a weighted vote process, institutes an audit committee, requires SANDAG to submit an annual report to the Legislature, allows the San Diego Metropolitan Transit System and the North County Transit District to institute taxes, and implement certain project labor agreement requirements. The bill also requires that the regional comprehensive plan address greenhouse gas emissions reduction targets set by the Air Resources Board, including a specific requirement that the plan contain strategies that provide for a modal shift to public transportation.

OCTA Position – *Oppose*

Impact on OCTA: AB 805 shows the willingness of the state to ignore the broad and sustained collaboration necessary to drive regional participation in transportation planning. Instead, the state stepped in to reduce local prerogative over regional transportation funding, creating a top-down mandate that could complicate transportation planning efforts in San Diego.

AB 1113 (Bloom, D-Santa Monica) State Transit Assistance Program (Chapter 86, Statutes of 2017)

AB 1113 revises the State Transit Assistance (STA) program to clarify several ambiguities. AB 1113 ensures that only STA-eligible operators can receive an allocation from the portion of program funds based on transit operator revenues. The bill also requires the SCO to design and adopt a uniform system of accounts and records under which operators prepare and submit annual reports of their operation. The reports must be submitted within seven months after the end of the fiscal year and must contain underlying data from audited financial statements.

Urgency bill – Effective Immediately

OCTA Position – *Support*

Impact on OCTA: *AB 1113 standardizes the eligibility and reporting requirements for STA funding. This legislation was passed to pre-empt guidance from the SCO that would have reinterpreted longstanding practices pertaining to this funding. AB 1113 will provide uniformity in eligibility standards for future funding that will prevent OCTA's share of the funding from being decreased by an influx of entities not eligible under current law. In addition, the new reporting framework provides certainty as to what kind of information OCTA will be required to report in order to receive this funding.*

**AB 1189 (Garcia, D-Coachella Valley) Riverside County Transportation Commission
(Chapter 642, Statutes of 2017)**

AB 1189 authorizes the Riverside County Transportation Commission (RCTC) to impose, subject to voter approval, a maximum tax rate for transportation purposes of one percent instead of one-half of one percent. The bill also specifies that the tax rate imposed by RCTC would not be considered for purposes of the two percent countywide limit.

OCTA Position – *Monitor*

Impact on OCTA: *For informational purposes.*

**AB 1613 (Mullin, D-South San Francisco) San Mateo County Transit District: Retail Transaction
(Chapter 231, Statutes of 2017)**

AB 1613 authorizes the board of the San Mateo County Transit District, subject to voter approval, to implement a transactions and use tax above the two percent countywide limit in current law. The new tax cannot exceed a 0.5 percent rate. The San Mateo County Transit District loses this new authority if San Mateo County uses their existing authority to implement a transactions and use tax. The San Mateo County Transit District has until January 1, 2026 to implement the new tax.

Urgency bill – Effective Immediately

OCTA Position – *Monitor*

Impact on OCTA: *For informational purposes.*

**ACA 5 (Frazier, D-Oakley) Motor Vehicle Fees and Taxes: Expenditure Restriction
(Chapter 30, Statutes of 2017)**

ACA 5 would, if approved by voters in June of 2018, add an article to the California Constitution requiring that revenues derived from vehicle fees imposed be used solely for transportation purposes. ACA 5 would prohibit these revenues from being used for the

payment of principal and interest on state transportation general obligation bonds and would require that portions of the sales and use tax on diesel fuel be used for certain transportation planning or mass transportation purposes.

OCTA Position – *Monitor*

Impact on OCTA: *If this measure is approved by voters, ACA 5 would ensure that certain motor vehicle fees and taxes are used for transportation projects and not diverted for other uses. Passed as part of the SB 1 package, this measure would prevent the Legislature from diverting the new transportation funding for non-transportation purposes*

SB 1 (Beall, D-San Jose) Transportation Funding (Chapter 5, Statutes of 2017)

SB 1 increases both gasoline and diesel taxes, while also creating a value-based transportation improvement fee and a new ZEV registration fee to raise over \$5 billion annually in new transportation revenues. Requires tax rates and fees, excluding the diesel sales tax, to be adjusted annually based on the California Consumer Price Index. Resets the price based excise tax on July 1, 2019, and provides that \$706 million in outstanding loans made to the General Fund be repaid over three years. Creates the Road Maintenance and Rehabilitation program and deposits the revenue into the Road Maintenance and Rehabilitation Account. Prioritizes investments towards fix-it-first purposes on local street and roads and highways, transit operations and maintenance, capital investments, and active transportation. Provides new revenues for 18 new and existing programs administered by the California Transportation Commission (CTC), the California State Transportation Agency (CalSTA), Caltrans, SCO, the Workforce Development Board and the Joint Legislative Transportation and Budget Committees. In addition, expands reporting requirements on project performance and delivery status, and creates the position of Transportation Inspector General within Caltrans to audit and investigate state and local projects to ensure expenditures are made in conformance with existing law. Also creates and funds an Advance Mitigation Program (AMP), administered by Caltrans to protect natural resources and advance project delivery.

Urgency Bill – Effective Immediately

OCTA Position – Monitor

Impact on OCTA: *It is expected that SB 1 will provide increased funding for Orange County and OCTA as follows, over a 10-year period: a doubling of Local Streets and Roads (LSR) funds for each city and the county that is to be focused on projects such as rehabilitation and maintenance, grade separations, safety projects, complete street components, and traffic control devices. \$741 million in new funds for the State Highway Operation and Protection Program (SHOPP) for Orange County, based on estimates provided by Caltrans, with the same eligibility parameters, guidelines, and reporting requirements as that provided for LSR funding. Over \$18 million in new transit funding per year for Orange County, with about \$13 million eligible for transit capital or operations*

purposes, and over \$5 million annually for capital purposes. The stabilizing of the State Transportation Improvement Program (STIP), which could allow OCTA to reprogram projects previously delayed or prevented from being programmed and will add about \$53 million over previous estimates to the STIP, based on estimates provided by Caltrans. In addition, as an eligible recipient, OCTA can compete for the new programs, including the Trade Corridor Enhancement Program, Solutions for Congested Corridor Program (SCCP), AMP, and the Local Partnership Program (LPP).

SB 797 (Hill, D-San Mateo) Peninsula Corridor Joint Powers Board: Use Tax (Chapter 653, Statutes of 2017)

SB 797 authorizes the Peninsula Corridor Joint Powers Board, subject to voter approval, to implement a transactions and use tax above the two percent countywide limit in current law in order to fund operating and capital expenses on the Caltrain rail service. The tax must be approved by the Peninsula Corridor Joint Powers Board; by two-thirds of voters in the Counties of San Francisco, San Mateo, and Santa Clara; and by a majority vote of each transportation agency's governing board, including the San Francisco Municipal Transportation Agency, the San Mateo County Transit District, and the Santa Clara Valley Transportation Authority. The new tax cannot exceed a 0.125 percent rate.

