



## **ORANGE COUNTY TRANSPORTATION AUTHORITY 2021 END OF YEAR LEGISLATIVE REPORT**

### **LEGISLATION ENACTED**

#### **I. Active Transportation**

##### **SB 814 (Committee on Transportation) Transportation: Omnibus Bill (Chapter 311, Statutes of 2021)**

SB 814 is the transportation omnibus bill, making a variety of small, noncontroversial changes. Of note to the Orange County Transportation Authority (OCTA), this year's omnibus bill expands the definition of pedicab and bicycle to include electric bicycles (e-bikes) and expands the definition of motorized scooter to include any two-wheeled device that has handlebars, a seat, and footrests in place of the floorboard. Expanding the definition of bicycles to include e-bikes clarifies that e-bikes must follow the same rules of the road as bicycles. E-bikes additionally have to follow further safety regulations and may only operate on certain bike paths.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes. As transportation modes continue evolving, OCTA must monitor new technologies and coordinate with other entities to ensure safety.*

#### **II. Audits, Records, Reports, and Litigation**

##### **AB 361 (Rivas, D-Salinas) Open Meetings: State and Local Agencies: Teleconferences (Chapter 165, Statutes of 2021)**

During the coronavirus (COVID-19) pandemic, the Governor issued executive orders to create flexibilities to allow for public meetings to be held by teleconference in order to maintain public health and safety. Prior to Executive Orders N-29-20 and N-08-21, meetings subject to the Ralph M. Brown Act (Brown Act) could only be held via teleconference if certain requirements were met. AB 361 makes a variety of changes to the Brown Act in order to codify the Governor's executive order and allow local legislative bodies to continue conducting business remotely. Entities using the authority granted by AB 361 to operate by teleconference during a proclaimed state of emergency must comply with several requirements to maintain public access. Among the bill's requirements, an entity must take a majority vote, renewed every 30 days thereafter, stating the necessity of meeting virtually, provide an opportunity for real-time comments, and cease action on any items if the meeting is disrupted until the issue is resolved. AB 361 will sunset on January 1, 2024.

*Urgency Bill – Effective Immediately*

OCTA Position – Neutral

Impact on OCTA: *Given this legislation has become law, staff is working to interpret the provisions of these requirements to ensure consistency with existing practices. OCTA will continue to adopt resolutions to detail the findings required by AB 361 for teleconference meetings, so long as the agency continues to do so, and also provide an opportunity for real-time comments on each agenda item.*

**AB 1291 (Frazier, D-Fairfield) State Bodies: Open Meetings  
(Chapter 63, Statutes of 2021)**

AB 1291 makes changes to public meetings held by state agencies. Specifically, it requires that if there is a time limit for public comment, the state body must require at least twice the allotted time to an individual who is using translation technology.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes. While AB 1291 does not directly impact OCTA's public meetings, it could be incorporated into future legislation regarding the Brown Act.*

**SB 274 (Wieckowski, D-Fremont) Local Government Meetings: Agenda and Documents  
(Chapter 763, Statutes of 2021)**

SB 274 requires a local agency with an internet website to email a copy of, or website link to, the agenda or a copy of all the documents constituting the agenda packet if someone requests that the items be delivered by email. Upon a determination that it is technologically infeasible to email such a link, this legislation would then require the legislative body or its designee to send by mail a copy of the agenda or a website link to the agenda and to mail a copy of all other documents constituting the agenda packet.

OCTA Position – Neutral

Impact on OCTA: *OCTA will need to update its current practices to align with this new legislation and send copies of meeting materials by email if requested and feasible.*

### **III. Broadband**

**AB 41 (Wood, D-Mendocino) Broadband Infrastructure Deployment  
(Chapter 69, Statutes of 2021)**

AB 41 requires the California Department of Transportation (Caltrans) to install conduit cable for fiber communications lines as part of the \$3.25 billion provided in this year's budget to construct an open-access, middle-mile broadband network. AB 41 requires that the Public Utilities Commission (PUC), in collaboration with relevant stakeholders and state agencies, maintain a publicly available, interactive map on broadband accessibility statewide, including information about the percentage of each census block that has broadband service meeting federal and state standards. The PUC may collect information from internet service providers to develop the map.

#### OCTA Position – Monitor

Impact on OCTA: *For informational purposes. AB 41 ensures that Caltrans installs conduit cable to help implement the broadband network funded by this year's state budget. In addition, the bill would require that PUC create a map of broadband service that could show where broadband projects will be delivered.*

#### **AB 164 (Ting, D-San Francisco) Budget Act of 2021 (Chapter 84, Statutes of 2021)**

AB 164 is the second budget bill detailing changes to the initial budget bill for fiscal year (FY) 2022-2023. This budget bill includes an allocation from the Coronavirus Fiscal Recovery Fund of 2021 of \$4.4 billion, and \$6 billion total over three years, to increase broadband accessibility and affordability. Of note, \$3.25 billion of this funding package will go through the State Highway Account to support Caltrans in the construction of middle-mile infrastructure on state rights of way and for technical assistance to local governments seeking to deploy and connect local broadband networks.

*Urgency Bill – Effective Immediately*

#### OCTA Position – Monitor

Impact on OCTA: *OCTA should continue to monitor discussions as they relate to broadband infrastructure and transportation in order to align our projects with existing law.*

#### **AB 955 (Quirk, D-Hayward) Highways: Encroaching Permits: Broadband Facilities (Chapter 670, Statutes of 2021)**

AB 955 establishes additional requirements for Caltrans when it reviews an application for an encroachment permit for a broadband facility. Whereas current law creates a process for encroachment permits, AB 955 creates a specific set of additional requirements for broadband facilities. Pursuant to the bill, Caltrans must develop the permit application criteria for broadband purposes, although the bill does contain language saying it is the intent of the Legislature to create a streamlined, expeditious application process. Within 30 days of receiving an application, Caltrans must notify the applicant if the application is complete, and failure to notify the applicant within 30 days constitutes a finding that the application is complete. If an application is deemed incomplete, Caltrans must notify the applicant with a detailed explanation as to the supplemental information necessary to make the application complete. For incomplete applications, Caltrans must meet with the applicant within 14 days of a request by an applicant to discuss the application, and the applicant has 30 days to resubmit with supplemental information, at which time Caltrans has 30 days to approve the request.

#### OCTA Position – Monitor

Impact on OCTA: *For informational purposes. AB 955 is one of multiple bills showing the intent of the Legislature to expedite the delivery of broadband projects.*

### **SB 156 (Senate Budget & Fiscal Review Committee) Communications: Broadband (Chapter 112, Statutes of 2021)**

SB 156 provides the statutory framework to implement the \$4.4 billion broadband package contained in this year's State budget, prioritizing a geographically diverse group of projects in rural and urban areas to achieve the greatest reduction in the amount of people unserved by broadband internet access service that meets federal and state standards. SB 156 provides a policy structure for the \$3.25 billion provided as part of the total broadband investment of \$4.4 billion in this year's budget to construct the State's open-access, middle-mile broadband network. This legislation outlines the roles of the Department of Technology, the PUC, and Caltrans in constructing middle-mile broadband projects funded by this year's state budget, including:

- Authorizing the use of the construction manager/general contractor method with no limit to the contract amount,
- Exempting middle-mile projects from the design-build procurement authorization limits after January 1, 2024, until the completion of the broadband network,
- Allowing for one or more contractors to be selected to build all or portions of the middle-mile network,
- Requiring Caltrans, specifically, to establish a procedure to prequalify job order contractors and prepare a set of documents for each job order contract that stipulate unit prices and job order contract specifications,
- Allowing the Office of Broadband and Digital Literacy, or Caltrans, to solicit competitive sealed bids from prequalified job order contractors for contracts lasting less than 12 months, with two additional 12-month extensions or renewals, and
- Creating California Environmental Quality Act (CEQA) exemption for private or non-profit corporations building broadband projects funded by this year's State budget and within 30 feet of any public road or highway that utilizes measures developed by PUC or Caltrans to measure the environmental impact of the project.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes. SB 156 shows the Legislature's commitment to expediting the delivery of broadband projects funded by this year's State budget, some of which could impact Caltrans operations and properties.*

### **SB 378 (Gonzalez, D-Long Beach) Local Government: Broadband Infrastructure Development (Chapter 677, Statutes of 2021)**

SB 378 requires localities to adopt policies or ordinances to allow fiber installers to use microtrenching as a method for installing fiber communications lines and related ancillary equipment, unless the locality makes a specified finding that permitting microtrenching would adversely impact public health and safety. Pursuant to the bill, a "microtrench" means a narrow, open excavation trench that is four inches or less wide and between 12 and 26 inches deep, created for the purpose of installing a subsurface pipe or conduit.

Local agencies, defined as cities, counties, special districts, or publicly-owned utilities, may charge a fee for the costs associated with permitting and inspecting the microtrench.

OCTA Position – Monitor

Impact on OCTA: *SB 378 requires that localities expedite the installation of fiber optic communications cables and equipment utilizing microtrenching. The required ordinances could expedite the use of microtrenches in and around OCTA's properties and projects, unless localities implement policies protecting ongoing construction projects or otherwise effectively resolve potential disputes with microtrenches near transportation projects.*

## **IV. Employment**

### **AB 237 (Gray, D-Merced) Public Employment: Unfair Practices: Health Protection. (Chapter 740, Statutes of 2021)**

AB 237 prohibits public employers from discontinuing employer contributions for health care for employees who fall below the minimum hours worked to qualify for such contributions throughout the duration of an authorized strike. The Public Employment Relations Board (PERB) will have jurisdiction over these violations.

