



November 21, 2019

To: Legislative and Communications Committee
From: Darrell E. Johnson, Chief Executive Officer
Subject: Orange County Transportation Authority 2019-20 State and Federal Legislative Platforms

Overview

The final drafts of the revised 2019-20 Orange County Transportation Authority State and Federal Legislative Platforms are submitted for consideration and adoption by the Orange County Transportation Authority Board of Directors.

Recommendations

- A. Adopt the revised 2019-20 State and Federal Legislative Platforms.
- B. Direct staff to distribute the adopted platforms to elected officials, advisory committees, local governments, affected agencies, the business community, and other interested parties.

Background

The annual Orange County Transportation Authority (OCTA) State and Federal Legislative Platforms (Platforms) are developed as a resource for the OCTA Board of Directors (Board), Orange County state and federal legislative delegation offices, and OCTA staff. The Platforms guide OCTA's state and federal legislative and regulatory priorities. Official OCTA legislative positions not directly addressed by the Platforms will be brought to the Board for separate action during the legislative sessions.

The initial drafts of the 2019-20 Platforms were reviewed and approved for further circulation by the Legislative and Communications Committee on October 17, 2019, and by the Board on October 28, 2019. After receiving additional feedback, the Platforms have been refined further and are included as strikethrough versions in Attachments A and B.

The edits described in this staff report represent changes necessitated midway through the two-year legislative session to address issues that have arisen since

the initial adoption of the Platforms. Next year, when new two-year legislative sessions begin, the development of the 2021-22 Platforms will include an expansive input solicitation process with outreach to interested groups and individuals, allowing for a more comprehensive update.

Sponsor Legislation

Under the direction of the Board, staff pursued two state sponsor bill ideas in 2019, one related to toll interoperability and another concerning the administration of the Active Transportation Program (ATP). Both legislative vehicles are now two-year bills. For the 2020 legislative session, staff is recommending that the Board maintain its sponsor position on the toll interoperability legislation and remove its sponsor position on the ATP bill for the reasons outlined below.

- The toll interoperability bill, SB 664 (Allen, D-Santa Monica), is currently pending in the Assembly Privacy Committee as a two-year bill. With ongoing conversations about next steps, staff recommends that OCTA remain engaged on this bill and other legislative efforts affecting toll operations to ensure the enforcement of existing toll policies, as well as interoperability with adjacent facilities. As such, staff recommends keeping the sponsor bill language in the final version of revised State Legislative Platform, as reflected in Attachment A.
- OCTA's effort to streamline the administration of ATP funds resulted in two different legislative vehicles, SB 152 (Beall, D-Campbell) and AB 1402 (Petrie-Norris, D-Irvine). SB 152 served as the primacy vehicle, and ultimately encountered opposition from advocacy groups and concerns from California Transportation Commission and transportation agencies who did not believe they would benefit under the legislation. Legislation to make similar reforms to the Local Partnership Program, SB 277 (Beall, D-Campbell), was vetoed by the Governor. As such, staff is not recommending that OCTA sponsor ATP legislation this year, and staff recommends striking the ATP sponsor bill language from the 2019-20 State Legislative Platform, as reflected in Attachment A.

2019-20 OCTA State Legislative Platform

The final proposed revisions to the 2019-20 OCTA State Legislative Platform are summarized below and detailed as a strikethrough version in Attachment A.

- Subsection (n) was added to the section entitled “Transportation Funding” to allow OCTA to monitor and participate in discussions related to the implementation of Executive Order N-19-19, the Governor’s recent action to leverage transportation investments for the benefit of other state goals. The Executive Order seeks to align transportation spending with the state’s climate goals through several strategies, including focusing transportation investments near housing and job centers, seeking opportunities to allow for modal shifts, promoting zero-emission fleets, and strengthening greenhouse gas emission regulations for the transportation sector. Staff recommends adding this language to ensure that state transportation funds are used for their intended purpose rather than further disadvantaging OCTA projects in existing competitive funding programs.
- Subsection (i) was added to the section entitled “Implementation of Environmental Regulations and Cap-and-Trade” to ensure that OCTA is not adversely affected by the ongoing changes to federal tailpipe emissions standards and California’s Clean Air Act pre-emption waiver. This provision, which is identical to language already added to the 2019-20 Federal Legislative Platform, is meant to ensure that any changes to air quality law do not reduce funding available to OCTA or make it more difficult to deliver transportation improvements in Orange County. Staff recommends adding this language to the State Legislative Platform because there is a growing concern that air quality determinations, specifically invalid or alternative air quality models, could affect a region’s eligibility for state transportation funding.

2019-20 Federal Legislative Platform

The final proposed revisions to the 2019-20 OCTA Federal Legislative Platform are summarized below and detailed as a strikethrough version in Attachment B.

- Subsection (b) of Section V was edited to support ongoing implementation of Positive Train Control (PTC) safety technology. The previous language discussed legislative deadlines, which were largely a concern for the initial stages of PTC implementation. Staff recommends removing the reference to statutory deadlines while continuing to support efforts to address the ongoing technological and logistical challenges associated with PTC implementation.
- Subsection (d) of Section VI was edited to more broadly support grade separation projects that benefit Southern California. While the existing

language was limited to Alameda Corridor East projects, the recommended edits give OCTA more flexibility as to the types of innovative goods movement solutions OCTA can support.

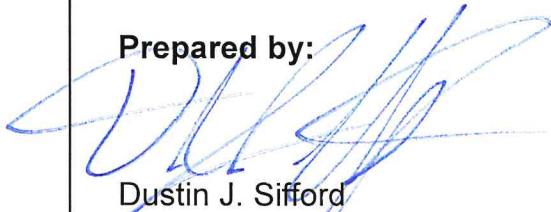
Summary

The 2019-20 OCTA State and Federal Legislative Platforms are presented for consideration and adoption.

Attachments

- A. Draft Orange County Transportation Authority 2019-20 State Legislative Platform (Strikethrough Version)
- B. Draft Orange County Transportation Authority 2019-20 Federal Legislative Platform (Strikethrough Version)

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