



RESOLUTION ADOPTING AN OPPOSE POSITION ON ASSEMBLY BILL (AB) 1848
(LACKEY) AND AN OPPOSE UNLESS AMENDED POSITION ON AB 1964 (FRAZIER)

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 recommended adopting a new oppose position on AB 1848 (Lackey) and a new oppose unless amended position on AB 1964 (Frazier) as shown in Attachment 1; and

WHEREAS, At its February 11, 2019 meeting, the Board reviewed and discussed AB 1848 (Lackey) and AB 1964 (Frazier); now, therefore, be it

RESOLVED, That the Transportation Authority hereby adopts an oppose position on AB 1848 (Lackey) and an oppose unless amended position on AB 1964 (Frazier); and be it further

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

Attachment:

1. State Legislation - February 2020

State Legislation - February 2020

(Updated February 4, 2020)

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

February 21 is the last day to submit new bills this session so we expect an uptick in legislative activity over the next several weeks.

Staff is recommending a new oppose position on Assembly Bill (AB) 1848 (Lackey), a new oppose unless amended position on AB 1964 (Frazier), and new watch positions on AB 1350 (Gonzalez), AB 2012 (Chu), and AB 2057 (Chiu) as show in **Table 1**.

Table 2 provides updates on AB 40 (Ting), Senate Bill (SB) 50 (Wiener), and SB 278 (Beall), on which the Transportation Authority has previously taken positions this session.

Table 3 shows the status of active bills as of the beginning of 2020 on which the Board has already taken a position.

Table 1. New Recommended Positions

Recommended Positions	Bill # Author	Title and Update
Watch	AB 1350 Gonzalez D	<p>Free youth transit passes: eligibility for state funding.</p> <p>This bill would require transit agencies to offer free youth transit passes to persons 18 years of age and under in order to be eligible for state funding under the Mills-Deddeh Transit Development Act, the State Transit Assistance Program, or the Low Carbon Transit Operations Program. The bill would also require a free youth transit pass to count as a full price fare for purposes of calculating the ratio of fare revenues to operating costs, which serves as the basis for these sources' formula distribution to operators.</p> <p>The San Francisco Municipal Transportation Agency (SFMTA) already has a Free Muni for Youth program for low- and moderate- income students, and a \$40 transit pass discount for all youth. We do not have a cost estimate of what it would take to extend the program to all students but are concerned that the bill does not currently identify funding that would offset lost fare revenue.</p>
Oppose	AB 1848 Lackey R	<p>High-speed rail: Metrolink commuter rail system.</p> <p>In 2008, voters approved a \$10 billion general obligation bond to develop and implement a high-speed rail system in the state. This bill would appropriate \$4 billion of remaining high-speed rail bond revenues to the Southern California Regional Rail Authority to fund improvements to the Metrolink commuter rail system. The project's current business plan would have directed most of this funding to a segment connecting San Francisco to the Central Valley segment that is currently under construction.</p> <p>We are recommending an oppose position to maintain the funding for the Northern California project segment, which includes the Peninsula and extension of high-speed rail to the Salesforce Transit Center in downtown San Francisco.</p>
Oppose Unless Amended	AB 1964 Frazier D	<p>Autonomous vehicles.</p> <p>Existing law authorizes the operation of an autonomous vehicle on public roads for testing purposes by a driver who possesses the proper class of license for the type of vehicle being operated if specified requirements are met. Existing law defines an "autonomous vehicle" for this purpose as any vehicle equipped with autonomous technology that has been integrated into the vehicle. This bill would</p>

		<p>expand the definition of the term “autonomous vehicle” to also include a remotely operated vehicle, defined as a specified type of vehicle that is capable of being operated by a driver or operator that is not inside of the vehicle.</p> <p>This bill would effectively authorize the testing of remote-controlled vehicles on public roads, similar to what autonomous vehicles have today. We are seeking amendments requiring that prior to on-road testing there is consultation with local agencies about public safety measures (e.g. how the vehicle should respond to a collision, how it should navigate bike lanes and curb access, how it responds to law enforcement). Amendments should also require reporting to local agencies about any on-road incidents or operational failures during testing. We have reached out to SFMTA staff for input on this bill when they are able to review it.</p>
<p>Watch</p>	<p>AB 2012 Chiu D</p>	<p>Free senior transit passes: eligibility for state funding.</p> <p>Similar to AB 1035 (Gonzalez) above, this bill would require transit agencies to offer free senior transit passes to persons over 65 years of age in order to be eligible for state funding under the Mills-Deddeh Transit Development Act, the State Transit Assistance Program, and the Low Carbon Transit Operations Program. The bill would require those free senior transit passes to count as full price fares for purposes of calculating the ratio of fare revenues to operating costs, which serves as the basis for these sources’ formula distribution to operators.</p> <p>The San Francisco Municipal Transportation Agency (SFMTA) already provides free transit passes for low- and moderate- income seniors, and seniors of all incomes are eligible to receive a \$40 discount on a monthly pass. We do not have a cost estimate of what it would take to extend the free program to all students but are concerned that the bill does not currently identify funding that would offset lost fare revenue.</p>
<p>Watch</p>	<p>AB 2057 Chiu D</p>	<p>San Francisco Bay Area: public transportation.</p> <p>This is currently a spot bill, which specifies the author's intent to put in place reforms to make the region's transit system easier to use with a more seamless experience for transit riders. Assemblymember Chiu is working with Seamless Bay Area, a nonprofit sponsor of the legislation, as well as with public agencies and other stakeholders on substantive language for the bill which will be introduced at a later date.</p> <p>Based on our conversations with the author and Seamless Bay Area, we expect that this bill will establish a commission to study the region's existing transit system and transportation governance, with an eye toward recommending institutional reforms. This may include establishing a Transportation Network Manager or Planner similar to what is being contemplated as part of SB 278 (Beall), which would coordinate transit operations and expansion across the region. We support the goal of improving the transit experience in the Bay Area, and will work with the author and Seamless Bay Area to help create a commission that appropriately represents urban core communities and the largest transit operators (e.g. Muni and BART alone carry over 70% of the region’s transit trips), and low-income, disabled, and otherwise disadvantaged communities.</p> <p>Seamless Bay Area has asked the Board to adopt a set of seamless transit principles, which are intended to help the region pursue a seamlessly integrated, world-class transit system. We are working with our partners to review the</p>

