



Memorandum

AGENDA ITEM 8

DATE: January 20, 2022
TO: Transportation Authority Board
FROM: Maria Lombardo - Chief Deputy Director
SUBJECT: 2/8/21 Board Meeting: Approval of the 2022 State and Federal Legislative Program

<p>RECOMMENDATION <input type="checkbox"/> Information <input checked="" type="checkbox"/> Action</p> <p>Approve the 2022 State and Federal Legislative Program</p> <p>SUMMARY</p> <p>Every year the Transportation Authority adopts high level goals and strategies to guide legislative strategy and advocacy while still providing the necessary flexibility to respond to specific bills and policies over the course of the legislative sessions. The 2022 State and Federal Legislative Program (Attachment 1) was developed in coordination with local, regional, and statewide partners. It focuses on securing transportation funding, advancing San Francisco’s priority projects, engaging in the regulation of new transportation technologies, and expanding innovative programs to support the city’s equity, mobility, climate, and Vision Zero goals.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Fund Allocation <input type="checkbox"/> Fund Programming <input checked="" type="checkbox"/> Policy/Legislation <input type="checkbox"/> Plan/Study <input type="checkbox"/> Capital Project Oversight/Delivery <input type="checkbox"/> Budget/Finance <input type="checkbox"/> Contract/Agreement <input type="checkbox"/> Other: _____
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BACKGROUND

The State and Federal Legislative Program, adopted annually by the Board, establishes a general framework to guide our legislative and funding advocacy efforts at the state and federal levels. Transportation Authority staff and our legislative advocacy consultants in Sacramento and Washington, DC, will use this program to plan strategy and communicate positions to the city’s legislative delegations in addition to other transportation agencies and advocates.

The proposed 2022 State and Federal Legislative Program reflects key principles gathered from our common positions with the San Francisco Municipal Transportation Agency (SFMTA), the Mayor’s Office, other city agencies, transit operators serving San Francisco, other local transportation sales tax authorities around the state, and the Metropolitan



Transportation Commission (MTC), as well as our understanding of the most pressing issues facing the city, the region, and our partner agencies. It is presented in the form of principles rather than specific bills or legislative initiatives to allow staff the necessary flexibility to respond to legislative proposals and policy concerns that may arise over the course of the session. Throughout the year we will be reporting on the status of bills that are of significance to the Transportation Authority and developing recommendations for positions as appropriate.

DISCUSSION

Our 2022 State and Federal Legislative Program continues many themes from prior years and builds on them to address new opportunities and legislation currently being discussed at the federal, state, and regional level. Highlights are below.

State Advocacy.

Transportation Funding. The biggest opportunity to secure revenues for transportation at the state level is through the unprecedented \$46 million surplus projected in the Governor's initial Fiscal Year (FY) 2022/23 budget, where he has proposed a roughly \$6 billion investment in transit, active transportation, freight, resilience projects, and rail grade crossings. We are working with SFMTA and the Mayor's Office to identify San Francisco priorities and with MTC on a regional advocacy strategy. The budget also included an additional \$6.1 billion over five years for zero emission vehicles, including funding for 100,000 new electric vehicle charging stations. While the proposal doesn't currently include funding for transit operations, we will advocate for a supplemental source of funding to address long-term transit operator structural deficits forecast as a result of the COVID-19 pandemic and continued work from home policies.

Climate Goals. In 2021 the California State Transportation Agency approved the state's first Climate Action Plan for Transportation Infrastructure (CAPTI), which establishes a state direction for reducing greenhouse gas emissions from the transportation sector. We will continue to advocate for the adjustment of state transportation investment strategies to better align with CAPTI, specifically to focus limited resources on projects that reduce vehicle miles traveled. We will also support SFMTA's and other transit operators' effort to secure state and federal funds to help transit operators transition their fleets to clean vehicles, consistent with the state's Innovative Clean Transit rule that requires public transit bus fleets to be 100% zero-emissions by 2040.