OCTA Position – *Monitor*

Impact on OCTA: *For informational purposes.*

VII. Information Systems

AB 22 (Bonta, D-Alameda) Secretary Of State: Storing and Recording Media (Chapter 834, Statutes of 2017)

AB 22 requires the Secretary of State to adopt uniform statewide standards for the purpose of storing and recording permanent and nonpermanent documents in electronic media, including the use of "cloud computing," that are in keeping with the standards established by the American National Standards Institute. Specifically, the bill includes a requirement that a "trusted system" be utilized.

OCTA Position – *Monitor*

Impact on OCTA: *The guidelines that the Secretary of State will develop could create additional requirements pertaining to OCTA's video surveillance equipment at all facilities, including bases, buses, and stations, as well as documents stored in Halogen, Granicus, or any other electronic media. Staff will monitor the guidelines to determine their effect on OCTA operations.*

VIII. Managed Lanes/Toll Facilities

AB 544 (Bloom, D-Santa Monica) Vehicles: High Occupancy Vehicle Lanes (Chapter 630, Statutes of 2017)

AB 544 creates a new program after the Clean Air Vehicle (CAV) Program sunsets on September 30, 2019. CAV Program enables particular low-emission vehicles to access high-occupancy vehicle (HOV) lanes with a single occupant. The new program will grant, until September 30, 2025, federal inherently low emission vehicles and transitional ZEVs access to HOV lanes, regardless of the vehicle occupancy level. Allows green or white HOV access stickers issued prior to January 1, 2017, to expire on January 1, 2019. Allows motorists with green and white stickers issued between January 1, 2017, and January 1, 2019, to apply to the DMV for a new sticker that shall be valid until January 1, 2022. Provides that HOV access stickers issued on or after January 1, 2019, will be valid until January 1 of the fourth year after the year of issuance, and requires the new stickers to be distinguishable from prior stickers. Prohibits applicants from receiving an HOV access decal if the applicant has received a rebate pursuant to the Clean Vehicle Rebate Project, unless the applicant meets the income criteria.

OCTA Position – Monitor

Impact on OCTA: *The creation of a new program to enable greater access to HOV lanes will further incentivize the purchase of vehicles that qualify as low-emission vehicles or ZEVs, increasing the number of single occupant vehicles that utilize Orange County's HOV lane network, which has the potential to further degrade the throughput of the County's HOV lane network.*

SB 406 (Leyva, D-Chino) Vehicles: High Occupancy Vehicle Lanes: Exemptions (Chapter 392, Statutes of 2017)

SB 406 allows blood transport vehicles such as a vehicle owned and operated by the American Red Cross or a blood bank, to use HOV lanes, regardless of occupancy. Provides that blood transport vehicles are not exempt from paying tolls. Requires the FHWA and Caltrans to make a determination that the use of HOV lanes by these vehicles will not cause a reduction in federal aid funds for highways or otherwise be inconsistent with federal law or regulations, or with any agreement between the state and a federal agency or department.

OCTA Position – Monitor

Impact on OCTA: *As owner and operator of the 91 Express Lanes, blood transport vehicles under SB 406's provisions would still be subject to the existing fee structure that governs vehicles when they utilize the 91 Express Lanes. In addition, if Caltrans and the FHWA approve of this exemption, continued discussions will be needed on overall solutions to the continued degradation of the HOV system.*

SB 595 (Beall, D-San Jose) Metropolitan Transportation Commission: Toll Bridge (Chapter 650, Statutes of 2017)

SB 595 requires the City and County of San Francisco and the other eight counties in the San Francisco Bay Area to place a third regional measure (RM3) on the ballot to increase the toll rate by \$3 on state-owned toll bridges. If approved by the voters, authorizes the Bay Area Toll Authority to phase in the toll increase, six months after the election, over a

period of time that can be adjusted to inflation based on the California Consumer Price Index. Allows for revenue to be expended on bridge maintenance and rehabilitation, and other projects and programs, such as the San Francisco Bay Area Rapid Transit District (BART) extension to San Jose, the Caltrain Downtown Extension, and other corridor improvements in the Bay Area region that will be known as the RM3 expenditure plan. Sets aside 16 percent of increased revenues, up to \$60 million annually, for transit operating assistance. SB 595 also modifies provisions related to a HOT lane between the Counties of Santa Clara and San Mateo, and requires excess revenues to be used for purposes outlined in an expenditure plan adopted by the City and County Association of Governments of San Mateo, and the San Mateo County Transportation Authority. Establishes an independent oversight committee to ensure RM3 toll revenues are expended consistent with the authority being granted.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes.*

IX. Planning

AB 179 (Cervantes, D-Riverside) California Transportation Commission (Chapter 737, Statutes of 2017)

AB 179 requires the Governor, when appointing members of the CTC, to use every effort to ensure that the CTC has a diverse membership with expertise in transportation issues. Specifically, the Governor must take into consideration factors such as socioeconomic background and professional experience, including experience working in, or representing, disadvantaged communities. The bill also requires that the Commission hold at least two joint meetings with the ARB to coordinate the implementation of transportation policies.

OCTA Position – *Neutral*

Impact on OCTA: *The version of AB 179 signed into law only gives the Governor factors to consider when appointing CTC members rather than prescribing specific requirements for appointees. OCTA must be aware of the socioeconomic background and professional experience of any appointee, including work done in disadvantaged communities, in order to inform members of the State Senate, who confirm these appointments. Also, OCTA must be aware of the increased coordination between the ARB and the CTC, and potential for that to influence future transportation policy.*

AB 184 (Berman, D-Pal Alto) Sea Level Rise Planning: Database (Chapter 338, Statutes of 2017)

AB 184 postpones until January 1, 2023, the repeal of existing law, which requires the Natural Resources Agency to create and post on an Internet Web site a Planning for Sea Level Rise Database describing the steps being taken throughout the state by public agencies and private entities to prepare and plan for sea level rise.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes.*

**AB 515 (Frazier, D-Oakley) State Highway System Management Plan
(Chapter 314, Statutes of 2017)**

AB 515 requires Caltrans to share a draft of the 10-year State Highway System Management Plan, conducted in coordination with Caltrans' activities related to maintenance and the SHOPP, to regional transportation agencies for review and comment. The bill also requires Caltrans to respond to the comments provided by regional transportation agencies.

