

STAFF REPORT

SUBJECT: Legislative Update

FROM: Jennifer Yeamans, Senior Grants & Management Specialist

DATE: September 9, 2024

Action Requested

Receive an informational update on the 2023-24 state and federal legislative sessions, LAVTA’s legislative priorities, and current legislative issues.

Background

In February 2024, the Board of Directors approved LAVTA’s 2024 Legislative Program, built upon the following four principles in support of LAVTA’s mission, which is “*to provide equal access to a variety of safe, affordable, and reliable public transportation choices, increasing the mobility and improving the quality of life of those who live or work in and visit the Tri-Valley area*”:

1. Protect existing and enhance future transportation funding sources.
2. Enhance operating conditions to support safety and performance goals.
3. Enhance public transit’s role in addressing climate change and air quality issues.
4. Leverage support from and with partners to promote mobility, improve service productivity, and enhance regional leadership.

Throughout 2024, LAVTA staff with the assistance of our professional state and federal advocates have used these principles to monitor emergent legislative issues to support, watch, stay neutral, or oppose. As the current state and federal legislative sessions begin to wind down, this report provides an update on several issues of interest to LAVTA.

2024 Legislative Overview

Federal

In March, Congress enacted its final FY24 spending package which included \$3,000,000 in Community Project Funding co-sponsored by Representatives Mark DeSaulnier and Eric Swalwell for LAVTA’s Hydrogen Fueling Station Expansion Project. Once the funds are programmed by the Metropolitan Transportation Commission (MTC), they will be available for obligation by the Federal Transit Administration. LAVTA staff welcomed Representative Swalwell at the project’s Atlantis site in June to thank him and his colleagues for their support of the agency’s zero-emission transition efforts and highlight the agency’s needs for additional funding to complete the facility.

In July, the House Appropriations Subcommittee on Transportation, Housing and Urban Development, and Related Agencies (THUD) approved a FY25 spending bill (H.R. 9028) that cuts public transit spending by 6.2 percent from FY24-enacted levels, and provides funding 10.8 percent below the amount authorized by the BIL. The Senate THUD bill (S. 4796) provides for the majority of public transit spending authorized by the BIL and is generally supported by the American Public Transportation Association (APTA).

The 118th Congress is scheduled to return from recess the week of September 9 and adjourn the week of December 16, following November's elections. Congress has until September 30 to enact either a FY25 spending bill or a Continuing Resolution (CR) of FY24 levels.

Reports from LAVTA's federal lobbyist, Carpi & Clay, summarizing the FY25 House and Senate THUD bills are provided as [Attachment 1](#).

State

In June, the Legislature finalized the FY25 State Budget, closing a \$28 billion forecasted deficit while leaving public transportation funding largely unscathed, with some adjustments made to timing of fund allocations for public transit projects from last year's SB125 plan, which was intended to help transit agencies avoid falling off the "fiscal cliff" once federal emergency operating support made available during the pandemic was fully expended.

The Legislature will adjourn August 31, ending the 2023–24 legislative session in advance of November's elections. The Governor will have until September 30 to either sign or veto bills passed in 2024.

[Attachment 2](#) provides a summary of this year's Legislative agenda relevant to LAVTA's interests, provided by LAVTA's state lobbyist, Townsend Public Affairs. The one bill LAVTA took a formal position on, SB 1031 (Wiener and Wahab), passed out of the Senate in late May but was subsequently held in the Assembly before being referred to any committee. The bill's authors noted a need for a "reset" in discussion among Bay Area stakeholders to work through a variety of regional issues this summer and fall (described more below), with a goal of obtaining sufficiently broad support to enable a regional transportation measure authorization bill to pass next year's Legislature and make the ballot as early as 2026. However, the fate of the recently pulled regional affordable housing bond measure from this year's ballot could call into question that timeline, as the region may not want competing measures in 2026.

Current Issues

Regional Measure Working Group

Following the demise of SB 1031 in late May, in July MTC formed a Transportation Revenue Measure Select Committee of both Commissioners and stakeholders to develop regional consensus around details of future authorizing legislation for a regional transportation revenue measure. The Committee intends to review the fiscal challenges and public polling around the issues, analyze alternatives and tradeoffs of various pathways, and approve a regional transportation measure framework by the end of October. MTC

Commissioner and Alameda County Supervisor Nate Miley serves on the Select Committee, and LAVTA Executive Director Christy Wegener serves on the Committee’s Executive Group. Rosters of both groups, which plan to meet monthly, are provided as Attachment 3.

Proposition 5

In September 2023, Assembly Constitutional Amendment 1 was chaptered, a legislative constitutional amendment, subject to voter approval, to lower the voter-approval threshold allowing a city, county, or special district to incur bonded indebtedness for certain projects from two-thirds to 55 percent. The measure will go before voters on the November ballot as Proposition 5, to allow local bonds for affordable housing and public infrastructure with 55 percent voter approval, subject to specific oversight requirements. The Legislative Analyst Office’s analysis of Proposition 5 is provided as Attachment 4. While LAVTA has never issued any general obligation bonds for its infrastructure needs, LAVTA staff is working with strategic partners and stakeholders to determine what kinds of local and regional public transit infrastructure needs could be funded in consideration of a 55 percent voter threshold for local bonds versus two-thirds.

Next Steps

Staff will continue to monitor legislative issues of interest to LAVTA with the assistance of our state and federal advocacy teams and bring future informational or action updates to the Finance & Administration Committee and/or Board as may be appropriate and desirable.

Recommendation

None — information only.

Attachments:

1. Federal Update
2. State Legislative Update
3. MTC Regional Transportation Measure Select Committee and Executive Group Rosters
4. Proposition 5 – Legislative Analyst’s Office Report



TRANSPORTATION WEEKLY UPDATE

July 12, 2024

**NOTE: This issue covers activities from June 29 – July 12.*

THIS WEEK IN CONGRESS

House Committee Approves FY 2025 THUD Appropriations Bill. On July 10th, the Appropriations Committee approved by a party-line vote of 31 to 26 the FY 2025 THUD Appropriations bill. The bill provides \$25.131 billion to DOT, \$1.856 billion below FY 2024 levels. The bill also includes the following funding levels:

- \$21.657 billion for FAA, \$1.576 billion above FY 2024
- \$63.544 billion for FHWA, \$552 million above FY 2024
- \$2.758 billion for FRA, \$212 million below FY 2024
- \$15.307 billion for FTA, \$1.297 billion below FY 2024
- \$909 million for FMCSA, \$18.4 million below FY 2024
- \$1.272 billion for NHTSA, \$34 million above FY 2024
- No additional funding for RAISE or Mega grant programs beyond what is provided in IIJA
- \$122.2 million for the DOT's Office of Inspector General, \$5.7 million above FY 2024
- \$145 million for NTSB

The bill includes the following policy riders:

- Prohibit implementation of NHTSA's Corporate Average Fuel Economy (CAFE) standards rules.
- Prohibit implementation of DOT's Greenhouse Gas Emission rule.
- Prohibit funds going to California's high-speed rail project.
- Prohibits congestion pricing in New York City metro area.
- Prohibit funds from being used to promote any rulemaking requiring vehicles over 26,000 pounds used in interstate commerce to be equipped with a speed limiting device. This would prohibit DOT from moving forward with their final rule requiring eighteen-wheeler trucks to use devices that limit their speed to interstate speed limits.
- Prohibits funding from being used to require inward-facing cameras or require a motor carrier to be enrolled in the Department of Labor's registered apprenticeship program as conditions for participation in the safe driver apprenticeship pilot program.

- Prohibiting states from implementing trucking hours-of-service requirements that are more stringent than the federal standards.
- Prohibits mask mandates on public transportation.
- Prohibits funding for being used to provide any education, training, or professional development that uses, promotes, or teaches “Critical Race Theory”.

The bill now moves to the House floor for consideration.

BILL TEXT **CDS REQUESTS**

House Committee Approves Resolution Eliminating EV Credits. On July 9th, the Ways and Means Committee approved, by a party-line vote of 25 to 14, **H.J. Res 148, Disapproving the rule submitted by the Department of the Treasury related to “Clean Vehicle Credits Under Sections 35E and 30D”**. The resolution now moves to the full House for consideration.

House Subcommittee Holds Hearing on CARB’s In Use Locomotive Regulation. On July 9th, the Subcommittee on Railroads, Pipelines, and Hazardous Materials of the Transportation and Infrastructure Committee held a hearing titled “An Examination of the California Air Resources Board’s (CARB) In Use Locomotive Regulation”. Witnesses included representatives from the American Short Line and Regional Railroad Association (ASLRRA), George Washington University, the Associated General Contractors of California, and CARB. During his opening statement, Subcommittee Chair Troy Nehls (R-TX) stated “While this hearing has been called to discuss the California Air Resource Board’s request for authorization for a state-based regulation, we should be very mindful that this proposed regulation is not just confined to California. It’s national in both impact and intent. According to CARB’s own analysis, the rule would require both BNSF and Union Pacific to replace their entire fleet of locomotives nationwide to comply with the regulation, which will cost billions of dollars and will make freight transportation and the costs of goods drastically more expensive... Moreover, CARB’s proposal would fail any meaningful cost-benefit analysis. It also fails to fully consider costs associated with the acquisition of still non-existent — and I am going to repeat this point — non-existent zero emissions locomotives. The cost of building out, much less permitting the necessary infrastructure, including energy infrastructure, is likewise enormous. It is for these reasons that a broad coalition of railroads, shippers, and union organizations have come out in strong opposition to this rule. This regulation must be rejected by EPA and accompanied by a return to sanity in both Sacramento and in Washington.”

