



RESOLUTION ADOPTING SUPPORT POSITIONS ON ASSEMBLY BILL (AB) 117 (HORVATH) AND AB 1499 (DALY) AND AN OPPOSE POSITION ON AB 5 (FONG)

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 new support positions on AB 117 (Horvath) and AB 1499 (Daly) and a new oppose position on AB 5 (Fong), as shown in Attachment 1; and

WHEREAS, At its March 9, 2021 meeting, the Board reviewed and discussed AB 5 (Fong), AB 117 (Horvath) and AB 1499 (Daly); now, therefore, be it

RESOLVED, That the Transportation Authority hereby adopts new support positions on AB 117 (Horvath) and AB 1499 (Daly) and a new oppose position on AB 5 (Fong); and be it further

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

Attachment:

1. State Legislation - March 2021

Attachment 1.
San Francisco County Transportation Authority

State Legislation - March 2021
 (Updated March 1, 2021)

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

Staff is recommending new support positions on Assembly Bill (AB) 117 (Horvath) and AB 1499 (Daly), a new oppose position on AB 5 (Fong), and new watch positions on AB 43 (Friedman), AB 122 (Horvath), AB 455 (Bonta), AB 773 (Nazarian), Assembly Constitutional Amendment 1 (Aguiar-Curry, Gonzalez, Chiu), Senate Bill (SB) 66 (Allen), and SB 339 (Wiener), as show in **Table 1**.

Table 1. New Recommended Positions

Recommended Positions	Bill # Author	Title and Update
Oppose	AB 5 Fong R	<p>Greenhouse Gas Reduction Fund: High Speed Rail Authority: K-12 education: transfer and loan.</p> <p>This bill would suspend the appropriation of 25% of the annual proceeds of the Greenhouse Gas Reduction Fund to the California High Speed Rail Authority (CHSRA) for Fiscal Years (FYs) 2021/22 and 2022/23 and would make them available to support K-12 education. It would also transfer \$2.4 billion in unencumbered moneys appropriated to CHSRA before FY 2020/21 as a loan for these purposes.</p> <p>This bill would essentially kill the High-Speed Rail project by redirecting the bulk of state funds for other uses.</p>
Watch	AB 43 Friedman D	<p>Traffic Safety.</p> <p>This bill would require Caltrans, beginning June 1, 2022, to convene a committee of external design experts every six months to advise on revisions to the Highway Design Manual. It would require the California Traffic Safety Program to include a traffic safety monitoring program that identifies and addresses locations with pedestrian- and bicyclist-related crashes, upon appropriation of state funds for this purpose. It would also extend the period of time a prima facie speed limit may be justified by an engineering and traffic survey if a registered engineer evaluates the section of the highway and finds that there has been an increase in traffic-related crashes.</p> <p>One of the findings from last year’s Zero Traffic Fatalities Task Force was that additional flexibility was needed in the state’s approach to setting speed limits at the local level. This is also one of the city’s Vision Zero strategies. We are generally supportive of this direction but are not recommending a position at this time to allow further development of the bill’s language.</p>

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Recommended Positions	Bill # Author	Title and Update
Support	AB 117 Horvath D	<p>Air Quality Improvement Program: electric bicycles.</p> <p>This bill would, by July 1, 2022, require California Air Resources Board (CARB) to establish a \$10 million Electric Bicycle Rebate Pilot Project to provide rebates for purchases of electric bicycles. The program would expire on January 1, 2029. It would be funded by making electric vehicle bicycle rebates an eligible use under the cap and trade-funded Air Quality Improvement Program and appropriating funds for this purpose. We intend to reach out to the author to encourage her to consider including language in the bill to set higher incentives for low income persons.</p>
Watch	AB 122 Horvath D	<p>Vehicles: required stops: bicycles.</p> <p>Existing law requires the driver of any vehicle, including a person riding a bicycle, when approaching a stop sign at the entrance of an intersection, to stop before entering the intersection. This bill would instead require a person riding a bicycle, when approaching a stop sign at the entrance of an intersection, to yield the right-of-way to any vehicles that have stopped at the entrance of the intersection or have entered the intersection.</p> <p>In effect, this bill would allow bicyclists to treat stop signs as yield signs. Since 2018, when a similar bill was proposed but ultimately didn't move forward, several other states have adopted this policy. A study in Delaware showed a 23% decrease in bike crashes at stop sign-controlled intersections after the law passed.</p>