OCTA Position – *Monitor*

Impact on OCTA: *In finalizing the 10-year State Highway System Management Plan, Caltrans is now required to share a draft of the plan with OCTA and give the agency a chance to comment on the draft. The bill also requires Caltrans to respond to OCTA's comments. This process is intended to ensure that the asset management plan is better aligned with the planning efforts of the regional transportation agencies like OCTA.*

**AB 1282 (Mullin, D-San Mateo) Transportation Permitting Taskforce
(Chapter 643, Statutes of 2017)**

AB 1282 directs the Secretary of CalSTA, in consultation with the Secretary of the National Resources Agency, to create a Transportation Permitting Task Force (Task Force) to streamline permit approvals for transportation projects. The Task Force includes certain state agencies, regional water quality control boards, and other relevant state or public entities. Requires the Secretary of CalSTA to prepare and submit a report of the Task Force's findings to the appropriate legislative policy and fiscal committees by December 1, 2019.

OCTA Position – Support if Amended

Impact on OCTA: *Whether OCTA, Caltrans, or another entity is the lead agency for a transportation project, a significant amount of time is spent on securing the necessary permits for a particular project. There are at least 23 different variations of permits that could be required for a specific project depending on the location, resources impacted, and the mitigation needs of a specific project. Each of these permits is processed through a different entity, adding additional time and cost to a particular project. The inability to obtain a specific permit is one of the primary reasons a project can be delayed. AB 1282 offers an opportunity for regional transportation agencies or transit agencies, like OCTA, which may be a lead agency in project delivery to provide insight on where existing barriers and delays most often occur. This coordination could potentially allow for streamlined project delivery and a clearer, more consistent process for obtaining needed project permits. Although there is no language in the bill specifically referencing local transportation agencies or transit agencies, the author has noted that it was the intent of*

the bill to include these agencies under “other relevant state or public entities.” He has pledged to continue to work with OCTA and other stakeholders as the Task Force is formed, to ensure that the intent of AB 1282 is met.

**SB 150 (Allen, D-Santa Monica) Regional Transportation Plans
(Chapter 646, Statutes of 2017)**

SB 150 requires the ARB to prepare a report to assess the progress of metropolitan planning organizations (MPOs) in meeting GHG targets under SB 375 (Chapter 728, Statutes of 2008). Requires the ARB to prepare the report on or before September 1, 2018, and every four years thereafter to align with the target setting process under SB 375. Requires the report to include changes to GHG emissions in each region and data-supported metrics for the strategies utilized to meet the targets, and also a discussion of best practices and challenges faced by the MPOs in meeting the targets, including the effects of state policies and funding. Requires the report to be developed in consultation with the MPOs and affected stakeholders. In addition, SB 150 amends the process for setting GHG emission targets under SB 375, to also take into account additional state greenhouse gas emission reduction goals, including that in SB 32 (Chapter 249, Statutes of 2016), which set the statewide GHG reduction target at 40 percent below 1990 levels by 2030.

OCTA Position – Neutral

Impact on OCTA: SB 150 allows relevant stakeholders such as OCTA to work in close consultation with MPOs and the ARB in developing the report. In addition, the bill provides for a comprehensive approach that will assist in implementation and allow for regional flexibility to meet the state’s overall climate goals, as originally intended under SB 375.

**SB 498 (Skinner, D-Berkeley) Vehicle Fleets: Zero-Emission Vehicles
(Chapter 628, Statutes of 2017)**

SB 498 requires the ARB, in consultation with stakeholders, to review all state programs related to light-duty, medium-duty, and heavy-duty ZEVs, and make policy recommendations to the Legislature no later than July 1, 2019, on how to increase the use of ZEVs in a manner that results in greenhouse gas or air quality improvements. Requires the ARB to hold a public hearing to consider public comments on a draft report of its recommendations at least 30 days before they submit the report to the Legislature. Authorizes the ARB to modify the draft report based on the public comments it receives. Requires the Department of General Services, beginning no later than FY 2024-2025, to ensure that at least 50 percent of the light-duty vehicles purchased for the state vehicle fleet each year are ZEVs.

OCTA Position – Monitor

Impact on OCTA: For informational purposes. SB 498 provides OCTA with the opportunity to provide comments and feedback on future policy recommendations by the ARB on state programs related to ZEVs.

X. Public Works

AB 92 (Bonta, D-Oakland) Public Contracts: Payment (Chapter 37, Statutes of 2017)

AB 92 extends until January 1, 2023, the operation of existing law which prohibits a public agency from retaining more than five percent of a contract price from the original contractor or subcontractor until final completion of a public works project. In addition, the bill extends the provision that provides an exception to the retention limit by allowing a public agency to withhold more than five percent of a contract price if a project is deemed to be substantially complex, provided that the bid documents explain the basis for the finding and the actual retention amount.

OCTA Position – Monitor

Impact on OCTA: For informational purposes. Allows public agencies, such as OCTA, to maintain a degree of control over projects to ensure contractors perform the work well and on time, without making it difficult for them to meet their financial obligations.

AB 262 (Bonta, D-Alameda) Public Contracts: Bid Specifications (Chapter 816, Statutes of 2017)

AB 262 requires the Department of General Services to establish, and publish in the State Contracting Manual, a maximum acceptable global warming potential for each category of materials in contracts entered into on or after July 1, 2019. Categories of materials are defined as: carbon steel rebar, flat glass, mineral wool board insulation, and structural steel. The bill also mandates that an awarding authority require a successful bidder to submit a current Environmental Product Declaration, developed in accordance with specified standards, for those materials covered in the bill.

OCTA Position – *Monitor*

Impact on OCTA: AB 262 requires a more robust environmental impact study for certain contracts on public works projects granted by state agencies. The standards will go into effect on July 1, 2019. OCTA staff will track the development of these standards to determine the impact that they will have on OCTA's operations.

AB 581 (McCarty, D-Sacramento) Apprenticeships on Public Works Projects (Chapter 553, Statutes of 2017)

AB 581 requires apprenticeship programs funded by grants from the California Apprenticeship Council keep adequate records that document the expenditure of the grant funds in order to remain eligible for grant funding. In addition, the bill requires that these records remain available for the California Apprenticeship Council to verify that the grants are used solely for training apprentices. If the Council finds that funds are used for a purpose other than funding apprenticeships, it is authorized to initiate the process of rescinding the apprenticeship program's registration.