MORE INFORMATION

House Subcommittee Holds Hearing Examining TSA’s Relationships with U.S. Adversaries. On July 9th, the Subcommittee on Transportation and Maritime Security of the Homeland Security Committee titled “Protecting the Homeland – Examining TSA’s Relationships with U.S. Adversaries.” Witnesses included representatives from the Transportation Security Administration (TSA). During his opening statement, Subcommittee Chair Carlos Gimenez (R-FL) stated “On May 20, 2024, TSA and the State Department welcomed Castro regime agents to the home of the largest population of Cuban-Americans in the United States by hosting them for a tour of Miami International Airport. This is a slap in the face to Cuban-Americans all across the country. Serious precautions must be taken while dealing with the Communist Cuban regime. Cuba is among the chief counterintelligence and national security threats to the United States... Furthermore, TSA continued the delegation’s

visit and allowed the agents access to TSA headquarters after some of my House and Senate colleagues and I sent a letter to TSA Administrator David Pekoske and DHS Secretary Alejandro Mayorkas expressing our outrage. To make matters worse, senior leaders within TSA, including Administrator Pekoske, were unaware of this visit, which further demonstrates TSA's negligence and calls into question TSA's ability to appropriately interact with adversarial foreign governments, such as the People's Republic of China (PRC), the Russian Federation, and the Republic of Cuba...I am committed to addressing these failures and taking the corrective action that DHS has neglected to do on its own."

[MORE INFORMATION](#)

House Subcommittee Holds Hearing on the Aviation Workforce. On July 10th, the Subcommittee on Aviation of the Transportation and Infrastructure Committee held a hearing titled "Eliminating Bottlenecks: Examining Opportunities to Recruit, Retain and Engage Aviation Talent". Witnesses included representatives from Louisiana Tech University, the Association for Uncrewed Vehicle Systems International (AUVSI), the National Business Aviation Association (NBAA), and Professional Aviation Safety Specialists, AFL-CIO. During his opening statement, Subcommittee Chair Garrett Graves (R-LA) stated "We need to be concerned not just about the stresses in the aerospace industry today, but the reality that these stressors are going to grow greater and greater in the future...One of the biggest challenges we have right now is with our air traffic controllers. The FAA is approximately 3,000 controllers short right now. We took a lot of steps in the FAA bill to help improve hiring and move the needle in the near-term, which is the real pinch point in the pipeline. You're seeing a great disparity between the retirement rate of air traffic controllers and other aviation professionals and the pace of hiring to fill those available positions. And thinking about that bottleneck that hits a bit closer to home, our office heard from Louisiana Tech in 2020 about the need for more Designated Pilot Examiners to meet the training needs of the students. If the Designated Pilot Examiners are short, then it's going to have an impact on the ability of us to meet the targets on pilot demand as well."

[MORE INFORMATION](#)

Senate Committee Holds Hearing on the Francis Scott Key Bridge Collapse. On July 10th, the Environment and Public Works Committee held a hearing titled "Response to the Francis Scott Key Bridge Collapse on March 26, 2024". Witnesses included representatives from FHWA, the Army Corps of Engineers, and Maryland DOT. During his opening statement, Chair Tom Carper stated "Rebuilding the bridge is also expected to be a large financial undertaking. President Biden has committed the resources of the federal government to help Maryland rebuild. With that said, Administrator Bhatt testified before this committee last month that the proceeds of insurance payments and other future claims will be used to reimburse the federal government for a considerable portion of the cost of rebuilding the bridge. Today's hearing probably could not have come at a more opportune time. The president has just submitted a supplemental appropriations request to Congress. The \$3.1 billion in emergency response funding that the president requested for the Department of Transportation would support efforts to address this disaster and a number of other disasters that have not yet received assistance. That includes a major mudslide in Jackson, Wyoming, as well as tragic losses in Maui last year and other recent disasters across the United States. Passing the supplemental will be the most expedient path to address not only the needs of Baltimore but also the needs of a number of other states awaiting assistance. In closing, I believe that when all levels of government work together to safeguard and invest in our infrastructure, it makes our communities better, stronger and safer. And I believe that it is our shared responsibility to make these investments."

THIS WEEK AT THE DEPARTMENT OF TRANSPORTATION

DOT Publishes RCP NOFO. DOT has published a notice of funding opportunity (NOFO) for the availability of \$607 million through the Reconnecting Communities Pilot (RCP) grant program. The funds will help to support planning and capital construction activities that aim to restore community connectivity through the removal, retrofit, mitigation or replacement of highways, roadways, or other infrastructure facilities that create barriers to mobility, access or economic development. The program aims to advance and support reconnection of communities divided by transportation infrastructure – with a priority on helping disadvantaged communities improve access to daily needs (jobs, schools, healthcare, grocery stores, and recreation). Applications are due by September 30, 2024.

[MORE INFORMATION](#)

DOT Announces PNT Awards. DOT has announced \$7 million to nine Complementary Positioning, Navigation, and Timing (PNT) technology vendors. The primary and most recognizable PNT service supporting critical infrastructure is the Global Positioning System (GPS) utilized for all modes of transportation, including aviation, maritime, and rail. These awards provide funding for instrumentation, testing, and evaluation of Complementary PNT technologies at field test ranges in conjunction with critical infrastructure owners and operators. The goal is to facilitate adoption of Complementary PNT technologies to improve PNT resiliency.

[MORE INFORMATION](#)

DOT Publishes Report on Decarbonizing Transportation. DOT has published a report to Congress, [Decarbonizing U.S. Transportation](#). The report responds to Congressional direction to outline DOT's strategy and actions to reduce greenhouse gas emissions in line with our international commitments. The report identifies opportunities for driving further reductions in U.S. transportation GHG emissions.



FAA Publishes ATP Grant NOFO. FAA has published a notice of funding opportunity (NOFO) for the availability of \$1 billion in discretionary funds for the Airport Terminal Program (ATP).

ATP helps fund projects for airport terminal and airport-owned Airport Traffic Control Tower development projects. Applications are due by July 31, 2024.

[MORE INFORMATION](#)

FAA Announces AIG Awards. FAA has announced \$289 million in funding to 129 airports in 40 states through the Airport Infrastructure Grants (AIG). The grants will help to fund airport improvements such as terminal expansions, baggage system upgrades, runway safety enhancements, and air traffic infrastructure improvements.

[MORE INFORMATION](#)



FHWA Publishes TTFBP Final Rule. FHWA has published a final rule amending the existing Tribal Transportation Program Bridge Program, formerly known as the Indian Reservation Road (IRR) Bridge Program, by renaming it the Tribal Transportation Facility Bridge Program (TTFBP) to comply with the changes made in the Moving Ahead for Progress in the 21st Century Act (MAP-21), carried on through the Fixing America's Surface Transportation (FAST) Act, and the recent changes made by the Bipartisan Infrastructure Law (BIL), enacted as the Infrastructure Investment and Jobs Act (IIJA). It also removes references to terms such as structurally deficient, functionally obsolete, and sufficiency rating. These updates aligned the TTFBP terminology for bridge conditions with the terminology used for State departments of transportation (State DOT) in the Federal-aid highway program. This change established consistent terminology for classifying and referring to bridge conditions. The rule is effective on August 12, 2024.

[MORE INFORMATION](#)



U.S. Department
of Transportation
**Federal Motor
Carrier Safety
Administration**

FMCSA Appoints Chief Counsel. FMCSA has appointed Melody Drummond Hansen as the agency's new Chief Counsel. Drummond Hansen brings a decade of experience advising

clients across the automotive and transportation industry and 20 years of experience in emerging technologies.

[MORE INFORMATION](#)



U.S. Department of Transportation

Federal Railroad Administration

FRA Publishes Railroad Crossing Elimination Program NOFO. FRA has published a notice of funding opportunity (NOFO) for the availability of \$1.14 billion through the Railroad Crossing Elimination Program. The program helps to fund highway-rail or pathway-rail grade crossing improvement projects that focus on improving the safety and mobility of people and goods. Applications are due by September 23, 2024.

[MORE INFORMATION](#)

FRA Publishes R&E Grant NOFO. FRA has published a NOFO for the availability of \$153 million in funding through the Restoration and Enhancement (R&E) grant program. The program helps to fund projects that will establish service on new routes, restore service on routes that formerly had intercity passenger operations, and enhance service on existing routes. Applications are due in 75 days.

[MORE INFORMATION](#)



FTA Publishes CCAM NOFO. FTA has published a notice of funding opportunity (NOFO) for the availability of \$2.5 million to establish a Coordinating Council on Access and Mobility (CCAM) National Technical Assistance Center that supports CCAM members, federal agencies, their grantees, partners, and stakeholders in improving transportation access for people with disabilities, older adults, and individuals of low income. The overarching mission of this new center is to promote and facilitate human services transportation, public transit, and non-emergency medical transportation (NEMT) coordination that advances people's access to everyday destinations. Applications are due by August 30, 2024.

