



RESOLUTION ADOPTING SUPPORT POSITIONS ON ASSEMBLY BILL (AB) 2197
(MULLIN) AND AB 2336 (TING AND FRIEDMAN)

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 2197 (Mullin) and AB 2336 (Ting and Friedman), as shown in Attachment 1; and

WHEREAS, At its March 8, 2022 meeting, the Board reviewed and discussed AB 2197 (Mullin) and AB 2336 (Ting and Friedman); now, therefore, be it

RESOLVED, That the Transportation Authority hereby adopts new support positions on AB 2197 (Mullin) and AB 2336 (Ting and Friedman); and be it further

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

Attachment:

1. State Legislation - March 2022

San Francisco County Transportation Authority

State Legislation - March 2022

(Updated March 3, 2022)

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

Staff is recommending a new support position on Assembly Bill (AB) 2197 (Mullin) and AB 2336 (Ting and Friedman) and adding Senate Bill (SB) 917 (Becker), SB 922 (Wiener), SB 1049 (Dodd), and SB 1050 (Dodd) to the watch list as show in **Table 1**.

Table 2 shows the status of active bills on which the Board has already taken a position or has been monitoring.

Table 1. New Recommended Position

Recommended Positions	Bill # Author	Title and Update
Support	AB 2197 Mullin	<p>Caltrain electrification project: funding.</p> <p>This bill would appropriate \$260 million from the General Fund to the Peninsula Corridor Joint Powers Board for the purpose of completing the Caltrain Electrification Project.</p> <p>If approved, this amount could be combined with Caltrain bond financing to close the \$410 million project funding gap. However, with the Governor’s proposal to direct billions in budget surplus funds to transportation as part of his January budget proposal, we anticipate project-specific funding requests may not advance at this time. However, we recommend registering support for the bill now to signal support for the project and raise awareness in the state legislature.</p>
Support	AB 2336 Ting D Friedman D	<p>Vehicles: Speed Safety System Pilot Program.</p> <p>This bill would authorize, until January 1, 2028, the cities of Los Angeles, Oakland, San Jose, San Francisco, and two others (TBD) to establish a Speed Safety System Pilot Program. The bill would require the adoption of a Speed Safety System Use Policy and a Speed Safety System Impact Report before implementing the program as well as a public information campaign at least 30 days before implementing the program The bill would also require the participating cities to develop uniform guidelines for, among other things, the processing and storage of confidential information, including all photographic, video, or other visual or administrative records. For the first 30 days of the program, only warning notices, not fines, could be issued, and after that, violations would be subject only to civil penalties, with a diversion program for indigent violation recipients. The bill specifies a notification process for violations as well as an appeals process. Cities participating in the pilot program would be required to submit reports to the Legislature that evaluate the speed safety system to determine the system’s impact on street safety and economic impact on the communities where it is utilized.</p> <p>Like AB 550 (Chiu), the similar speed safety camera bill that failed to advance last year, the San Francisco Municipal Transportation Agency (SFMTA) is strongly supportive of this bill and has been working with the authors on its development. They anticipate requesting a support position from the SFMTA Board and the City’s State Legislation Committee.</p>

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Recommended Positions	Bill # Author	Title and Update
Watch	SB 917 Becker D	<p>Seamless Transit Transformation Act.</p> <p>This bill would require the Metropolitan Transportation Commission (MTC) to adhere to a number of different requirements to advance the Transit Transformative Action Plan, which was approved when the regional Blue Ribbon Transit Recovery Task Force concluded last year. MTC would need to develop and adopt a Connected Network Plan, which would address connectivity issues across the region, including identifying key transit corridors and hubs, identifying ideal service levels with low income travelers in mind, identifying the capital and operating funds needed to implement the network, as well as potential governance issues. MTC would also have to adopt an integrated transit fare structure by December 31, 2023, and all Bay Area transit operators would have to comply with the proposal by July 1, 2024. Finally, MTC and transit operators would be required to develop and implement universal mapping and wayfinding and make real-time transit information available across all transit operators. If transit operators don't comply with any of these regional standards, they would not be eligible to receive key state funding for transit operations.</p> <p>While the action areas included in the bill are generally consistent with the issue areas addressed in the Transit Transformative Action Plan, it is prescriptive in some areas in advance of ongoing regional efforts to identify consensus solutions on how to best address them. It also sets deadlines to adopt outcomes that may not be achievable and endangers key operating funding for operators at a time where every dollar is needed as the region recovers from the pandemic. We have met with the project sponsor, Seamless Bay Area, and will engage with the author based on our analysis of the bill, our coordination with SFMTA and other transit operators, and feedback received from our commissioners. One of our main concerns is ensuring that San Francisco operators aren't disadvantaged in any redistribution of resources or other decisionmaking, especially given that San Francisco has, for a long time, significantly subsidized transit operations with local funding. Historically, many other jurisdictions across the region haven't invested in transit to the same extent, and they shouldn't benefit from that at the expense of cities that have been. We are also working with SFMTA to schedule an informational item on the Transit Transformative Action Plan at a future Board meeting.</p>