		<p>principles and anticipate bringing a recommendation to the CAC on the Seamless Bay Area principles later this month and to the Board for action in March.</p>
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Table 2. Notable Updates on Bills in the 2019-2020 Session

Adopted Positions	Bill # Author	Title and Update
Support	AB 40 Ting D	<p>Air Quality Improvement Program: Clean Vehicle Rebate Project (CVRP).</p> <p>This legislation as initially proposed would have required the California Air Resources Board (ARB) to develop a comprehensive strategy by January 1, 2021 to ensure that all new vehicles are zero-emission by 2040. Late last year, it was amended to instead 1) declare the state policy of placing at least 5 million zero-emission vehicles on state roads by 2030 and 10 million by 2035 and 2) limit eligibility for the CVRP to only those vehicles manufactured by companies that have entered into a specified agreement with ARB to maintain and increase reductions in greenhouse gas emissions. In response to the Trump Administration’s July 2019 withdraw of California’s authority to set its own stricter vehicle emission standards, a consortium of automakers and California agreed on a voluntary framework to reduce emissions, including Ford, Honda, BMW, and Volkswagen. This bill would have made CVRP rebates available only to purchasers of vehicles manufactured by automakers that agreed to that framework, meaning purchasers of ZEVs from other carmakers would not be eligible for the state’s rebate program.</p> <p>The bill did not meet the Jan 31 statutory deadline and is therefore dead, however the Governor is expected to take this up again this year. Other public bodies throughout the state are considering similar restrictions on fleet purchases and pass-through incentive programs. In January, the Bay Area Air Quality Management District directed staff to develop such a policy and will consider adopting it in March.</p>
Oppose Unless Amended	SB 50 Wiener D	<p>Planning and zoning: housing development: streamlined approval: incentives.</p> <p>At its December 10, 2019 meeting, the Board adopted an oppose unless amended position on SB 50, a bill that would, among other things, establish by-right housing height and density standards near high-quality transit. The Board directed staff to seek either amendments to SB 50 or a companion bill that would provide funding for increased transportation capacity, infrastructure projects, and planning support in order to accommodate the increased transit demand induced by new development. However, the bill did not meet the January 31 statutory deadline for two-year bills to leave their house of origin and is therefore dead.</p> <p>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 anticipate another attempt to pass these types of reforms before the end of the legislative session.</p>
Watch	SB 278 Beall D	<p>Metropolitan Transportation Commission.</p> <p>This bill is currently a placeholder, which the author intends to amend at a later date to establish a regional transportation measure for the nine county Bay Area.</p>

	<p>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.</p> <p>A number of advocacy coalitions, including FASTER Bay Area and Voices for Public Transportation, support including transit governance and planning reforms in SB 278. Similar to AB 2057 (Chiu), the intent is to ensure that the revenues are used to help create a more seamless and equitable network as well as to create a Transit Network Planner role to establish coordination leadership between existing transit agencies.</p> <p>The region is currently discussing both this potential regional transportation revenue measure and a potential housing revenue measure (as authorized last year through AB 1487 (Chiu)) for the ballot in November 2020. Recent polling has shown that two revenue measures on the ballot simultaneously would struggle to reach the required two-thirds voter support threshold, but a single measure with an expenditure plan that included both transportation and housing would come within the margin of error of achieving two-thirds. At their January 30th and 31st workshops, the MTC Commission and ABAG Executive Board were interested in exploring the possibility of a single revenue measure, to be authorized by SB 278, and dividing the anticipated revenues between transportation and housing projects. The FASTER Bay Area proponents and housing advocates are meeting to discuss this possibility, and what the details of a joint measure could look like, including proportionate shares, administrative body, and the structure of the expenditure plan.</p> <p>We will continue to engage with our partner agencies and local and regional stakeholders to provide our feedback on all aspects of this bill. The timeline to get measures on the November 2020 ballot is tight and a big lift for a revenue measure. Recognizing this, the MTC/ABAG representatives at last week's workshop supporting continued development of a housing-only measure (likely a general obligation bond) in case SB 278 does not advance. Similarly, 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.</p>
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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 2/3/2020)
Support	AB 40 Ting D	Air Quality Improvement Program: Clean Vehicle Rebate Project	Dead (amended then held in Assembly Transportation)
	AB 659 Mullin D	Transportation: emerging transportation technologies: California Smart City Challenge Grant Program.	Dead (held in Assembly Appropriations)
	AB 1286 Muratsuchi D	Shared mobility devices: agreements.	Senate Judiciary Committee
Oppose Unless Amended	AB 326 Muratsuchi D	Vehicles: motorized carrying devices.	Passed from Assembly to Senate Rules
	AB 1112 Friedman D	Shared mobility devices: local regulation.	Senate Transportation
	SB 50 Wiener D	Planning and zoning: housing development: streamlined approval: incentives.	Dead (amended then failed in Senate)
Oppose	AB 553 Melendez R	High-speed rail bonds: housing.	Dead (held in Assembly Transportation)
	AB 1167 Mathis R	Greenhouse Gas Reduction Fund: high-speed rail: forestry and fire protection.	Dead (held in Assembly Transportation)

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.