[MORE INFORMATION](#)

FTA Publishes Enhancing Mobility Innovation NOFO. FTA has published a NOFO for the availability of \$1.9 million in competitive cooperative agreement awards for projects that enhance mobility innovations for transit. Funds will be awarded for projects that advance emerging technologies, strategies, and innovations in traveler-centered mobility in two distinct areas. Of the total available funds, \$968,000 is available for projects to accelerate innovations that improve mobility and enhance the rider experience with a focus on innovative service delivery models, creative financing, novel partnerships, and integrated payment solutions. Another \$968,000 is available for projects to develop software solutions that facilitate the provision of integrated demand-response public transportation service that dispatches public transportation fleet vehicles through riders' mobile devices or other means. Projects will be selected based on the criteria outlined in this notice. Applications are due by August 30, 2024.

[MORE INFORMATION](#)



NHTSA Publishes THOR 50th Male ATD SNPRM. NHTSA has published a supplemental notice of proposed rulemaking (SNPRM) that notices the availability of additional research reports and a memorandum of understanding that are being placed in the research and rulemaking dockets, respectively. Comments are due by August 8, 2024.

[MORE INFORMATION](#)

NHTSA Seatback Safety Standards ANPRM. NHTSA has published an advanced notice of proposed rulemaking (ANPRM) updating Federal Motor Vehicle Safety Standard No. 207, "Seating systems" and potentially FMVSS No. 202a, "Head restraints," with an emphasis on occupant protection in rear impacts. FMVSS No. 207 establishes requirements for seats, seat attachment assemblies and their installation in passenger cars, multipurpose passenger vehicles, trucks designed to carry at least one person, and buses. The standard sets minimum requirements for seatback strength and associated restraining devices and adjusters and outlines a test procedure. FMVSS No. 202a specifies requirements for head restraints to reduce the frequency and severity of neck injuries in rear-end and other crashes. Among its considerations in the ANPRM, the agency seeks comment on seatback strength requirements, performance test parameters and various seat characteristics that are considered for regulation to improve rear impact protection, as well as relevant incident data. Comments are due in 60 days.

[MORE INFORMATION](#)

NHTSA Seeks Comment on Exemption to Shoulder Belt Requirement for Side-Facing Seats on Motorcoaches. NHTSA has received almost identical petitions from 13 final-stage

manufacturers of “entertainer-type motorcoaches,” seeking renewal of temporary exemptions from a shoulder belt requirement of Federal Motor Vehicle Safety Standard (FMVSS) No. 208, “Occupant crash protection,” for side-facing seats on motorcoaches. The petitioners seek to renew their exemptions that allow them to install Type 1 seat belts (lap belt only) at side-facing seating positions, instead of Type 2 seat belts (lap and shoulder belts) required by FMVSS No. 208. Each petitioner states that, absent the requested exemption, it will otherwise be unable to sell a vehicle whose overall level of safety or impact protection is at least equal to that of a nonexempted vehicle. NHTSA is publishing this document to notify the public of the receipt of the petitions and to request comment on them, in accordance with statutory and administrative provisions. Comments are due by September 3, 2024.

[MORE INFORMATION](#)

OTHER

TSA Adds Airlines to PreCheck. TSA has announced that its PreCheck program has been expanded to include Aer Lingus, Air New Zealand, Ethiopian Airlines, and Saudia as new participants in the program.

[MORE INFORMATION](#)



Channon Hanna, Partner at Carpi & Clay Government Relations, brings over 20 years of expertise in navigating federal transportation policy complexities to advance priorities for public and private sector clients across all modes of transportation.



TRANSPORTATION WEEKLY UPDATE

July 26, 2024

NEXT WEEK IN CONGRESS

Senate Committee to Mark Up Transportation-Related Bills. On July 31st, the Commerce, Science, and Transportation Committee will consider the following transportation-related bills:

- **[S. 1008, Setting Consumer Standards for Lithium-Ion Batteries Act](#)** – requires the Consumer Product Safety Commission to issue a consumer product safety standard for rechargeable lithium-ion batteries used in micromobility devices, such as e-Bikes and scooters to protect against the risk of fires.
- **[S. 3475, Strengthening the Commercial Driver’s License Information System Act](#)** – allows DOT to designate an authorized operator of the commercial driver’s license information system.
- **[S. 3959, Transportation Security Screening Modernization Act](#)** – requires TSA to streamline the enrollment processes for individuals applying for a TSA security threat assessment for certain programs, including the Transportation Worker Identification Credential (TWIC) and Hazardous Materials Endorsement Threat Assessment (HME).
- **[S. 4107, Think Differently Transportation Act](#)** – requires Amtrak to incorporate into the annual report an action plan for bringing Amtrak rail cars and stations into compliance with the ADA as required by a 2020 settlement agreement entered into between Amtrak and the Department of Justice. Amtrak must also include a status report on ADA compliance at Amtrak-served stations (based on a station assessment by Amtrak or the party responsible for ADA compliance).

THIS WEEK IN CONGRESS

Senate Committee Approves FY 2025 THUD Appropriations Bill. On July 25th, the Appropriations Committee approved the FY 2025 THUD Appropriations bill by a vote of 28 to 1 with Senator Marco Rubio (R-FL) being the only Senator to not vote favorably to approve the bill. The bill provides \$110 billion for DOT, it includes:

- \$550 million for the RAISE grant program
- \$22 billion for FAA

- \$4.52 billion for the Airport Improvement Program (AIP), of which \$79 million is for a new PFAS Replacement Program for airports.
- \$63.17 billion for federal-aid highways
 - \$400 million for the competitive bridge program
- \$3.46 billion for FRA
 - \$2.63 billion for Amtrak
 - \$100 million for the Fed-State Partnership Program
 - \$475 million for the Consolidated Rail Infrastructure and Safety Improvements (CRISI) grant program
- \$17 billion for FTA
 - \$2.262 billion for Capital Investment Grants, a \$57 million increase over FY 2024

BILL
SUMMARY
AMENDMENTS ADOPTED
REPORT
CONGRESSIONALLY DIRECTED SPENDING

House Subcommittee Holds Hearing on Rail Safety in the Aftermath of the Ohio Derailment. On July 23rd, the Subcommittee on Railroads, Pipelines, and Hazardous Materials of the Transportation and Infrastructure Committee held a hearing titled “Examining the State of Rail Safety in the Aftermath of the Derailment in East Palestine, Ohio”. Witnesses included representatives American Chemistry Council (ACC), Transportation Communications Union, International Association of Sheet, Air, Rail and Transportation Works, Federal Railroad Administration, National Transportation Safety Board, Pipeline and Hazardous Materials Safety Administration. During his opening statement, Subcommittee Chair Troy Nehls (R-TX) said “The *Railroad Safety Enhancement Act (RSEA)* that I introduced with Congressman Moulton builds upon the bipartisan legislation our Senate colleagues marked up and passed favorably out of the Commerce Committee. The *Railway Safety Act* in the Senate is supported by President Trump and is authored by Vice Presidential nominee Senator Vance. Representative Moulton and I took that bill and added four key safety components:

1. Confidential Close Call Reporting System
2. AskRail connectivity pilot program
3. Telematics to modernize the tank car fleet
4. And more funding for the Railroad Crossing Elimination Grant Program

Taking Senator Vance’s bill, and adding these four safety provisions, makes this a very good rail safety bill, and I humbly ask for your support because it’s the right thing to do.”

MORE INFORMATION

House Subcommittee Holds Hearing on DOT’s Regulatory and Administrative Agenda. On July 23rd, the Subcommittee on Highways and Transit of the Transportation and Infrastructure Committee held a hearing titled “Examining the Department of Transportation’s Regulatory and Administrative Agenda”. Witnesses included representatives from the American Road & Transportation Builders Association (ARTBA), the Steel Manufacturers Association (SMA), Owner-Operator Independent Drivers Association (OOIDA), and Transportation for America (T4A). During his opening statement, Subcommittee Chair Rick Crawford (R-AR) stated that the Administration’s continued implementation of burdensome

regulations, such as the Federal Highway Administration's greenhouse gas performance measure, exceeds statutory authority and faces legal challenges. These regulations, particularly harmful to rural areas, exemplify the Administration's overreach and lack of clarity, which hampers businesses and raises costs for consumers.