Vision Zero. This year we will continue to work with the SFMTA and other city agencies to advance San Francisco's Vision Zero goals. The successful passage of AB 43 (Friedman) in 2021 established a pathway for local jurisdictions to reduce speed limits in certain conditions. Building on that success, and 2020's findings from the state's Zero Fatalities Task Force, we will support efforts to advance additional bills to advance roadway safety, potentially including the authorization of speed safety cameras.



Emerging Mobility and Innovative Strategies. With respect to new transportation technology and innovative strategies, we expect that the rise of emerging mobility services will continue to produce legislation. We will advocate for policies that balance their benefits and impacts; ensure safety, equity, and accessibility; and secure local access to data to support local planning and regulation, where appropriate.

Bay Area Legislation - Transit Agency Coordination and Regional Revenue Measure. In 2021, the regional Blue Ribbon Transit Recovery Task Force concluded its work and MTC approved the Transformative Action Plan, which identified broad goals to improve the connectivity of Bay Area transit and actions for the region to pursue in the near-term. MTC is also developing a business case for a regional transit network management structure. There remains interest in implementing longer-term connectivity strategies, such as modifications to transit governance structures, which would likely require state legislation. We will continue to engage with our partner agencies and local and regional stakeholders to provide input into any legislative proposal.

In light of the pandemic, the effort to authorize a regional transportation revenue measure was put on hold in 2021. The region is currently doing initial work to determine whether to pursue a regional revenue measure for transportation or for a combination of housing and transportation. If MTC or another entity seeks legislation to authorize placing it on the ballot, we will advocate for it to support San Francisco's priorities such as BART and Muni Core Capacity Programs, transit state of good repair, as well as other key projects such as the Downtown Rail Extension.

Federal Advocacy.

Transportation Funding and Appropriations. The approval of the Infrastructure Investment and Jobs Act (IIJA), also known as the Bipartisan Infrastructure Law, included a five-year reauthorization of the federal transportation bill at around a 50% higher level. This year our focus will be on securing appropriations to the transportation programs at the authorized levels, ensuring the outstanding commitments to the Caltrain Modernization and BART Core Capacity projects are met, and positioning priority projects for future federal funding (e.g. the Muni Core Capacity Program, Geary Bus Rapid Transit, and the Downtown Rail Extension). We will also work with SFMTA and MTC to advocate for an additional round of COVID-19 relief and recovery funding for transit operators. Finally, we will support the inclusion of additional sustainable transportation investments such as transit vehicle electrification into future climate and social spending bills (i.e. Build Back Better), as well as programs that invest in disadvantaged communities.

Emerging Mobility and Technology. We anticipate the federal government will continue to establish its role in regulating and funding emerging mobility and technologies, including autonomous vehicles and mobility on demand (e.g. TNCs, private transit shuttles, and shared scooter and bike services). Our focus will be on advocating those regulations first set clear goals, perform data-driven research to evaluate the public benefits and impacts of these



emerging mobility services, maintain local and state regulatory roles, and mandate access to critical data for local and regional governments to ensure their safety, equity, and accessibility.

FINANCIAL IMPACT

The recommended action does not have an impact on the adopted Fiscal Year 2021/22 budget.

CAC POSITION

The CAC will consider this item at its January 25, 2022 meeting.

SUPPLEMENTAL MATERIALS

Attachment 1 - Draft 2022 State and Federal Legislative Program

Attachment 1

San Francisco County Transportation Authority
Draft 2022 State and Federal Legislative Program

STATE		
Area	Goal	Strategy
1. Funding	a. Secure new revenue and financing measures for transportation	<ul style="list-style-type: none"> • Support the investment of General Fund surplus revenues toward active transportation and transit projects, with a portion suballocated to regional transportation agencies (e.g., the Metropolitan Transportation Commission (MTC) for the Bay Area). • Seek source of supplemental funding for transit operations to address long-term structural deficits forecast because of the COVID pandemic and continued work from home policies. • Maintain cap and trade funding for current transportation and affordable housing programs (e.g. transit operations, electric vehicle (EV) buses and infrastructure, transit expansion such as the Downtown Rail Extension) and seek opportunities to direct a larger share of available funding to them. • Support efforts to raise additional dedicated transportation revenue to address ongoing funding shortfalls for both capital projects and operations, including for transit state of good repair. • Support efforts to establish new transportation revenue mechanisms that local and regional entities can choose to implement to fund capital projects and operations. • Partner with local agencies and other stakeholders to advance San Francisco’s priorities in the authorization of potential regional transportation funding measures. • Continue to monitor and, as appropriate, provide input into the next phase of the California Road Charge Pilot Program.

