



Memorandum

AGENDA ITEM 10

DATE: January 16, 2020
TO: Transportation Authority Board
FROM: Maria Lombardo - Chief Deputy Director
SUBJECT: 2/11/20 Board Meeting: Approval of the 2020 State and Federal Legislative Platform

<p>RECOMMENDATION <input type="checkbox"/> Information <input checked="" type="checkbox"/> Action</p> <p>Approve the 2020 State and Federal Legislative Platform</p> <p>SUMMARY</p> <p>Every year the Transportation Authority adopts high level goals and strategies to guide legislative strategy and advocacy while still providing the necessary flexibility to respond to specific bills and policies over the course of the legislative sessions. The 2020 State and Federal Legislative Program (Attachment 1) was developed in coordination with local, regional, and statewide partners and focuses on advancing San Francisco’s priority projects, protecting existing transportation funds, authorizing new revenues, engaging in the regulation of new transportation technologies, expanding the use of pricing and other innovative project delivery and financing approaches, and advancing the City’s Vision Zero goals.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Fund Allocation <input type="checkbox"/> Fund Programming <input checked="" type="checkbox"/> Policy/Legislation <input type="checkbox"/> Plan/Study <input type="checkbox"/> Capital Project Oversight/Delivery <input type="checkbox"/> Budget/Finance <input type="checkbox"/> Contract/Agreement <input type="checkbox"/> Other: _____
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DISCUSSION

Background.

The State and Federal Legislative Program, adopted annually by the Board, establishes a general framework to guide our legislative and funding advocacy efforts at the state and federal levels. Transportation Authority staff and our legislative advocacy consultant in Sacramento will use this program to plan strategy and communicate positions to the City’s legislative delegations in Sacramento and Washington D.C. and other transportation agencies and advocates.



The proposed 2020 State and Federal Legislative Program reflects key principles gathered from our common positions with the San Francisco Municipal Transportation Agency (SFMTA), the Mayor's Office, city agencies, transit operators serving San Francisco, other local transportation sales tax authorities around the state, and the Metropolitan Transportation Commission (MTC), as well as our understanding of the most pressing issues facing the city, the region, and our partner agencies. It is presented in the form of principles rather than specific bills or legislative initiatives, in order to allow staff the necessary flexibility to respond to legislative proposals and policy concerns that may arise over the course of the session. Throughout the year we will be reporting on the status of bills that are of significance to the Transportation Authority and developing recommendations for positions as appropriate.

Our 2020 State and Federal Legislative Program continues many of the themes from the previous year and builds on them to address new opportunities and legislation currently being discussed at the federal, state, and regional level. Highlights are below.

State Advocacy.

Current Transportation Funding. Similar to 2019, we do not anticipate proposals for any significant new state transportation funding measures this year given the passage of SB 1 in 2017, which provided significant new annual revenues for transportation capital projects and operations. We will continue looking for ways to better align existing state funding programs with San Francisco's priorities. This includes supporting the SFMTA's and other transit operators' effort to expand or broaden eligibility of existing state funds to help convert bus fleets, consistent with the state's Innovative Clean Transit rule that requires public transit bus fleets to be 100% zero-emission by 2040.

Climate Goals. In October 2019, Governor Newsom issued an executive order calling for transportation funding to align with state goals on climate and the environment, specifically to help reduce driving. Whether he means to introduce new funding opportunities and/or realign current programs with his new vision, we will be an active participant in the development of any new policy.

Vision Zero. This year we will continue to work with the SFMTA and other city agencies to advance San Francisco toward Vision Zero goals. With the state's Zero Fatalities Task Force wrapping up, we anticipate the introduction of bills advancing roadway safety, in particular around speed limits, complete streets, and other safety measures, which could include automated speed enforcement.

Emerging Mobility and Innovative Strategies. With respect to new transportation technology and innovative strategies, we expect that the rise of emerging mobility services will continue to produce legislation. The State Legislature is currently holding joint hearings and has sought testimony from local governments and industry representatives about regulations and data privacy considerations with regard to new mobility. The bills from last year (e.g. AB 1112 (Friedman)) are likely to return, and we will stay engaged as new ones emerge. We will



advocate for policies that balance their benefits and impacts; ensure safety, equity, and accessibility; ensure local access to data to support local planning and regulation of local requirements, where appropriate. We will also support a potential renewal of Assemblymember Bloom's effort to establish a congestion pricing pilot program and work to educate Legislators about our own Downtown Congestion Pricing Study.