OCTA Position – Monitor

Impact on OCTA: *OCTA should update its practices and procedures to ensure compliance with this legislation if there were to be an authorized strike.*

### **AB 654 (Reyes, D-San Bernardino) COVID-19: Exposure: Notification (Chapter 522, Statutes of 2021)**

AB 654 makes clarifying changes to legislation enacted last year that requires employers to make certain notifications related to COVID-19 exposures at the workplace. More specifically, this legislation requires that employers notify the exclusive representative of both employees who had close contact with individuals at the workplace who have tested positive for COVID-19 so that the exclusive representative is monitoring the employer's contact tracing efforts. It further expands the authority of the California Division of Occupational Safety and Health (CalOSHA) to cite employers for COVID-19 health and safety violations and to suspend operations if COVID-19 creates an imminent hazard.

*Urgency Bill – Effective Immediately*

OCTA Position – Monitor

Impact on OCTA: *Given this legislation had an urgency clause, staff is working to interpret its provisions and align its existing practices to this new law.*

**AB 845 (Rodriguez, D-Chino) Disability Retirement: COVID-19: Presumption (Chapter 122, Statutes of 122)**

AB 845 establishes a rebuttable presumption, until January 1, 2023, that a COVID-19 related disability is employment-related for purposes of determining a disability retirement for public retirement system members. The presumption may be rebutted by evidence to the contrary, but unless controverted, the applicable governing body of the public retirement system, subject to the California Public Employees' Pension Reform Act of 2013, shall be bound to find in accordance with the presumption.

OCTA Position – Monitor

*Impact on OCTA: For informational purposes. AB 845 is modeled after SB 1159 (Chapter 85, Statutes of 2020), which created a rebuttable presumption, until 2023, that COVID-19 is an employment-related injury for purposes of workers compensation. This bill extends that same presumption to disability retirement findings.*

**ACR 30 (Medina, D-Riverside) COVID-19 Victims and Survivors Memorial Day (Chapter 13, Statutes of 2021)**

ACR 30 recognizes the first Monday of March to be COVID-19 Victims and Survivors Memorial Day. The resolution also recognizes the need for residents to continue to follow public health orders and maintain vigilance to protect themselves and others.

OCTA Position – Monitor

*Impact on OCTA: For informational purposes. As a public transit operator and an agency delivering public works projects, many OCTA employees and contractors have been on the frontlines of the COVID-19 pandemic, providing critical and essential service to the residents of Orange County.*

**SB 95 (Skinner, D-Berkeley) COVID-19: Supplemental Paid Sick Leave (Chapter 13, Statutes of 2021)**

In response to COVID-19, the President signed the Families First Coronavirus Response Act, mandating COVID-19 related paid sick leave to all employers with fewer than 500 employees. This leave expired on December 31, 2020. In addition, certain employers could receive payroll tax credits for providing sick leave through December 31, 2020. The subsequent federal stimulus bills, the Coronavirus Response and Relief Supplemental Appropriations Act and the American Rescue Plan, extended these tax credits through September 30, 2021. The State established COVID-19 Supplemental Paid Sick Leave, granting two weeks of sick leave for reasons related to COVID-19. This leave expired on December 31, 2020. SB 95 reestablished the COVID-19 supplemental paid sick leave for employers with more than 25 employees, retroactively applying it from January 1, 2021, through September 30, 2021. This leave was also expanded to include the need for attending an appointment to receive a COVID-19 vaccine.

*Urgency Bill – Effective Immediately*

OCTA Position – Monitor

Impact on OCTA: *Staff fully implemented these provisions, which have since expired as of the writing of this report.*

**SB 270 (Durazo, D-Los Angeles) Public Employment: Labor Relations: Employee Information (Chapter 330, Statutes of 2021)**

SB 270 authorizes public employee unions to file a special unfair labor practices charge before the PERB against public employers that fail to comply with existing law requiring disclosure of employee information to public employee unions. In order to do this, specific requirements must be met, including providing a written notice of the violation to the employer and then the employer failing to provide the employee information 20 calendar days after receiving the written notice. The public employer can only rectify this issue three times in a given 12-month calendar year after they receive a written notice regarding a violation related to not providing employee information to the union. Beyond that, they will not have that chance to rectify the issue and will be found in violation. If all of this is true, then the union can file an unfair practices charge. If found to have violated this requirement by PERB, the public employer must pay up to \$10,000 to be deposited in the State's General Fund depending on the employer's annual budget, severity of the violation, and prior history. SB 270 becomes effective on July 1, 2022.

OCTA Position – Monitor

Impact on OCTA: *OCTA will need to evaluate its existing practices in order to ensure compliance with this legislation in order to avoid these penalties.*

**SB 278 (Leyva, D-Pomona) California Public Employees' Retirement System: Disallowed Compensation: Benefit Adjustments (Chapter 331, Statutes of 2021)**

SB 278 requires that public employers cover the cost of certain pension benefit adjustments under the California Public Employees' Retirement System (CalPERS). When a retiree's CalPERS pension is reduced post-retirement for compensation later determined to be disallowed, the public employer must cover the difference between the original pension calculation and the reduced amount. For active members, disallowed contributions shall be credited against future contributions or returned to the member.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes. The most common situation is for collectively bargained for compensation and the collective bargaining unit was not aware the compensation was disallowed, a situation explicitly mentioned in the bill language. That said, the bill does apply to all disallowed compensation.*

**SB 336 (Ochoa Bogh, R-Rancho Cucamonga) Public Health: COVID-19  
(Chapter 487, Statutes of 2021)**

If orders or guidance are released related to preventing the spread of COVID-19, SB 336 requires the California Department of Public Health or a local health officer to publish the orders or guidance on its website. Additionally, there must be an opportunity for local entities to sign up for an email distribution list relative to changes such information.

*Urgency Bill – Effective Immediately*

OCTA Position – Monitor

Impact on OCTA: *OCTA staff may wish to consult the information posted by health officers to keep up to date with latest practices and guidance to protect public health and safety.*

**SB 598 (Pan, D-Sacramento) Sacramento Regional Transit District: Employee Relations  
(Chapter 492, Statutes of 2021)**

SB 598 gives exclusive employee organizations for the Sacramento Region Transit District (SacRT) the option of transferring jurisdiction over unfair labor practices for their bargaining units from the judicial system to the PERB. Specifically, the bill language gives the exclusive employee representatives for one or more of SacRT's bargaining units the option to irrevocably elect to be permanently subject to PERB jurisdiction. The bill language grants PERB the initial determination as to whether the charge of an unfair labor practice is justified and the appropriate remedy, except that PERB has no authority to award strike-preparation expenses or damages from an unlawful strike. SB 598 also allows for a writ of extraordinary relief to the appeals court and clarifies that its provisions shall not be interpreted to conflict with existing collective bargaining agreements.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes.*

**SB 606 (Gonzalez, D-Long Beach) Workplace Safety: Violations of Statutes: Enterprise-wide Violations: Egregious Violations  
(Chapter 336, Statutes of 2021)**

SB 606 changes violation protocol for employers with multiple worksites. For written policies found to be in violation of Health and Safety Code or patterns of similar violations at multiple worksites, the violation applies to all the worksites, also referred to as enterprise-wide, is not limited to the location where the violation was found. The bill also establishes a rebuttable presumption for this enterprise-wide violation, authorizing CalOSHA to act more efficiently to prevent an egregious employer from continuing to operate multiple unsafe worksites. This legislation further defines "egregious violation" to mean a willful violation in an effort to codify federal law.

OCTA Position – Monitor



Impact on OCTA: *If OCTA's policies or practices violate the Health and Safety Code, it could be considered enterprise-wide under this legislation.*

**SB 628 (Allen, D-Redondo Beach) California Creative Workforce Act of 2021 (Chapter 767, Statutes of 2021)**

SB 628 creates a new grant program, effective upon appropriation by the Legislature, to promote employment and “earn and learn” job training opportunities for creative workers. The bill requires the California Arts Council, in consultation with the California Workforce Development Board, local governments, community nonprofit organizations, education institutions with arts programming, unions, and other stakeholders, to design program guidelines and administer the grant program, including developing relevant reporting requirements to evaluate grants. The grant program shall be operated and implemented locally or regionally by program grantees, and the earn and learn programs, as defined in current law, must be for a period of 12 to 24 months and pay a living wage. Pursuant to the bill, “creative work” is defined as work directly relevant to the creation, development, production, and marketing of visual, performance, and literary art, including, but not limited to, painting, mural-making, photography, music, performance art, acting, filmmaking, dancing, fashion design, graphic design, poetry, and creative writing.

OCTA Position – Monitor

Impact on OCTA: *These funds could provide resources to hire and retrain interns and employees with creative skillsets once the Legislature provides funding for the program.*

**SB 657 (Ochoa Bogh, R-Rancho Cucamonga) Employment: Electronic Documents (Chapter 109, Statutes of 2021)**

SB 657 allows employers physically posting information related to the workplace to also distribute the information by email with the documents attached. This legislation does not affect the employer’s obligation to physically display required postings. This information includes items such as the Fair Employment Standards Act, the Family Medical Leave Act, or the Equal Employment Opportunity Act, among others.