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	b. Protect transportation funding	<ul style="list-style-type: none">• Advocate that funds dedicated to transportation not be eliminated or diverted to other purposes.• Engage in any process to revise existing fund distribution formulas to ensure it does not disbenefit San Francisco.
	c. Enact new revenue and financing measures for transportation	<ul style="list-style-type: none">• Support efforts to raise additional dedicated transportation revenue to address ongoing funding shortfalls for both capital projects and operations.• Support efforts to establish new transportation revenue mechanisms that local and regional entities can choose to implement to fund capital projects and operations.• Partner with local agencies and other stakeholders to advance San Francisco’s priorities in the development and implementation of potential regional transportation funding measures.• Continue to monitor and, as appropriate, provide input into the next phase of the California Road Charge Pilot Program.
	d. Secure cap-and-trade revenues for transportation	<ul style="list-style-type: none">• Maintain funding for current transportation and affordable housing programs and seek opportunities to direct additional cap-and-trade funds to them.• Advocate for the dedication of a significant portion of future cap-and-trade expenditure plans to transportation and to San Francisco’s investment priorities.

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	<p>e. Modify allocation formulas for state transportation funds</p>	<ul style="list-style-type: none"> • Support efforts suballocating decision-making over the state’s formula funds from the Bipartisan Infrastructure Law (formerly known as the Infrastructure Investment and Jobs Act) to local and regional transportation agencies. • Advocate for using factors that better tie transportation funding to the true demands placed on the system, such as daytime population or transit usage. • Advocate to either broaden the state definition of disadvantaged communities to better align with San Francisco’s communities of concern or allow use of alternative definitions such as a regional transportation planning agency’s (e.g. MTC’s Equity Priority Communities) instead.
	<p>f. Improve implementation of state grant programs (e.g. cap-and-trade, Active Transportation Program, Senate Bill 1 program)</p>	<ul style="list-style-type: none"> • Advocate for grant application and allocation processes that are clear, streamlined, and flexible. • Advocate for a stronger role for regional and local governments in prioritizing local and regional projects for funding.
	<p>g. Lower the 2/3 supermajority voter approval requirement for transportation taxes</p>	<ul style="list-style-type: none"> • Support a constitutional amendment to lower the voter approval requirement for special taxes dedicated to local transportation and affordable housing projects from 66.67% to 55% or a simple majority.
<p>2. Policy Initiatives</p>	<p>a. Advance San Francisco's Vision Zero goals, improving safety for all users</p>	<ul style="list-style-type: none"> • Work with local partners to identify and secure state and federal funding for Vision Zero projects. • Advocate to implement recommendations from the state Zero Traffic Fatalities Task Force, specifically authorizing the use of automated enforcement and speed safety cameras. • Support efforts to improve safety for all road users, including supporting bills that advance complete streets and best practices in safe roadway design.

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	<p>b. Support the Treasure Island Mobility Management Agency's (TIMMA) work for sustainable mobility on Treasure Island</p>	<ul style="list-style-type: none">• Support funding and authorization, as needed, for study, piloting, and implementation of innovative mobility management such as tolling infrastructure, transportation and housing affordability programs, bike and car share initiatives, and autonomous shuttle pilot.
	<p>c. Improve reliably and efficiency of San Francisco's roadway network and other transportation demand management (TDM) strategies</p>	<ul style="list-style-type: none">• Support new legislation that promotes innovative TDM strategies such as authorizing area-wide congestion pricing pilot programs as recommended in the city's Vision Zero Action Strategy and Climate Action Plan (2021).• Support MTC's efforts to improve compliance with occupancy requirements in High Occupancy Vehicle lanes.• Support other efforts to speed up transit, such as authorizing a pilot program for bus-on-shoulder freeway operations.

