RESOLUTION ADOPTING POSITIONS ON STATE LEGISLATION

WHEREAS, The Transportation Authority approves a set of legislative principles to guide transportation policy advocacy in the sessions of the Federal and State Legislatures; and

WHEREAS, With the assistance of the Transportation Authority's legislative advocate in Sacramento, staff has reviewed pending legislation for the current Legislative Session and analyzed it for consistency with the Transportation Authority's adopted legislative principles and for impacts on transportation funding and program implementation in San Francisco; and

WHEREAS, At its March 14, 2017 meeting, the Board approved an amendment to the staff recommendation to change the support position on State Constitutional Amendment (SCA) 6 Wiener to a watch position; now, therefore, be it

RESOLVED, That the Transportation Authority hereby does adopt a new support position on Assembly Bill (AB) 342 (Chiu), and new oppose positions on Senate Bill (SB) 423 (Cannella) and SB 493 (Hill); and be it further

RESOLVED, That the Executive Director is directed to communicate these positions to all relevant parties.

Attachment:

1. New Bills and Recommended Positions



The foregoing Resolution was approved and adopted by the San Francisco County Transportation Authority at a regularly scheduled meeting thereof, this 21st day of March, 2017, by the following votes:

Ayes:

Commissioners Breed, Fewer, Kim, Peskin, Ronen, Safai and Tang (7)

Nays:

(0)

Absent:

Commissioners Cohen, Farrell, Sheehy and Yee (4)

Aaron Peskin

Chair

Date

ATTEST:

Tilly Chang

Executive Director

Date

New Recommended Positions; Revised 03.14.17

To view documents associated with the bill, click the bill number link.

Staff is recommending a new support position on Assembly Bill (AB) 342 (Chiu), and new oppose positions on Senate Bill (SB) 423 (Cannella) and SB 493 (Hill). Additional detail on bills with new support/oppose and watch positions are shaded in the attached state legislative matrix. It also provides detail on the other bills we are tracking.

Recommended	Bill #	Keywords and Comments
Positions	Author	
	AB 342	Vehicles: automated speed enforcement (ASE): five-year pilot program.
	<u>Chiu</u> D	This bill would authorize, no later than January 1, 2019, the City of San Jose and the City
		and County of San Francisco to implement a 5-year pilot program utilizing an ASE system
Support		for speed limit enforcement. ASE has been an adopted legislative priority of the SFCTA
Support		and SFMTA for years, consistent with the City's adopted Vision Zero policies. This bill was
		previously discussed at the Transportation Authority's February Finance Committee
		meeting. The Board of Supervisors (BOS) Transportation & Land Use Committee is
		anticipated to hold a hearing on this bill on March 13.
	SB 423	Indemnity: public contract liability.
	<u>Cannella</u> R	This bill would effectively require public agencies and other project owners to defend design
		professionals' interests and then, after a legal determination, attempt to secure
Oppose	07.40	reimbursement for those legal costs and fault.
rr	<u>SB 493</u>	Vehicles: right-turn violations.
	<u>Hill</u> D	This bill would reduce the violation fine for failing to stop before making a right hand turn
		from \$100 to \$35. Reducing penalties for drivers committing safety violations is not
	SCA (consistent with the City's Vision Zero goals.
	SCA 6	Local transportation measures: special taxes: voter approval.
	Wiener D	This measure seeks to reduce vote threshold from 2/3 to 55% for local transportation sales tax revenues. If approved, the measure would go to the state ballot for voter approval,
		which requires a majority statewide vote.
	<u>AB 1007</u>	Personal income tax: definitions.
	<u>Ting</u> D	This is a spot bill related to amending the revenue and taxation code to enable California
		local jurisdictions to levy a personal income tax and a corporate income tax. The San
		Francisco BOS is considering a resolution urging the State Legislation to pursue such
		authorization.
	AB 1103	Bicycles: yielding.
	<u>Obernolte</u>	This bill follows other states in authorizing a so-called "Idaho Stop." The measure would
Watch	R	permit bicyclists to treat stop signs as yield signs. The bill applies at signed intersections, not
		signalized ones.
	<u>AB 1113</u>	State Transit Assistance program.
	Bloom D	This bill is supported by the California Transit Association to rectify a change in recipients
		that are eligible for State Transit Assistance funds made last year by the State Controller.
	<u>AB 1121</u>	San Francisco Bay Area ferries.
	<u>Chiu</u> D	This is a spot bill related to developing new source of local funds for the SF Bay Ferry
	00.00	System.
	<u>SB 760</u>	Transportation funding: active transportation: complete streets.
	Wiener D	The bill would require the California Transportation Commission to give high priority to
		increasing safety for pedestrians and bicyclists and to the implementation of bicycle and
		pedestrian facilities and establish a new division in Caltrans.