OCTA Position – Monitor

Impact on OCTA: *OCTA could evaluate whether it may be appropriate to supplement its physical posting of documents with additional distribution by email.*

## **V. Environment**

**AB 72 (Petrie-Norris, D-Irvine) Environmental Protection: Coastal Adaptation Projects: Natural Infrastructure: Regulatory Review and Permitting: Report (Chapter 369, Statutes of 2021)**

AB 72 establishes a more coordinated and efficient regulatory review and permitting process for coastal adaptation projects that use natural infrastructure, defined as projects near the shoreline, including in or under water, that rely on natural ecological systems or processes to reduce vulnerability to climate change-related hazards while increasing the

long-term adaptive capacity of coastal and inland areas by perpetuating or restoring ecosystem services. The California Natural Resources Agency will submit a report to the Legislature by July 1, 2023, with recommendations for improving and expediting the coordination between appropriate agencies in this effort.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes. It may be informative for staff to review these recommendations to understand what OCTA projects, if any, may be impacted.*

**AB 819 (Levine, D-San Rafael) CEQA: Notices and Documents: Electronic Filing and Posting  
(Chapter 97, Statutes of 2021)**

AB 819 creates new CEQA requirements. Specifically, it will provide the public with more access to CEQA records, by requiring notices and environmental review documents to be filed electronically and posted online.

OCTA Position – Monitor

Impact on OCTA: *OCTA will have to make changes to its CEQA processes, including posting notices and environmental documents on the OCTA website, submitting documents to the State Clearinghouse, filing a Notice of Determination electronically with the County Clerk, and filing Notices of Completion with the Office of Planning and Research (OPR) through an online process.*

**SB 1 (Atkins, D-San Diego) Coastal Resources: Sea Level Rise  
(Chapter 236, Statutes of 2021)**

SB 1 creates the California Sea Level Rise State and Regional Support Collaborative at the Ocean Protection Council to help coordinate and fund efforts to prepare for sea level rise associated with climate change. This new body is tasked with coordinating with other state planning and coastal management agencies, including OPR, the Strategic Growth Council, the California Coastal Commission, and others, to administer grants and provide information to local, regional, and state agencies working to identify, assess, plan, and, where feasible, mitigate the adverse environmental, social, and economic effects of sea level rise within the coastal zone. Upon an appropriation from the Legislature, the bill directs \$100 million annually to local and regional governments updating land-use plans and making other investments related to sea level rise. The bill contains a \$500,000 set-aside directed to grants for agencies working to address and mitigate the effects of sea level rise in disadvantaged communities.

OCTA Position – Monitor

Impact on OCTA: *The bill provides funding and technical assistance for communities working to address the impacts of climate change. This new funding could help fund certain planning efforts by both OCTA and localities along the Orange County coastline.*

**SB 7 (Atkins, D-San Diego) Environmental Quality: Jobs and Economic Improvement Environmental Leadership Act of 2021  
(Chapter 19, Statutes of 2021)**

AB 900 (Chapter 354, Statutes of 2011) established the Jobs and Economic Improvement Through Environmental Leadership Act of 2011 (Leadership Act), which expedited CEQA judicial review procedures for a limited number of projects certified by the Governor. These are known as environmental leadership development projects. The Leadership Act expired on January 1, 2021. There was an unsuccessful effort to restore the Leadership Act last year. This year, SB 7 was passed and became effective immediately to reenact the Leadership Act until January 1, 2024. This extension also included an expansion of eligible projects to include smaller housing projects.

*Urgency Bill – Effective Immediately*

OCTA Position – Monitor

Impact on OCTA: *For informational purposes.*

**SB 44 (Allen, D-Santa Monica) CEQA: Streamlined Judicial Review: Environmental Leadership Transit Projects  
(Chapter 633, Statutes of 2021)**

SB 44 creates expedited administrative and judicial review of environmental review and approvals granted for environmental leadership transit projects within Los Angeles County. In order to qualify for this expedited review the project must be to construct a fixed guideway and related fixed facilities that meet certain requirements. Among the requirements include that it operates at zero-emission, attains certain greenhouse gas (GHG) emission reductions, and reduces no less than 30,000 vehicle miles traveled in the corridor of the project. This legislation will become inoperative on January 1, 2025.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes. While this legislation was significantly narrowed to only include projects within Los Angeles County, OCTA should monitor the effectiveness of this program and future legislation regarding environmental leadership transit projects and determine applicability, if any, to future OCTA projects.*

**SB 266 (Newman, D-Fullerton) State Park System: Chino Hills State Park: Expansion  
(Chapter 760, Statutes of 2021)**

SB 266 requires the California Department of Parks and Recreation to provide assistance in acquiring and accepting land immediately adjacent to, and that expands, Chino Hills State Park, by transferring three specified properties into the state park system. It further requires the California Department of Parks and Recreation to manage the acquired properties and parcels with specified funds as part of the Chino Hills State Park. Specifically, 131 acres (Beattie property and the northern most 120-acre parcel of the First National Investment Properties) are to be managed as mitigation lands compliant

with the Metropolitan Water District of Southern California settlement agreement. The remaining shall be managed as additional parklands.

OCTA Position – Monitor

*Impact on OCTA: OCTA's Environmental Mitigation Program preserved 1,300 acres and restored nearly 350 acres in Orange County. One acquisition, the 301-acre Eagle Ridge Preserve, is immediately adjacent to Chino Hills State Park. SB 266 builds on the existing conservation efforts that have been completed in the area. The Brea property, contained within the Conservation Plan area, supports both OCTA's preservation and restoration goals and the vision of Chino Hills State Park's General Plan.*

**SB 790 (Stern, D-Calabasas) Wildlife Connectivity Actions: Compensatory Mitigation Credits (Chapter 738, Statutes of 2021)**

In 2017, AB 1282 (Chapter 643, Statutes of 2017) established a Transportation Permitting Task Force and required a report to the Legislature on recommendations for permitting reform to advance transportation projects. SB 790 allows the California Department of Fish and Wildlife to approve compensatory mitigation credits for wildlife connectivity actions taken under two different programs. The first is the Conservation and Mitigation Banking program, which is used to sell or transfer habitat credits to satisfy legal requirements and compensate for the environmental impacts of developmental projects. The second is the Regional Conservation Investment Strategy program, which identifies and prioritizes regional conservation through a science-based public process while also encouraging investments in conservation through advance mitigation.

OCTA Position – Support

*Impact on OCTA: SB 790 promotes the concept of advanced environmental mitigation, complementing the work OCTA is already undertaking. OCTA should monitor the implementation of this program to determine if it would be effective for OCTA's use.*

**SB 596 (Becker, D-San Mateo) GHG: Cement Sector: Net-Zero Emissions Strategy (Chapter 246, Statutes of 2021)**

By July 1, 2023, SB 596 requires the California Air Resources Board (CARB) to develop a comprehensive strategy for the cement sector to achieve net-zero emissions as soon as possible, but not later than December 31, 2045. In developing this strategy, CARB needs to come up with a GHG intensity metric to establish a baseline from which to measure GHG intensity reductions. In the interim, CARB is required to establish reduction targets for GHG intensity of cement used within the State relative to the average GHG intensity of cement used within the State during the 2019 calendar year, with the goal of reducing the GHG intensity of cement used within the state to 40 percent below the 2019 average levels by December 31, 2035. By July 1, 2028, CARB would need to evaluate the feasibility of these targets and make changes as needed to achieve these goals.

OCTA Position – Monitor

Impact on OCTA: *OCTA will need to monitor the development of this strategy by CARB so that it may be prepared to implement measures related to these targets.*

## **VI. Funding**

### **AB 680 (Burke, D-Inglewood) Greenhouse Gas Reduction Fund: California Jobs Plan Act of 2021**

#### **(Chapter 743, Statutes of 2021)**

AB 680 requires CARB to update the Greenhouse Gas Reduction Fund (GGRF) funding guidelines to meet certain standards by July 1, 2025. Applicants to these grant programs must meet fair and responsible employer standards, practice inclusive procurement policies, and provide prevailing wage for any construction work funded in part or in full by the grant. Applicants seeking over \$1 million in funding for construction projects must provide evidence of a community workforce agreement. Additionally, preference will be given to those applicants that create high-quality jobs and those that have a partnership with an educational institution or training programs for under-represented communities in the same region of the project. Certain exemptions are created, including applicants for projects that involve federal funding, technical assistance, or research, an applicant who is not an employer, and to a housing project that will have 100 percent affordable units.

OCTA Position – Monitor

Impact on OCTA: *Staff should monitor the implementation of these new GGRF requirements to ensure OCTA meets these updated guidelines if applying for a grant.*

### **AB 992 (Cooley, R-Rancho Cordova) California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program**

#### **(Chapter 624, Statutes of 2021)**

AB 992 specifies that peer-to-peer truck sharing platform demonstration is eligible for funding under the California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes.*

### **AB 1157 (Lee, D-Milpitas) Controller: Transportation Funds: Distribution and Reporting Requirements**

#### **(Chapter 205, Statutes of 2021)**

AB 1157 makes changes to the State Transit Assistance (STA) reporting requirements to streamline transit operator reporting. Chiefly, it shifts the deadline for when a regional transportation agency must submit an STA eligibility report to the State Controller's Office (SCO) to within seven months of the end of each fiscal year instead of June 15. It further requires SCO to compile, publish, and make publicly available on its website the data and information of all transit operator financial transaction reports on or before November 1 of each year.

