



RESOLUTION ADOPTING SUPPORT POSITIONS ON ASSEMBLY BILL 2147
(TING) AND SENATE BILL 942 (NEWMAN)

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 Assembly Bill (AB) 2147 (Ting) and Senate Bill (SB) 942 (Newman), as shown in Attachment 1; and

WHEREAS, At its May 10, 2022 meeting, the Board reviewed and discussed AB 2147 (Ting) and SB 942 (Newman); now, therefore, be it

RESOLVED, That the Transportation Authority hereby adopts new support positions on AB 2147 (Ting) and SB 942 (Newman); and be it further

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

Attachment:

1. State Legislation - May 2022

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State Legislation - May 2022

(Updated May 6, 2022)

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

Staff is recommending a new support position on Assembly Bill (AB) 2147 (Ting) and Senate Bill (SB) 942 (Newman) and adding AB 2237 (Friedman) and AB 2594 (Ting) to the watch list as show in **Table 1**.

Table 2 provides an update on SB 917 (Becker) which is on the watch list.

Table 3 shows the status of active bills on which the Board has already taken a position, or we have been monitoring on the watch list.

Table 1. Recommended New Positions and Additions to Watch List

Recommended Positions	Bill # Author	Title and Update
Support	AB 2147 Ting D	<p>Pedestrians.</p> <p>This bill would generally prohibit the enforcement of jaywalking laws by preventing a police officer from stopping a pedestrian for traffic infractions unless a reasonably careful person would realize there is an immediate danger of a collision. It specifies that its provisions do not relieve either a pedestrian from using due care for their safety or a driver of a vehicle from the duty of exercising due care for the safety of any pedestrian within the roadway.</p> <p>In 2021 the Transportation Authority adopted a support position on a similar bill, AB 1238 (Ting), which would have repealed the prohibition on pedestrians entering the roadway outside of a crosswalk. The Governor vetoed that bill, citing concerns over reducing pedestrian safety, but also noted he was committed to working to address the unequal enforcement of jaywalking laws.</p>

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Recommended Positions	Bill # Author	Title and Update
Watch	AB 2237 Friedman D	<p>Transportation planning: regional transportation improvement plan: sustainable communities strategies: climate goals.</p> <p>This bill would impose a number of new requirements on local and regional agencies including the Transportation Authority and the Metropolitan Transportation Commission (MTC), as well as multiple state agencies, aiming to better align transportation planning and investment with state climate goals. Specifically, the bill would:</p> <ul style="list-style-type: none"> • Require the Strategic Growth Council, in consultation with the California Air Resources Board (CARB), the Department of Housing and Community Development, and the California Transportation Agency, to convene a task force to review the roles and responsibilities of metropolitan planning organizations, such as the MTC in the Bay Area, and to define “sustainable community” in the context of the mandated regional sustainable communities strategy (SCS). • Require that projects receiving funding from a Regional Transportation Improvement Program (RTIP), also be consistent with a region’s SCS as well as state climate goals. The Transportation Authority currently programs RTIP funds for San Francisco, which vary greatly but average \$10-\$15 million every two years. • Require that MTC and other Regional Transportation Planning Agencies (RTPAs) rank all nominated transportation projects in the Bay Area according to the SCS and state climate goals and then both CARB and the California Transportation Commission (CTC) would need to make a determination on their compliance with both regional and state goals. • Require that MTC and other RTPAs submit a report on local transportation tax measures to the CTC along with recommendations on how to realign them with the region’s SCS and the state’s climate goals to the extent permitted by the local tax measure. This would apply to the Transportation Authority’s Prop K sales tax and Prop AA vehicle registration fee, and potentially other city measures. <p>This is a far-reaching bill that would introduce myriad new review and reporting requirements impacting dozens of state, regional, and local agencies as well as increase state involvement in local transportation planning and funding. Problematically, it proposes these sweeping changes in order to align transportation spending with the state’s climate goals, without consideration of other important state and local goals, such as safety, state of good repair, and equity.</p> <p>The Self Help Counties Coalition, trade organizations, and numerous regional and local governments as well as organizations representing them have adopted oppose positions on this bill. Supporters include the Coalition for Clean Air, the California Bicycle Coalition, and other advocacy organizations. We are not recommending taking a position at this time, as we would like to further study the bill’s impact on our agency and would also like to engage with the author first.</p>