Bills of Interest; Revised 03.14.17

To view documents associated with the bill, click the bill number link. To view the bill text, click the TEXT link.

Staff is recommending a new support position on Assembly Bill (AB) 342 (Chiu), and new oppose positions on Senate Bill (SB) 423 (Cannella) and SB 493 (Hill).

Bill #	Author	Description	Status	Position	Comments
<u>AB 1</u>	<u>Frazier</u> D	Transportation funding.	Assembly	Support	This bill would create the road
		Would create the Road Maintenance and	Transportation		Maintenance and Rehabilitation Program
Introduced:	(Dist 11)	Rehabilitation Program to address deferred			to address deferred maintenance on the
12/5/2016 Text		maintenance on the state highway system and the local street and road system. The bill would require			state highway system and local roads. New gas taxes, diesel taxes, registration fees,
<u>1ext</u>		the California Transportation Commission to			and other sources would generate \$6
		adopt performance criteria, consistent with a			billion annually.
		specified asset management plan, to ensure			,
		efficient use of certain funds available for the			See related SB 1 (Beall).
		program. The bill would provide for the deposit of			
		various funds for the program in the Road			
		Maintenance and Rehabilitation Account, which			
		the bill would create in the State Transportation Fund.			
AB 17	Holden D	Transit Pass Program: free or reduced-fare transit	Assembly	Watch	Re-introduction of AB 2222 (2017) to
112 17	<u> </u>	passes.	Transportation	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	establish a transit pass program for free or
Introduced:	(Dist 41)	Would create the Transit Pass Program to be	•		reduced transit fare passes to qualified
12/5/2016		administered by the Department of			schools for use by pupils. The 2016 bill
<u>Text</u>		Transportation. The bill would require the			was sponsored by TransForm and
		Controller of the State of California to allocate			supported by a wide array of
		moneys made available for the program, upon appropriation by the Legislature, to support transit			transportation groups and advocates. The source for funding in AB 2222 was Cap
		pass programs that provide free or reduced-fare			and Trade auction revenues. The bill was
		transit passes to specified pupils and students.			retained in Appropriations due to
					uncertainty over that funding source.

<u>AB 25</u>	Nazarian D	Tour buses.	Assembly Print	Watch	This is a spot bill that expresses intent to
		Current law imposes various requirements on the			develop legislation to foster safe operating
Introduced:	(Dist 46)	operation of tour buses, including, among other			tour buses.
12/5/2016		things, a requirement that a tour bus operator use a			
<u>Text</u>		safety belt at all times when operating the tour bus.			
		This bill would state the intent of the Legislature to			
		enact legislation relating to the safe operation of			
		tour buses.			
<u>AB 28</u>	<u>Frazier</u> D	Department of Transportation: environmental	Senate	Support	Would re-enact State authorization for
		review process: federal pilot program.	Appropriations		Caltrans to accept delegated federal
Amended:	(Dist 11)	Current federal law requires the United States			authority to administer NEPA.
3/2/2017		Secretary of Transportation to carry out a surface			
<u>Text</u>		transportation project delivery pilot program,			Delegated authority allows for faster
		under which the participating states assume certain			environmental clearance. With its
		responsibilities for environmental review and			expiration, Caltrans is not able to approve
		clearance of transportation projects that would			environmental documents, threatening the
		otherwise be the responsibility of the federal			progress of transportation projects
		government. Current law, until January 1, 2017,			statewide. Transportation stakeholders
		provided that the State of California consents to			across California have identified this as
		the jurisdiction of the federal courts with regard to			priority legislation. The bill needs to be
		the compliance, discharge, or enforcement of the			approved by March 31 or the State will
		responsibilities it assumed as a participant in the			need to restart the approval process.
		pilot program. This bill would reinstate the			
		operation of the latter provision. The bill would			
		repeal that provision on January 1, 2020.			