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Recommended Positions	Bill # Author	Title and Update
Watch	SB 922 Wiener D	<p>California Environmental Quality Act: exemptions: transportation-related projects.</p> <p>This bill makes permanent the California Environmental Quality Act (CEQA) statutory exemptions authorized in SB 288 (Wiener, 2020), which will expire on January 1, 2023, and expands upon them. These exemptions would be available for transportation projects that are located entirely inside the public right of way and consistent with the state’s greenhouse gas reduction and safety goals. Projects that were originally eligible under SB 288 would remain eligible, including walking and biking projects, transit priority projects, new bus rapid transit, bus, or light rail service, and zero-emission transit vehicle refueling projects. New types of projects that would become eligible under SB 922 include carpool lanes, installation of transit bulbs and boarding islands, and parking and transportation demand management. The bill does not exempt projects that add new auto capacity, and it requires use of skilled and trained labor. For eligible projects over \$100 million, the bill expands public and community participation requirements and requires the development of a cost-benefit business case, a racial and equity analysis, and a displacement risk analysis if 50% of the project is in a disadvantaged community, including recommended anti-displacement approaches.</p> <p>SFMTA has utilized the authority under SB 288 to accelerate delivery of a number of projects since January 1, 2021, including the Bayview Community Based Transportation Plan Quick Build Project, other quick build projects on Golden Gate Avenue, South Van Ness Avenue and Leavenworth Street and the Embarcadero Safety Project.</p>
Watch	SB 1049 Dodd D	<p>Transportation Resilience Program.</p> <p>The Bipartisan Infrastructure Law included a new Promoting Resilient Operations for Transformative, Efficient, and Cost-Saving Transportation (PROTECT) program for planning and implementation of projects that improve resilience of transportation infrastructure. A portion of these funds are appropriated to states via formula, with California anticipated to receive \$630 million over five years. This bill would establish the Transportation Resilience Program, to be funded with 100% of California’s PROTECT funds as well as 15% of California’s federal National Highway Performance Program funds. These are also distributed to states via formula and represent a significant share of California’s highway funding, with an expected \$12.8 billion to be appropriated to the state over five years. The bill would authorize the California Transportation Commission to allocate funds from the new Transportation Resilience Program through a competitive process and would establish eligibility and prioritization criteria. Eligible climate adaptation planning and resilience improvements would address or mitigate the risk of recurring damage to, or closures of, the state highway system, other federal-aid roads, public transit facilities, and other surface transportation assets from extreme weather events, sea level rise, or other climate change-fueled natural hazards.</p> <p>Senator Dodd likely intends this new program to serve as a resource for the implementation of the SR-37 resiliency project (see SB 1050 (Dodd)), however it could also provide an opportunity for San Francisco resiliency projects, such as the Embarcadero Seawall or other SFMTA or BART priorities.</p>

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Recommended Positions	Bill # Author	Title and Update
Watch	SB 1050 Dodd D	<p>State Route (SR) 37 Toll Bridge Act.</p> <p>This bill would create the SR-37 Toll Authority (Authority), which would be governed by the Bay Area Infrastructure Financing Authority (BAIFA) board. The bill would require the Authority to operate and maintain a tolling program on SR-37 and authorize the Authority to design and construct improvements to, among other things, help make the facility more resilient to sea level rise. The bill would authorize revenues from the toll bridge for specified purposes, including capital improvements to repair or rehabilitate the toll bridge, to expand toll bridge capacity, to improve toll bridge or corridor operations, to reduce the demand for travel in the corridor, and to increase public transit, carpool, vanpool, and nonmotorized options on the toll bridge or in the segment of State Route 37. The Authority would be charged with developing an expenditure plan and updating it every three years. The bill would require that the Authority's toll schedule provide a 50% discount to qualifying high-occupancy vehicles and between a 25% and 50%, inclusive, discount to low-income drivers who reside in the counties of Marin, Napa, Solano, or Sonoma.</p> <p>We will continue to monitor this bill, as it could serve as a model for a process to establish pricing/tolling authority, if the Transportation Authority Board and City of San Francisco act to pursue this in the future.</p>

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Table 2. Bill Status for Positions Taken in the 2021-22 Session

Below are updates for the two-year bills for which the Transportation Authority took a position or identified as a bill to monitor through approval of a watch position. These bills were carried over from the first year of the 2021-22 session.

Bills that were chaptered, vetoed, or otherwise died last year have been removed from the table.

Adopted Positions / Monitoring Status	Bill # Author	Bill Title	Update to Bill Status ¹ (as of 02/28/2022)
Support	AB 117 Boerner Horvath D	Air Quality Improvement Program: electric bicycles. Makes electric bicycles eligible to receive funding from the Air Quality Improvement Program.	Senate Appropriations
	AB 455 Wicks D Coauthor: Wiener D	Bay Bridge Fast Forward Program. Authorizes the Bay Area Toll Authority to designate transit-only traffic lanes on the San Francisco-Oakland Bay Bridge.	Senate Transportation
Watch	ACA 1 Introduced by: Aguiar-Curry D Lorena Gonzalez D Chiu D Coauthors include: Wiener D Ting D	Local government financing: affordable housing and public infrastructure: voter approval. Amends the California Constitution to authorize local ad valorem property taxes to be approved by 55% of the voters if used for transit, streets and roads, and sea level rise protections.	Assembly Local Government
	SB 66 Allen D	California Council on the Future of Transportation: advisory committee: autonomous vehicle technology. Establishes an advisory committee to make recommendations regarding the deployment of autonomous vehicles.	Assembly Appropriations

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. Bill status at a House's "Desk" means it is pending referral to a Committee.