[**MORE INFORMATION**](#)

THIS WEEK AT THE DEPARTMENT OF TRANSPORTATION

DOT IG Publishes Report Finding FAA's Acquisition and Fiscal Law Division's Work Environments Impacts the Ability to Provide Legal Advice. DOT's Office of Inspector General (DOT IG) has published a report titled [**FAA's Acquisition and Fiscal Law Division's Work Environment Impacts Its Ability to Provide Legal Advice in Support of a Safe National Airspace System**](#). The report was initiated reviewing the hotline complaint because its concerns extended beyond a matter for human resources to having potential programmatic effects that could impact the Division's ability to conduct its mission. Accordingly, the audit's objective was to determine if the work environment impacts Acquisition and Fiscal Law Division's (AGC-500) ability to fulfill its mission to provide legal support for the national airspace system (NAS). The report found that AGC-500's work environment impacts its ability to meet its mission and provide legal support to FAA as the Division is experiencing high attorney turnover, employee dissatisfaction, and inefficient decision making. These issues are partly because of attorney dissatisfaction with AGC senior leadership. As a result, FAA faces unanticipated costs, potential safety burdens, and potential challenges meeting its mission. Furthermore, AGC-500 cases are not formally tracked and lack transparency. While FAA has made improvements to address issues with its documentation system, the tool will not be effective until all AGC-500 attorneys are trained on and use the system to share program information and formally document their work. In addition, AGC-500 adopted guidelines in 2022 that could conflict with employees' whistleblowing rights and could interfere with OIG's investigations. In November 2023, after discussion with OIG's legal counsel, AGC-500 drafted an improved business rules document. However, until the Division officially updates its business rules, employees' ability to fulfill their mission with the protections afforded to all Federal workers will remain at risk. The report made six recommendations to enhance the AGC-500's operating environment and ability to complete its mission efficiently.



FAA Announces AIP Grant Awards. FAA has announced \$374 million to 299 projects in 46 states and territories through the Airport Improvement Program (AIP). The grants will help fund airport projects including construction of new and improved airport facilities, repairs to runways and taxiways, maintenance of airfield lighting and signage, and purchasing equipment needed to operate and maintain airports.

[MORE INFORMATION](#)

FAA and NATCA Reach Agreement to Address Controller Fatigue. FAA announced that it has reach and agreement with the National Air Traffic Controllers Association (NATCA) to help ensure air traffic controllers receive adequate rest between shifts and can continue to safely do their essential work. Among other things, the two parties have agreed that:

- Controllers will receive 10 hours off between shifts and 12 hours off before and after a midnight shift.
- Controllers will have limitations on the number of consecutive overtime assignments.
- There will be procedures in place, including providing the necessary education to the workforce, for more effective use of current recuperative breaks.

[MORE INFORMATION](#)



U.S. Department
of Transportation

Federal Motor
Carrier Safety
Administration

FMCSA Removes Four Devices from List of Registered ELDs. FMCSA has removed CTE-LOG ELD, ELD VOLT, POWERTRUCKS ELD, and TFM ELD devices from the list of registered Electronic Logging Devices (ELD). FMCSA placed these ELDs on the Revoked Devices list due to the companies' failure to meet the minimum requirements established in 49 CFR part 395, subpart B, appendix A. The removals are effective July 23, 2024. FMCSA will send an industry-wide email to inform motor carriers that all who use these revoked ELDs must take the following steps:

1. Discontinue using the revoked ELDs and revert to paper logs or logging software to record required hours of service data.
2. Replace the revoked ELDs with compliant ELDs from the [Registered Devices list](#) before September 21, 2024.

MORE INFORMATION

OTHER

GAO Publishes Report on Transportation Equity. The Government Accountability Office (GAO) has published a report titled [Transportation Equity: DOT Could Improve Some Performance Goals to Better Assess Progress](#). The report found that DOT's equity performance goals are mostly consistent with six selected performance management practices. For example, each of the performance goals is consistent with the practices of describing linkage; identifying a goal leader; and being objective, quantifiable, and measurable. However, some performance goals are inconsistent with the practices of identifying near-term targets; demonstrating clarity; and describing accuracy and reliability. For example, with regard to the practice of accuracy and reliability, DOT did not describe how it verified and validated data used to measure progress toward eight of its equity performance goals. Performance goals that are consistent with performance management practices could better position DOT, external stakeholders, and other decision-makers to assess progress toward DOT's equity strategic goal. DOT is taking steps to assess and use information to manage its equity efforts. These steps, which are ongoing, include assessing the sufficiency of its current performance information and using early information from its performance reviews to guide some programmatic decision-making. For example, one of DOT's equity performance goals is to increase transit grants for rural or tribal areas. DOT officials stated that they are using information related to this performance goal to help improve outreach to those areas. The report makes three recommendations to DOT to ensure each equity performance goal is consistent with the performance management practices of identifying near-term targets, demonstrating clarity, and describing accuracy and reliability.



Channon Hanna, Partner at Carpi & Clay Government Relations, brings over 20 years of expertise in navigating federal transportation policy complexities to advance priorities for public and private sector clients across all modes of transportation.



Livermore Amador Valley Transit Authority

2023-2024 Legislative Session (8/20/2024)

AB 6

Friedman (D)

HTML

PDF

Transportation planning: regional transportation plans: reduction of greenhouse gas emissions.

Progress bar



Bill information

Status: 07/02/2024 - Failed Deadline pursuant to Rule 61(b)(13). (Last location was TRANS. on 5/30/2024)

Summary: Current law requires certain transportation planning agencies to prepare and adopt regional transportation plans directed at achieving a coordinated and balanced regional transportation system. Current law requires that each regional transportation plan include a sustainable communities strategy prepared by each metropolitan planning organization in order to, among other things, achieve certain regional targets established by the State Air Resources Board for the reduction of greenhouse gas emissions from automobiles and light trucks in the region for 2020 and 2035, respectively. Current law requires the state board to update the regional targets every 8 years until 2050. Current law requires a metropolitan planning organization, before adopting a sustainable communities strategy, to quantify the reduction in the emissions of greenhouse gases projected to be achieved by the sustainable communities strategy and set forth the difference, if any, between the amount of that reduction and the regional targets. This bill would require the state board to update the regional targets indefinitely, rather than only until 2050, and authorize the state board to update the years to which those targets apply, as specified. (Based on 05/30/2024 text)

AB 7

Friedman (D)

HTML

PDF

Transportation: planning: project selection processes.

Progress bar



Bill information

Status: 09/14/2023 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/11/2023)(May be acted upon Jan 2024)

Summary: The Transportation Agency is under the supervision of the Secretary of Transportation, who has the power of general supervision over each department within the agency. The secretary, among other duties, is charged with developing and reporting to the Governor on legislative, budgetary, and administrative programs to accomplish coordinated planning and

policy formulation in matters of public interest, including transportation projects. On and after January 1, 2025, and to the extent applicable, feasible, and cost effective, this bill would require the agency, the Department of Transportation, and the California Transportation Commission to incorporate specified goals into program funding guidelines and processes. (Based on 09/01/2023 text)

AB 761

Friedman (D)

HTML

PDF

Local finance: enhanced infrastructure financing districts.

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Bill information

Status: 05/30/2024 - Read second time. Ordered to third reading.

Summary: Current law authorizes the legislative body of a city or a county to designate a proposed enhanced infrastructure financing district by adopting a resolution of intention to establish the proposed district which, among other things, is required to state that an enhanced infrastructure financing district is proposed and describe the boundaries of the proposed district. Current law requires the public financing authority to direct the preparation of and adopt an infrastructure financing plan consistent with the general plan and any relevant specific plan, and consisting of, among other things, a financing section. Current law requires that the financing section include a plan for financing the public facilities, a limit on the total number of dollars of taxes that may be allocated to the district pursuant to the plan, and a date, either not more than 45 years from the date on which the issuance of the bonds is approved for the plan on which the district will cease to exist, by which time all tax allocation to the district will end, or, where the district is divided into project areas, a date on which the infrastructure financing plan will cease to be in effect and all tax allocations to the district will end and a date on which the district's authority to repay indebtedness with incremental tax revenues will end, as specified. This bill, for plans proposed on or after January 1, 2025, would specify that for the purpose of development and construction of passenger rail projects in the County of Los Angeles where at least 75% of the revenue from the district is used for debt service on a federal Transportation Infrastructure Finance and Innovation Act (TIFIA) loan, the date on which the district will cease to exist shall not be more than 75 years from the date of the approval of a TIFIA loan, as specified. (Based on 05/20/2024 text)

AB 817

Pacheco (D)

HTML

PDF

Open meetings: teleconferencing: subsidiary body.

Progress bar



Bill information

Status: 07/02/2024 - Failed Deadline pursuant to Rule 61(b)(13). (Last location was L. GOV. on 5/1/2024)

Summary: The Ralph M. Brown Act, requires, with specified exceptions, each legislative body of a local agency to provide notice of the time and place for its regular meetings and an agenda containing a brief general description of each item of business to be transacted. Current law authorizes the legislative body of a local agency to use alternate teleconferencing provisions during a proclaimed state of emergency (emergency provisions) and, until January 1, 2026, in certain circumstances related to the particular member if at least a quorum of its members participate from a singular physical location that is open to the public and situated within the agency's jurisdiction and other requirements are met (nonemergency provisions). Current law imposes different requirements for notice, agenda, and public participation, as prescribed, when a legislative body is using alternate teleconferencing provisions. The nonemergency provisions impose restrictions on remote participation by a member of the legislative body and require the legislative body to provide specific means by which the public may remotely hear and visually observe the meeting. This bill, until January 1, 2026, would authorize a subsidiary body, as defined, to use similar alternative teleconferencing provisions and would impose requirements for notice, agenda, and public participation, as prescribed. The bill would require at least one staff member of the local agency to be present at a designated primary physical meeting location during the meeting. The bill would require the local agency to post the agenda at the primary physical meeting

location. The bill would require the members of the subsidiary body to visibly appear on camera during the open portion of a meeting that is publicly accessible via the internet or other online platform, as specified. The bill would also require the subsidiary body to list a member of the subsidiary body who participates in a teleconference meeting from a remote location in the minutes of the meeting. In order to use teleconferencing pursuant to this act, the bill would require the legislative body that established the subsidiary body by charter, ordinance, resolution, or other formal action to make specified findings by majority vote, before the subsidiary body uses teleconferencing for the first time and every 12 months thereafter. (Based on 05/29/2024 text)

AB 930

Friedman (D)

HTML

PDF

Local government: infrastructure financing districts: Reinvestment in Infrastructure for a Sustainable and Equitable California (RISE) districts: housing development: restrictive covenants.