Lombard Crooked Street Reservation Program. At the end of the 2019 legislative session, the Governor vetoed AB 1605 (Ting), which would have authorized the San Francisco Board of Supervisors to implement a pilot paid reservation system on the Lombard Crooked Street. Our 2018 study demonstrated that a paid reservation system would be most effective at managing traffic on the street and would have generated revenues to cover the program costs. We are working with Supervisor Stefani's office, Assemblymember Ting's office, and the Governor's office to consider legislation authorizing a pilot no-fee reservation system.

Fuel Efficiency Standards. In 2019, the Trump Administration imposed the federal Safer Affordable Fuel Efficient (SAFE) Vehicles Rule which lowered federal emission goals for new automobiles and eliminated California's ability to set its own regulations. This weakened a key California greenhouse gas reduction strategy and also, in the short- to medium-term, froze the Federal Highway Administration's ability to approve new funding or environmental documents for projects that have air-quality impacts (typically large capital projects such as rail extensions and the express lanes). We will support state efforts to limit impacts of the Rule, which could include state legislation to extend the state requirement that regions adopt new Transportation Improvement Programs every two years. Without such legislation, thousands of federally funded transportation projects across the state, hundreds in the Bay Area alone, would not be able to move forward.

Housing. The State Legislature and the Governor's Office have indicated their intent to continue to focus this year on addressing the housing and homelessness crisis. We expect to see renewals of 2019's efforts to increase revenues, streamline environmental review and permitting processes for housing, enact zoning standards near transit, and establish new redevelopment-like tools to help accelerate the production of moderate and affordable housing. In December 2019, the Transportation Authority Board adopted an oppose unless amended position on SB 50 (Wiener), a bill that would, among other things, establish by-right housing height and density standards near high-quality transit. San Francisco has an estimated shortfall of \$22 billion to meet current projections of transportation needs through 2045. Measure RR (the BART infrastructure bond) and Measure D (the tax on Transportation Network Companies (TNCs) like Uber and Lyft) help meet those needs but do not come close to closing the gap. We will work with Senator Wiener's office on amendments to ensure that increased transportation capacity, infrastructure projects, and planning support are included in the package of SB 50 reforms in order to accommodate the increased transit demand induced by new development.



Bay Area Legislation - Regional Transportation Revenue Measure, Transit Coordination.

With respect to state legislation focused on the Bay Area specifically, we will actively participate in the development of SB 278 (Beall) which is intended to establish a regional transportation measure for the nine county Bay Area. We are working with San Francisco agencies and other stakeholders to ensure the bill's policies and expenditure plan will promote the use of regional mass transit and the continued development of an integrated, reliable, regional public transportation system. In particular, we are advocating for the measure to support San Francisco's priorities such as a regional means-based fare program, BART and Muni Core Capacity Programs, transit operations, as well as other key projects such as the Downtown Extension and US 101/I-280 Express Lanes with Bus Service. Relatedly, we are also working with Caltrain, the City/SFMTA, and the two other Caltrain member counties (San Mateo and Santa Clara), on a possible 1/8-cent sales tax on the November 2020 ballot, if another regional transportation measure (FASTER) doesn't seek the same ballot. The sales tax authority was provided by SB 797 (Hill), approved in 2017.

Seamless Bay Area is a non-profit organization whose mission is to transform the Bay Area's public transit system into a more widely used system through policy reforms. The group is proposing state legislation to establish a state-sanctioned commission to study the Bay Area's 27 transit systems, establish policy direction, set goals to help create a more seamless and equitable network, and create a Transit Network Manager role to establish leadership to coordinate between the existing transit agencies. For more information on this, see the Seamless Transit Principles item on today's agenda. We will continue to engage with our partner agencies and local and regional stakeholders to provide our feedback on Seamless Bay Area's legislative proposal.

Federal Advocacy.

Transportation Appropriations. At the federal level, we will work to ensure that Congress appropriates funding consistent with the amounts authorized in the current federal transportation bill, known as the Fixing America's Surface Transportation (FAST) Act. Our advocacy will include ensuring the outstanding commitments to the Caltrain Modernization project are met, seeking additional funding to pilot innovative transportation approaches such as the Federal Transportation Administration's Mobility on Demand Sandbox Program, and position priority projects for federal funding, such as Geary Bus Rapid Transit, Muni and BART Core Capacity Programs, and the Caltrain Downtown Extension.