OCTA Position – *Monitor*

Impact on OCTA: *Any OCTA contractors or subcontractors that have grant-funded apprenticeship programs are required by AB 581 to keep adequate records on the grants they receive to operate the apprenticeship program. If a contractor or subcontractor does not keep these records or is found to be using grant funds for purposes other than hiring apprentices, the California Apprenticeship Council can take action to rescind that apprenticeship program, which could increase the cost of the contract.*

**AB 1066 (Aguiar-Curry, D-Winters) Public Works: Definition
(Chapter 616, Statutes of 2017)**

AB 1066 expands the definition of a public works project to include tree removal work done in the execution of the project. With passage of this bill, tree removal work is subject to prevailing wage requirements.

OCTA Position – *Monitor*

Impact on OCTA: *AB 1066 requires that OCTA must pay prevailing wages for any contracted tree removal work.*

**AB 1223 (Caballero, D-Salinas) Construction Contract Payments: Web Site Posting
(Chapter 585, Statutes of 2017)**

AB 1223 requires state agencies that maintain an Internet Web site to post information about construction contract payments valued at \$25,000 or more on their Internet Web sites within ten days of making the payment. Requires the state agency to include the project for which the payment was made, the name of the construction contractor or company paid, the date the payment was made, the payment application number, and the amount of the payment.

OCTA Position – *Monitor*

Impact on OCTA: *For informational purposes.*

**AB 1523 (Oberholte, R-Hesperia) San Bernardino County Transportation Authority
(Chapter 154, Statutes of 2017)**

AB 1523 authorizes the San Bernardino County Transportation Authority, upon approval of its board of directors, to use the design-build contracting process for local agencies to award a contract for the construction of the Mt. Vernon Avenue Viaduct project in the City of San Bernardino.

OCTA Position – *Monitor*

Impact on OCTA: *For informational purposes.*

AB 1701 (Thurmond, D-Richmond) Labor Related Liabilities: Original Contractor (Chapter 804, Statutes of 2017)

AB 1701 holds general contractors and subcontractors jointly liable for nonpayment of wages, fringe or other benefit payments or contributions. Extends this liability, for contracts entered into on or after January 1, 2018, and applies the liability to both public and private work. Provides that the Labor Commissioner may enforce against a direct contractor the liability for unpaid wages or through a civil action. In addition, provides that only a third party owed fringe or other benefits, or a joint labor-management committee are allowed to bring a civil action against a direct contractor to enforce the liability.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes. AB 1701 would place a greater burden on general contractors in monitoring the payrolls of their subcontractors, all while forcing them to be more cautious against litigation that could result from work stoppage, an increase in construction costs, or an increase in change order requests.*

SB 418 (Hernandez, D-West Covina) Public Contracts: Skilled and Trained Workforce (Chapter 393, Statutes of 2017)

SB 418 revises the definition of a “skilled and trained workforce” to specify that on or after January 1, 2018, the 40, 50, and 60 percentage graduation rate of skilled journeypersons employed to perform work on public contracts shall not apply to work performed in the following occupations: acoustical installer, bricklayer, carpenter, cement mason, drywall installer or lather, marble mason, finisher, or setter, modular furniture or systems installer, operating engineer, pile driver, plasterer, roofer or waterproofer, stone mason, surveyor, teamster, terrazzo worker or finisher, and tile layer, setter, or finisher.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes.*

SB 486 (Monning, D-Carmel) Contractors State License Law: Letter of Admonishment (Chapter 308, Statutes of 2017)

SB 486 authorizes the Contractors State License Board (CSLB) to issue letters of admonishment, rather than a citation, to an applicant, licensee, or registrant for violations that do not involve financial harm or serious illness or injury. Provides constraints for the instances in which the CSLB may issue a letter of admonishment. Allows parties that receive a letter to contest, address violations, and write a corrective action plan, but establishes procedures for doing so. In addition, an issued letter of admonishment must be disclosed for a period of one year.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes. Helps to ensure contractors aren't burdened by additional costs for minor violations, and as a result, limits the potential for increased project costs.*

**SB 496 (Canella, R-Ceres) Indemnity: Design Professionals
(Chapter 8, Statutes of 20176)**

SB 496 makes provisions related to liability for contractors applicable to all contracts for design professional services, defined as licensed or registered architects, landscape architects, engineers, or land surveyors, entered into after January 1, 2018. The bill deems that indemnity provided by the design professional for claims made against the indemnitee are limited to negligence, recklessness, or willful misconduct of the design professional. The bill also limits the costs charged to a design professional for legal defense to the design professional's proportional share of fault.

OCTA Position – *Monitor*

Impact on OCTA: *OCTA must be aware of the new indemnity structure when contracting with design professional services, specifically architecture and engineering firms. By prohibiting commonplace indemnity agreements, AB 496 would potentially force OCTA to use taxpayer dollars to defend any claims and litigation, and as a result, the agency would have to wait until after the issue is resolved to seek reimbursement from the design professional, placing the burden on OCTA to prove the amount of reimbursement required from the design professional.*

XI. Rail

**AB 695 (Bocanegra, D- Pacoima) Avoidance of On-Track Equipment
(Chapter 110, Statutes of 2017)**

AB 695 defines on-track equipment as any locomotive or any other car, rolling stock, equipment, or other device that is operated on stationary rail. Adds on-track equipment to the requirements for vehicles or pedestrians to safely cross a railroad, rail transit grade crossing, or a railroad grade crossing, and requires them to stop at no less than 15 feet away from the nearest rail before proceeding safely. In addition, requires vehicles such as buses and commercial vehicles to stop no less than 15 nor more than 50 feet away from the nearest rail, and requires them to track, listen, and look in both directions before proceeding safely.

OCTA Position – *Monitor*

Impact on OCTA: *For informational purposes. OCTA bus operators must also comply with the requirements regarding on-track equipment while crossing a railroad, rail transit grade crossing, or a railroad grade crossing. However, there are potential safety improvements for pedestrians and vehicles at rail crossings, resulting from this bill.*

**AB 758 (Eggman, D-Stockton) Transportation: Tri-Valley-San Joaquin Valley Regional Rail Authority
(Chapter 747, Statutes of 2017)**

AB 758 creates the Tri-Valley-San Joaquin Valley Regional Rail Authority (Authority) for the purposes of planning, developing, and delivering transit connectivity between the BART system and the Altamont Corridor Express (ACE) commuter rail service in the Tri-Valley. Requires the Authority's governing board to be comprised of 15 representatives from the respective cities, counties, and transit authorities. Requires the Livermore Amador Transit Authority to provide administrative support to the Authority for 18 months. Transfers all unencumbered local funds programmed for the BART Livermore extension project or connectivity of ACE and BART to the discretion of the Authority. Requires the Authority by July 1, 2019, to develop one project feasibility report that provides recommendations for expediting the BART to ACE connection, a funding plan, a proposed schedule of completion, a preliminary design for the project, and the identification of preferred entity to delivery transit connectivity.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes.*