Progress bar



Bill information

Status: 08/15/2024 - In committee: Held under submission.

Summary: Current law authorizes certain local agencies to form a community revitalization authority within a community revitalization and investment area, as described, and authorizes an authority to, among other things, provide for low- and moderate-income housing and issue bonds, as provided. Current law authorizes a community revitalization and investment plan to provide for the division of taxes within the plan area. This bill would authorize the legislative bodies of 2 or more specified local governments to jointly form a Reinvestment in Infrastructure for a Sustainable and Equitable California district (RISE district) in accordance with specified procedures. The bill would require at least one of the local governments to be a city or county within the proposed RISE district boundaries. The bill would authorize a local government that lacks the authority to levy a property tax to join a RISE district, by resolution, as specified. The bill would prohibit a RISE district from including territory within the jurisdiction of a participating local government unless the city or county where the territory is located is also a participating local government. (Based on 06/13/2024 text)

AB 1837

Papan (D)

HTML

PDF

San Francisco Bay area: public transit: Regional Network Management Council.

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Bill information

Status: 07/02/2024 - Failed Deadline pursuant to Rule 61(b)(13). (Last location was TRANS. on 5/29/2024)

Summary: Current law creates the Metropolitan Transportation Commission as a local area planning agency for the 9-county San Francisco Bay area with comprehensive regional transportation planning and other related responsibilities. Current law creates various transit districts located in the San Francisco Bay area, with specified powers and duties relating to providing public transit services. Current law requires the commission to adopt rules and regulations to promote the coordination of fares and schedules for all public transit systems within its jurisdiction, as specified. This bill would create the Regional Network Management Council as an 11-member council to represent the interests of its stakeholders, to provide leadership and critical input on regional transit policies, and to provide executive guidance on regional transit policies and actionable implementation plans in pursuit of transformative improvements in the customer experience San Francisco Bay area transit. The bill would require the commission to facilitate the creation of the council. (Based on 03/21/2024 text)

AB 1853

Villapudua (D)

HTML

PDF

San Joaquin Regional Transit District: meetings: surplus money investments.

Progress bar



Bill information

Status: 06/13/2024 - Read second time. Ordered to third reading.

Summary: The San Joaquin Regional Transit District Act authorizes the creation of the San Joaquin Regional Transit District, and if created, specifies the district's powers and responsibilities. The act requires the district to be governed by a board of directors, requires the board to adopt rules for its proceedings, and authorizes the board to provide, by ordinance or resolution, that each board member receive \$50 for each board meeting attended, not to exceed \$100 in a calendar month. This bill instead would authorize the board to provide, by ordinance or resolution, that each board member receive \$100 for each board meeting and committee meeting attended, not to exceed \$500 in a calendar month. (Based on 06/03/2024 text)

[AB 1904](#)

[Ward \(D\)](#)

[HTML](#)

[PDF](#)

Transit buses: yield right-of-way sign.

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Bill information

Status: 05/30/2024 - Read second time. Ordered to third reading.

Summary: Current law authorizes a transit bus in the Santa Cruz Metropolitan Transit District and the Santa Clara Valley Transportation Authority to be equipped with a yield right-of-way sign on the left rear of the bus if the applicable entity approves a resolution requesting that this section be made applicable to it. Current law requires the sign to be designed to warn a person operating a motor vehicle approaching the rear of the bus that the bus is entering traffic and be illuminated by a red flashing light when the bus is signaling in preparation for entering a traffic lane after having stopped to receive or discharge passengers. This bill would expand the authorization to equip transit buses, as described above, to apply to any transit agency if the transit agency approves a resolution that this authorization be made applicable to it. (Based on 01/23/2024 text)

[AB 1958](#)

[Berman \(D\)](#)

[HTML](#)

[PDF](#)

Santa Clara Valley Transportation Authority: board of directors.

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Bill information

Status: 07/02/2024 - Failed Deadline pursuant to Rule 61(b)(13). (Last location was TRANS. on 5/1/2024)

Summary: Current law creates the Santa Clara Valley Transportation Authority (VTA) with various powers and duties relative to transportation projects and services and the operation of public transit in the County of Santa Clara. Current law vests the government of the VTA in a 12-member board of directors, appointed by the County of Santa Clara and the cities within the county, as specified. Current law requires, to the extent possible, the county and cities to appoint individuals to the board of directors who have expertise, experience, or knowledge relative to transportation issues. Existing law establishes a term length of 2 years for a member of the board of directors. This bill would require, to the extent possible, the county and cities to appoint individuals to the board of directors who have expertise, experience, or knowledge relative to transit or transportation issues. (Based on 06/17/2024 text)

[AB 2043](#)[Boerner \(D\)](#)[HTML](#)[PDF](#)

Medi-Cal: nonmedical and nonemergency medical transportation.

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Bill information

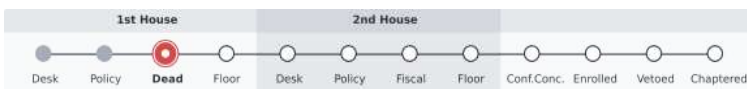
Status: 08/15/2024 - In committee: Held under submission.

Summary: Current law covers emergency or nonemergency medical transportation, and nonmedical transportation, under the Medi-Cal program, as specified. This bill would require the State Department of Health Care Services to ensure that the fiscal burden of nonemergency medical transportation or nonmedical transportation is not unfairly placed on public paratransit service operators and would authorize the department to direct Medi-Cal managed care plans to reimburse public paratransit service operators who are enrolled as Medi-Cal providers at the fee-for-service rates for conducting that transportation, as described. The bill would require the department to engage with public paratransit service operators to understand the challenges as public operators of nonemergency medical transportation or nonmedical transportation services and would require the department to issue new guidance to ensure the fiscal burden is not unfairly placed on public operators on or before June 1, 2026. (Based on 04/01/2024 text)

[AB 2147](#)[Mathis \(R\)](#)[HTML](#)[PDF](#)

Clean Transportation Program: hydrogen-fueling stations: report: job creation and workforce development.

Progress bar



Bill information

Status: 05/16/2024 - Failed Deadline pursuant to Rule 61(b)(8). (Last location was APPR. SUSPENSE FILE on 4/24/2024)

Summary: Current law requires the State Energy Resources Conservation and Development Commission and the State Air Resources Board to annually jointly review and report on progress toward establishing a hydrogen-fueling network that provides the coverage and capacity to fuel vehicles requiring hydrogen fuel that are being placed into operation in the state. Current law requires the commission and the state board to consider several things, including, but not limited to, the available plans of automobile manufacturers to deploy hydrogen-fueled vehicles in California and their progress toward achieving those plans in their report. This bill would require the commission and state board's joint review and report to also include information on the progress made on job creation and workforce development in support of hydrogen fueling, limited to the construction, operation, and maintenance of hydrogen-fueling stations that are funded by active commission agreements. The bill would require the report to include the number of related workforce training programs in the state, the number of participants in those workforce training programs, the number of graduates of those workforce training programs, and the number of related jobs in the state that are created annually. (Based on 04/01/2024 text)

[AB 2190](#)[Mathis \(R\)](#)[HTML](#)[PDF](#)

California Environmental Quality Act: expedited judicial review: infrastructure projects: hydrogen.

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Bill information

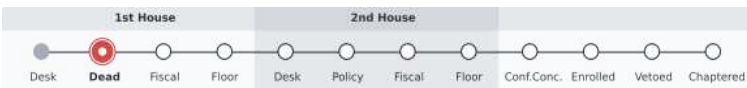
Status: 04/25/2024 - Failed Deadline pursuant to Rule 61(b)(5). (Last location was NAT. RES. on 2/26/2024)

Summary: Current law authorizes the Governor to certify certain projects, including energy infrastructure projects that meet specified requirements, for streamlining benefits related to the California Environmental Quality Act (CEQA), such as the requirement that judicial actions, including any potential appeals, challenging the certification of an EIR or the granting of approval by a lead agency for certified projects be resolved, to the extent feasible, within 270 days after the filing of the certified record of proceedings with the court. Current law excludes from the definition of "energy infrastructure project" for these purposes any project using hydrogen as a fuel. This bill would delete that exclusion, thereby authorizing the Governor to certify energy infrastructure projects that use hydrogen as a fuel for streamlining benefits related to CEQA, as described above. Because the bill would impose additional duties on lead agencies in conducting the environmental review of energy infrastructure projects using hydrogen as a fuel that are certified by the Governor, including the concurrent preparation of the record of proceedings, this bill would impose a state-mandated local program. (Based on 02/07/2024 text)

[AB 2266](#) [Petrie-Norris \(D\)](#) [HTML](#) [PDF](#)

California Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project: vehicle eligibility.