Reauthorization of the Federal Transportation Bill. Since the FAST Act expires on October 1, 2020, a primary focus will be to advocate for San Francisco's priorities in the new federal transportation bill. We are currently coordinating priorities with the SFMTA, MTC, ITS America, and others. Primary objectives include:

- Increase funding for formula programs (e.g. transit state of good repair, Surface Transportation Program) and capital investment grant programs (e.g. the transit Capital Investment Grant program);



- Provide new funding for demonstration programs that pilot new technology or new approaches to improving mobility such as congestion pricing;
- Identify new, sustainable, user-based revenues, such as an increase in the federal gas tax; and
- Seek new policies and programs consistent with the city's Vision Zero goals;
- Ensure new and existing programs take into consideration climate change impacts.

Emerging Mobility and Technology. We anticipate the federal government will continue to establish its role in regulating and funding emerging mobility and technologies, including autonomous vehicles and shared mobility services (e.g. TNCs, private transit shuttles, and shared scooter and bike services). In 2019 Executive Director Chang was appointed as co-chair of the ITS America Smart Infrastructure Task Force, which provides an opportunity for her to lead national conversations on issues such as the introduction of autonomous vehicles and implementation of mobility on demand guidelines and funding programs. Our focus will be on advocating that the implementation of such programs first set clear goals, perform data-driven research to evaluate the public benefits and impacts of these emerging mobility services, maintain local and state regulatory roles, and mandate access to critical data for local and regional governments to ensure their safety, equity, and accessibility.

Vision Zero. In October 2019, House Representative Earl Blumenauer introduced the Vision Zero Act of 2019 that would allow federal transportation funding to be made available for communities to design and implement Vision Zero programs. We will monitor this legislation and will partner with the SFMTA to advocate at the state and federal level for policies consistent with San Francisco's Vision Zero efforts.

FINANCIAL IMPACT

The recommended action does not have an impact on the Fiscal Year 2019/20 budget.

CAC POSITION

The CAC will consider this item at its January 22, 2020 meeting.

SUPPLEMENTAL MATERIALS

Attachment 1 - Draft 2020 State and Federal Legislative Program

Attachment 1

San Francisco County Transportation Authority
Draft 2020 State and Federal Legislative Program

STATE		
Area	Goal	Strategy
1. Funding	a. Protect transportation funding	<ul style="list-style-type: none"> • Advocate that funds dedicated to transportation not be eliminated or diverted to other purposes. • Educate public about transportation projects funded by state programs and their associated benefits.
	b. Enact new revenue and financing measures for transportation	<ul style="list-style-type: none"> • Support efforts to raise additional dedicated transportation revenue to address ongoing funding shortfalls for both capital projects and operations. • Support efforts to establish new transportation revenue mechanisms that local and regional entities can choose to implement to fund capital projects and operations. This includes amendments to existing statutes that may make existing revenue options more feasible. • Partner with local agencies and other stakeholders to advance San Francisco’s priorities in the development and implementation of potential regional transportation funding measures. • Continue to monitor and, as appropriate, provide input into the next phase of the California Road Charge Pilot Program.
	c. Secure cap-and-trade revenues for transportation	<ul style="list-style-type: none"> • Maintain funding for current transportation and affordable housing programs and seek opportunities to direct additional cap-and-trade funds to them. • Advocate for the dedication of a significant portion of future cap-and-trade expenditure plans to transportation and to San Francisco’s investment priorities (e.g. transit expansion, transit operations, electric vehicle (EV) infrastructure).

