



RESOLUTION ADOPTING A REVISION TO THE CURRENT OPPOSE POSITION ON ASSEMBLY BILL (AB) 1112 (FRIEDMAN) TO AN OPPOSE UNLESS AMENDED POSITION

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 May 21, 2019 meeting, the Board adopted an oppose position on AB 112 (Friedman); and

WHEREAS, AB 1112 (Friedman) was amended on June 4, 2019 to address some prior concerns, but did not go far enough; and

WHEREAS, Staff recommended revising the current oppose position on AB 1112 (Friedman) to an oppose unless amended position; and

WHEREAS, Removing the oppose position to the bill would be contingent on future amendments that ensure AB 1112 (Friedman) will not negatively impact San Francisco's ability to implement and sustain its regulatory programs, nor prevent the collection of necessary data; and

WHEREAS, At its June 11, 2019 meeting, the Board reviewed and discussed AB 1112 (Friedman); now, therefore, be it

RESOLVED, That the Transportation Authority hereby adopts a revision to the current oppose position on AB 1112 (Friedman) to oppose unless amended; and be it further

RESOLVED, That the Executive Director is directed to communicate this position to all relevant parties.



Attachment: Table 1

State Legislation – June 2019

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

Staff is recommending a new oppose unless amended position on Assembly Bill (AB) 1112 (Friedman), replacing the previously adopted oppose position, as shown in **Table 1**, which also includes a watch position on Senate Bill (SB) 277 (Beall). The Board does not need to take an action item on legislation recommended to watch.

Table 2 provides updates on Assembly Bill (AB) 1605 (Ting), SB 59 (Allen), and SB 127 (Wiener), on which the Transportation Authority has previously taken positions this session.

Table 3 shows the status of bills on which the Board has already taken a position this session.

Table 1. Recommendations for New Positions

Recommended Positions	Bill # Author	Title and Update
<p>Oppose Unless Amended (replacing prior oppose position)</p>	<p>AB 1112 Friedman D</p>	<p>Shared mobility devices: local regulation.</p> <p>This bill would limit a local jurisdiction’s ability to regulate all “shared mobility” operators including those of shared bicycles, electric bicycles, motorized scooters, electrically motorized boards, or other similar personal transportation devices. It ties local jurisdictions’ hands with regard to cost recovery, data collection, ability to provide specified service in communities of concern, and other requirements such as SFMTA’s current “lock-to” device requirement that has reduced blockages in pedestrian pathways since it was implemented.</p> <p>Since the May Board meeting, the bill was approved by the Assembly and has been referred to three Senate Committees, which may slow down the otherwise fast progress this bill has been making. After receiving feedback from public agencies, including SFMTA, on June 3 the author introduced an amendment to clarify that the bill would allow certain regulations (e.g. fleet caps, equitable access requirements, speed limits). However, they don’t yet go far enough. SFMTA intends to submit a joint request for additional amendments with the cities of Los Angeles, Oakland, San Jose, and Santa Monica. Meanwhile, the author has expressed a willingness to keep working on amendments so as to avoid public sector opposition to the bill.</p> <p>The city’s State Legislation Committee has opposed the bill, as have other cities, including Los Angeles, which includes the Assemblymember’s own district. Recently, several state walking and biking advocacy groups publicly expressed concern about the bill’s potential implications for local jurisdictions’ ability to enact regulations to ensure safety and equity benefits.</p> <p>The Transportation Authority currently has an oppose position on this bill. We are recommending a new oppose unless amended position, which would allow us to oppose the bill until it is sufficiently amended to satisfy us and SFMTA that it will not negatively impact our ability to implement and sustain our regulatory programs, nor prevent us from collecting necessary data. We are recommending adopting this revision to the bill’s position on the first read to authorize staff to advocate for additional amendments and submit the change in position, if warranted, during the Senate hearing process that is scheduled to occur before the June 25 Board meeting.</p>