<u>AB 65</u>	Patterson R	Transportation bond debt service.	Assembly	Oppose	Another in a series of bills intended to
Introduced: 12/13/2016 Text	(Dist 23)	Current law provides for transfer of certain vehicle weight fee revenues to the Transportation Debt Service Fund to reimburse the General Fund for payment of current year debt service on general obligation bonds issued for transportation purposes, including bonds issued for high-speed rail and associated purposes pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century (Proposition 1A of 2008). This bill would specifically exclude from payment under these provisions the debt service for Proposition 1A bonds.	Transportation		bring the State's High Speed Rail project to an end by shifting the debt service payments from truck weight fees to state General Fund.
<u>AB 87</u>	Ting D	Autonomous vehicles.	Assembly	Support	The bill amends the state's Autonomous
Introduced: 1/5/2017 Text	(Dist 19)	Current law requires the Department of Motor Vehicles to adopt regulations no later than January 1, 2015, setting forth requirements for the submission of evidence of insurance, surety bond, or self-insurance, and for the submission and approval of an application to operate an autonomous vehicle. Under current law, it is unlawful and constitutes an infraction for any person to violate, or fail to comply with any provision of the Vehicle Code, unless otherwise specified. This bill would provide that violation of this section is not an infraction and would instead, among other things, require the department to revoke the registration of a vehicle that is being operated in violation of those provisions.	Transportation		Vehicle (AV) law to address the instance where an auto manufacturer or vehicle operator fails to comply is subject to revocation of the registration and is subject to a penalty of \$25,000 per day. Assemblymember Ting introduced this bill in the wake of the discovery that Uber was operating AVs in San Francisco without a permit form DMV. In response, the DMV revoked the registrations of Uber's 16 autonomous vehicles to pull the unregulated cars off public streets. The measure is supported by San Francisco Mayor Ed Lee, , and WalkSF, as well as bicycle interests.

<u>AB 91</u>	Cervantes D	High-occupancy vehicle lanes. Would prohibit, commencing July 1, 2018, a	Assembly Transportation	Watch	The measure applied to HOV lanes operated within Riverside County. It
Introduced:	(Dist 60)	high-occupancy vehicle lane from being	1		would require the HOV lanes there may
1/9/2017		established in the County of Riverside, unless that			only operate as such during the hours of
<u>Text</u>		lane is established as a high-occupancy vehicle lane			heavy commuter traffic.
		only during the hours of heavy commuter traffic,	3/20/2017 2:30		
		as determined by the Department of	p.m State		
		Transportation. The bill would require any existing	Capitol, Room		
		high-occupancy vehicle lane in the County of	4202		
		Riverside that is not a toll lane to be modified to	ASSEMBLY		
		operate as a high-occupancy lane under those same	TRANSPORTA		
		conditions.	TION,		
			FRAZIER, Chair		
<u>AB 174</u>	Bigelow R	California Transportation Commission:	Assembly	Watch	Current law and tradition directs the
		membership.	Transportation		governor to seek geographic balance in
Introduced:	(Dist 5)	Current law provides that the California			appointing members to CTC. This bill
1/17/2017		Transportation Commission consists of 13			would codify a requirement that at least
<u>Text</u>		members, 11 voting members, of which 9 are			one member be from a rural county.
		appointed by the Governor subject to Senate			
		confirmation, 1 is appointed by the Senate			
		Committee on Rules, and 1 is appointed by the			
		Speaker of the Assembly, and 2 Members of the			
		Legislature who are appointed as nonvoting ex			
		officio members. This bill would require that at			
		least one voting member reside in a rural county			
		with a population of less than 100,000 individuals.			