XII. State Budget

**AB 97 (Ting, D-San Francisco) Budget Act of 2017
(Chapter 14, Statutes of 2017)**

AB 97 makes \$125.1 billion worth of appropriations to support the state government for FY 2017-18, which is \$1.1 billion higher than the May Revise. The bill also includes funding to bring the state's rainy day fund to \$8.5 billion. The bill appropriates \$1.5 billion in transportation funding pursuant to SB 1 (Chapter 5, Statutes of 2017), the Road Repair and Accountability Act of 2017, including:

- \$280 million of STA funding on top of the \$305 million of base funding;
- \$445.4 million for LSR;
- \$845.4 million for the SHOPP and bridge and culvert maintenance;
- \$330 million for the TIRCP;
- \$250 million for the SCCP;
- \$200 million for the LPP;
- \$199.8 million for the Trade Corridor Enhancement Account (TCEA);
- \$100 million for the Active Transportation Program;
- \$25 million for intercity and commuter rail;
- \$25 million for Freeway Service Patrol; and
- \$25 million for local planning grants.

Urgency bill – Effective Immediately

OCTA Position – *Monitor*

Impact on OCTA: *AB 97 appropriates OCTA's share of SB 1 funds for FY 2017-18. OCTA is expected to receive \$16.5 million in base State Transit Assistance funding plus an additional \$15.1 million from the funding increase in AB 97, although these amounts might change depending on fuel revenue receipts. OCTA's share of SB 1 funding will also depend on the implementation of the guidelines for competitive funding programs being developed under the public process laid out in AB 115 (Chapter 20, Statutes of 2017). According to estimates compiled by the California State Association of Counties for FY 2017-18, Orange County will receive approximately \$51.7 million in base funding for the local streets and roads plus an additional \$14.5 million due to the funding increases in SB 1. According to estimates provided by the California League of Cities for FY 2017-18, SB 1 will result in approximately \$17.2 million in additional funding for local streets and roads for Orange County's cities, which is in addition to the \$70.1 million that the cities will receive in base funding.*

AB 102 (Assembly Budget Committee) Taxpayer Transparency and Fairness Act: Tax and Fee (Chapter 16, Statutes of 2017)

AB 102 establishes the state Department of Tax and Fee Administration (DTFA) and transfers to it certain duties currently under the jurisdiction of the State Board of Equalization (BOE). The legislation rededicates the BOE to those duties outlined in the California Constitution, namely the assessing of a narrowly-defined set of taxes. As a result, the DTFA will be the agency with jurisdiction over any issues pertaining to the motor vehicle tax and local sales taxes. As part of the transition, the BOE will adjust the rate of the motor vehicle tax through FY 2018-19. AB 102 also establishes the Office of Tax Appeals and transfers to it certain duties from the BOE related to conducting tax appeals hearings.

Urgency bill – Effective Immediately

OCTA Position – *Monitor*

Impact on OCTA: *The rededication of the BOE means that issues pertaining to motor vehicles taxes and local sales taxes will be administered by the DTFA after the statutory transition period. OCTA will need to ensure that the transition of these administrative duties does not result in additional fees or burdens in the execution of local sales tax measures or threaten appropriations related to the collection of the motor vehicles taxes, either of which would be counter to the legislative intent of restoring faith in the state's revenue collection efforts.*

AB 115 (Assembly Budget Committee) Transportation (Chapter 20, Statutes of 2017)

AB 115 serves as one of the budget trailer bills for transportation. The bill ensures that LPP funding authorized in SB 1 is allocated to local or regional transportation agencies that have secured voter approval for local sales tax measures or have imposed fees for transportation purposes. AB 115 also requires Caltrans and CalSTA, in developing SB 1

guidelines, to post formal drafts online and hold at least two public workshops 30 days before adoption. The bill also makes other technical and non-substantive changes to SB 1. AB 115 also authorizes Construction Manager/General Contractor (CMGC) project delivery authority for up to 12 additional projects delivered by Caltrans, with two projects reserved for RCTC. The bill also allows RCTC to use the CMGC authority for grade separation and bridge rehabilitation projects and to utilize “cost-plus-time” bidding procedure for projects they were provided funding under SB 132 (Chapter 7, Statutes of 2017), a companion bill to SB 1.

Urgency bill – Effective Immediately

OCTA Position – *Monitor*

Impact on OCTA: The legislation ensures that the LPP funds included in SB 1 go to transportation agencies rather than counties. Also, the bill creates a public comment process for SB 1 implementation, giving OCTA a chance to track and comment on any guidance pertaining to this new transportation funding. For informational purposes, the bill also authorized RCTC to utilize various policies, supported by OCTA, to accelerate project delivery that are not yet available statewide.

**AB 119 (Assembly Budget Committee) State Government
(Chapter 21, Statutes of 2017)**

AB 119 serves as one of the budget trailer bills for state government operations. Among its provisions, the bill prohibits the release of personal email addresses as part of a public record request under the California Public Records Act. There is an exception for email addresses used for public purposes. AB 119 also clarifies that only lead agencies are required to prepare an environmental impact report under CEQA. As such, the bill exempts from CEQA actions provided by the State Public Works Board and the Department of Finance pertaining to bond issuances, capital outlay projects, or real estate transactions. AB 119 also mandates that public employers provide the exclusive representative of its employee organizations mandatory access to its new employee orientations and at least 10 days notice for any orientation, unless a specific agreement is reached between the employer and the exclusive representative. The bill also requires public employers to provide the exclusive representatives with information about new hires within 30 days of employment.

Urgency bill – Effective Immediately

OCTA Position – *Monitor*

Impact on OCTA: OCTA may not release an email address as part of any public record request unless the email address is used for public purposes. The bill also requires that OCTA provide its employee organization with information about new hires and new employee orientations in the timelines described above.

**AB 134 (Assembly Budget Committee) Budget Act of 2017
(Chapter 254, Statutes of 2017)**

AB 134 serves as the budget trailer bill acting as the expenditure plan for the cap-and-trade program. The bill appropriates \$900 million GGRF revenues to the ARB for an array of programs. Of note, the bill appropriates \$180 million for ARB's HVIP, with \$35 million guaranteed for zero-emission bus purchases. The bill also appropriates \$250 million to local air districts for the Carl Moyer program, with \$107.5 million for the Southern California Air Quality Management District. Each air district may use up to 40 percent of these funds for clean truck programs, consistent with ARB's Proposition 1B guidelines. The bill also contains \$240 million for various clean freight programs.

