

San Francisco County Transportation Authority
 May 2017 **[REVISED 5/17/17]**

State Legislation – Proposed New Positions and Updates on Activity This Session

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

Staff is recommending new support positions on ~~Assembly Bill (AB) 378 (Garcia, Cristina)~~, Senate Bill (SB) 422 (Wilk), ~~SB 595 (Beall)~~ and SB 768 (Allen and Wiener) and a new oppose position on SB 182 (Bradford) as shown in **Table 1**. **Table 2** provides updates on several bills we have been tracking this session and **Table 3** indicates the status of bills on which the Board has already taken a position this session.

Table 1. Recommendation for New Positions and Select New Bills to Watch

Recommended Positions	Bill # Author	Bill Title and Description
Support	AB 378 Garcia, Cristina D	<u>[Moved to Watch (see below) subsequent to May 9 SFCTA Board meeting.]</u> <u>California Global Warming Solutions Act of 2006: regulations.</u> The bill would authorize the State Air Resources Board to extend the Cap and Trade program from 2020 to 2030. Doing so would extend a valuable greenhouse gas reduction program, provide additional revenue for transportation, and help stabilize auction outcomes, which have been lower than anticipated over the past year in part due to concerns about the duration of the program.
	SB 422 Wilk R	Transportation projects: comprehensive development lease agreements: P3. Current law authorizes the Department of Transportation and regional transportation agencies to enter into public-private partnerships (P3s) for certain transportation projects that may raise revenues from tolls and user fees. Prior authorization for these agreements ended on January 1, 2017. These two bills are very similar and would extend P3 authorization indefinitely. P3 could be used to more quickly and cost effectively deliver future revenue-generating projects in San Francisco and the region.
	SB 768 Allen, Wiener D	
<u>Oppose</u>	SB 182 Bradford D	<u>[Added at request of the Chair since May 9 SFCTA Board meeting.]</u> <u>Transportation network company: participating drivers: single business license.</u> <u>This bill would allow Transportation Network Company (TNC) drivers to obtain only a single business license to operate in all local jurisdictions statewide, irrespective of where they operate their business. SFMTA and the City have registered their opposition to this bill on the basis that it would hinder our ability to collect information from the approximately 45,000 TNC drivers that cause an estimated \$2-4 million per year in wear and tear on our local streets and an increased burden on traffic enforcement resources. As this bill is moving rapidly through the Legislature, at the discretion of the Chair we have already submitted a letter of opposition to the author's office.</u>

San Francisco County Transportation Authority
May 2017 [REVISED 5/17/17]

Watch	AB 344 Melendez R	<p>Toll evasion violations. The bill would change current practice by toll agencies to require individuals to pay the levied penalty for fare evasion when the individual challenges an initial toll review finding and proceeds to an administrative review process (only 0.05% of violation protests for the Bay Area Toll Authority (BATA)). MTC is concerned that this bill would increase the number of administrative investigations, which are costly to administer and, to BATA's knowledge, has never resulted in a situation where a violation was overturned. Recognizing that a waiver of the upfront fee is fair and reasonable in cases of means-based need, MTC is seeking an amendment to align toll violation procedures with what is currently in place for parking violations, specifically waiving the levied penalty during the administrative review process when warranted due to need of the applicant.</p>
	AB 378 Garcia, Cristina D	<p><u>California Global Warming Solutions Act of 2006: regulations.</u> <u>The bill would authorize the State Air Resources Board to extend the Cap and Trade program from 2020 to 2030. Prior language in the bill would have provided additional revenue for transportation and would have helped stabilize auction outcomes. However, recent amendments have altered it substantially. As revised it would completely change the way the state manages greenhouse gas emissions and shift important oversight responsibilities from local air districts to the state Air Resources Board. It is also likely to see further amendments. Staff from the Bay Area Air Quality Management District have expressed concern over the new language and are recommending their Board withdraw the agency's support.</u></p> <p><u>Change in Recommended Position from Support to Watch: Given the recent amendments, and the likelihood of additional ones, we no longer recommend a support position on the bill. We will continue to monitor it with our local and regional partners and will report on any progress next month.</u></p>
	AB 756 Ting D	<p>Prima facie speed limits: Golden Gate Park. This bill establishes a new speed limit of 15 miles per hour for Golden Gate Park roads excluding Crossover Drive, Park Presidio Bypass Boulevard, and Kezar Drive. The Mayor's Office State Legislative Committee has taken a support as amended position on this bill. It is consistent with Vision Zero policies. At the May 9, 2017 meeting, the Board revised the staff recommendation to change the position from support to watch to allow further review now that it is a two-year bill.</p>
	AB 1218 Obernolte R	<p>California Environmental Quality Act (CEQA): exemption: bicycle transportation plans. Extends current CEQA exemptions that sunset this year until 2021. Current exemptions apply to bicycle transportation plans and bicycle projects including roadway striping, signal timing, signage, storage, and other improvements.</p>
	AB 1444 Baker R	<p>Livermore Amador Valley Transit Authority (LAVTA): autonomous vehicle demonstration project. This bill would exempt LAVTA from state regulations for testing autonomous vehicles in a commercial center in Dublin. Within the specific boundaries of the demonstration pilot, it would allow testing of a vehicle without a driver seated in the driver's seat and not equipped with a steering wheel, a brake pedal, or an accelerator.</p>