<u>AB 179</u>	Cervantes D	California Transportation Commission.	Assembly	Watch	This bill would mandate that 6 of the 11
		Current law creates the California Transportation	Transportation		CTC members have expertise in the
Amended:	(Dist 60)	Commission Current law provides that the	_		following areas:
2/14/2017		commission consists of 13 members: 11 voting			*Sustainable transportation
<u>Text</u>		members, of which 9 are appointed by the			*Public health effects of transportation
		Governor subject to Senate confirmation, one is			*Climate change mitigation
		appointed by the Senate Committee on Rules, and			*Bike and pedestrian safety
		one is appointed by the Speaker of the Assembly,			
		and 2 Members of the Legislature who are			
		appointed as nonvoting ex officio members. This			
		bill would require that 7 of those voting members			
		have specified qualifications			
<u>AB 262</u>	Bonta D	Public contracts: lowest responsive bidder: eligible	Assembly	Watch	This bill seeks to have prospective
		materials.	Accountability		contract bidders qualify greenhouse
Introduced:	(Dist 18)	The State Contract Act governs the bidding and	and		emissions in basic construction materials.
1/31/2017		award of public works contracts by specific state	Administrative		
<u>Text</u>		departments. This bill would require an awarding	Review		
		department to require a prospective bidder to			
		complete a standard form that states the	3/22/2017 9		
		cumulative amount of specified greenhouse gas	a.m State		
		emissions that were produced in the manufacturing	*		
		of eligible materials, as defined, to be used on the	437		
		project, and would provide that a prospective	ASSEMBLY		
		bidder may satisfy this standard by attaching to	ACCOUNTABI		
		that form an Environmental Product Declaration,	LITY AND		
		developed in accordance with standards	ADMINISTRAT		
		established by the International Organization of	IVE REVIEW,		
		Standardization, for that type of product.	EGGMAN,		
			Chair		

AB 342 Introduced: 2/7/2017 Text	Chiu D (Dist 17)	Vehicles: automated speed enforcement (ASE): five-year pilot program. Would authorize, no later than January 1, 2019, the City of San Jose (San Jose) and the City and County of San Francisco (San Francisco) to implement a 5-year pilot program utilizing an automated speed enforcement system (ASE system) for speed limit enforcement on certain streets, if the system meets specified requirements, including that the presence of a fixed or mobile ASE system is clearly identified by signs, as specified, and trained peace officers or other trained designated municipal employees are utilized to oversee the operation of the fixed and mobile ASE systems.	Assembly Transportation	New – Recommend Support	This bill, coauthored by Senator Wiener and others, has been an adopted legislative priority of the SFCTA and SFMTA for years. It would allow both San Francisco and San Jose to pilot the use of ASE to enforce speed limits, consistent with the City's adopted Vision Zero policies.
AB 1007 Introduced: 2/16/2017 Text	Ting D (Dist 19)	Personal income tax: definitions. The Personal Income Tax Law imposes a tax on the entire taxable income of a resident taxpayer, provides for a specified treatment of the income of nonresidents, and provides, among other things, that specified definitions govern the construction of that law. This bill would make a nonsubstantive change to those provisions.	Assembly Print	New – Recommend Watch	This is a spot bill related to amending the revenue and taxation code to enable California local jurisdictions to levy a personal income tax and a corporate income tax. The San Francisco Board of Supervisors is considering a resolution urging the State Legislature to pursue such authorization.

AB 1103 Introduced: 2/17/2017 Text	Obernolte R (Dist 33)	TITLE This bill would, notwithstanding those provisions, authorize a person operating a bicycle approaching a stop sign, after slowing to a reasonable speed and yielding the right-of-way, to cautiously make a turn or proceed through the intersection without stopping, unless safety considerations require otherwise. The bill would require a person operating a bicycle to continuously signal an intention to turn right or left during the last 100 feet traveled before the turn, except as specified. Because this bill would impose a new requirement on bicycle operators, the violation of which would be a crime, the bill would impose a state-mandated local program.	Assembly Print	New – Recommend Watch	This bill follows other states in authorizing a so-called "Idaho Stop." The measure would permit bicyclists to treat stop signs as yield signs. The bill applies at signed intersections, not signalized ones.
AB 1113 Introduced: 2/17/2017 Text	Bloom D (Dist 50)	State Transit Assistance program. Would revise and recast the provisions governing the State Transit Assistance program. The bill would provide that only STA-eligible operators, as defined, are eligible to receive an allocation from the portion of program funds based on transit operator revenues. The bill would provide for each STA-eligible operator within the jurisdiction of the allocating local transportation agency to receive a proportional share of the revenue-based program funds based on the qualifying revenues of that operator, as defined.	Assembly Print	New – Recommend Watch	This bill is supported by the California Transit Association to rectify a change in recipients that are eligible for State Transit Assistance funds made last year by the State Controller that would have significantly reduced funding available for Bay Area transit operators.