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Recommended Positions	Bill # Author	Title and Update
Watch	AB 2594 Ting D	<p>Vehicle registration and toll charges.</p> <p>This bill contains a package of new provisions to reform roadway and bridge tolling practices in California. It is meant to make it easier for drivers to access transponders (such as FasTrak) and to address some equity concerns related to the toll evasion penalty process. It would, among other things, establish requirements for toll agencies regarding the number and timing of violation notices, limit what penalties can be charged and at what point in the process, require transponders to be available to those without access to banking services, require the availability of in-person payment locations, and require the provision of payment plans for outstanding violation penalties.</p> <p>We are recommending adding this project to our watch list rather than recommending a position at this time because significant modifications to the bill are anticipated. The author has been working with toll operators and other advocacy and equity organizations on amended language that achieves his intent while maintaining financial viability for toll operators.</p>
Support	SB 942 Newman D	<p>Low Carbon Transit Operations Program (LCTOP) free or reduced fare transit program.</p> <p>Five percent of the state’s annual cap-and-trade auction revenues are dedicated to LCTOP. Of this, half is distributed directly to transit operators based on operating revenue and half goes to regions based on population. Currently, transit agencies may only use LCTOP funds as part of the initial launch of a local free or reduced fare transit program, and not to continue operating them, even if they are shown to curb greenhouse gas emissions. This bill would permit transit agencies to use their LCTOP formula funds for free or reduced transit ridership programs on an ongoing basis.</p> <p>We are recommending a support position on this bill because it would provide SFMTA and other transit operators with flexibility on how future LCTOP funds are expended. SFMTA’s target for LCTOP formula funds in Fiscal Year (FY) 2021/22 is \$17.5 million, which was approved for expenditure on Free Muni for Seniors and People with Disabilities. SFMTA also participates in the Regional Means-Based Transit Fare Pilot and was approved to receive \$6.3 million in FY 2021/22 LCTOP funds from MTC to implement it. This bill would allow MTC, SFMTA, and other agencies to consider expending future LCTOP to continue these fare programs.</p>

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Table 2. Notable Updates on Bills in the 2021-2022 Session

Adopted 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 region’s Transit Transformative Action Plan, including adopting a Connected Network Plan, adopting an integrated transit fare structure, implementing universal mapping and wayfinding, and making real-time transit information available across all transit operators. An earlier version of the bill stipulated that if a transit agency did not comply with any of the regional standards, it would not be eligible to receive key state funding for transit operations.</p> <p>Since our last report, the bill has been amended to address some of the issues identified by MTC and transit operators, while other concerns remain. The most significant change is that the bill now ties the implementation of the integrated transit fare structure to the availability of sufficient funding to cover implementation costs. The amended bill also provides MTC with flexibility to set a timeline for corrective actions if a transit agency is found out of compliance, rather than immediately making them ineligible to receive transit formula funds.</p>

Table 3. Bill Status for Positions Taken in the 2021-22 Session

Below are updates for the two-year bills for which the Transportation Authority have taken a position or identified as a bill to watch. Bills that were chaptered, vetoed, or otherwise died during the first year of the 2021-22 session have been removed from the table. Updates to bills since the Board’s last state legislative update are italicized.

Adopted Positions / Monitoring Status	Bill # Author	Bill Title	Update to Bill Status ¹ (as of 05/06/2022)
Support	AB 117 Boerner Horvath D	<p>Air Quality Improvement Program: electric bicycles.</p> <p>Makes electric bicycles eligible to receive funding from the Air Quality Improvement Program.</p>	Senate Appropriations
	AB 455 Wicks D Coauthor: Wiener D	<p>Bay Bridge Fast Forward Program.</p> <p>Authorizes the Bay Area Toll Authority to designate transit-only traffic lanes on the San Francisco-Oakland Bay Bridge.</p>	Senate Transportation
	AB 2197 Mullin	<p>Caltrain electrification project: funding.</p> <p>Appropriates \$260 million from the General Fund to the Peninsula Corridor Joint Powers Board for the purpose of completing the Caltrain Electrification Project.</p>	Assembly Transportation

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	AB 2336 Ting D Friedman D	Vehicles: Speed Safety System Pilot Program. Authorizes, until January 1, 2028, San Francisco, and four other jurisdictions to establish a Speed Safety System Pilot Program.	<i>Assembly Appropriations</i>
Watch	ACA 1 Aguiar-Curry D Lorena Gonzalez 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
	SB 917 Becker D	Seamless Transit Transformation Act. Advances recommendations from the Metropolitan Transportation Commission’s Transit Transformative Action Plan, including the development of a Connected Network Plan and the implementation of an integrated transit fare structure.	<i>Senate Appropriations</i>
	SB 922 Wiener D	California Environmental Quality Act: exemptions: transportation-related projects. Extends until January 1, 2030 the California Environmental Quality Act (CEQA) statutory exemptions for specified sustainable transportation projects that were authorized in SB 288 (Wiener, 2020), and expands upon them.	<i>Senate Floor</i>
	SB 1049 Dodd D	Transportation Resilience Program. Establishes a new competitive grant program for transportation resilience projects, administered by the California Transportation Commission, utilizing new formula funds the state will receive from the federal Infrastructure Investment and Jobs Act.	<i>Senate Appropriations</i>
	SB 1050 Dodd D	State Route (SR) 37 Toll Bridge Act. Establishes a new SR-37 Toll Authority to operate and maintain a tolling program on SR-37 that funds projects to help make the facility more resilient to sea level rise.	<i>Senate Appropriations</i>

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.