Progress bar



Bill information

Status: 04/25/2024 - Failed Deadline pursuant to Rule 61(b)(5). (Last location was TRANS. on 2/26/2024)

Summary: The State Air Resources Board administers the California Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project under which the agency issues a limited number of vouchers to incentivize the purchase and use of zero-emission commercial vehicles. This bill would require the state board to authorize a voucher issued under the program to be used for the acquisition of any zero-emission vehicle that meets specified requirements. (Based on 02/08/2024 text)

[AB 2286](#) [Aguiar-Curry \(D\)](#) [HTML](#) [PDF](#)

Vehicles: autonomous vehicles.

Progress bar



Bill information

Status: 08/19/2024 - Read second time. Ordered to third reading.

Summary: Would require a manufacturer of an autonomous vehicle to report to the Department of Motor Vehicles a collision on a public road that involved one of its autonomous vehicles with a gross vehicle weight of 10,001 pounds or more that is operating under a testing or deployment permit that resulted in damage of property, bodily injury, or death within 10 days of the collision. The bill would require a manufacturer of an autonomous vehicle to annually submit to the department specified information regarding the deactivation of the autonomous mode for its autonomous vehicles with a gross vehicle weight of 10,001 pounds or more that were operating under a testing or deployment permit that authorized the vehicle to operate on public roads. (Based on 04/08/2024 text)

[AB 2302](#) [Addis \(D\)](#) [HTML](#) [PDF](#)

Open meetings: local agencies: teleconferences.

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Bill information

Status: 08/19/2024 - Read third time. Passed. Ordered to the Assembly. (Ayes 40. Noes 0.)

Summary: The Ralph M. Brown Act generally requires for teleconferencing that the legislative body of a local agency that elects to use teleconferencing post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Current law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. Current law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing in specified circumstances if, during the teleconference meeting, at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the boundaries of the territory over which the local agency exercises jurisdiction, and the legislative body complies with prescribed requirements. Current law imposes prescribed restrictions on remote participation by a member under these alternative teleconferencing provisions, including establishing limits on the number of meetings a member may participate in solely by teleconference from a remote location, prohibiting such participation for a period of more than 3 consecutive months or 20% of the regular meetings for the local agency within a calendar year, or more than 2 meetings if the legislative body regularly meets fewer than 10 times per calendar year. This bill would revise those limits, instead prohibiting such participation for more than a specified number of meetings per year, based on how frequently the legislative body regularly meets. (Based on 02/12/2024 text)

[AB 2325](#)
[Lee \(D\)](#)
[HTML](#)
[PDF](#)

San Francisco Bay Area Rapid Transit District: officers and employees: designation and appointment.

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Bill information

Status: 07/15/2024 - Chaptered by Secretary of State - Chapter 106, Statutes of 2024

Summary: Existing law establishes the San Francisco Bay Area Rapid Transit District, governed by a board of directors, with specified powers and duties relative to the construction and operation of a rapid transit system. Under existing law, the officers of the district consist of the members of the board, a secretary, a general manager, a general counsel, a treasurer, a controller, and other officers, assistants, and deputies that the board may provide for by ordinance or resolution, as specified. Existing law requires the board to appoint, and authorizes the board to remove, the secretary, the general manager, the general counsel, the treasurer, and the controller. Existing law requires all other officers and employees of the district to be appointed by, and to serve at the pleasure of, the general manager. This bill would eliminate the positions of the treasurer and controller, would create the position of the chief financial officer subject to appointment and removal by the general manager, would transfer all of the duties previously assigned to the treasurer to the chief financial officer, and would make other related changes in this regard. The bill would authorize the general manager to designate other financial personnel to undertake any of the duties or responsibilities assigned to the chief financial officer. (Based on 07/15/2024 text)

[AB 2553](#)
[Friedman \(D\)](#)
[HTML](#)
[PDF](#)

Housing development: major transit stops: vehicular traffic impact fees.

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Bill information

Status: 08/14/2024 - Read second time. Ordered to third reading.

Summary: The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA exempts from its requirements residential projects on infill sites and transit priority projects that meet certain requirements, including a requirement that the projects are located within 1/2 mile of a major transit stop. This bill would revise the definition of "major transit stop" to increase the frequency of service interval to 20 minutes. (Based on 08/13/2024 text)

AB 2561

McKinnor (D)

HTML

PDF

Local public employees: vacant positions.

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Bill information

Status: 08/19/2024 - Read second time. Ordered to third reading.

Summary: The Meyers-Milias-Brown Act (act), authorizes local public employees, as defined, to form, join, and participate in the activities of employee organizations of their own choosing for the purpose of representation on matters of labor relations. The act requires the governing body of a public agency to meet and confer in good faith regarding wages, hours, and other terms and conditions of employment with representatives of recognized employee organizations and to consider fully presentations that are made by the employee organization on behalf of its members before arriving at a determination of policy or course of action. This bill would authorize a recognized public organization to initiate the meet and confer process with a public agency if the total number of job vacancies within total classifications of the bargaining unit is equal to or exceeds 20% of the total authorized positions in that bargaining unit. The bill would require the public agency to promptly meet and confer with the employee organization within 30 days about substantive strategies to fill vacancies. The bill would require a public agency to present the status of vacancies and recruitment and retention efforts at a public hearing at least once per fiscal year prior to the adoption of its final budget, and would entitle the employee organization to present at the hearing. (Based on 08/15/2024 text)

AB 2719

Wilson (D)

HTML

PDF

Vehicles: commercial vehicle inspections.

Progress bar



Bill information

Status: 05/16/2024 - Failed Deadline pursuant to Rule 61(b)(8). (Last location was APPR. SUSPENSE FILE on 5/1/2024)

Summary: Would authorize a public transit agency, as defined, to request the California Highway Patrol (CHP) to conduct an annual inspection and certification of its fleet. The bill would authorize the Commissioner of the CHP to issue stickers or other devices as evidence of certification. The bill would exempt any public transit agency vehicle that has been certified through that inspection from the requirement to stop at a roadside inspection. (Based on 02/14/2024 text)

AB 2824

McCarty (D)

HTML

PDF

Battery: public transportation provider.

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Bill information

Status: 04/25/2024 - Failed Deadline pursuant to Rule 61(b)(5). (Last location was PUB. S. on 3/21/2024)

Summary: Current law provides that when a battery is committed against the person of an operator, driver, or passenger on a bus, taxicab, streetcar, cable car, trackless trolley, or other motor vehicle, as specified, and the person who commits the offense knows or reasonably should know that the victim is engaged in the performance of their duties, the penalty is imprisonment in a county jail not exceeding one year, a fine not exceeding \$10,000, or both the fine and imprisonment. Current law also provides that if the victim is injured, the offense would be punished by a fine not exceeding \$10,000, by imprisonment in a county jail not exceeding one year or in the state prison for 16 months, 2, or 3 years, or by both that fine and imprisonment. This bill would expand this crime to apply to an employee or contractor of a public transportation provider. (Based on 03/21/2024 text)

[SB 827](#)

[Glazer \(D\)](#)

[HTML](#)

[PDF](#)

San Francisco Bay Area Rapid Transit District: Office of the BART Inspector General.

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Bill information

Status: 08/06/2024 - Read second time. Ordered to third reading.

Summary: Current law establishes the San Francisco Bay Area Rapid Transit District (BART), governed by a board of directors, with specified powers and duties relative to the construction and operation of a rapid transit system. Current law also establishes the independent Office of the BART Inspector General within BART and specifies the duties and responsibilities of the BART Inspector General including, among others, conducting, supervising, and coordinating audits and investigations relating to the district's programs and operations. Current law provides that any investigatory file compiled by the BART Inspector General is an investigatory file compiled by a local law enforcement agency subject to disclosure pursuant to provisions of the California Public Records Act applicable to law enforcement records. This bill would provide that the BART Inspector General is vested with the full authority to exercise all responsibility for maintaining a full scope, independent, and objective audit and investigation program. The bill would provide the office with access and authority to examine all records, files, documents, accounts, reports, correspondence, or other property of the district and external entities that perform work for the district. The bill would provide that all books, papers, records, and correspondence of the office are public records subject to the California Public Records Act, but would prohibit the office from releasing certain types of records to the public, except under certain circumstances. Before conducting any investigatory interview with an employee represented by an employee organization, the bill would require the office to notify the employee of certain rights including the right to be represented at the interview by a representative of the employee organization and would require the office to obtain a written waiver of that right of representation from the employee if the interview is conducted without a representative of the employee organization. (Based on 08/05/2024 text)

[SB 904](#)

[Dodd \(D\)](#)

[HTML](#)

[PDF](#)

Sonoma-Marín Area Rail Transit District.