<p>Watch</p>	<p>SB 277 Beall D</p>	<p>Road Maintenance and Rehabilitation Program: Local Partnership Program.</p> <p>Currently, the state Local Partnership Program (LPP), comprised of \$200 million per year in SB 1 funds, is allocated by the California Transportation Commission (CTC) to local or regional transportation agencies that have sought and received voter approval of taxes or fees dedicated to transportation. Currently, the CTC passes 50% of funds to local self-help jurisdictions via formula, including the Transportation Authority for its Prop K sales tax, and the Bay Area Toll Authority for its bridge toll program. The remainder is allocated through a statewide competitive program.</p> <p>As amended on June 5, SB 277 would instead apportion 100% of the funds to self-help jurisdictions on a formula basis, effectively eliminating the competitive program. By April 1, 2020, the bill would require the CTC to work in conjunction with eligible recipients to develop guidelines for the restructured program, including calculation of the formula distribution, guaranteed minimum apportionments, and project eligibility. The bill has passed out of the Assembly and will next be heard in the Senate Transportation Committee.</p> <p>Turning the LPP into a strictly formula-based program would remove uncertainty and increase reliability of what the Transportation Authority would receive per grant cycle, doubling what we currently receive which is around \$2 million per year. We are generally supportive of a higher formula share, though recognize that eliminating the competitive portion of the program means the city would not be able to pursue larger statewide grants for priority projects. In the first three- year cycle of the competitive program, San Francisco Public Works was awarded a \$7 million grant for streetscape improvements on Jefferson Street. There is currently significant disagreement among self-help jurisdictions over what the split should be between the competitive share and the local formula share, as well as over how the formula is calculated, with smaller jurisdictions typically preferring a larger competitive program since their formula shares are small compared to what they could receive by securing a grant through the statewide program. If this legislation is approved, we would actively participate in the process to develop new program guidelines.</p>
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Table 2. Notable Updates on Bills in the 2018-2020 Session

Adopted Positions	Bill # Author	Title and Update
Support/ Sponsor	AB 1605 Ting D	<p>City and County of San Francisco: Crooked Street Reservation and Pricing Program.</p> <p>This bill authorizes the San Francisco Board of Supervisors to implement a pilot reservation and pricing program on the Lombard Crooked Street, to provide congestion relief and revenues to manage one of San Francisco’s most popular tourist attractions, which is also a local residential street. Visitors would be required to make an advance reservation to drive down the street, and would be charged a fee to cover administration, maintenance, and other traffic management costs.</p> <p>The San Francisco Board of Supervisors unanimously adopted a resolution of support for AB 1605 on April 16. On April 22, the bill was successfully passed out of the Assembly Transportation Committee. On May 2, the bill passed off the Assembly Floor. It will be heard next at the Senate Governance & Finance Committee before it is referred to the Transportation Committee. We continue to work with our legislators in Sacramento, Commissioner Stefani’s office, and local agency partners to advance the bill.</p>
Watch	SB 59 Allen D	<p>Autonomous vehicle technology: Statewide policy.</p> <p>This bill would require the Office of Planning and Research to convene an autonomous vehicle interagency working group to guide policy development for autonomous passenger vehicles. The legislation would require the working group to submit a report to the Legislature on or before January 1, 2022 with policy recommendations.</p> <p>As Commissioner Yee requested at the February 12, 2019 Board meeting, we worked with SFMTA to develop language to incorporate Vision Zero goals explicitly into the legislation, which we provided to Senator Allen’s office. The bill was amended in May, adding a new principle to guide the development of policy: “Reduce motor vehicle crashes and improve road safety for all users.” This amendment is consistent with the city’s Vision Zero goal and reflects the important role that road safety should play in autonomous vehicle policy discussions. We are pleased it was incorporated into the latest version of the bill. We are not, however, recommending that that Board adopt a support position at this time. The latest version of the bill only applies to autonomous passenger vehicles. Commercial autonomous vehicles have many of the same congestion, emission, and safety concerns as passenger vehicles and should therefore be included in future policy-making discussions.</p>