San Francisco County Transportation Authority
 May 2017 **[REVISED 5/17/17]**

Table 2. Select Updates on Tracked Bills

Active Positions	Bill # Author	Bill Title and Description	Update
Support	AB 342 Chiu D	<p>Vehicles: automated speed enforcement (ASE): five-year pilot program.</p> <p>This bill 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 ASE system for speed limit enforcement. ASE has been an adopted legislative priority of the SFCTA and SFMTA for years, consistent with the City’s adopted Vision Zero policies.</p>	<p>The bill was approved by the Assembly Privacy and Consumer Protection Committee on April 18 but was converted into a two-year bill at the subsequent Assembly Transportation Committee meeting. The California Highway Patrol provided the main source of opposition over concern that the cameras could increase hostility toward police officers and their ability to improve street safety. We will continue to support SFMTA’s work to advance the bill next year.</p>
	SB 1 Beall D	<p>Transportation Funding.</p> <p>As reported earlier, this bill will raise \$52 billion in new revenue over the next ten years for transportation, focusing on fix it first for roads and transit. San Francisco will receive an estimated \$73 million in formula funds and will compete for additional funding in statewide competitive pots of funding.</p>	<p>Since the last Board meeting, the Governor signed the bill into law, along with a number of trailer bills. Among other things, these bills included the commitment of \$400 million for a rail extension to Ceres and Merced and \$427 million for transportation improvements in Riverside County. They also included SB 496 (Cannella) which transfers design risk from the private sector to the public sector. We have previously adopted oppose positions on similar design exemption bills.</p>
Watch	SCA 6 Wiener D	<p>Local transportation measures: special taxes: voter approval.</p> <p>This measure seeks to reduce vote threshold from 2/3 to 55% for local transportation sales tax revenues, parcel taxes, and other taxes. If approved, the measure would go to the state ballot for voter approval, which requires a majority statewide vote.</p>	<p>This bill used to only apply to local transportation sales taxes but was amended to include a broader range of possible revenue mechanisms for transportation.</p>

San Francisco County Transportation Authority
 May 2017 **[REVISED 5/17/17]**

Table 3. Bill Status for Active Positions Taken This Session

Adopted Positions	Bill # Author	Bill Title	Bill Status (as of 5/2/17)
Support	AB 1 Frazier D	Transportation Funding.	Assembly Transportation
	AB 28 Frazier D	Department of Transportation: environmental review process: federal pilot program.	Chapters
	AB 87 Ting D	Autonomous vehicles.	Assembly Transportation
	AB 342 Chiu D	Vehicles: automated speed enforcement: five-year pilot program.	Assembly Transportation
	SB 1 Beall D	Transportation Funding.	Chapters
Oppose	AB 65 Patterson R	Transportation bond debt service.	Assembly Transportation
	SB 423 Cannella R	Indemnity: design professionals.	Senate Judiciary
	SB 493 Hill D	Vehicles: right-turn violations.	Senate Appropriations

San Francisco County Transportation Authority
May 23, 2017

State Legislation – Proposed New Positions and Updates on Activity This Session

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Staff is recommending a new support position on Senate Bill (SB) 595 (Beall) as shown in **Table 1**.