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Recommended Positions	Bill # Author	Title and Update
Watch	AB 455 Bonta D	<p>Bay Bridge Fast Forward Program.</p> <p>This bill would require the Bay Area Toll Authority, in consultation with the California Transportation Commission (CTC), Caltrans, and certain transit entities, to identify, plan, and deliver a comprehensive set of operational, transit, and infrastructure investments for the San Francisco-Oakland Bay Bridge corridor, which would be known collectively as the Bay Bridge Fast Forward Program. It would require BATA, before January 1, 2023, to prepare and submit to the Legislature a comprehensive plan to improve bus and very high occupancy vehicle speed and travel time reliability along the Bay Bridge corridor in a manner that maximizes the number of people that can cross the bridge during congested periods. If a specified travel speed reliability performance target has not been met for a consecutive 6-month period, BATA could, on or after January 1, 2025, initiate a pilot program that designates a lane on the Bay Bridge exclusively for use by buses and very high occupancy vehicles during congested periods.</p> <p>Assemblymember Bonta introduced a similar bill last year, and the Transportation Authority adopted a "conditional support with amendments." We will review the proposed language with San Francisco Municipal Transportation Agency (SFMTA) and BATA staff and may return with a recommendation for a position on the bill at a future meeting.</p>
Watch	AB 773 Nazarian D	<p>Street closures and designations.</p> <p>Under existing law, local authorities can implement permanent or temporary highway or street closures if certain criteria are met. This bill would authorize a local authority to adopt a rule or regulation to close a portion of a street under its jurisdiction to through vehicular traffic if it determines closure is necessary for the safety and protection of persons who are to use that portion of the street during the closure. The bill would also authorize a local authority to adopt a rule or regulation to designate a local street within its jurisdiction as a slow street.</p> <p>SFMTA is implementing its Slow Streets program during the pandemic under the city's emergency order and is currently reviewing the language in detail.</p>

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Recommended Positions	Bill # Author	Title and Update
Support	AB 1499 Daly D	<p>Transportation: design-build: highways.</p> <p>Current law authorizes certain regional transportation agencies, joint exercise of powers authorities, and county transportation authorities (including the Transportation Authority) to utilize design-build procurement for projects on or adjacent to the state highway system. This bill would delete the January 1, 2024 repeal date for these provisions, thus extending them indefinitely.</p> <p>Design-build procurement is an example of a flexible project delivery strategy that can result in time and cost savings. The Transportation Authority’s adopted 2021 legislative program supports the expansion of these strategies.</p>
Watch	ACA 1 Aguiar-Curry D Gonzalez D Chiu D	<p>Local government financing: affordable housing and public infrastructure: voter approval.</p> <p>The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions. This measure would create an additional exception to the 1% limit that would authorize a city, county, city and county, or special district to levy an ad valorem tax to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, or the acquisition or lease of real property for those purposes, if the proposition proposing that tax is approved by 55% of the voters. The provision also includes specified accountability requirements.</p> <p>Public infrastructure eligible for use under this amendment includes transit, streets and roads, and sea level rise protections.</p>

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Recommended Positions	Bill # Author	Title and Update
Watch	SB 66 Allen D	<p>California Council on the Future of Transportation: advisory committee: autonomous vehicle technology.</p> <p>This bill would require the secretary to establish an advisory committee, the California Council on the Future of Transportation, to provide the Governor and the Legislature with recommendations for changes in state policy to ensure that as autonomous vehicles are deployed, they enhance the state’s efforts to increase road safety, promote equity, and meet public health and environmental objectives. The bill would require the council to be chaired by the secretary and consist of at least 22 additional members, selected by the chair or designated, as specified, who represent, among others, transportation workers, various state and local agencies, industry representatives, and a disability rights organization. The bill would require the council to gather public comment on issues and concerns related to autonomous vehicles and to submit, no later than January 1, 2024, a report to the Legislature with, among other things, recommendations for statewide policy changes and updates. The bill would require the council to create subcommittees focused on one or more specific topics and to form one subcommittee led by the Office of Planning and Research focused on furthering the state’s environmental, public health, and energy objectives. The bill would require the subcommittee to also submit policy recommendations to the council and the Legislature by January 1, 2024.</p> <p>We are supportive in general of the state further investigating issues around autonomous vehicles, in particular engaging stakeholders beyond the California Public Utilities Commission. However, we would like to better understand the author’s intent and what specific types of policies the committee would be considering before recommending a position.</p>

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Recommended Positions	Bill # Author	Title and Update
Watch	SB 339 Wiener D	<p>Vehicles: road usage charge pilot program.</p> <p>The state’s existing Road Usage Charge (RUC) Technical Advisory Committee is currently working to guide the development and evaluation of a pilot program to assess the potential for mileage-based revenue collection as an alternative to the gas tax, which has been declining in revenues as fuel efficiency increases and as the state moves toward electric and other clean fuel alternatives. Its charge is to study RUC alternatives, gather public comment on issues and concerns related to the pilot program, and make recommendations to the Secretary of Transportation on the design of a pilot program.</p> <p>This bill would extend the operation of the provisions for the RUC Technical Advisory Committee until January 1, 2027 and require the California State Transportation Agency (CalSTA), in consultation with the CTC, to implement a pilot program to identify and evaluate issues related to the collection of revenue for a road charge program. The bill would require the RUC Technical Advisory Committee to make recommendations to CalSTA on the design of the pilot program, including the group of vehicles to participate on a voluntary basis. The bill would require CalSTA to convene a state agency work group to implement a net revenue neutral pilot program and to design a process for collecting road charge revenue from vehicles where participants in the program be charged a mileage-based fee and receive a credit or a refund for gasoline taxes or electric vehicle fees.</p> <p>We are supportive of continuing the state RUC work and will likely return with a position recommendation once amended language is posted, which we understand is currently under development.</p>