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	d. Modify allocation formulas for state transportation funds	<ul style="list-style-type: none"> • Advocate for using factors that better tie transportation funding to the true demands placed on the system, such as daytime population or transit usage. • Advocate to either broaden the state definition of disadvantaged communities to better align with San Francisco’s communities of concern or allow use of alternative definitions (e.g. a regional transportation planning agency’s (e.g. MTC’s)) instead.
	e. Improve implementation of state grant programs (e.g. cap-and-trade, Active Transportation Program, Senate Bill 1 program)	<ul style="list-style-type: none"> • Advocate for grant application and allocation processes that are clear, streamlined, and flexible. • Advocate for a stronger role for regional and local governments in prioritizing local and regional projects for funding.
	f. Lower the 2/3 supermajority voter approval requirement for transportation taxes	<ul style="list-style-type: none"> • Support a constitutional amendment to lower the voter approval requirement for special taxes dedicated to local transportation projects from 66.67% to 55% or a simple majority.
2. Policy Initiatives	a. Advance San Francisco's Vision Zero goals, improving safety for all users	<ul style="list-style-type: none"> • Work with local partners to identify and secure state and federal funding for Vision Zero projects. • Support efforts to improve safety for all road users, including supporting bills that advance complete streets, provide municipalities the flexibility to reduce speed limits, and authorize automated speed enforcement.
	b. Support the Treasure Island Mobility Management Agency’s (TIMMA) work for sustainable mobility on Treasure Island	<ul style="list-style-type: none"> • Support funding and authorization, as needed, for study, piloting, and implementation of innovative mobility management such as tolling infrastructure, transportation and housing affordability programs, bike and car share initiatives, and additional autonomous shuttle pilot.

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	c. Improve effectiveness of managed lanes and other transportation demand management (TDM) strategies	<ul style="list-style-type: none"> • Support new legislation that promotes innovative TDM strategies such as authorizing area-wide congestion pricing pilot programs. • Seek state authorization for a reservation system on the crooked portion of Lombard Street. • Support MTC’s efforts to strengthen enforcement of High Occupancy Vehicle lanes.
	d. Ensure the implementation of emerging mobility innovations (e.g. Transportation Network Companies (TNCs), scooters, autonomous vehicles) is consistent with other city priorities	<ul style="list-style-type: none"> • Ensure they are regulated and deployed in a way that balances their benefits and impacts and ensures safety, equity, and accessibility. • Seek authorization for local regulation of certain aspects of emerging mobility, where appropriate (e.g. operational standards, local mitigation fees). • Advocate to require access to critical data for local and regional governments (e.g. open Application Programming Interfaces) for planning purposes. • Continue to support efforts to develop and implement requirements for TNCs’ greenhouse gas emissions and accessibility (e.g. The California Air Resources Board’s Clean Mile Standard and the California Public Utilities Commission’s TNC Access for All initiatives).
	e. Advance the adoption and integration of EVs in a manner consistent with other city priorities	<ul style="list-style-type: none"> • Advocate for EV legislation to be equitable and consistent with San Francisco’s other mobility policies (e.g. transit-first, emerging mobility). • Support funding opportunities for EV infrastructure planning, promotion, and deployment. • Support financial incentives for replacing combustion engine vehicles with EVs or non-auto modes, especially for low income individuals.

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	f. Advance measures to increase production of affordable housing as well as supportive planning, infrastructure, and services	<ul style="list-style-type: none"> • Support efforts to revive the authority of local governments to use tax-increment financing for affordable housing and related improvements including transportation. • Support efforts to establish new, dedicated state and regional funding for affordable housing. • Support legislative efforts to incentivize and reduce barriers to the construction of new housing, in particular affordable and moderate rate housing, that are consistent with San Francisco’s growth strategy and provides necessary support for related infrastructure and transit service needs.
	g. Advance legislative actions in support of other city policy goals	<ul style="list-style-type: none"> • Support efforts to advance a more seamless, integrated public transit system in the Bay Area with integrated transit fares to benefit both low-income transit riders and attract new riders to the system. • Support Bay Area transit operators in securing authorization to prevent fraud-related fare revenue loss by allowing ZIP code authentication at Clipper vending machines. • Support state efforts to limit near-term impacts of the federal Safer Affordable Fuel Efficient (SAFE) Vehicles Rule until the state’s pending federal lawsuits are resolved. This could include extending the state requirement that regions adopt new Transportation Improvement Programs so as not to stall thousands of federally funded transportation projects across the state. • With other County Transportation Agencies (CTAs), engage in efforts to modernize Congestion Management Program regulations to support key policies and reinforce CTAs’ role in state, regional, and local transportation planning and funding.