Table 1. Recommendation for New Positions and Select New Bills to Watch

Recommended Positions	Bill # Author	Bill Title and Description
Support	SB 595 Beall D	Metropolitan Transportation Commission: toll bridge revenues. If approved, this bill would require the nine Bay Area counties to conduct a special election on a proposed increase in the toll rate on the seven state-owned toll bridges in an amount TBD to finance TBD projects and programs to improve mobility and enhance travel options on the bridges and bridge corridors. We, along with other agencies, advocates, legislators, and members of the public are actively involved in the process to define the measure (Regional Measure 3) and its expenditure plan. (See related Item 9 on SFCTA Board Agenda for May 23, 2017). At the May 9, 2017 Board meeting, the Board severed this bill to be considered separately and a motion to adopt a support position did not pass.

Attachment 1 – SB 595 Language

AMENDED IN SENATE APRIL 18, 2017

AMENDED IN SENATE APRIL 5, 2017

AMENDED IN SENATE APRIL 3, 2017

SENATE BILL

No. 595

Introduced by Senator Beall

February 17, 2017

~~An act to add Section 14032.1 to the Government Code, relating to transportation. An act to add Section 30923 to the Streets and Highways Code, relating to transportation.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 595, as amended, Beall. ~~Department of Transportation: report on redundant positions. Metropolitan Transportation Commission: toll bridge revenues.~~

Existing law creates the Metropolitan Transportation Commission (MTC) as a regional agency in the 9-county San Francisco Bay area with comprehensive regional transportation planning and other related responsibilities. Existing law creates the Bay Area Toll Authority (BATA) as a separate entity governed by the same governing board as the MTC and makes the BATA responsible for the programming, administration, and allocation of toll revenues from the state-owned toll bridges in the San Francisco Bay area. Existing law authorizes the BATA to increase the toll rates for certain purposes, including to meet its bond obligations, provide funding for certain costs associated with the bay area state-owned toll bridges, including for the seismic retrofit of those bridges, and provide funding to meet the requirements of certain voter-approved regional measures. Existing law provided for submission of 2 regional measures to the voters of 7 bay area counties in 1988 and

2004 relative to specified increases in bridge auto tolls on the bay area state-owned toll bridges, subject to approval by a majority of the voters.

The bill would require the City and County of San Francisco and the other 8 counties in the San Francisco Bay area to conduct a special election on a proposed unspecified increase in the amount of the toll rate charged on the state-owned toll bridges in that area to be used for unspecified projects and programs. By requiring this election, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

~~Existing law specifies the powers and duties of the Department of Transportation, and provides that the department has full possession and control of all state highways and all property and rights on property acquired for state highway purposes:~~

~~This bill would require the department to, no later than January 1, 2019, identify at least 500 redundant positions at the department and would require the department to put any savings from eliminating those positions into state-owned roadway maintenance and upkeep.~~

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: ~~no~~-yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) The San Francisco Bay area’s strong economy and growing
- 4 population are placing a tremendous burden on its aging
- 5 transportation infrastructure. Between 2010 and 2040, the
- 6 population is forecast to grow by 2.3 million, while the number of
- 7 jobs are projected to grow by 1.3 million.
- 8 (b) Traffic congestion on the region’s seven state-owned toll
- 9 bridges degrades the bay area’s quality of life, impairs its economy,
- 10 and shows no signs of abating. Between 2010 and 2015, combined
- 11 volumes on the region’s seven state-owned toll bridges grew by

1 *11 percent, while volumes on just the Dumbarton Bridge, the*
2 *Richmond-San Rafael Bridge, and the San Mateo-Hayward Bridge*
3 *grew by 20 percent.*

4 *(c) In 2015, five of the region's top 10 worst congested roadways*
5 *were in the South Bay (San Mateo or Santa Clara counties).*

6 *(d) In the San Francisco-Oakland Bay Bridge corridor from*
7 *Hercules to San Francisco, weekday traffic speeds average less*
8 *than 35 mph from 5:35 a.m. until 7:50 p.m.*

9 *(e) Weekday congestion on the west approach to the San*
10 *Francisco-Oakland Bay Bridge in the eastbound direction typically*
11 *begins before 1 p.m. and continues until 9:30 p.m.*

