

State Legislation – July 2019

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Staff is recommending a new support position on Senate Bill (SB) 277 (Beall), as shown in **Table 1**.

Table 2 provides updates on Assembly Bill (AB) 1142 (Friedman), AB 1487 (Chiu), and AB 1605 (Ting), 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>Support (replacing prior watch position)</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. 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 of the \$300 million available.</p> <p>In June, we recommended a watch position on an earlier version of SB 277 which at that time would have apportioned all of the funds to self-help jurisdictions on a formula basis, effectively eliminating the competitive program. On one hand, the formula program provides reliable funds to match local expenditure plan projects, rewarding self-help jurisdictions and encouraging others to pass their own measures. On the other hand, the competitive program allows CTC to award larger grants that could far exceed what an individual self-help jurisdiction could receive annually or, in the case of smaller jurisdictions, over a decade or more.</p> <p>On July 1, SB 277 was amended to reflect a new formula distribution that represents a compromise among the various self-help counties (those with transportation sales taxes) to instead distribute 85% of the LPP funds via formula and maintain 15% for a competitive grant program administered by the CTC for small and rural jurisdictions and jurisdictions with uniform developer fees. Larger self-help jurisdictions, including the Transportation Authority, would be ineligible to compete in the competitive program, though the City and County of San Francisco would be eligible as it has imposed uniform developer fees that are dedicated to transportation purposes.</p> <p>We are recommending a support position on SB 277 since increasing the formula share of the LPP would remove a level of uncertainty and improve</p>

		<p>reliability about what the Transportation Authority would receive per grant cycle, and increase what we currently receive in formula funds from around \$2 million per year to approximately \$3.5 million. We are generally supportive of a higher and more predictable formula fund program that we can use to leverage and complement Prop K funding rather than having funding awarded solely at the discretion of the CTC. We do, however, recognize that eliminating the competitive portion of the program means most self-help counties would not be able to pursue larger statewide grants for priority projects.</p> <p>We are recommending adopting this position on the first read to authorize staff to advocate for the bill during the Assembly hearing process which is scheduled to occur on before the July 23rd Board meeting.</p>
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Table 2. Notable Updates on Bills in the 2018-2020 Session

Adopted Positions	Bill # Author	Title and Update
Support if Amended	AB 1142 Friedman (D)	<p>Regional transportation plans: transportation network companies.</p> <p>As previously reported in May, this bill would revise the indicators addressed by sustainable communities strategies (such as Plan Bay Area) to include the number of trips provided by transportation network companies (TNCs), such as Uber and Lyft, and to include measures of policies to increase transit usage, such as transit frequency, parking facilities near transit, and availability of microtransit options to supplement existing public transit. We are still advocating for the author to include the provision of safe facilities for passengers to access public transit via biking or walking to this list.</p> <p>A recent amendment adds language stating not only that it is in the interest of the state to have access to detailed trip data on TNCs, but that the Public Utilities Commission (PUC) - the state agency that currently regulates TNCs - consider the needs of state and regional agencies, the transportation research community, and other relevant parties in an ongoing proceeding that deals with reporting requirements for TNC data with regard to: understanding and effectively planning for the impacts of TNCs; and preparing regional sustainable communities strategies and meeting its goals.</p> <p>We strongly support the direction that this language is taking, and the willingness of the author to address the lack of TNC-related information the PUC is currently sharing with partner state agencies as well as local public agencies. We will continue to work with the SFMTA and the author to seek additional amendments we'd like to see in order to support the bill: 1) specifying that local transportation agencies be included explicitly in the bill language as having access to any TNC data that the bill requires, and 2) including sufficient detail of the type of TNC-related information required so that we have assurance it will actually provide an appropriate level of detail to enable us to sufficiently monitor and plan for these new forms of mobility.</p>

<p>Watch</p>	<p>AB 1487 Chiu (D)</p>	<p>San Francisco Bay area: housing development: financing.</p> <p>Building on the outcomes from the recent regional CASA effort, this bill would establish the Housing Alliance for the Bay Area (HABA), a new regional entity serving the nine Bay Area counties to fund affordable housing production, preservation and tenant protection programs.</p> <p>When we last reported to the Board in May, AB 1487 lacked specific detail about who would govern the new entity and about distribution of any future revenue. A subsequent amendment has clarified that the membership, size, and geographic representation of the governing board shall be determined by the Metropolitan Transportation Commission and the Executive Board of the Association of Bay Area Governments. Authorization is now specifically for voter approval at the November 3, 2020 election, and the types of authorized revenue measures include: a parcel tax, certain business taxes, a transactions and use tax, a bond (including a revenue bond), and a commercial linkage fee. The bill contains expenditure requirements, with defined percentages of revenue going to different categories: construction of affordable housing, affordable housing preservation, tenant protection programs, and general funds made available to local jurisdictions as an incentive to achieve affordable housing benchmarks. The bill specifies a 75% return to source requirement.</p>
<p>Support/ Sponsor</p>	<p>AB 1605 Ting D</p>	<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>On June 12, the bill successfully passed out of the Senate Governance and Finance Committee after an amendment at the request of Committee staff to limit the pilot to seven years and to require an evaluation of the feasibility of policies to maintain access for those who cannot access the Crooked Street as pedestrians, such as the elderly or those with physical limitations, and for those who cannot afford the fee. The bill will be next be heard at the Senate Transportation Committee on July 9. We continue to work with our legislators in Sacramento, Commissioner Stefani’s office, and local agency partners to advance the bill.</p>

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

Adopted Positions	Bill # Author	Bill Title	Update to Bill Status ¹ (as of 7/3/2019)
Support/ Sponsor	AB 1605 Ting D	City and County of San Francisco: Crooked Street Reservation and Pricing Program.	Passed Senate Governance and Finance; assigned to Senate Transportation
Support	AB 40 Ting D	Zero-emission vehicles: comprehensive strategy.	Two-year bill
Support	AB 47 Daly D	Driver records: points: distracted driving.	Passed Senate Transportation; assigned to Senate Appropriations
Support	AB 147 Burke D	Use taxes: collection: retailer engaged in business in this state: marketplace facilitators.	Chartered
Support	AB 252 Daly D	Department of Transportation: environmental review process: federal program.	Passed Senate Appropriations
Support	AB 659 Mullin D	Transportation: emerging transportation technologies: California Smart City Challenge Grant Program.	Two-year bill
Support	AB 1286 Muratsuchi D	Shared mobility devices: agreements.	Senate Judiciary
Support	SB 127 Wiener D	Transportation funding: active transportation: complete streets.	Assigned to Assembly Transportation
Support	SB 152 Beall D	Active Transportation Program.	Dead
Support if Amended	AB 1142 Friedman D	Regional transportation plans: transportation network companies.	Passed Senate Transportation and Senate Energy, Utilities & Communications, re-referred to Senate Judiciary
Watch	SB 277 Beall D	Road Maintenance and Rehabilitation Program: Local Partnership Program.	Assembly Transportation
Oppose Unless Amended	AB 326 Muratsuchi D	Vehicles: motorized carrying devices.	Two-year bill

Oppose Unless Amended	AB 1112 Friedman D	Shared mobility devices: local regulation.	Converted to Two-year bill
Oppose	AB 553 Melendez R	High-speed rail bonds: housing.	Two-year bill
Oppose	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.