OCTA Position – Monitor

Impact on OCTA: *This bill will provide more transparency and allow more time for SCO staff to report discrepancies on the impacted reports.*

**AB 1261 (Burke, D-Inglewood) State Air Resources Board: Greenhouse Gas Emissions: Incentive Programs (Chapter 714, Statutes of 2021)**

Upon appropriation of the Legislature, AB 1261 places new requirements on incentive programs administered by CARB in order to assist the state in achieving its GHG reduction goals. These requirements include isolating the achieved GHG emission reductions for each of its incentive programs and identifying the effectiveness of each of the incentive programs. CARB must use the information collected to refine its incentive programs. Furthermore, CARB is required to develop a process to define, collect, and evaluate data that will translate to metrics demonstrating the socioeconomic benefits that result from each of its incentive programs. Given those results, CARB will make funding and design recommendations in its annual reports to the Legislature. This must all be completed three years following an appropriation from the Legislature.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes. If an appropriation is made, OCTA should monitor the outcomes of these evaluations of the programs regarding their effectiveness.*

**ACR 67 (Quirk-Silva, D-Fullerton) Tommy Lasorda Memorial Highway (Chapter 115, Statutes of 2021)**

ACR 67 renames a portion of Interstate 5 after Tommy Lasorda, a longtime manager of the Los Angeles Dodgers and a lifelong Fullerton resident. Pursuant to the bill, the Legislature designates the portion of Interstate 5 from Ball Road, postmile 37.638, to the eastbound State Route 91 exit, postmile 42.671, as the Tommy Lasorda Memorial Highway. The resolution's language also requests that Caltrans determine the cost of appropriate signage and erect such signs upon receiving donations from nonstate sources sufficient to cover the cost of doing so.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes. ACR 67 contains a relatively novel provision by requiring that Caltrans use private funds to cover the cost of renaming a section of the state highway system.*

**SB 339 (Wiener, D-San Francisco) Vehicles: Road Usage Charge Pilot Program (Chapter 308, Statutes of 2021)**

The Road User Charge Technical Advisory Committee (RUC TAC) was tasked through previous legislation to implement a pilot program to evaluate a mileage-based revenue collection as an alternative to the gasoline tax funding source currently in place. While the pilot program confirmed the viability of many aspects of the mileage-based revenue

collection as an alternative, it did not collect actual revenues. SB 339 supports the recommendations from the California's Road Charge Pilot Program Report in 2017 by extending the RUC TAC responsibilities, until January 1, 2027, and directing them to make recommendations to design a completely voluntary pilot program to test revenue collection, with an implementation date of January 1, 2023. Following their recommendations, the California Transportation Agency (CalSTA) will work with other relevant state agencies to create the pilot program and report back to the Legislature. CalSTA, working with the California Transportation Commission (CTC), must submit the first interim report on the status of the pilot program no later than July 1, 2024. By no later than December 31, 2026, CalSTA, working with the CTC, must prepare and submit a final report of its findings on the results of the pilot program to the appropriate policy and fiscal committees of the Legislature.

#### OCTA Position – Support

*Impact on OCTA: As the transportation agency responsible for funding, planning, and operating multimodal transportation improvements in Orange County, it is imperative that there be a reliable long-term transportation funding future. SB 339 provides the opportunity to further investigate one potential alternative revenue stream in an equitable and holistic manner, which can help inform any correlating federal effort.*

#### **SB 640 (Becker, D-San Mateo) Transportation Financing: Jointly Funded Projects (Chapter 108, Statutes of 2021)**

SB 640 authorizes cities and counties to propose projects to be jointly funded by the cities and counties' apportionments of SB 1's (Chapter 5, Statutes of 2017) Local Streets and Road Program (LSR) funds. SB 1 created the Road Maintenance and Rehabilitation Account, a percentage of which is continuously appropriated funding to cities and counties on a formula basis for LSR, for use on road rehabilitation, safety, and maintenance projects. SB 640 clarifies that two or more eligible LSR entities may propose a jointly funded project if each entity includes its participation in the joint project in the annual project lists submitted to the CTC. Pursuant to the bill language, each jointly funded project must be endorsed by a memorandum of understanding, approved by each participating entity, that identifies the project's lead agency and describes the contribution of each participating agency. Under the bill, participants in jointly funded projects must each submit documentation to the CTC about the project.

#### OCTA Position – Support

*Impact on OCTA: For informational purposes. While current law does not explicitly prohibit eligible entities from pooling LSR resources, the CTC allocates funding to each individual entity, and each LSR recipient must separately report to the CTC on how the LSR funds are spent. As a result, cross-jurisdictional LSR improvements must be split into separate projects. SB 640 streamlines the process for jointly funded projects so that neighboring localities can collaborate most effectively to deliver LSR improvements. While OCTA does not itself receive funding, cities and the County of Orange could benefit from the flexibility provided by the bill.*

### **SB 671 (Gonzalez, D-Long Beach) Clean Freight Corridor Efficiency Assessment (Chapter 769, Statutes of 2021)**

SB 671 amends SB 1's Trade Corridor Enhancement Account to expand the types of eligible projects. Specifically, the bill makes two additional types of freight-related projects statutorily eligible for the Trade Corridor Enhancement Program (TCEP), projects that employ advanced and innovative technology to improve the flow of freight and projects that implement environmental and community mitigation efforts that reduce the impacts of freight movement on surrounding communities. SB 671 also requires that the CTC, in coordination with CARB, the PUC, the State Energy Resources Conservation and Development Commission, and the Governor's Office of Business and Economic Development, develop the Clean Freight Corridor Efficiency Assessment. The assessment is meant to identify freight corridors that will be priority candidates for the deployment of zero-emission medium- and heavy-duty vehicles, taking into consideration the potential for emission reductions, charging and fueling infrastructure, parking facilities, congestion reduction, road safety and resiliency, and impacts to neighboring communities. The bill language explicitly requires that the assessment identify the top five corridors for achieving these goals. In conducting this assessment, the CTC shall consult with Caltrans, local governments, metropolitan planning organizations (MPO), regional transportation agencies, and other stakeholders, including those from low-income and disadvantaged communities, environmental organizations, public health representatives, and academia. The assessment must be completed by December 1, 2023, and thereafter, the CTC and other agencies involved shall incorporate, to the extent feasible and applicable, its findings into funding programs and guideline documents related to freight infrastructure and technology. The bill also requires that projects identified in the Clean Freight Corridor Efficiency Assessment be described in the State Freight Plan.

OCTA Position – Monitor

*Impact on OCTA: SB 671 creates a new freight assessment that will likely set new policy priorities for the CTC's funding programs. The bill language directly expands eligibility for the TCEP, although it does not otherwise amend the program requirements in existing law. SB 671 does, however, create the Clean Freight Corridor Efficiency Assessment that is explicitly intended to inform the CTC guideline development for all freight-related programs, which could be both TCEP and the other CTC competitive programs. The bill language does require the identification of five top freight corridors, which could impact the geographic distribution of certain funding awards.*

## **VII. Housing**

### **AB 68 (Quirk-Silva, D-Fullerton) California Statewide Housing Plan: Annual Reports (Chapter 341, Statutes of 2021)**

AB 68 modernizes the quadrennial Statewide Housing Plan and expands the scope of the Department of Housing and Community Development's (HCD) annual report to the Governor and Legislature. There are two notable changes to HCD's annual report. First, the bill requires that HCD report annually on the number of land-use oversight actions



taken against cities and counties, the outcomes of these oversight actions, and the median time of a resolution of each action. Second, HCD must include information in the annual report about how long the agency takes to award grants and enter into agreements with grantees. The bill also makes some changes to the Statewide Housing Plan, including allowing it to be published on the HCD website. The bill also requires that each quadrennial Statewide Housing Plan published after January 1, 2023, must include an inventory of affordable housing units needed to meet the State's housing goals and also must contain recommendations for modernizing statutory and regulatory terminology.

OCTA Position – Monitor

*Impact on OCTA: For informational purposes. These changes will provide more information on the State's housing goals, which have long-term implications for planning efforts by Orange County cities and OCTA. In addition, the annual report will contain information about the funding provided in the housing trailer bills.*

### **AB 140 (Assembly Budget Committee) Housing Provisions (Chapter 111, Statutes of 2021)**

AB 140, the first housing trailer bill, provides \$600 million for the Regional Early Action Planning (REAP) Grant Program for 2021. Also known as "REAP 2.0," HCD will administer this program, in collaboration with OPR, the Strategic Growth Council, and CARB. REAP 2.0 builds off of similar funding provided by the FY 2019-20 state budget, also known as REAP 1.0. REAP 2.0 will provide \$510 million of primarily federal stimulus funding to MPOs to be further suballocated based on geographic equity and to help meet the State's housing and transportation planning goals. The funding is to be used for "transformative planning and implementation activities," which are defined by the bill using specific language to encourage infill development, reduce per capita vehicle miles traveled, realize multimodal communities, and increase transit ridership. The bill language goes on to say that transformative planning and implementation activities must be in the furtherance of state goals, specifically listing state planning priorities, affirmatively furthering fair housing, housing element compliance, or through implementation of a sustainable communities strategy (SCS) or alternative planning strategy developed under the SB 375 (Chapter 728, Statutes of 2021) planning process. Regional transportation agencies like OCTA are explicitly listed as eligible for REAP 2.0 funding. For suballocated funding, each MPO must retain information about how the suballocated funding is used consistent with the State's goals, including language about outreach to disadvantaged and historically underserved communities. Under the bill, MPOs can advance ten percent of the suballocated funding, starting January 1, 2022.