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	<p>d. Ensure the implementation of emerging mobility innovations (e.g. Transportation Network Companies (TNCs), scooters, autonomous vehicles) is consistent with new mobility principles</p>	<ul style="list-style-type: none">• Continue efforts to ensure they are regulated and deployed in a way that balances their benefits and impacts and ensures safety, equity, and accessibility and ensure local authority is preserved as it relates to San Francisco’s local pilot and permit programs.• Seek authorization for additional local regulation of certain aspects of emerging mobility, where appropriate (e.g. operational standards, local mitigation fees).• Advocate to require access to critical data for local and regional governments for planning and monitoring purposes.• Continue to support efforts to develop and implement requirements for TNCs’ greenhouse gas emissions and accessibility (e.g. The California Air Resources Board’s Clean Mile Standard and the California Public Utilities Commission’s TNC Access for All initiatives).• Participate in state rulemaking regarding the testing, deployment, and regulation of autonomous vehicles to ensure they improve safety, mobility, and accessibility and avoid or minimize increase congestion or greenhouse gas emissions.
	<p>e. Advance the adoption and integration of EVs in a manner consistent with other city priorities</p>	<ul style="list-style-type: none">• Advocate for EV legislation to be equitable and consistent with San Francisco’s other mobility policies (e.g. transit-first, emerging mobility) and that addresses some of the unique challenges facing San Francisco’s deployment of EV infrastructure (e.g. installing EV chargers in multi-family dwellings).• Support funding opportunities for EV infrastructure planning, promotion, and deployment. This includes expanding eligibility of existing or new state funds to help transit operators meet the state’s Innovative Clean Transit rule that requires public transit bus fleets to be 100% zero-emission by 2040.• Support financial incentives for replacing combustion engine vehicles with EVs or non-auto modes such as ebikes, especially for low income individuals.

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	<p>f. Advance measures to increase production of affordable housing as well as supportive planning, infrastructure, and services</p>	<ul style="list-style-type: none">• Support efforts to establish new, dedicated state and regional funding for affordable housing.• Support legislative efforts to incentivize and reduce barriers to the construction of new housing, in particular affordable and moderate rate housing, that are consistent with San Francisco’s growth strategy and provides necessary support for related infrastructure and transit service needs.
	<p>g. Advance legislative actions in support of other city policy goals</p>	<ul style="list-style-type: none">• Support efforts to advance a more seamless public transit system in the Bay Area with integrated transit fares to benefit both low-income transit riders and attract new riders to the system, informed by recommendations of the Blue Ribbon Transit Recovery Task Force Transformative Action Plan, which was approved in 2021.• Work with state and local partners to affect the implementation of the California State Transit Agency’s recently approved Climate Action Plan for Transportation Infrastructure (CAPTI) that seeks to align state investments with policies to reduce greenhouse gas emissions and to provide clean transportation options.• With other County Transportation Agencies (CTAs), work to modernize Congestion Management Program regulations to support key policies and reinforce CTAs’ role in state, regional, and local transportation planning, congestion management and funding.

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3. High-Speed Rail (HSR)	a. Strengthen state commitment to a blended HSR and electrified Caltrain system from San Francisco to San Jose	<ul style="list-style-type: none">• Work with partner agencies to advance the HSR project, oppose redirection of existing funds, and advocate that the HSR early investment projects are implemented in a manner consistent with the northern California Memorandum of Understanding to develop a blended system, including achieving level boarding at all shared Caltrain/High Speed Rail facilities.• Advocate for the High Speed Rail Business Plan to prioritize funding for the High Speed Rail Authority's commitment of \$550 million to the Caltrain Downtown Extension, and thereby advance the Caltrain Modernization Program.
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San Francisco County Transportation Authority
Draft 2022 State and Federal Legislative Program

