



July 15, 2021

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

Overview

The Orange County Transportation Authority provides regular updates to the Legislative and Communications Committee on policy issues directly impacting its overall programs, projects, and operations. A summary is provided on legislation the Orange County Transportation Authority has supported that authorizes transit agencies to use onboard camera technology to discourage illegal parking in transit-only lanes and at transit stops. An update is provided on fiscal year 2021-22 state budget and associated budget trailer bills.

Recommendation

Receive and file as an information item.

Discussion

AB 917 (Bloom): Vehicles: Video Imaging of Parking Violations

AB 917 (Bloom, D-Santa Monica) will expand current state law to authorize transit agencies to use onboard camera technology to discourage parking in transit-only lanes and at transit stops, where it is prohibited under existing law. Specifically, AB 917 would authorize transit agencies statewide to install or utilize existing forward-facing cameras on their transit vehicles to obtain images of these parking violations. Currently, such authority is only provided to San Francisco Municipal Transportation Agency and the Alameda-Contra Costa Transit District (AC Transit). These parking citations do not negatively impact a driver's record, carry the same fine as a parking ticket, and can be appealed. AB 917 also contains privacy protections and sets noticing requirements for this new program.

As transit agencies within the State explore the implementation of transit-only lanes and seek ways to prevent illegal parking at transit stops, AB 917 would provide a deterrent method to prevent the blocking of transit vehicles at these

locations. In addition to the service impacts, a partially blocked transit stop creates significant safety concerns. When an operator of a transit vehicle is not able to reach the curb, riders are forced to navigate the street and the gap that is created between the transit vehicle and the curb. This is a potentially dangerous maneuver for riders to undertake, and a potentially impossible one for those with a disability or mobility limitations, including seniors.

AB 917's authority provides another tool for the Orange County Transportation Authority (OCTA) to use and law enforcement to enforce at existing bus stops in its service area as well as explore potential transit-only lanes proposals as they are analyzed for future consideration. AB 917 is sponsored by the California Transit Association (CTA) and supported by a variety of stakeholders including AC Transit, Los Angeles County Metropolitan Transportation Authority, San Francisco Bay Area Rapid Transit District, and more. A SUPPORT position is consistent with the OCTA 2021-22 State Legislative Platform's principle to "SUPPORT policies that aim to enhance transit services and the overall safety and security of transit riders, coach operators, and on-road vehicles." OCTA's letter of support for AB 917 is included as Attachment A. A comprehensive analysis of AB 917, along with the text of the bill, is included as Attachment B.

State Budget Update

In the face of an unprecedented budget year, the State Legislature has been in extensive negotiations with Governor Gavin Newsom after projecting higher-than-anticipated revenue forecasts. On June 14, 2021, the Legislature approved a budget framework to meet the Constitutionally prescribed deadline to pass a balanced budget for fiscal year (FY) 2021-2022, acknowledging there were still areas that needed further discussion. After several efforts at negotiating the remaining items needing consensus, the Legislature introduced a secondary budget measure that would amend the FY 2021-22 budget. This was approved by the Legislature on June 28, 2021. As of the writing of this staff report, the Governor had signed the budget framework passed on June 14, 2021, but had yet to sign the revised budget passed on June 28, 2021. Because there are still areas where there remains a lack of consensus, it is anticipated there will need to be a third budget bill later this session to further amend the FY 2021-22 budget to reflect the final agreement between the Legislature and the Governor. OCTA has been actively engaged as budget conversations progress to ensure investments in transportation are effective in creating jobs and providing improvements for mobility throughout the State.

Specifically for transportation, the secondary budget measure detailed major investments in transit, including \$2.48 billion for the Transit and Intercity Rail Capital Program (TIRCP), which is anticipated to be used for projects benefitting the 2028 Olympic and Paralympic Games in the City of Los Angeles, grade separations, priority transit and rail projects, and \$500 million for the Active Transportation Program (ATP). This amended budget also includes \$300 million

in climate adaptation grants, with \$150 million of that going directly to local entities. However, further indicating that there are more details to work on between the Legislature and the Governor, the funding provided in this budget bill for TIRCP, ATP, and climate adaptation grants is all contingent on future legislation to determine how specifically it will be allocated. If legislation detailing such guidelines for these programs does not materialize by October 11, 2021, this funding will revert to the General Fund and, therefore, no additional funding would be provided to these programs.

The amended budget also includes \$2.3 billion for a zero-emission vehicles and infrastructure package. Within that package, \$70 million will be set aside for zero-emission transit buses and \$29.7 million will be set aside for charging and refueling infrastructure for the deployment of zero-emission transit buses. Finally, \$600 million is also included to support sustainable communities strategies, created pursuant to SB 375 (Chapter 728, Statutes of 2008), to aid in the planning and implementing of projects that will reduce regional greenhouse gas emissions. As of writing this staff report, it is expected there will be a housing budget trailer bill that will provide details on how these funds will be distributed. Yet to be included is any funding for the high-speed rail and details on an expenditure plan for cap-and-trade revenues.