<u>AB 1121</u>	Chiu D	San Francisco Bay Area ferries. Current law establishes the San Francisco Bay Area	Assembly Print	New – Recommend	Spot bill related to developing new local source of funds for SF Bay Ferry System.
Introduced: 2/17/2017 Text	(Dist 17)	Water Emergency Transportation Authority with specified powers and duties, including, but not limited to, the authority to coordinate the emergency activities of all water transportation and related facilities within the San Francisco Bay Area region, as defined. This bill would state the intent of the Legislature to enact legislation to authorize San Francisco Bay Area voters to approve new, dedicated funding for San Francisco Bay Area ferries.		Watch	
<u>SB 1</u>	Beall D	Transportation funding.	Senate	Support	This bill would create the road
		Would create the Road Maintenance and	Government and		maintenance and rehabilitation program to
Amended:	(Dist 15)	Rehabilitation Program to address deferred	Finance		address deferred maintenance on the state
1/26/2017		maintenance on the state highway system and the			highway system and local roads. New gas
<u>Text</u>		local street and road system. The bill would require	3/8/2017 9:30		tax, diesel tax, registration fee, and other
		the California Transportation Commission to	a.m Room 112		sources would generate \$6 billion
		adopt performance criteria, consistent with a	SENATE		annually.
		specified asset management plan, to ensure	GOVERNANC		
		efficient use of certain funds available for the	E AND		
		program. This bill contains other related provisions	FINANCE,		
		and other existing laws.	MCGUIRE,		
			Chair		

March 2017

<u>SB 4</u>	Mendoza D	Goods Movement: allocation of federal funds:	Senate	Watch	This is one of several measures that
		Goods Movement and Clean Trucks Bond Act.	Transportation		comprise the Senate "California Rebuild"
Introduced:	(Dist 32)	Would, subject to voter approval at the June 5,	and Housing		Infrastructure package.
12/5/2016	,	2018, statewide primary election, enact the Goods			1
Text		Movement and Clean Trucks Bond Act to	3/7/2017 1:30		
		authorize \$600,000,000 of state general obligation	p.m John L.		
		bonds as follows: \$200,000,000 to the California	Burton Hearing		
		Transportation Commission for projects and	Room (4203)		
		programs eligible for funding from the Trade	SENATE		
		Corridors Improvement Fund; \$200,000,000 to the	TRANSPORTA		
		State Air Resources Board for projects and	TION AND		
		programs consistent with the Goods Movement	HOUSING,		
		Emission Reduction Program; and \$200,000,000 to	BEALL, Chair		
		the State Air Resources Board for projects and	,		
		programs to expand the use of zero- and near-zero			
		emission trucks in areas of the state that are			
		designated as severe or extreme nonattainment			
		areas for ozone and particulate matter.			
SB 35	Wiener D	Planning and Zoning: affordable housing:	Senate	Watch	This bill intends to address the removal of
		streamlined approval process.	Transportation		barriers to implementing housing, and
Amended:	(Dist 11)	Current law requires an attached housing	and Housing		affordable housing in particular.
2/21/2017		development to be a permitted use, not subject to			
<u>Text</u>		a conditional use permit, on any parcel zoned for			
		multifamily housing if at least certain percentages			
		of the units are available at affordable housing	3/7/2017 1:30		
		costs to very low income, lower income, and	p.m John L.		
		moderate-income households for at least 30 years	Burton Hearing		
		and if the project meets specified conditions	Room (4203)		
		relating to location and being subject to a	SENATE		
		discretionary decision other than a conditional use	TRANSPORTA		
		permit. This bill would require an accessory	TION AND		
		dwelling unit development or a multifamily	HOUSING,		
		housing development that satisfies specified	BEALL, Chair		
		planning objective standards to be subject to a			
		streamlined, ministerial approval process, as			
		provided, and to not be subject to a conditional			