FEDERAL		
Area	Goal	Strategy
1. Transportation Funding	a. Sustain or increase federal transportation funding	<ul style="list-style-type: none"> • Advocate for the approval of federal transportation spending at the higher levels authorized in the Bipartisan Infrastructure Law. • Support the inclusion of sustainable transportation investments, such as vehicle electrification and programs that invest in disadvantaged communities, in the climate and social spending budget reconciliation package (i.e. Build Back Better) under consideration in Congress. Secure directed funding for San Francisco’s priority transportation projects. • Advocate for increasing the federal gasoline tax, and for indexing it to inflation to help close the Highway Trust Fund funding deficit. • Support the study and piloting of grant programs for innovative approaches to transportation challenges such as congestion management, implementing public transit affordability programs, technology demonstrations, and alternative project delivery methods. • Support Governor Newsom’s administration and regional partners in efforts to restore and preserve transit funding currently in question due to the U.S. Department of Labor’s recent interpretation of a 2010 state pension law known as PEPR.
	b. Secure additional COVID relief funding for transportation, particularly for transit operations	<ul style="list-style-type: none"> • Advocate for additional COVID relief funding for transit operators to sustain services that are critical to economic recovery and disproportionately provide mobility for low income, minority, and transit dependent persons. • Support federal funding to address the impacts of the COVID-19 pandemic on state, regional, and local governments, help backfill lost transportation revenues, and support recovery (e.g. job retention and creation).

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	<p>c. Secure federal approvals for San Francisco’s Core Capacity and New and Small Starts priorities</p>	<ul style="list-style-type: none"> • Advocate that Congress approves annual Core Capacity appropriations consistent with the Full Funding Grant Agreement for the Caltrain Modernization project and the BART Core Capacity project. • Work with local and regional partners to position San Francisco’s priority projects for these and other competitive federal funding programs, including the Muni Core Capacity Program, Geary Boulevard Bus Rapid Transit, and the Caltrain Downtown Extension.
<p>2. Transportation Policy Initiatives</p>	<p>a. Advance autonomous vehicle regulations that improve safety and facilitate local evaluation of their performance</p>	<ul style="list-style-type: none"> • Participate in federal efforts to develop a policy framework for their testing, deployment, and regulation. • Partner with state and local governments to advocate for evidence-based regulations that preserve the ability of jurisdictions to appropriately oversee their safe operation and ensure the availability of collected data.
	<p>b. Address the impacts of shared mobility services (e.g. TNCs, private transit shuttles, scooters) and ensure their safety, equity and accessibility</p>	<ul style="list-style-type: none"> • Contribute to the development of legislation and funding programs that balance their benefits and impacts, provide for state and local regulation, and secure access to critical data. • Support new federal funding for pilot projects that include a robust analysis of outcomes to inform future investment and regulation.
	<p>c. Advance regulatory actions in support of other city policy goals</p>	<ul style="list-style-type: none"> • Support policies to achieve greenhouse gas emissions reduction goals (e.g. advancing the production and adoption of electric vehicles) equitably, and to shift travel to low-carbon modes, as outlined in San Francisco’s Climate Action Plan. • Monitor other potential regulation activities (e.g. mobile applications, privacy protection) that would impact San Francisco’s range of transportation services. • Support restoring the pre-tax transportation benefits for bicycle community, including expenses for shared bicycle systems.

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STATE AND FEDERAL (Project Delivery and Administration)		
Area	Goal	Strategy
1. Project Delivery	a. Expand use of innovative project delivery strategies for transportation infrastructure	<ul style="list-style-type: none"> • Advocate for additional opportunities to use alternative delivery methods to manage risk and improve implementation of transportation infrastructure projects. • Advocate for retention and expansion of financing programs such as Transportation Infrastructure Finance and Innovation Act (TIFIA), as well as additional flexibility.
	b. Seek integrated state and federal environmental impact studies and streamlined permitting	<ul style="list-style-type: none"> • Advocate for more efficient environmental processes (both CEQA and NEPA) to reduce administrative inefficiencies, expedite project delivery, and reduce costs. • Support efforts to increase the efficiency of Caltrans in reviewing and approving documents and permits.
2. General Administration	a. Ensure efficient and effective Transportation Authority operations	<ul style="list-style-type: none"> • Advocate for the streamlining of administrative requirements when multiple fund sources are used on a single project. • Oppose legislation and regulations that constrain the Transportation Authority’s ability to efficiently and effectively contract for goods and services and conduct business. Support legislation and regulations that positively affect our effectiveness and limit or transfer our risk of liability.