Support	SB 127 Wiener D	<p>Transportation funding: active transportation: complete streets.</p> <p>This bill requires that the California Transportation Commission adopt performance measures that include the conditions of bicycle and pedestrian facilities; accessibility and safety for pedestrians, bicyclists, and transit users; and vehicle miles traveled on the state highway system. As originally drafted, it would also have required that Caltrans include new, or improve existing, bicycle and pedestrian facilities on State Highway Operation and Protection Program-funded capital improvement projects on state highways. The Board of Supervisors unanimously adopted a resolution of support for this bill on January 29.</p> <p>As amended, this bill would still require Caltrans to provide facilities for bicycle and pedestrians on a subset of state projects; however, it eliminates the language requiring them to be physically separated. It also eliminates the required set-aside from the SHOPP account for bicycle and pedestrian facilities and includes a new consideration for disadvantaged communities, among other revisions. After introduction, the bill sat in Senate Transportation for almost three months, but with these amendments, it moved quickly through the Senate and is now awaiting Committee assignment on the Assembly side.</p>
Support	SB 152 Beall D	<p>Active Transportation Program.</p> <p>Sponsored by the MTC, this bill, as amended, would have delegated project selection for 60% of state Active Transportation Program to Metropolitan Planning Agencies (MTC for the Bay Area), with 15% available for small/rural regions, and leaving the remaining 25% to be administered by the California Transportation Commission (CTC) as a statewide competitive program.</p> <p><u>This bill was held in Senate Appropriations and therefore will not advance this year. Senator Beall has indicated to MTC that he does not intend to advance the bill next year, so it is dead.</u> The CTC Commissioners strongly opposed delegating additional decision-making over the program to the regions. MTC reports that it will continue to talk with CTC staff about possible administrative streamlining of the program.</p>

Table 3. Bill Status for Active Positions Taken in the 2019-2020 Session

Adopted Positions	Bill # Author	Bill Title	Bill Status ¹ (as of 6/3/2019)
Support/ Sponsor	AB 1605 Ting D	City and County of San Francisco: Crooked Street Reservation and Pricing Program.	Senate Governance & Finance
Support	AB 40 Ting D	Zero-emission vehicles: comprehensive strategy.	Two-year bill
	AB 47 Daly D	Driver records: points: distracted driving.	Senate Desk

	AB 147 Burke D	Use taxes: collection: retailer engaged in business in this state: marketplace facilitators.	Chaptered
	AB 252 Daly D	Department of Transportation: environmental review process: federal program.	Senate Rules
	AB 659 Mullin D	Transportation: emerging transportation technologies: California Smart City Challenge Grant Program.	Two-year bill
	AB 1286 Muratsuchi D	Shared mobility devices: agreements.	Senate Judiciary
	SB 127 Wiener D	Transportation funding: active transportation: complete streets.	Assembly Desk
	SB 152 Beall D	Active Transportation Program.	Dead
Support if Amended	AB 1142 Friedman D	Strategic Growth Council: transportation pilot projects: regional transportation plans.	Senate Transportation
Oppose Unless Amended	AB 326 Muratsuchi D	Vehicles: Motorized carrying devices.	Two-year bill
Oppose	AB 553 Melendez R	High-speed rail bonds: housing.	Two-year bill
	AB 1112 Friedman D	Shared mobility devices: local regulation.	Senate Transportation
	AB 1167 Mathis R	Greenhouse Gas Reduction Fund: high-speed rail: forestry and fire protection.	Two-year bill

¹Under this column, “Chaptered” means the bill is now law, “Dead” means the bill is no longer viable this session, and “Enrolled” means it has passed both Houses of the Legislature. “Two-year” bills have not met the required legislative deadlines and will not be moving forward this session, but can be reconsidered in the second year of the session which begins in December 2019. Bill status at a House’s “Desk” means it is pending referral to a Committee.

SUPPLEMENTAL MATERIALS

Attachment 1 – Text of AB 1112 (Friedman), as Amended June 3, 2019