SB 423 Introduced: 2/15/2017 Text	Cannella R (Dist 12)	Indemnity. Current law provides, with respect to contracts and amendments to contracts entered into on or after January 1, 2011, with a public agency for design professional services, that all provisions, clauses, covenants, and agreements contained in, collateral to, or affecting these contracts or amendments to contracts that purport to require the design professional to defend the public agency under an indemnity agreement, including the duty and the cost to defend, are unenforceable, except for claims that arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of the design professional. Current law provides that all contracts and all solicitation documents between a public agency and a design professional are deemed to incorporate these provisions by reference. This bill would make a nonsubstantive change to these provisions.	Senate Rules	New – Recommend Oppose	This bill would effectively require public agencies and other project owners to defend design professionals' interests and then, after a legal determination, attempt to secure reimbursement for those legal costs and fault. This bill is reintroducing SB 885 (Wolk -2016) that prohibits public agency contracts from requests or design firms or public works projects from defending claims made against others. SB 885 failed passage.
SB 493 Introduced: 2/16/2017 Text	Hill D (Dist 13)	TITLE Existing law requires a driver facing a steady circular red signal alone to stop at a marked limit line, but if none, before entering the crosswalk on the near side of the intersection or, if none, then before entering the intersection, and to remain stopped until an indication to proceed is shown, except as specified. A violation of this provision is an infraction punishable by a fine of \$100. This bill would recast those provisions, and instead would make a violation of that requirement for a right turn, or a left turn from a one-way street onto a one-way street, punishable by a fine of \$35. The bill would make additional conforming changes.	Senate Transportation and Housing	New – Recommend Oppose	This bill reduces the fine for drivers failing to come to a complete stop "California Stop" while turning right at a red light. Under the bill, a driver would be cited similarly to other minor moving violations with a base fine ticket of \$35, rather than the present \$100. Straight through and left-turn red light violations would still be cited at the \$100 base fine ticket amount.

SB 760 Introduced: 2/17/2017 Text	Wiener D (Dist 11)	Transportation funding: active transportation: complete streets. Would establish a Division of Active Transportation within the Department of Transportation and require that an undersecretary of the Transportation Agency be assigned to give attention to active transportation program matters to guide progress toward meeting the department's active transportation program goals and objectives. The bill would require the California Transportation Commission to give high priority to increasing safety for pedestrians and bicyclists and to the implementation of bicycle and pedestrian facilities.	Senate Rules	New – Recommend Watch	This bill would heighten the focus of Caltrans in the policy and active transportation by establishing a new division in Caltrans.
SCA 2	Newman D	Motor vehicle fees and taxes: restriction on expenditures.	Senate Transportation	Watch	The author intended the measure to protect new revenues generated by new
Introduced: 1/18/2017 Text	(Dist 29)	Would prohibit the Legislature from borrowing revenues from fees and taxes imposed by the state on vehicles or their use or operation, and from using those revenues other than as specifically permitted by Article XIX. The measure would prohibit those vehicle revenues and fuel tax revenues from being pledged or used for the payment of principal and interest on general obligation bonds issued by the state, except that vehicle weight fee revenues would be authorized to be pledged or used for the payment of principal and interest on general obligation transportation bonds approved prior to January 1, 2017. This bill contains other related provisions and other existing laws.	and Housing		transportation funding measures such as AB 1 or SB 1. However, it is not clear whether the bill as written accomplishes this and the author is currently analyzing the proposed language.

SCA 6	Wiener D	Local transportation measures: special taxes: voter	Senate	New –	This measure seeks to reduce vote
		approval.	Government and	Recommend	threshold from 2/3 to 55% for local
Introduced:	(Dist 11)	Would require that the imposition, extension, or	Finance	Watch	transportation sales tax revenues. If
2/13/2017		increase of a special tax by a local government for			approved, the measure would go to the
<u>Text</u>		the purpose of providing funding for			state ballot for voter approval, which
		transportation purposes, as specified, be submitted			requires a majority statewide vote.
		to the electorate and approved by 55% of the			
		voters voting on the proposition. The measure			
		would also make conforming and technical,			
		nonsubstantive changes.			

Total Measures: 24

Total Tracking Forms: 24