Urgency bill – Effective Immediately

OCTA Position – *Monitor*

Impact on OCTA: AB 134 represents a marked increase, \$162 million over FY 2016-17 levels, for low-emission vehicles and ZEVs. OCTA is eligible to compete for this new funding. Specifically, the \$35 million minimum for the purchase of new buses increases OCTA's chances of receiving funding to continue modernizing its bus fleet. In addition, OCTA is also eligible to receive funding under the Carl Moyer Program.

**AB 135 (Assembly Budget Committee) Transportation
(Chapter 255, Statutes of 2017)**

AB 135 serves as one of the budget trailer bills for transportation. Among its provisions, the bill expands and clarifies the use of LONP authority for the TIRCP, SCCP, LPP, and the TCEA. Provides a 90-day grace period after the CTC project list deadline for cities and counties to submit their project lists to become eligible for SB 1 funding. Allows cities and counties the option to adopt a project list through a resolution at a regularly scheduled public hearing to establish eligibility for LSR funding. Amends existing reporting requirements to include all SB 1 expenditures of LSR funds in a given fiscal year. Allows transportation planning agencies to receive from Caltrans a single advance payment of no more than \$300,000 for programming, planning, and monitoring activities. Appropriates \$274.5 million from the Federal Trust Fund to Caltrans for the FY 2017-2018 and allows CalSTA to assume responsibilities under NEPA for any railroad, public transportation or multimodal project.

Urgency Bill – Effective Immediately

OCTA Position – *Monitor*

Impact on OCTA: As an eligible recipient, OCTA plans to compete for the funding provided by the TIRCP, SCCP, TCEA, and LPP. AB 135 will allow OCTA to advance other funds for approved projects and seek reimbursement with SB 1 funds when funding becomes available. AB 135 will also provide the County of Orange and its cities, additional flexibility in financing and advancing local transportation projects. While the details of the NEPA assignment program provision are still being discussed, CalSTA has indicated that

they plan to work with transit agencies, such as OCTA, to develop implementation guidelines. However, CalSTA must be granted the authority by the Federal Railroad Administration and the Federal Transit Administration before NEPA delegation can be assumed.

**SB 96 (Senate Budget and Fiscal Review Committee) State Government
(Chapter 28, Statutes of 2017)**

SB 96 serves as a budget trailer bill for state government. Among its provisions, the bill requires that contractors and subcontractors engaged in a public works project to register as a public works contractor for work on or after January 1, 2018, regardless of the contract date. Raises the registration fee, and only requires registration for projects over \$25,000 for new construction and \$15,000 for maintenance. Allows the Labor Commission to fine or serve a stop order until the contractor or subcontractor is registered. In addition, clarifies that employees that report an injury that does not relate to a specific Occupational Safety and Health Act complaint or worker's compensation claim are still protected from retaliation or discharge. Increases the civil penalties for any employer who violates any occupational safety or health standard.

Urgency Bill – Effective Immediately

OCTA Position – Monitor

Impact on OCTA: *Potential for increases to total project costs in the event that a stop order is issued by the Labor Commissioner. In addition, OCTA's workers' compensation program will need to be reviewed, and if needed, amended to comply with the provisions outlined in SB 96.*

**SB 103 (Senate Budget and Fiscal Review Committee) Transportation
(Chapter 95, Statutes of 2017)**

SB 103 serves as a budget trailer bill for transportation. Among its provisions, the bill authorizes Caltrans to implement the AMP, including, among other things, purchasing or funding the purchase of mitigation credits from mitigation banks, conservation banks, or in-lieu fee programs approved by a regulatory agency to pay for the mitigations of environmental impacts of transportation projects. Revises and recasts the requirements of the Trade Corridors Improvement Fund and makes them applicable to the TCEA created by SB 1. Requires the CTC to allocate 60 percent of available funding from the TCEA to projects nominated by regional transportation agencies for infrastructure improvements along trade corridors that have a high volume of freight movement, with the remaining 40 percent to be allocated for eligible projects nominated by Caltrans. Requires Caltrans to develop and share with the Legislature a detailed outreach plan intended to increase procurement opportunities for new and limited contracting small business enterprises, in all the transportation programs. Requires Caltrans to achieve a minimum of 25 percent small business participation in state-funded contracts and procurements.

Urgency Bill – Effective Immediately

OCTA Position – Monitor

Impact on OCTA: *As an eligible recipient, OCTA plans to compete for the funding provided by TCEA for corridor-based freight projects. In addition, OCTA should be aware of the provisions outlined in SB 103 when contracting out with disadvantaged business enterprises.*

**SB 112 (Senate Budget & Fiscal Review Committee) State Government
(Chapter 363, Statutes of 2017)**

SB 112 serves as one of the budget trailer bills for state government operations. Of its provisions, the bill clarifies that elected officials may continue to receive their retirement benefits under the County Employees Retirement Law while they hold public office. This clarification provides parity to the retired California Public Employees' Retirement System members who are able to receive retirement benefits while receiving a salary as a public employee.

Urgency bill – Effective Immediately

OCTA Position – Monitor

Impact on OCTA: *Under current law, beneficiaries of the OCERS system were not able to receive retirement benefits while holding public office. Under SB 112, retired OCTA employees may draw retirement while holding public office.*

**SB 132 (Senate Budget & Fiscal Review Committee) Budget Act of 2017
(Chapter 7, Statutes of 2017)**

SB 132 serves as a trailer bill to appropriate certain items, including: \$100 million for a Caltrans project at the University of California, Merced; \$400 million for the extension of the Altamont Corridor Express to Ceres and Merced; \$180 million for the 91 Toll Connector to the I-15; and \$199.15 million for grade separation projects in Riverside County. The bill also convenes a task force of state, local, and private sector experts to examine the authorizations given in AB 115 to accelerate project delivery in Riverside County.

Urgency bill – Effective Immediately

OCTA Position – Monitor

Impact on OCTA: *For informational purposes.*

XIII. Transit

AB 468 (Santiago, D-Los Angeles) Transit Districts: Prohibition Orders (Chapter 192, Statutes of 2017)

AB 468 adds the Los Angeles County Metropolitan Transportation Authority to the list of transit districts authorized to issue prohibition orders to disruptive passengers on transit facilities, and extends the application of these provisions to the San Francisco Bay Area Rapid Transit District indefinitely.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes.*

AB 673 (Chu, D-Fremont) Public Transit Operators: Bus Procurement: Safety (Chapter 126, Statutes of 2017)

AB 673 requires a public transit operator, before the procurement of a new bus, to take into consideration recommendations of, and best practice standards provided by an organization that represents bus operators of the transit operator for the purpose of reducing the risk of assault on bus operators, preventing accidents caused by blind spots created by bus equipment or design, and enhancing the safety of bus operators, passengers, and other vehicles and pedestrians. Provides that a transit operator is not required to implement the provisions outlined in the bill.