12 *(f) Weekday northbound traffic congestion on State Highway*
13 *Route 101 from Novato to Petaluma begins by 3 p.m. and typically*
14 *lasts over three hours.*

15 *(g) Daily peak-hour traffic on State Highway Route 37 between*
16 *Marin and Solano counties jumped over 40 percent from 2010 to*
17 *2015.*

18 *(h) The region's only rail link across San Francisco Bay, the*
19 *Bay Area Rapid Transit District (BART), is 44 years old and faces*
20 *multibillion-dollar capital funding shortfalls to accommodate*
21 *growing ridership and achieve a state of good repair. Meanwhile,*
22 *BART ridership is at record levels, exceeding 128 million in fiscal*
23 *year 2016, a 27-percent increase from fiscal year 2010.*

24 *(i) Annual ridership on ferries from Alameda, Oakland, and*
25 *Vallejo to San Francisco and South San Francisco more than*
26 *doubled between 2010 and 2016, from 1.1 million to 2.5 million.*

27 *(j) Ridership on the weekday transbay bus service provided by*
28 *the Alameda-Contra Costa Transit District rose 33 percent between*
29 *2012 and 2016.*

30 *(k) Truck traffic in and out of the Port of Oakland grew by 33*
31 *percent since 2000 and contributes to worsening congestion on*
32 *the region's bridges and roadways. An estimated 99 percent of*
33 *the containerized goods moving through northern California are*
34 *loaded or discharged at the port.*

35 *(l) The last time bay area voters had the opportunity to approve*
36 *new funding for improvements in the bridge corridors was in 2004,*
37 *when voters approved Regional Measure 2, a \$1 toll increase.*

38 *(m) To improve the quality of life and sustain the economy of*
39 *the San Francisco Bay area, it is the intent of the Legislature to*
40 *require the Metropolitan Transportation Commission to place on*

1 *the ballot a measure authorizing the voters to approve an*
2 *expenditure plan to improve mobility and enhance travel options*
3 *on the bridges and bridge corridors to be paid for by an increase*
4 *in the toll rate on the seven state-owned bridges within its*
5 *jurisdiction.*

6 *SEC. 2. Section 30923 is added to the Streets and Highways*
7 *Code, to read:*

8 *30923. (a) The toll rate for vehicles crossing the bridges*
9 *described in Section 30910 shall not be increased to the ____ rate*
10 *prior to the availability of the results of a special election to be*
11 *held in the City and County of San Francisco and the Counties of*
12 *Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara,*
13 *Solano, and Sonoma to determine whether the residents of those*
14 *counties and of the City and County of San Francisco approve the*
15 *toll increase.*

16 *(b) The revenue derived from the toll increase shall be used to*
17 *meet all funding obligations associated with ____ projects and*
18 *programs. To the extent additional toll funds are available from*
19 *the toll increase, the authority may use them for bridge*
20 *rehabilitation and for projects and programs aimed at reducing*
21 *congestion and improving travel options in the bridge corridors.*

22 *(c) Notwithstanding any provision of the Elections Code, the*
23 *board of supervisors of the City and County of San Francisco and*
24 *of each of the counties described in subdivision (a) shall call a*
25 *special election to be conducted in the City and County of San*
26 *Francisco and in each of the counties that shall be consolidated*
27 *with the November ____, general election.*

28 *(d) The ballot pamphlet for the special election shall include a*
29 *detailed description of the expenditure plan detailing the projects*
30 *to be funded.*

31 *(e) The county clerks shall report the results of the special*
32 *election to the authority. If a majority of all voters voting on the*
33 *question at the special election vote affirmatively, the authority*
34 *shall adopt the increased toll schedule to be effective ____.*

35 *SEC. 3. If the Commission on State Mandates determines that*
36 *this act contains costs mandated by the state, reimbursement to*
37 *local agencies and school districts for those costs shall be made*
38 *pursuant to Part 7 (commencing with Section 17500) of Division*
39 *4 of Title 2 of the Government Code.*

1 SECTION 1. ~~Section 14032.1 is added to the Government~~
2 ~~Code, to read:~~
3 ~~14032.1. No later than January 1, 2019, the department shall~~
4 ~~identify at least 500 redundant positions at the department and~~
5 ~~shall put any savings from eliminating those positions into~~
6 ~~state-owned roadway maintenance and upkeep.~~

O