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Bill information

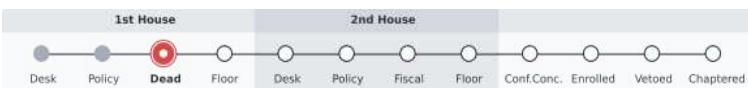
Status: 08/19/2024 - Read second time and amended. Ordered to second reading.

Summary: Current law creates, within the Counties of Sonoma and Marin, the Sonoma-Marín Area Rail Transit District with specified duties and powers relative to the provision of a passenger and freight rail system within the territory of the district. Under current law, the district is governed by a 12-member board of directors appointed by various local governmental entities. Current law authorizes the board to submit to the voters of the district a measure proposing a retail transactions and use tax ordinance. This bill would also authorize those special taxes to be imposed by a qualified voter initiative if that initiative complies with certain requirements. The bill would require the board of supervisors of the Counties of Sonoma and Marin to call a special election on a tax measure proposed by the district's board of directors or a qualified voter initiative in their respective counties and would require the district to reimburse the counties upon request for the incremental cost of submitting the measure to the voters, as specified. To the extent that the bill would impose additional duties on a county elections official, the bill would impose a state-mandated local program. (Based on 08/19/2024 text)

[SB 955](#) [Seyarto \(R\)](#) [HTML](#) [PDF](#)

Office of Planning and Research: Infrastructure Gap-Fund Program.

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Bill information

Status: 05/16/2024 - Failed Deadline pursuant to Rule 61(b)(8). (Last location was APPR. SUSPENSE FILE on 4/15/2024)

Summary: Would require the Office of Planning and Research, upon appropriation by the Legislature, to establish the Infrastructure Gap-Fund Program to provide grants to local agencies to develop and construct infrastructure projects, as defined. The bill would authorize the office to provide funding for up to 20% of a project's total cost, subject to specified requirements, including, among other things, that the office is prohibited from awarding a grant to a local agency unless the local agency provides funding that has been raised through local taxes for at least 10% of the infrastructure project's total cost. The bill would require the office to develop guidelines to implement the program that establish the criteria by which grant applications will be evaluated and funded. The bill would make these provisions operative January 1, 2027. (Based on 04/04/2024 text)

[SB 960](#) [Wiener \(D\)](#) [HTML](#) [PDF](#)

Transportation: planning: complete streets facilities: transit priority facilities.

Progress bar



Bill information

Status: 08/19/2024 - Read second time and amended. Ordered to second reading.

Summary: Current law requires the Department of Transportation to improve and maintain the state's highways, and establishes various programs to fund the development, construction, and repair of local roads, bridges, and other critical transportation infrastructure in the state, including the state highway operation and protection program (SHOPP). Current law requires the department, in consultation with the California Transportation Commission, to prepare a robust asset management plan to guide selection of projects for the SHOPP. Current law requires the commission, in connection with the plan, to adopt targets and performance measures reflecting state transportation goals and objectives. Current law requires the department to develop, in consultation with the commission, a plain language performance report to increase transparency and accountability of the SHOPP. This bill would require the targets and performance measures adopted by the commission to include targets and performance measures reflecting state transportation goals and objectives for complete streets assets that reflect the existence and conditions of bicycle, pedestrian, and transit priority facilities on the state highway system. The bill would require the department's plain language performance report to include a description of complete streets facilities, including pedestrian, bicycle, and transit priority facilities on each project, as specified. (Based on 08/19/2024 text)

[SB 983](#)[Wahab \(D\)](#)[HTML](#)[PDF](#)

Energy: gasoline stations and alternative fuel infrastructure.

Progress bar



Bill information

Status: 08/19/2024 - Read second time and amended. Ordered to second reading.

Summary: Current law vests the State Energy Resources Conservation and Development Commission with jurisdiction over various energy-related matters. This bill would require the commission, upon appropriation by the Legislature, to form the Alternative Fuels Infrastructure Taskforce to conduct a study on retail gasoline fueling stations and alternative fuels infrastructure, as provided. The bill would require the taskforce, on or before January 1, 2027, to submit to the Legislature a report on the study with information and recommendations. (Based on 08/19/2024 text)

[SB 1031](#)[Wiener \(D\)](#)[HTML](#)[PDF](#)

San Francisco Bay area: local revenue measure: transportation improvements.

Progress bar



Bill information

Status: 05/24/2024 - Read third time. Passed. (Ayes 26. Noes 10. Page 4207.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

Summary: Current law creates the Metropolitan Transportation Commission as a local area planning agency for the 9-county San Francisco Bay area with comprehensive regional transportation planning and other related responsibilities. Current law creates various transit districts located in the San Francisco Bay area, with specified powers and duties relating to providing public transit services. This bill would authorize the commission to raise and allocate new revenue and incur and issue bonds and other indebtedness, as specified. In this regard, the bill would authorize the commission, until January 1, 2041, to impose a retail transactions and use tax, a regional payroll tax, a parcel tax, and a regional vehicle registration surcharge in all or a subset of the 9 counties of the San Francisco Bay area, except as specified, in accordance with applicable constitutional requirements. The bill would prohibit a tax or surcharge described above from being imposed for a period of time of more than 30 years. The bill would require the parcel tax to be collected by counties and the other 3 taxes to be collected by specified state agencies, and would require the net revenues from those taxes to be remitted to the commission, as prescribed. (Based on 05/20/2024 text)

[SB 1068](#)[Eggman \(D\)](#)[HTML](#)[PDF](#)

Tri-Valley-San Joaquin Valley Regional Rail Authority: contracting: Construction Manager/General Contractor project delivery method.

Progress bar



Bill information

Status: 08/19/2024 - Approved by the Governor. Chaptered by Secretary of State. Chapter 181, Statutes of 2024.

Summary: Current law establishes the Tri-Valley-San Joaquin Valley Regional Rail Authority for purposes of planning, developing, delivering, and operating cost-effective and responsive transit connectivity, between the Bay Area Rapid Transit District's rapid transit system and the Altamont Corridor Express commuter rail service. Current law gives the authority all of the powers necessary for planning, acquiring, leasing, developing, jointly developing, owning, controlling, using, jointly using, disposing of, designing, procuring, and constructing facilities to achieve transit connectivity, including, among other powers, the power to contract with public and private entities for the planning, design, and construction of the connection. Current law authorizes these contracts to be assigned separately or combined to include any or all tasks necessary to achieve transit connectivity. This bill would authorize the Tri-Valley-San Joaquin Valley Regional Rail Authority to use the Construction Manager/General Contractor project delivery method when contracting for the planning, design, and construction of the connection. The bill would additionally authorize the contracts of the authority to extend to work on the state highway system for the construction of passenger rail service through the Altamont Pass Corridor. (Based on 08/19/2024 text)

SB 1325 **Durazo (D)** [HTML](#) [PDF](#)

Public contracts: best value procurement: goods.

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Bill information

Status: 08/15/2024 - August 15 hearing: Held in committee and under submission.

Summary: Current law imposes requirements on, and authorizes procedures for, public contracting for equipment and services, among other things, by local and state agencies. Current law authorizes certain procurements to be facilitated through a lowest responsible bidder requirement. This bill would authorize a public entity, as defined, to award contracts through a best value procurement method, as described, for the purchase of goods with a base value of \$250,000 or more. The bill would require the public entity to adopt and publish procedures and guidelines for evaluating the qualifications of the bidders to ensure the best value selections are conducted in a fair and impartial manner, as described. The bill would authorize the procedures and guidelines to include the adoption of a high road jobs plan policy that evaluates bidders' high road jobs plan commitments as part of the overall score for the public contract, as specified. This bill would require the solicitation document to include certain information and would direct the public entity to use a scoring method based on price and the factors described in the solicitation document, as specified. (Based on 04/10/2024 text)

SB 1387 **Newman (D)** [HTML](#) [PDF](#)

California Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project: vehicle eligibility: schoolbus grant requirements.

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Bill information

Status: 07/02/2024 - Failed Deadline pursuant to Rule 61(b)(13). (Last location was TRANS. on 6/3/2024)

Summary: Current law establishes the State Air Resources Board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases. The state board, in this capacity, administers the California Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project under which the agency issues a limited number of vouchers to incentivize the purchase and use of zero-emission commercial vehicles. This bill would require the state board to authorize a voucher issued under the program to be used for the acquisition of any zero-emission vehicle that meets specified requirements, including that the vehicle has a gross vehicle weight rating that exceeds 8,500 pounds and the vehicle is purchased for fleet operations by a public or private fleet or for personal and commercial use by an individual. (Based on 06/10/2024 text)

SB 1418 **Archuleta (D)** [HTML](#) [PDF](#)

Hydrogen-fueling stations: expedited review.

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Bill information

Status: 08/08/2024 - Read second time. Ordered to third reading.