*Urgency Bill – Effective Immediately*

OCTA Position – Monitor

*Impact on OCTA: AB 140 provides the first-ever funding source for OCTA and other agencies to comply with SB 375's planning requirements. While not dedicated solely to transportation planning, REAP 2.0 could provide funding for transportation projects and programs. Based on the bill's geographic equity language, the Southern California*

*Association of Governments (SCAG) is expected to suballocate approximately \$246 million through the region. SCAG has indicated that this funding will be used for early action initiatives on the development of the region's 2024 regional transportation plan and SCS, as well as on housing and housing-supportive infrastructure. OCTA staff must continue to monitor both SCAG's guidelines for the program and those developed by HCD, anticipated in January of 2022, to ensure that funding is best utilized to improve mobility in Orange County.*

**AB 175 (Assembly Budget Committee) Housing: Mortgages and Deeds of Trust: State Property  
(Chapter 255, Statutes of 2021)**

AB 175, the second housing trailer bill, made a few clarifying changes to REAP 2.0 funding. First, AB 175 clarifies when REAP 2.0 funds must be obligated. AB 140 required MPOs to expend the entirety of the \$510 million in REAP 2.0 funds by June 30, 2024. AB 175 clarifies that the funds must be obligated by June 30, 2024, and expended by June 30, 2026, as consistent with federal guidelines on the stimulus funds directed to REAP 2.0. Second, AB 175 clarifies which MPOs can advance ten percent of the suballocated REAP 2.0 funds. While SCAG and other MPOs could advance funds under AB 140, AB 175 clarifies that MPOs in Santa Barbara, San Luis Obispo, Fresno, Kern, Kings, and San Joaquin Counties can also advance funds. Third, AB 175 adds another reporting requirement regarding disadvantaged communities. In addition to the language in AB 140, AB 175 requires that applications for REAP 2.0 funding must contain a description about how the funding will benefit disadvantaged and historically underserved communities. Finally, AB 175 grandfatheres the Metro North Hollywood Joint Development Project in Los Angeles County from AB 1486 (Chapter 664, Statutes of 2019) if there is an exclusive negotiating agreement or legally binding agreement to dispose of property by December 31, 2024, although this provision is also amended by SB 51.

*Urgency Bill – Effective Immediately*

OCTA Position – Monitor

*Impact on OCTA: AB 175 made a few clarifying changes to the REAP 2.0 funding. In the SCAG region, the clarification on the obligation date alleviated a serious concern on how quickly projects and programs funded by REAP 2.0 must be delivered.*

**AB 1029 (Mullin, D-San Mateo) Housing Elements: Pro-housing Local Policies  
(Chapter 353, Statutes of 2021)**

AB 1029 adds the preservation of affordable housing units as a “pro-housing” policy that HCD can consider in developing the pro-housing designation authorized under current law. Specifically, the bill language cites the preservation of affordable housing units through the extension of existing project-based rental assistance covenants that prevent developers from converting affordable housing units, which would reduce the number of available affordable housing units statewide.

*Urgency Bill – Effective Immediately*

## OCTA Position – Monitor

Impact on OCTA: *For informational purposes. AB 1029 expands the types of pro-housing policies that Orange County cities can pursue to receive HCD's pro-housing designation, which can result in that city being prioritized for funding awards in certain state programs.*

### **AB 1220 (Luz M. Rivas, D-Arleta) Interagency Council on Homelessness (Chapter 398, Statutes of 2021)**

AB 1220 changes the name of the Homelessness Coordinating and Financing Council to the California Interagency Council on Homelessness (ICH) and makes other changes to the ICH statutory authorities. The bill reconstitutes the ICH membership so that the California Health and Human Services Agency and the Business, Consumer Services, and Housing Agency serve as co-chairs, requires that all agencies but the Department of Education be represented by a Director or Secretary rather than a representative, reorganizes the ICH member agencies to focus on state agencies, and removes other members appointed at the discretion of the Governor. AB 1220 also authorizes the ICH to require that state agencies administering a homeless program to, upon the request of the ICH, participate in ICH meetings and provide relevant information requested by the ICH. Finally, the bill requires that the ICH meet quarterly with a reconstituted advisory committee made of public stakeholders.

## OCTA Position – Monitor

Impact on OCTA: *For informational purposes. AB 1220 does not change ICH membership, maintaining that Caltrans be involved in ICH functions. The bill does require that the Caltrans Director personally be involved. As a member agency of the ICH, the bill clarifies, in statute, that Caltrans can be required to participate in ICH meetings and provide information on state homelessness programs.*

### **SB 9 (Atkins, D-San Diego) Housing Development: Approvals (Chapter 162, Statutes of 2021)**

SB 9 requires ministerial approval of a housing development of no more than two units in a single-family zone (also known as a duplex), the subdivision of a parcel zoned for residential use into two parcels (also known as a lot split), or both. A majority of the bill details the requirements for cities in ministerially approving duplexes and lot splits in certain communities, including protections to ensure that this authority is being used on properties desirable for housing production. Of note to OCTA, the bill prohibits localities from requiring more than one parking space per unit for either a proposed duplex or a proposed lot split, and localities may not impose any parking requirements if the parcel is located within one-half mile walking distance of either a high-quality transit corridor or a major transit stop, both as defined by current law. Similarly, localities may not enforce any parking minimums if there is a car share vehicle located within one block of the parcel. SB 9 also includes the ability for a locality to deny a housing project otherwise authorized by this bill if the building official makes a written finding based upon the preponderance of the evidence that the housing development project would have a specific, adverse

impact upon health and safety or the physical environment and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact.

#### OCTA Position – Monitor

Impact on OCTA: *For informational purposes. SB 9 alters the way in which certain housing projects are approved, which will affect the development of future planning efforts under the SB 375 planning process. The bill language reduces allowable parking requirements within one-half mile of a high-quality transit corridor, defined in current law as a bus corridor with up to 15-minute service headways during peak commuting times, or major transit stops, defined in current law as any rail or bus rapid transit station, a ferry terminal served by bus or rail service, or the intersection of two bus routes with 15-minute headways. Amendments did provide cities with a process to prevent such ministerial approvals, but this bill is an indication of the Legislature's ongoing efforts to incentivize housing production. Similarly, the amendments removed the sunset on these authorities.*

#### **SB 10 (Wiener, D-San Francisco) Planning and Zoning: Housing Development: Density (Chapter 163, Statutes of 2021)**

SB 10 authorizes a locality to pass an ordinance, notwithstanding any local restrictions on zoning ordinances that limit the legislative body's ability to adopt zoning ordinances, to zone any parcel for up to ten units of residential density, at a height specified by the ordinance if the parcel is located in a transit-rich area or an urban infill site. The bill defines "transit-rich area" as a parcel within one-half mile of a major transit stop, as defined in current law, or a parcel on a high-quality bus corridor. The bill creates the definition of a high-quality bus corridor, which must meet all of the following criteria:

- 1) Average service intervals of no more than 15 minutes during the three peak hours between 6 a.m. to 10 a.m., inclusive, and the three peak hours between 3 p.m. and 7 p.m., inclusive, on Monday through Friday,
- 2) Average service intervals of no more than 20 minutes during the hours of 6 a.m. to 10 p.m., inclusive, on Monday through Friday, and
- 3) Average intervals of no more than 30 minutes during the hours of 8 a.m. to 10 p.m., inclusive, on Saturday and Sunday.

The bill has a definition for of urban infill site based on how the property is positioned within certain urbanized areas, as designated by the Census Bureau. SB 10 excludes parcels that are in certain fire hazard areas or near open spaces, and the bill language specifies that the ordinance itself is not a project for purposes of environmental approvals. Finally, SB 10 includes a sunset of January 1, 2029, but the bill does authorize an ordinance adopted pursuant to this bill to extend beyond January 1, 2029.

#### OCTA Position – Monitor

Impact on OCTA: *For informational purposes. SB 10 allows localities to adopt ordinances that incentivize infill development. Consistent with the direction of the State's goals, infill*

*development is seen as a way of incentivizing housing production and reducing car travel. Similar to SB 9, this bill could impact planning efforts by both cities and OCTA in the coming years. Unlike SB 9, the authority granted by SB 10 applies to a slightly different set of properties, creating a new definition of “high-quality bus corridor,” creating potential confusion with other terminology in statute.*

**SB 51 (Durazo, D-Los Angeles) Surplus Residential Property  
(Chapter 130, Statutes of 2021)**

SB 51 encourages the sale of homes owned by Caltrans through property acquisitions as part of freeway project along the State Route 710 corridor near El Sereno that is no longer proceeding. The bill language offers ownership to current tenants, creates low- and moderate-income housing, and amends the Surplus Land Act for an unrelated project in Los Angeles County. Pursuant to the bill, income-qualified current tenants in good standing in the corridor will have the first option to purchase their homes, in “as is” condition, at fair market value. If not purchased by the tenant, properties must then be offered to other housing-related entities with a covenant against the property to ensure it remains affordable housing. SB 51 creates an exception to this process for properties near certain historic sites. The bill also requires that Caltrans promulgate regulations within six months of the bill’s enactment to implement the bill’s provisions. Finally, the bill also amends a provision in AB 175 that grandfathers the Metro North Hollywood Joint Development Project in Los Angeles County from the requirements of AB 1486, changing the statutory deadline from December 31, 2024, to December 31, 2022.