OCTA Position – Monitor

Impact on OCTA: *OCTA, Orange County's primary operator of public transit services, already consults with represented employees prior to the procurement of new buses on aspects related to safety.*

AB 730 (Quirk, D-Hayward) Transit Districts: Prohibition Orders (Chapter 46, Statutes of 2017)

AB 730 repeals the sunset on the prohibition order authority granted to BART. Under current law, BART's prohibition order authority expired on January 1, 2018. As such, AB 730 gives BART permanent authority to issue prohibition orders for various offenses, including the interfering with the operation of a train, committing acts that may injure a person or property, and willfully disturbing a transit facility, among the various violations listed in the bill.

OCTA Position – *Monitor*

Impact on OCTA: *For informational purposes, AB 730 gives BART permanent prohibition order authority to combat growing behavioral issues on the Bay Area's transit system.*

**AB 1073 (Garcia, D-Coachella) Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program
(Chapter 632, Statutes of 2017)**

AB 1073 extends until January 1, 2020, the requirement that the ARB dedicate no less than 20 percent of the California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program to support the early commercial deployment of existing zero- and near-zero-emission heavy-duty truck technology.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes. The ARB is currently in the process of drafting a regulatory proposal for zero-emission buses and is expected to set forth requirements for transit agencies to procure a certain percentage of such buses. As a provider of transit services, OCTA is eligible to receive funding from this program for the purposes of procuring zero-emission buses. However, given the amount of available funding under this program, there may be limited capacity and flexibility for implementation.*

**AB 1222 (Quirk, D-Hayward) Vehicles: Electric Wireless Communications Devices
(Chapter 297, Statutes of 2017)**

AB 1222 removes “specialized mobile radio device” and “two way messaging device” from examples of an “electronic wireless communications device” that is prohibited from being used while driving a motor vehicle.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes.*

**SB 20 (Hill, D-San Mateo) Vehicles: Buses: Seatbelts
(Chapter 593, Statutes of 2017)**

SB 20 requires bus drivers and passengers to wear safety belts in buses that are equipped with safety belts. Requires bus drivers to inform passengers of the safety belt requirement and the associated fine for violating the requirement or allow for posted signs to be placed in the bus detailing the requirements and penalties. Exempts school buses, which already require the use of safety belts.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes. These provisions may apply to any OCTA bus with seatbelts.*

SB 614 (Hertzberg, D-Sherman Oaks) Public Transportation Agencies: Penalties (Chapter 219, Statutes of 2017)

SB 614 caps the administrative penalties for fare evasion and other misconduct violations at \$125 for the first and second violation and \$200 for the third and subsequent violations. This bill ensures that the administrative penalties generated from the fare evasion or misconduct violations are to be deposited with the public transportation agency that issued the citation. The bill also requires an administrative hearing to determine if community service is needed for minors and people facing financial hardship, although the community service can be waived in certain situations pertaining to repeat offenders.

OCTA Position – *Monitor*

Impact on OCTA: *AB 614 ensures that funds generated by administrative penalties for fare evasion and passenger misconduct would be directed to OCTA and not Orange County.*

SB 680 (Wieckowski, D-Fremont) San Francisco Bay Area Rapid Transit District (Chapter 100, Statutes of 2017)

SB 680 extends the allowable distance for BART to engage in transit-oriented joint development projects from one-quarter mile to one-half mile. Defines transit oriented-joint development as a commercial, residential, or mixed-use development project that is undertaken with transit facilities located a half mile or less.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes.*

SB 810 (Senate Transportation and Housing Committee) Transportation: Omnibus Bill (Chapter 397, Statutes of 2017)

SB 810 is the transportation omnibus bill that makes technical and non-controversial changes to various sections of law pertaining to transportation. Among its provisions, the bill prohibits a person holding a class A, class B, or class C driver's license from operating a vehicle hauling highway route controlled quantities of radioactive materials, unless the person possesses the appropriate class license and training. Requires a person seeking to operate a commercial motor vehicle to fulfill the applicable federal training requirements, and forward a completed application and a record of training to the Department of the California Highway Patrol. In addition, requires all type one and type two school buses purchased or leased for use in California, unless specifically prohibited by the National Highway Traffic Safety Administration, to be equipped at all designated seating positions with a combination pelvic and upper torso passenger restraint system.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes.*

XIV. Transportation Network Companies/Taxicab Services

AB 1069 (Low, D-Campbell) Local Government: Taxicab Transportation Services (Chapter 753, Statutes of 2017)

AB 1069 requires beginning January 1, 2019, a city or county, except the City and County of San Francisco, to regulate taxicab transportation service only if the taxicab operates and is substantially located within its jurisdiction. Defines “substantially located,” as the jurisdiction where the primary business address is located and the jurisdiction in which the trips originating in that jurisdiction account for the largest share of that company or driver’s total number of trips over the past year and determined every five years thereafter. Requires that a city or county shall be deemed to have a taxicab company or driver substantially located within its jurisdictions if the city or county has enacted a resolution of intention to either enter into a joint exercise of powers agreement for the purpose of regulating or administering taxicab service, or enter into an agreement with a transit agency for the purpose of regulating or administering taxicab service. In addition, AB 1069 requires a taxicab company to obtain a permit in every county in which that provider is substantially located. Taxicabs must also collect trip data to determine in what jurisdiction each company and driver are substantially located, beginning January 1, 2018. Allows a taxicab company to set fares or charge a flat rate, but allows a city or county to set a maximum rate.

OCTA Position – Neutral

Impact on OCTA: AB 1069 will have a significant effect on the Orange County Taxi Administration Program (OCTAP), which coordinates taxicab service, permitting, and other administrative functions, and is currently administered by OCTA on behalf of the cities and the County of Orange. OCTA under AB 1069, will no longer be able to administer OCTAP in its current form starting January 1, 2019, and will have to work with the members of OCTAP to prepare for new efforts in maintaining taxicab service.

SB 182 (Bradford, D-Gardena) Transportation Network Company: Participating Drivers: Single Business License (Chapter 769, Statutes of 2017)

SB 182 prohibits a local jurisdiction from requiring a driver of a transportation network company (TNC) to obtain more than one business license, regardless of the number of local jurisdictions in which the driver operates. Requires the driver to obtain a business license in the local jurisdiction in which the driver is domiciled. However, if the local jurisdiction does not require a business license to operate as a driver for a TNC, the driver shall not be required to obtain a business license for any other jurisdiction. Requires each TNC to notify its drivers of the obligations set forth in this bill.