OCTA staff will provide updates on any further details that are released by the Legislature related to a final budget agreement. It is expected that this year's budget negotiations could continue into late summer and early fall due to the nature of these historic funding levels.

Transportation Budget Trailer Bills

On July 1, 2021, the State Legislature approved the transportation budget trailer bill that includes many priorities OCTA has been advocating for alongside its transit partners, including CTA. The following provisions complement and extend the measures OCTA was successful in securing last year related to the Transportation Development Act (TDA):

- Extends the hold harmless provision for calculation and allocation of the State Transit Assistance (STA) Program, State of Good Repair Program, and Low Carbon Transit Operations Program through FY 2022-23. Such formula programs are based on 50 percent of the revenues for each transit agency, and this provision will continue to use the revenues from FY 2019-20 to inform the formula calculation.
- Extends the suspension of the financial penalties imposed on a transit operator that is unable to meet its farebox recovery requirement until FY 2022-23.

- Extends the suspension of the financial penalties associated with the STA Program's efficiency standards, with each agency able to utilize funding for either operating or capital purposes until FY 2022-23.
- Institutes a review of TDA performance audit requirements to identify opportunities for streamlining.
- Revises the definition of operating cost in calculating farebox recovery and STA efficiency criteria requirements to exclude costs related to paratransit, demand-response and microtransit services, payment and ticketing systems, planning for improvements in transit operations, integration with other operators and agencies, zero-emission transition, compliance with state and federal mandates, security services and public safety contracts, and specified post-employment benefits.
- Authorizes discount and fare-free transit passes to be counted at their full retail value for the purposes of calculating TDA farebox recovery.
- Suspends until July 1, 2026, TDA farebox recovery requirements and STA efficiency criteria for transit agencies that can demonstrate that they maintained their existing commitments of local funds for transit operations at an amount not less than the expenditures from local funds for transit operations during FY 2018-19.

Beyond the transit provisions in the transportation trailer bill, other notable policies enacted include:

- Extends the sunset on the prohibition for the California Department of Transportation (Caltrans) to charge self-help counties more than ten percent for administration indirect cost recovery until January 1, 2023. This extension was a policy advocated for by the Self-Help Counties Coalition.
- Removes the maintenance of effort requirement for cities and counties to remain eligible to receive their SB 1 (Chapter 5, Statutes of 2017) local streets and roads funding for FY 2019-20. For FY 2020-21 and 2021-22, in order to remain eligible for these funds, the maintenance of effort requirement would be adjusted in proportion to any decrease in taxable sales within the applicable city or county between the specified FYs. This was a change advocated for by the California Transportation Commission, League of Cities and California State Association of Counties.
- Extends National Environmental Protection Act delegation authority for any railroad, public transportation or multimodal project undertaken by state agencies, until January 1, 2025.
- Establishes the Clean California State Beautification Program of 2021, a grant program to be administered by Caltrans, where funding would be provided, upon appropriation by the Legislature, to transit agencies, local and regional public agencies, and tribal governments to fund projects that

beautify and clean up local streets and roads, tribal lands, parks, pathways, transit centers and other public spaces.

- Authorizes Caltrans to use job order contracting for projects funded by the Clean California State Beautification Program.
- Authorizes the Department of Motor Vehicles to establish a pilot program to evaluate optional mobile or digital alternatives to driver's licenses and identification cards.

OCTA staff will remain engaged on this issue to evaluate any future need to address the issues outlined in the above budget trailer bill. Additionally, OCTA will continue to monitor the release of further budget trailer bills and provide any relevant updates.

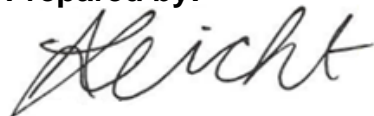
Summary

An update is given on legislation the Orange County Transportation Authority has supported to authorize transit agencies to use camera technology to discourage illegal parking in transit-only lanes and at transit stops. An overview is provided of the state's budget process.

Attachments

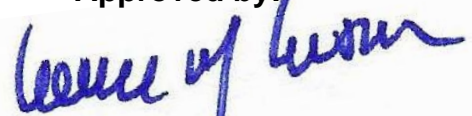
- A. Letter from Andrew Do, Chairman, Orange County Transportation Authority, to the Honorable Richard Bloom, Assembly Member, California State Assembly, dated June 23, 2021, re: AB 917 (Bloom) – SUPPORT
- B. AB 917 (Bloom, D-Santa Monica) Bill Analysis with Bill Language
- C. Orange County Transportation Authority Legislative Matrix

Prepared by:



Alexis Leicht
Associate Government Relations Representative,
Government Relations
(714) 560-5475

Approved by:



Lance M. Larson
Executive Director,
Government Relations
(714) 560-5908