*Urgency Bill – Effective Immediately*

OCTA Position – Monitor

*Impact on OCTA: For informational purposes. SB 51 is part of ongoing discussions between Caltrans and property owners along the State Route 710 corridor near El Sereno. This controversial issue resulted in the wide-ranging bill dictating how Caltrans will resolve the property acquired for a project that is no longer moving forward.*

**SB 791 (Cortese, D-Campbell) State Surplus Land Unit  
(Chapter 336, Statutes of 2021)**

SB 791 creates the Surplus Land Unit within HCD. Subject to appropriation by the Legislature, the Surplus Land Unit is tasked with facilitating the development and construction of housing on local surplus property, as governed by the Surplus Land Act. Specifically, SB 791 dictates that the Surplus Land Unit will provide technical assistance to housing developers and local agencies relating to disposition of surplus land, available funding and financing instruments, and construction of housing on local surplus land. The bill language prevents the Surplus Land Unit from acquiring property by eminent domain and requires an annual report to the Legislature and Governor.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes. Recent changes to the Surplus Land Act have caused a significant increase in the amount of surplus land transactions and issues, and many stakeholders have encountered difficulties trying to get assistance from HCD. SB 791 does not alter the substantive requirements of the Surplus Land Act, instead providing resources for agencies trying to comply with recent changes to state law in the disposition and handling of surplus property.*

### **XIII. Planning**

#### **AB 43 (Friedman, D-Glendale) Traffic Safety (Chapter 690, Statutes of 2021)**

AB 2363 (Chapter 650, Statutes of 2018) established the Zero Traffic Fatalities Task Force in order to develop policies to reduce traffic fatalities to zero in California. In January 2020, CalSTA issued the Zero Traffic Fatalities Task Force Report, as required by AB 2363, that recommended policies related to establishing speed limits. Based on the report's recommendations, AB 43 provides local governments with more flexibilities to change speed limits. Under current law, if the speed limit is 45 miles per hour (mph), using the existing 85th percentile standard, a local entity may establish a lower speed limit of 40 mph. This bill now allows local authorities to reduce the 40-mph speed limit an additional five mph to 35 mph if it determines it is a high injury street. Furthermore, this legislation adds business activity districts as prima facie speed limit eligible. These business activity districts are defined as a central or neighborhood downtown, urban village, or zoning designation that prioritizes commercial land-uses at the downtown or neighborhood scale with specified conditions. Therefore, it authorizes a local authority to declare a 25 mph or 20 mph speed limit in a business activity district when the highway has a maximum of four traffic lanes.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes. OCTA should be aware that cities in Orange County may utilize this authority to lower speed limits. It may be of interest to monitor the affect this law will have on traffic fatalities.*

#### **AB 773 (Nazarian, D-Van Nuys) Street Closures and Designations (Chapter 587, Statutes of 2021)**

AB 773 authorizes localities to implement a “Slow Streets Program” to close or limit vehicular traffic on certain local streets and defines the requirements for doing so. Under the authority provided by the bill, localities may adopt an ordinance that closes or limits vehicle traffic with connections to citywide bike networks if the locality meets all of the following conditions:

- 1) Conducts an outreach and engagement process to notify residents and property owners considered for inclusion in program,
- 2) Determines that the Slow Streets Program leaves a sufficient portion of the streets in the surrounding area for other public uses,
- 3) Provides advance notice of any closures,

- 4) Clearly demonstrates signage in compliance with the California Manual on Uniform Traffic Control Devices,
- 5) Determines that the closures or traffic restrictions are necessary for the safety and protection of the people who will use the closed or restricted street, and
- 6) Maintains a public website with information about the Slow Streets Program.

OCTA Position – Monitor

Impact on OCTA: *AB 773 clarifies how localities can permanent limiting street traffic. Some Orange County cities did so on a temporary basis during the pandemic, and this bill gives localities the ability in state law to adjust traffic patterns to limit vehicle traffic.*

**SB 214 (Bates, R-Laguna Niguel) Neighborhood Electric Vehicles: County of Orange (Chapter 101, Statutes of 2021)**

SB 214 makes permanent the authority in state law for the Rancho Mission Viejo neighborhood electric vehicle (NEV) plan. Under current law, Orange County has until January 1, 2022, to establish a NEV plan for Rancho Mission Viejo. SB 214 removes the sunset, granting permanent authority to continue executing its NEV plan.

OCTA Position – Monitor

Impact on OCTA: *This bill removes the statutory deadline for Rancho Mission Viejo's NEV plan because the County of Orange submitted a report that found little to no impact on NEV usage in the area.*

## **IX. Public Works/Procurement**

**AB 712 (Calderon, D-Whittier) Local Agency Public Construction Act: Change Orders: County of Los Angeles (Chapter 95, Statutes of 2021)**

AB 712 temporarily increases the limits that apply to change orders for certain contracts in Los Angeles County. Under current law, the Los Angeles County Board of Supervisors can delegate the county engineer or other officers to authorize change orders up to a certain amount of the total contact cost. AB 712 allows Los Angeles County to increase the limits in current law until January 1, 2027. While in effect, Los Angeles County may delegate change order authority on a limited number of contracts for up to \$400,000 in extra work for contracts exceeding \$25 million and up to \$750,000 for contracts exceeding \$50 million. If the authority is utilized, Los Angeles County must provide a report to the Assembly Local Government Committee and the Senate Governance and Finance Committee by July 1, 2026. Starting in 2027, the thresholds in current law are reinstated, notably for much smaller contracts. The delegated authority that will be in effect after the sunset date would be for contracts exceeding \$250,000, and the calculation formula will allow for a maximum delegated change order of \$210,000.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes.*

**AB 811 (Luz M. Rivas, D-Arleta) Los Angeles County Metropolitan Transportation Authority: Contracting (Chapter 414, Statutes of 2021)**

AB 811 modifies a required finding that the Los Angeles County Metropolitan Transportation Authority (LA Metro) must make before entering design-build contracts for transit projects. Under current law, LA Metro must find, by a two-thirds vote of the Board of Directors, that the contract will achieve certain private sector efficiencies in the integration of design, project work, and components. The bill streamlines this provision, instead only requiring a two-thirds vote to find that the contract will achieve a more competitive solicitation process with respect to quality, timeliness, price, and other private sector efficiencies.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes. AB 811 streamlines the design-build contracting process for LA Metro on transit projects in hopes of expediting the delivery of transit improvements leading up to 2028 Olympic Games. Effectively, the bill retains the two-thirds vote requirement for LA Metro to enter into the design-build contract, but the finding in state law that triggers the two-thirds vote requirement will not be necessary on as many subsequent actions.*

**AB 1023 (Flora, R-Ripon) Contractors and Subcontractors: Records: Penalties (Chapter 326, Statutes of 2021)**

AB 1023 authorizes the Labor Commissioner to impose a penalty on a contractor or subcontractor on a public works project for failure to furnish payroll records within 14 days of the disclosure requirements in state law. The bill specifies that the penalty is \$100 per day for failing to disclose the records, with a maximum penalty of \$5,000 per project. Penalties may only be assessed to the contractors or subcontractor who fails to furnish payroll records. The penalties shall be deposited into the State Public Works Enforcement Fund to be used for such purposes. AB 1023 also clarifies in statute that contractors and subcontractors submitting records on a monthly basis must do so every 30 days and specifies that the Labor Commission must post the records on its website.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes. The bill clarifies the process for furnishing payroll records on public works projects and authorizes penalties for failing to do so.*

**AB 1499 (Daly, D-Anaheim) Transportation: Design-Build: Highways (Chapter 212, Statutes of 2021)**

In 2013, OCTA sponsored AB 401 (Chapter 586, Statutes of 2021) to expand the use of design-build for highway projects after estimating that this method would create significant time and cost savings for the Interstate 405 Improvement Project. AB 1499 extends the use of the design-build procurement method for projects on the state highway system



until January 1, 2034. Since the initial authorization, several other entities have used this statewide authority, including the Riverside County Transportation Commission and Caltrans, to successfully implement projects. Design-build provides for the delivery of public works projects from a single entity, streamlining the traditional design-bid-build process by combining project design, permit, and construction schedules.