OCTA Position – Monitor

Impact on OCTA: For informational purposes.

XV. Other Legislation

AB 332 (Bocanegra, D-San Fernando Valley) Vehicles: Local Regulations: Street Closures

(Chapter 34, Statutes of 2017)

AB 332 expands a local authority's ability to temporarily close, in conjunction with law enforcement and traffic engineers, a highway under its jurisdiction in order to curb illegal dumping. The highway may not be a through highway or arterial street, the traffic must contribute to the criminal activity, and the closure must not adversely affect traffic. The bill limits the amount of time a highway may remain closed.

OCTA Position – *Monitor*

Impact on OCTA: *For informational purposes, OCTA may work with cities in Orange County and local law enforcement to close a highway if illegal dumping becomes a serious problem.*

AB 660 (Rubio, D-Baldwin Park) Public Agencies: Unlawful Interference

(Chapter 381, Statutes of 2017)

AB 660 makes it a misdemeanor for a person to intentionally interfere with the business of a public agency by obstructing or intimidating public employees or people there to transact business with the public agency. By law, an officer manager or supervisor at the public agency must request that the person interfering in the agency's business leave the premises. In these situations, it is also a misdemeanor for a person interfering with public agency business to make material misrepresentations to people doing business with the agency.

OCTA Position – *Monitor*

Impact on OCTA: *People interfering with OCTA's public business by obstructing or intimidating public employees or OCTA customers, or by making material misrepresentations to OCTA customers, can be found guilty of a misdemeanor. An OCTA officer manager or supervisor must ask the interfering person to leave, and that person must refuse OCTA's request.*

AB 765 (Low, D-Campbell) Local Initiative Measures: Submission to the Voters

(Chapter 748, Statutes of 2017)

AB 765 eliminates the requirement that a special election be held to vote on a local initiative measure and allows for the measure to be submitted to voters at a regularly scheduled election.

OCTA Position – *Monitor*

Impact on OCTA: *For informational purposes.*

**AB 1094 (Choi, R-Irvine) Vehicles: Automated Traffic Enforcement Systems
(Chapter 555, Statutes of 2017)**

AB 1094 provides that a red light violation at freeway or highway on ramps be included as a general violation of traffic signals at a place other than an intersection. Provides that violators running a red light at on-ramps be subject to the base fine of \$35 for general infractions rather than the \$100 base fine that applies to red light violations at intersections.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes. Operators of OCTA vehicles should be aware of the provisions outlined in AB 1094.*

**AB 1127 (Calderon, D-Whittier) Baby Diaper Changing Stations
(Chapter 755, Statutes of 2017)**

AB 1127 requires state and local agencies, and facilities open to the public to provide one of the following: at least one safe, sanitary, convenient, and publicly accessible baby diaper changing station that is accessible in both women and men's restrooms, or at least one baby diaper changing station that is accessible to both men and women. Applies to all new construction and to all renovations of bathrooms in which the estimated cost of the new construction or renovation is \$10,000 or more. Exempts the installation of these stations if a local building permitting entity or building inspector determines that it is not feasible or would result in a failure to comply with building standards governing the right of access for persons with disabilities.

OCTA Position – Monitor

Impact on OCTA: *Unknown costs for OCTA to comply with the requirements of AB 1127. Costs would depend upon qualifying renovations in existing buildings where installations are feasible, as well as the ongoing costs to maintain, repair, and replace publicly accessible baby diaper changing stations.*

**AB 1633 (Frazier, D- Discovery Bay) State Highways: Exit Information Signs
(Chapter 158, Statutes of 2017)**

AB 1633 adds a business offering electric vehicle charges facilities to the list of specific roadside businesses eligible for an information sign under the Caltrans Business Logo Sign Program.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes.*

**SB 52 (Newman, D-Fullerton) State Route 39
(Chapter 423, Statutes of 2017)**

SB 52 authorizes the CTC, upon a determination that it is in the best interests of the state to do so, and upon an agreement between Caltrans and the City of Anaheim, to relinquish the segment of SR-39 that is within the city limits of Anaheim from the Anaheim/Stanton city limit north of Starr Street to the Anaheim/Buena Park city limit at North Stanton Avenue. Requires the City of Anaheim to maintain signs within its jurisdiction directing motorists to the continuation of SR-39.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes.*

**SB 225 (Stern, D-Canoga Park) Human Trafficking: Notice
(Chapter 565, Statutes of 2017)**

SB 225 would require that human trafficking notices, developed by the Department of Justice, specify that a person can text a specified number for services and support. The bill also requires that the Department revise and update the notice by January 1, 2019. Any business or establishment required to post the model notice is not required to post the updated model notice until on and after January 1, 2019.

OCTA Position – *Monitor*

Impact on OCTA: *SB 225 does not require that the Department of Justice's model human trafficking notice be posted until January 1, 2019. Starting on that date, OCTA must post the model notice conspicuously in public entrances, as required by law, in conformance with these new requirements.*

**SB 400 (Portantino, D-La Canada) Highways: Surplus Residential Property
(Chapter 568, Statutes of 2017)**

SB 400 prohibits Caltrans from increasing the rent of tenants in Caltrans' Affordable Rent Program within the State Route 710 corridor. The bill freezes rents for the 123 tenants in the program until January 1, 2020.

OCTA Position – *Monitor*

Impact on OCTA: *For informational purposes.*

**SB 611 (Hill, D-San Mateo) Vehicles
(Chapter 485, Statutes of 2017)**

SB 611 would require an applicant for a special license plate, a distinguishing placard, or a temporary distinguishing placard to provide proof of his or her full name and date of birth when submitting an application to the DMV. Requires the DMV to conduct a quarterly random audit of applications for disabled person placards, with the cooperation of the Medical Board of California or the appropriate regulatory boards. Requires permanent placard holders to renew their placard every six years.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes.*

SB 622 (Wiener, D-Castro) Local Agency Public Construction Act: Golden Gate (Chapter 396, Statutes of 2017)

Among its provisions, SB 622 allows the Golden Gate Bridge, Highway, and Transportation District to increase the bid threshold from \$20,000 to \$1,000,000; remove bid thresholds for insurance procurements; increase an informal bidding ordinance for construction, repair, maintenance, and alteration work from \$5,000 to \$50,000; enact an informal bidding ordinance for contracted work under \$50,000; and award public works contracts below \$50,000 to the lowest responsible bidder.

OCTA Position – *Monitor*

Impact on OCTA: *For informational purposes.*