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3. High-Speed Rail (HSR)	Strengthen state commitment to a blended HSR and electrified Caltrain system from San Francisco to San Jose	<ul style="list-style-type: none"> • Work with partner agencies to advocate that the HSR early investment projects are implemented in a manner consistent with the northern California Memorandum of Understanding to develop a blended system, including achieving level boarding at all shared Caltrain/High Speed Rail facilities. • Advocate for funding of the Caltrain Downtown Extension, and advance the Caltrain Modernization Program.

FEDERAL		
Area	Goal	Strategy
1. Transportation Funding	a. Sustain or increase federal transportation funding	<ul style="list-style-type: none"> • Ensure Congress appropriates funding consistent with the amounts authorized in the Fixing America’s Surface Transportation (FAST) Act. • Advocate for San Francisco priorities in the reauthorization of the federal surface transportation bill, which expires in September 2020. • Retain a strong multi-modal focus for federal grant programs and ensure funding is spread equitably among rural and urban jurisdictions. • Advocate for increasing the federal gasoline tax, and for indexing it to inflation to help close the Highway Trust Fund funding deficit. • Support study and piloting of innovative approaches to transportation challenges such as road usage charges, technology demonstration, and alternative project delivery methods.

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Area	Goal	Strategy
	b. Secure federal appropriations for San Francisco’s Core Capacity and New and Small Starts priorities	<ul style="list-style-type: none"> • Advocate that Congress approves annual Core Capacity appropriations consistent with the Full Funding Grant Agreement for the Caltrain Modernization project. • Seek entry of Geary Boulevard Bus Rapid Transit project into the Federal Transit Administration Capital Investment Grant Program. • Work with local and regional partners to position San Francisco’s priority projects for other competitive federal funding programs, including the BART and Muni Core Capacity Programs and the Caltrain Downtown Extension.
2. Transportation Policy Initiatives	a. Advance autonomous vehicle regulations that advance safety and facilitate local evaluation of their performance	<ul style="list-style-type: none"> • Participate in efforts to develop a policy framework for their testing, deployment, and regulation. • Partner with state and local governments to advocate for evidence-based regulations that preserve the ability of jurisdictions to appropriately oversee their safe operation and ensure the availability of collected data.
	b. Address the impacts of shared mobility services (e.g. TNCs, private transit shuttles, scooters) and ensure their safety, equity and accessibility	<ul style="list-style-type: none"> • Contribute to the development of legislation and funding programs that balances their benefits and impacts, provides for state and local regulation, and secures access to critical data. • Support federal funding of pilot projects that include a robust analysis of outcomes to inform future investment and regulation.
	c. Preserve and expand pre-tax commuter benefits on par with parking benefits	<ul style="list-style-type: none"> • Defend the pre-tax commuter and employer benefit for transit and bicycling. • Advocate to expand pre-tax benefits for other non-single occupancy vehicle modes such as bikeshare and private transit services.

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	d. Advance regulatory actions in support of other city policy goals	<ul style="list-style-type: none"> • Support state agencies’ advocacy efforts to reinstate California’s ability to set the state’s own vehicle fuel efficiency standards, independent of federal standards. • Monitor other potential regulation activities (e.g. mobile applications, privacy protection) that would impact San Francisco’s range of transportation services.

STATE AND FEDERAL (Project Delivery and Administration)		
Area	Goal	Strategy
1. Project Delivery	a. Expand use of innovative project delivery strategies for transportation infrastructure	<ul style="list-style-type: none"> • Advocate for additional opportunities to use alternative delivery methods to manage risk and increase local control for transportation infrastructure projects. • Advocate for retention and expansion of financing programs such as Transportation Infrastructure Finance and Innovation Act (TIFIA).
	b. Seek integrated state and federal environmental impact studies and streamlined permitting	<ul style="list-style-type: none"> • Advocate for more efficient environmental processes (both CEQA and NEPA) to reduce administrative inefficiencies, expedite project delivery, and reduce costs. • Support efforts to increase the efficiency of Caltrans in reviewing and approving documents and permits.
2. General Administration	Ensure efficient and effective Transportation Authority operations	<ul style="list-style-type: none"> • Advocate for the streamlining of administrative requirements when multiple fund sources are used on a single project. • Oppose legislation and regulations that constrain our ability to efficiently and effectively contract for goods and services, conduct business. Support legislation and regulations that positively affect our effectiveness and limit or transfer our risk of liability.