OCTA Position – Support

Impact on OCTA: *Although at this time OCTA has not identified additional projects to use this authority, extending the design-build authority may afford expedited delivery of highway projects and provides a valuable project delivery option moving forward.*

**SB 333 (Eggman, D-Stockton) San Joaquin Regional Transit District: Procurement (Chapter 217, Statutes of 2021)**

SB 333 changes the contracting requirements for the San Joaquin Regional Transit District (RTD). Under current law, contracts over \$50,000 must be contracted to the lowest responsible bidder. SB 333 amends this provision so that RTD can award contracts over \$75,000 to either the lowest responsible bidder or based on “best value,” defined by the bill language as the combination of quality, price, and other elements of a proposal that provide the greatest overall benefit relative to the requirements described in the solicitation. Under the bill, RTD must obtain, to the extent practicable on contracts between \$5,000 and \$75,000, a minimum of three quotes in order to best compare the prices and terms for the procurement.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes.*

## **X. State Budget**

**AB 128 (Ting, D-San Francisco) Budget Act of 2021 (Chapter 21, Statutes of 2021)**

AB 128 provides \$195.5 billion in total General Fund expenditures for FY 2021-22. For FY 2021-22, the state budget estimates General Fund revenues of approximately \$177.5 billion. The budget reflects an unprecedented budget surplus of \$38 billion, particularly because of larger income tax collections from high-income earners. This budget transfers more than \$3.4 billion into the Budget Stabilization Account/Rainy Day Fund, resulting in a balance of \$15.9 billion for FY 2021-22. In addition, the state budget includes \$3.9 billion for the Special Fund for Economic Uncertainties.

*Urgency Bill – Effective Immediately*

OCTA Position – Monitor

Impact on OCTA: *AB 128 reflects a significant shift in revenue predictions than the previous FY, resulting in an unprecedented budget surplus. In total, the state budget*

*anticipates \$786.1 million in STA funding for FY 2021-22, compared to \$663.1 million in FY 2020-21. Therefore, Orange County's share would be about \$42.5 million.*

*OCTA receives funding from SB 1's State of Good Repair (SGR) program via the STA formula. Funded via the Transportation Improvement Fee, OCTA is expected to receive approximately \$6.3 million through the SGR program for FY 2021-22, a slight increase over last year's funding level of \$6.2 million.*

*Because of the unprecedented surplus, the Legislature deferred action on a variety of transportation stimulus proposals and the California High-Speed Rail Authority's request to release the \$4.2 billion balance from Proposition 1A, until further negotiations could take place.*

### **AB 149 (Assembly Budget Committee) Transportation (Chapter 81, Statutes of 2021)**

AB 149 serves as the primary budget trailer bill related to transportation and extends flexibilities enacted last year related to the Transportation Development Act (TDA) to provide relief to transit agencies across the state as they recover from the impacts of the COVID-19 pandemic. Specifically, AB 149 includes the following provisions:

- Extends the hold harmless provision for calculation and allocation of the STA, SGR, and Low Carbon Transit Operations Program through FY 2022-23,
- 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,
- Authorizes federal funds to be counted as "local funds" for the purposes of calculating TDA farebox recovery and STA efficiency criteria, and
- Suspends, until July 1, 2026, TDA farebox recovery requirements and STA efficiency criteria for transit agencies demonstrating 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 sunset on the prohibition for Caltrans to charge self-help counties more than ten percent for administration indirect cost recovery until January 1, 2023,
- Removes the maintenance of effort (MOE) requirement for cities and counties to remain eligible to receive their LSR funding for FY 2019-20. To remain eligible for FY 2020-21 and 2021-22 LSR funds, the MOE requirement would be adjusted in proportion to any decrease in taxable sales within the applicable city or county in the specified timeframe,
- 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 new Caltrans grant program, to fund, upon appropriation by the Legislature, projects led by transit agencies, local and regional public agencies, and tribal governments 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, and
- Authorizes a Department of Motor Vehicles pilot program to evaluate optional mobile or digital alternatives to driver's licenses and identification cards.

*Urgency Bill – Effective Immediately*

OCTA Position – Monitor

*Impact on OCTA: With more flexibility in using state transit funding, OCTA has been able to utilize these regulatory relief measures to continue to provide transit service. Specifically, OCTA will not need to meet the 20 percent farebox recovery requirement, or the efficiency criteria as required in the TDA while the exemption from financial penalties is in place. Furthermore, this legislation will assist in staving off long-term disruption of future STA formula distribution by maintaining the ridership numbers prior to the COVID-19 pandemic. Additionally, as a self-help county, OCTA has experienced previous cost savings from the indirect cost recovery cap of ten percent in delivering capital projects. The extension of this cap is likely to lead to additional cost savings. Finally, OCTA paralleled the State's MOE flexibility by amending the Measure M2 MOE requirements to address the impacts to Orange County cities' general fund revenues as a result of the pandemic.*

### **SB 129 (Skinner, D-Berkeley) Budget Act of 2021 (Chapter 69, Statutes of 2021)**

SB 129 makes a variety of changes to the budget as it relates to education, childcare, resources, health, developmental services, social services, and more. The amended budget also includes \$2.3 billion for a zero-emission vehicles and infrastructure package. Within that package, \$70 million, through the Hybrid and Zero-Emission Truck and Bus

Voucher Incentive Project is set aside for zero-emission transit buses, and \$29.7 million is set aside for charging and refueling infrastructure for the deployment of zero-emission transit buses. Finally, \$600 million is also included for REAP 2.0, as administered under the provisions in the housing trailer bills.

This secondary budget measure detailed major investments in transit, including \$2.48 billion for the Transit and Intercity Rail Capital Program (TIRCP), which was 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 included \$300 million in climate adaptation grants, with \$150 million of that going directly to local entities. However, indicating a lack of consensus between the Legislature and the Administration, the funding provided in this budget bill for TIRCP, ATP, and climate adaptation grants was all contingent on future legislation to determine how specifically it will be allocated by October 10, 2021. No such legislation was enacted this session.

#### OCTA Position – Monitor

*Impact on OCTA: While not all of the transportation funding proposals made it through this legislative session, OCTA still stands to benefit from the increased funding for zero-emission transit buses. REAP 2.0 could also provide funding for transportation projects and programs. OCTA staff must continue to monitor both SCAG's guidelines for the program and those developed by HCD, anticipated in January of 2022, to ensure that funding is best utilized to improve mobility in Orange County.*

#### **SB 155 (Committee on Budget and Fiscal Review) Public Resources Trailer Bill (Chapter 258, Statutes of 2021)**

SB 155 is the public resources trailer bill. This legislation contains several provisions related to the environment, resiliency, and sustainability, including CEQA exemptions for biodiversity, as well as programs related to extreme heat, recycling, and water. Of particular interest includes funding for Healthy Forest and Fire Protection Program, which provides \$200 million through the GGRF until 2029 for programs and projects that improve forest health and other fuel reduction projects. Of note, the bill includes funding for grants for the protection and restoration of coastal and ocean resources from the impacts of sea level rise through the State Conservancy and establishes the Community Resilience Centers grant program for the purpose of construction or retrofit of facilities that mitigate the public health impacts of extreme heat and other emergency situations exacerbated by climate change. SB 155 also changes the name of the Alternative and Renewable Fuels and Vehicle Technology program to the Clean Transportation program and allows native tribes to compete for funding.

#### *Urgency Bill – Effective Immediately*

#### OCTA Position – Monitor

*Impact on OCTA: For informational purposes. OCTA may wish to consider applying for these grants where applicable. The ongoing appropriation for the Healthy Forest and Fire*

*Protection Program will further reduce available GGRF funding for discretionary programs funded via cap-and-trade.*

**SB 162 (Committee on Budget and Fiscal Review) Community Economic Resilience Fund Program  
(Chapter 259, Statutes of 2021)**

SB 162 is a budget trailer bill that creates the Community Economic Resilience Fund Program within the Employment Development Department. The Inter-Agency Leadership Team, comprised of the Labor and Workforce Development Agency, OPR, and the Governor's Office of Business and Economic Development, will award planning grants on a competitive basis to each region in order to establish high road transition collaboratives for economic recovery and transition strategies. The regions will be identified in forthcoming stakeholder meetings. A high road transition collaborative is defined as broad-based regional groups convened by a skilled and impartial intermediary to plan for economic recovery and a sustainable, equitable economic future. These collaboratives must prioritize equity, sustainability, and job quality while advancing a shared prosperity where workers and communities across California's diverse regions share equally in the benefits of a carbon-neutral future. A report must be submitted to the Legislature annually, starting December 31, 2022, regarding grant awards and progress on program objectives related to high road metrics, including equity, job quality and sustainability, job creation, wage increases, and job retention. Additionally, a supplemental annual report must be provided to the Legislature starting on June 31, 2023, regarding key findings on regional trends in sustainable economic recovery and common challenges in the development and implementation of high road strategies. This program will be funded with \$600 million federal funds from the Coronavirus Fiscal Recovery Fund of 2021.

*Urgency Bill – Effective Immediately*

OCTA Position – Monitor

*Impact on OCTA: OCTA should monitor and engage, when appropriate, with the process to define the regions described in the bill. Many transportation agencies are currently facing workforce shortages. It may behoove OCTA to strategize on how to incentivize workforce development in the transportation sector through this program.*

## **XI. Transit**

**AB 302 (Ward, D-San Diego) San Diego Metropolitan Transit Development Board: Regulation of For-hire Vehicle and Passenger Jitney Services  
(Chapter 89, Statutes of 2021)**

AB 302 allows the San Diego Metropolitan Transit System (MTS) to enter into contracts to regulate for-hire vehicle transportation services outside of its current service area, specifically anywhere in San Diego County. Doing so allows San Diego MTS to be a one-stop permit shop in San Diego County, reducing the administrative burden on for-hire vehicle services. Pursuant to the bill, for-hire vehicle services are defined as vehicles, other than public transportation vehicles, transporting passengers over public

streets for compensation, including taxicabs, passenger jitney service, low-speed vehicles, charters, sightseeing vehicles, and nonemergency medical vehicles over which the PUC does not already have regulatory authority. The authority granted to San Diego MTS also explicitly exempts out public transportation services operated by the North County Transit District (NCTD).