Summary: The Planning and Zoning Law requires every city, county, and city and county to administratively approve an application to install electric vehicle charging stations and hydrogen-fueling stations through the issuance of a building permit or similar nondiscretionary permit. The Planning and Zoning Law requires each city, county, and city and county to adopt an ordinance that creates an expedited, streamlined permitting process for electric vehicle charging stations. Current law authorizes a city, county, or city and county developing an ordinance to refer to the recommendations contained in the most current version of the "Plug-In Electric Vehicle Infrastructure Permitting Checklist," as specified. Current law requires a city, county, and city and county, in developing the expedited permitting process, to adopt a checklist of all requirements with which electric vehicle charging stations must comply to be eligible for expedited review. For these purposes, current law defines "hydrogen-fueling station" to mean the equipment used to store and dispense hydrogen fuel to vehicles according to industry codes and standards that is open to the public. Current law requires a hydrogen-fueling station to meet certain requirements, including any rules established by the State Air Resources Board, Energy Commission, or Department of Food and Agriculture regarding safety, reliability, weights, and measures. This bill would modify the definition of "hydrogen-fueling station" to mean the equipment and structural design components necessary to ensure the safety of the fueling station, including hydrogen-refueling canopies, that are used to store and dispense hydrogen fuel to vehicles according to industry codes and standards that are open to the public. (Based on 07/03/2024 text)

SB 1420

Caballero (D)

HTML

PDF

Hydrogen production facilities: certification and environmental review.

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Bill information

Status: 08/19/2024 - Read second time. Ordered to third reading.

Summary: (1)The California Environmental Quality Act (CEQA) requires preparation of specified documentation before a public agency approves or carries out certain projects. Existing law authorizes the Governor to certify energy infrastructure projects meeting specified requirements for streamlining benefits related to CEQA. Existing law defines "energy infrastructure project" for these purposes to include eligible renewable energy resources under the California Renewables Portfolio Standard Program, excluding resources that use biomass fuels. Existing law expressly excludes from that definition of "energy infrastructure project" any project using hydrogen as a fuel. This bill would instead exclude from the definition of "energy infrastructure project" for purposes of the CEQA streamlining benefits eligible renewable energy resources under the California Renewables Portfolio Standard Program that combust, rather than use, biomass fuels. The bill would include hydrogen production facilities and associated onsite storage and processing facilities that meet specified conditions, including that the facilities have received funding from the state or federal government on or before January 1, 2032, and do not use fossil fuel as a feedstock or energy source, within the definition of "energy infrastructure project." Because the bill would authorize the Governor to certify additional projects, thereby increasing the duties on lead agencies in conducting the environmental review of energy infrastructure projects certified by the Governor, this bill would impose a state-mandated local program. (Based on 07/08/2024 text)

Roster

John Arantes, David Canepa, Cindy Chavez, Alicia John-Baptiste, Nick Josefowitz, Manny Leon, Adina Levin, James Lindsay, Matt Mahan, Nate Miley, Stephanie Moulton-Peters, Sue Noack, David Rabbitt, Jim Spering (Chair), Ellen Wu, Jim Wunderman
Ex-Officio Members: Alfredo Pedroza, Alicia Lawrence and Raayan Mohtashemi

1. Call to Order / Roll Call / Confirm Quorum

A quorum of the Committee shall be a majority of its voting members (9).

2. Chair Comments

- 2a. [24-0957](#) Welcoming and Framing Remarks

Action: Information

Presenter: Chair Jim Spering

Attachments: [24-0957_Chair Comments.pdf](#)

3. Consent Calendar

- 3a. [24-0919](#) Approval of the Transportation Revenue Measure Select Committee Minutes of the June 24, 2024 Meeting

Action: TRM Select Committee Approval

Attachments: [24-0919_TRM Select Committee Meeting Minutes Draft.pdf](#)

4. Discussion

- 4a. [24-0920](#) Review of Voter Sentiment

Action: Information

Presenter: Ruth Bernstein, EMC Research, and Rebecca Long, MTC

Attachments: [24-0920_Research Summary.pdf](#)

- 4b. [24-0961](#) Navigating Revenue Options and Investment Priorities.

The Committee will explore the scale and breadth of the transit operating need facing the region in the context of various revenue options and considerations. This information is meant to further the Committee's discussion of the role a transportation measure can play in addressing urgent and/or longstanding challenges.

Action: Information

Presenter: Alix Bockelman, MTC Chief Deputy Executive Director, Stuart Cohen, SC Strategies, and Theresa Romell, Director, Funding Policy & Programs

Transportation Revenue Measure Executive Group Roster*:

Andrew Fremier, MTC
Anne Richman, Transportation Authority of Marin
April Chan, SamTrans
Bill Churchill, County Connection
Bob Powers, BART
Carolyn Gonot, Valley Transportation Authority
Christy Wegener, Livermore Amador Valley Transportation Authority
Daryl Halls, Solano Transportation Authority
Denis Mulligan, Golden Gate Bridge, Highway and Transportation District
Eddy Cumins, Sonoma – Marin Area Rail Transit
James Cameron, Sonoma County Transportation Authority
Jeffrey Tumlin, San Francisco Municipal Transportation Agency
Kate Miller, Napa Valley Transportation Authority
Michael Hursh, Alameda – Contra Costa County Transit District
Michelle Bouchard, CalTrain
Nancy Whelan, Marin Transit
Seamus Murphy, San Francisco Bay Ferry
Sean Charpentier, City/County Association of Governments of San Mateo County
Tess Lengyel, Alameda County Transportation Commission
Tilly Chang, San Francisco County Transportation Authority
Tim Haile, Contra Costa County Transportation Authority

** We welcome input and comments from all transit operators and transportation executives, and appreciate the willingness of those that have agreed to participate in the executive group.*



PROPOSITION 5

Allows Local Bonds for Affordable Housing and Public Infrastructure With 55% Voter Approval. Legislative Constitutional Amendment.

ANALYSIS OF MEASURE

BACKGROUND

Housing Is Expensive in California. A typical California home currently costs around twice the national average. Similarly, renters in California typically pay about 50 percent more for housing than renters in other states.

Local Programs Help Pay for Housing. Some programs help low-income Californians afford housing. For example, governments help pay for housing reserved for low-income residents. Other programs provide housing and services to specific groups. Examples of such groups include people with disabilities or those at risk of chronic homelessness. We refer to affordable and supportive housing programs as “housing assistance.”

Local Governments Also Pay for Public Infrastructure. Examples of infrastructure projects paid for by local governments include roads, hospitals, fire stations, libraries, and water treatment facilities.

Local Governments Often Use Bonds to Pay for Housing Assistance Programs and Public Infrastructure. Bonds are a way for local governments to borrow money and then repay it plus interest over time. Similar to the way a family pays off a mortgage on their home, bonds allow governments to spread costs over a few decades.

Certain Bonds Require Two-Thirds Approval of Local Voters. For cities, counties, and special districts, bonds paid for by increased property taxes typically require two-thirds of local voters to approve them. These are called general obligation bonds.

PROPOSAL

Proposition 5 changes the rules in the California Constitution for approving certain local government general obligation bonds. It also requires local governments to monitor the use of revenues in specific ways.

Lowers Voter Approval Requirement for Certain Bonds. Proposition 5 lowers the voting requirement needed to approve local general obligation bonds if they would fund housing assistance or public infrastructure. Specifically, Proposition 5 lowers the voter approval requirement from two-thirds to 55 percent.

Requires Specific Oversight Activities. Proposition 5 requires local governments to take specific steps to monitor the use of bond funds supporting housing assistance and public infrastructure. For example, local governments would need to conduct annual independent financial and performance audits. Citizens' oversight committees also would be appointed to help supervise spending.

FISCAL EFFECTS

Certain Local Bonds More Likely to Pass. A lower voter approval requirement would make it easier to pass local general obligation bonds for housing assistance and public infrastructure. Recent local election results suggest that an additional 20 percent to 50 percent of local bond measures would have passed under Proposition 5's lower voter approval requirement. Those measures would have raised a couple billion dollars over many years. A lower voter approval requirement also could mean local governments propose more measures.

Increased Local Funding for Housing Assistance and Public Infrastructure. An increase in the approval of local bonds could increase funding available for housing assistance and public infrastructure. The amount of this increase is not clear. Based on recent trends, it could be at least a couple billion dollars over many years. The amount of the increase would vary across local governments. If local voters approve more bonds, local governments also would have more borrowing costs. These costs would be paid with higher property taxes. Ultimately, any future bond approval would depend on decisions by local governments and voters.

YES/NO STATEMENT

A **YES** vote on this measure means: Certain local bonds and related property taxes could be approved with a 55 percent vote of the local electorate, rather than the current two-thirds approval requirement. These bonds would have to fund affordable housing, supportive housing, or public infrastructure.

A **NO** vote on this measure means: Certain local bonds and related property taxes would continue to need approval by a two-thirds vote of the local electorate.

SUMMARY OF LEGISLATIVE ANALYST'S ESTIMATE OF NET STATE AND LOCAL GOVERNMENT FISCAL IMPACT

- Increased local borrowing to fund affordable housing, supportive housing, and public infrastructure. The amount of increased borrowing would depend on decisions by local governments and voters. Borrowed funds would be repaid with higher property taxes.

BALLOT LABEL

Fiscal Impact: Increased local borrowing to fund affordable housing, supportive housing, and public infrastructure. The amount would depend on decisions by local governments and voters. Borrowing would be repaid with higher property taxes.