OCTA Position – Monitor

*Impact on OCTA: For informational purposes. The bill gives San Diego MTS regulatory authority over for-hire vehicles in all of San Diego County, including the NCTD service area. NCTD supported the arrangement because they do not regulate for-hire vehicles and prefer one regulatory authority for all of San Diego County.*

**AB 580 (Rodriguez, D-Chino) Emergency Services Vulnerable Populations (Chapter 744, Statutes of 2021)**

AB 580 requires the California Office of Emergency Services (CalOES) to coordinate with representatives of the access and functional needs population and to review local emergency plans. The bill clarifies that CalOES must appoint a majority of representatives from the access and functional needs population to serve on its advisory committees. While the bill does not change the definitions of access and functional needs populations, it specifies that a majority of the appointees must represent those who are blind or visually impaired, have sensory or cognitive disabilities, or physical disabilities. The bill requires that each county send a copy of its emergency plan to CalOES by March 1, 2022, and all updates thereafter, so CalOES can review how each county's emergency plan adheres to the best practices and trainings available from the Federal Emergency Management Agency in serving the needs of, among other factors, individuals with access and functional needs.

OCTA Position – Monitor

*Impact on OCTA: For informational purposes. While OCTA does not prepare the emergency plan for Orange County, it does work closely with County of Orange to inform how the access and functional needs population is served during emergencies. AB 580 adjusts the public involvement process for emergency plan development and seeks to ensure that counties are using federal recommendations in doing so.*

**AB 917 (Bloom, D-Santa Monica) Vehicles: Video Imaging of Parking Violations (Chapter 709, Statutes of 2021)**

Until January 1, 2027, AB 917 expands current state law to authorize transit agencies to use camera technology to discourage illegal parking in transit-only lanes and at transit stops where parking is already prohibited under existing law. This authority is indefinitely extended for the City and County of San Francisco. Under AB 917, transit agencies would be authorized to install forward-facing cameras on their transit vehicles to collect images of parking violations that occur in transit-only lanes and at transit stops. The parking citations do not negatively impact a driver's record, carry the same fine as a parking ticket, and can be appealed, reduced, or waived if certain determinations are met. The

legislation ensures privacy protections and sets noticing requirements for this new program. Finally, AB 917 also requires a public transit operator utilizing this program to report to legislative committees to evaluate its effectiveness, costs, and privacy impacts.

#### OCTA Position – Support

Impact on OCTA: *If the OCTA Board of Directors is inclined to use this authority in the future, AB 917 could provide a tool to discourage parking within transit-only lanes or at transit stops. If a parked vehicle is blocking the operation of such transit services, it could effectively stop the operation of the transit service until the vehicle is moved and create safety concerns for passengers attempting to board a transit vehicle unable to load at a transit stop. This reduces transit system reliability by slowing down transit vehicle speeds and negatively impacts transit riders.*

#### **AB 1337 (Lee, D-Milpitas) Transportation: San Francisco Bay Area Rapid Transit District: Policing Responsibilities (Chapter 534, Statutes of 2021)**

AB 1337 extends the authority of the San Francisco Bay Area Rapid Transit District (BART) to issue prohibition orders to include the property, facilities, and vehicles where they owe policing responsibilities to a local government. This legislation was pursued by BART because, currently, they only have the authority to issue prohibition orders on BART-owned property. This legislation expands the authority to areas where BART has an operating agreement but does not own the land, specifically for the new BART extension in Santa Clara County.

#### OCTA Position – Monitor

Impact on OCTA: *For informational purposes.*

#### **SB 372 (Leyva, D-Pomona) Medium- and Heavy-Duty Fleet Purchasing Program (Chapter 639, Statutes of 2021)**

SB 372 requires the California Pollution Control Financing Authority to establish a program to make financing tools and technical assistance available to the operators of medium- and heavy-duty vehicle fleets to enable those operators to transition their fleets to zero-emission vehicles. The bill creates the Medium- and Heavy-Duty Zero-Emission Vehicle Fleet Purchasing Assistance Program within CARB's Air Quality Improvement Program, and the bill lays out the process through which CARB and the California Pollution Control Financing Authority must develop the program. Pursuant to the bill language, the program must include input from stakeholders, including environmental justice organizations, coordinate different types of financial assistance, develop a data collection strategy to facilitate more informed decision-making, ensure that 75 percent of the financing products are directed to underserved communities, and create a "one-stop shop" to provide information about and help obtain financing for zero-emission medium- and heavy-duty vehicles, the definition of which includes buses. The bill language mentions buses in the definition of "medium- and heavy-duty vehicle."

OCTA Position – Monitor

Impact on OCTA: *For informational purposes. Since buses are included in the bill's definition, the new program could help provide OCTA with the information and resources necessary to help facilitate the adoption of zero-emission bus technology.*

**SB 643 (Archuleta, D-Norwalk) Fuel Cell Electric Vehicle Fueling Infrastructure (Chapter 646, Statutes of 2021)**

SB 643 requires that the State Energy Resources Conservation and Development Commission, in consultation with CARB and the PUC, prepare a statewide assessment of the fuel cell electric vehicle fueling infrastructure and fuel production necessary to adopt zero-emission vehicles at levels necessary for the State to meet the state's goals, including any CARB regulatory action on heavy-duty zero-emission vehicles. The bill language requires that the assessment consider all necessary fuel production and distribution infrastructure, list synergies between industries, and estimate the impact of hydrogen to reduce emissions in certain sectors, specifically mentioning the bus sector. SB 643 also requires that the State Energy Resources Conservation and Development Commission regularly seek data from relevant stakeholders, explicitly mentioning transit agencies and hydrogen fuel cell vehicle manufacturers. The assessment must be completed and posted online by December 31, 2023, and it must be updated every three years until January 1, 2030, when these provisions expire.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes. The findings of the assessment could identify the advantages or disadvantages with specific zero-emission technologies.*

## **XII. Other Legislation**

**AB 761 (Chen, R-Brea) County Employees' Retirement: Personnel: Orange County (Chapter 26, Statutes of 2021)**

AB 761 authorizes the Orange County Employees Retirement System Board of Retirement to appoint an expanded number of non-civil service employees, including an additional assistant administrator and an additional subordinate investment officer next in line of authority to the chief investment officer. The bill also changes the reporting relationship of senior management employees in the investment office so that they would report to the subordinate investment officers next in line of authority to the chief investment officer, one of the new positions authorized by this bill, instead of directly to the chief investment officer.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes.*



**AB 784 (Quirk, D-Hayward) Alameda-Contra Costa Transit District  
(Chapter 200, Statutes of 2021)**

AB 784 updates statutory provisions governing the Alameda-Contra Costa Transit District (AC Transit). The bill specifies that AC Transit shall continue in existence until dissolved and designates the agency as a rapid transit district. AB 784 specifies that board nominations must be signed by 50 votes if elected by ward or 100 votes if elected at-large, the nomination paper must include a filing fee of \$150 in lieu of signatures, and all nomination filings and fees shall be processed with the county elections official in the county or counties in which the candidate is running. The bill gives AC Transit 90 days to fill a vacancy instead of the 60 days in current law. AB 784 also allows for digital signatures by officers, employees, or members of the retirement board. The bill also prevents appointive officers from engaging in other business during their service, unless permitted by the AC Transit Board of Directors, and finally, the bill clarifies that for former employees elected as Board Members, the retirement system shall not apply to their Board of Directors service.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes.*

**AB 1196 (Cooley, D- Rancho Cordova) Sacramento Regional Transit District  
(Chapter 272, Statutes of 2021)**

AB 1196 changes the voting structure of the SacRT Board of Directors. The bill specifies that each Board Member shall have one vote and deletes various provisions in existing law allowing for a weighted voting structure. AB 1196 also clarifies that a majority of the SacRT Board of Directors constitutes a quorum and requires that all official Board of Directors acts require a majority vote. SacRT is also required to post these voting procedures on their website.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes.*

**SB 69 (McGuire, D-Eureka) Great Redwood Trail Agency: Right-of-Way  
(Chapter 423, Statutes of 2021)**

SB 69 reorganizes the North Coast Rail Authority into the Great Redwood Trail Agency (GRTA) and transfers certain authority related to rail and freight to the Sonoma-Marín Area Rail Transit District (SMART). The bill language establishes GRTA's new mission of developing the Great Redwood Trail. In cooperation with CalSTA, GRTA may acquire property, operate railroads, and execute other actions related to the Great Redwood Trail in Mendocino County. The bill transfers to SMART all rights, privileges, and the title for the rail right-of-way in Sonoma County. The language also clarifies that SMART may operate, manage, and maintain a freight rail system, in addition to passenger rail. Under the bill, SMART must designate a single point of contact for GRTA.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes.*

**SB 500 (Min, D-Irvine) Autonomous Vehicles: Zero Emissions  
(Chapter 277, Statutes of 2021)**

Beginning on January 1, 2030, SB 500 would prohibit operation of any new autonomous vehicles that are not zero emission, to the extent allowable by federal law. This provision only applies to vehicles with a gross vehicle weight of 8,501 or less. The Department of Motor Vehicles would be authorized to begin rulemaking to implement this legislation on January 1, 2027.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes. OCTA should monitor the impacts of autonomous vehicles on the transportation system.*