

# Memorandum

**To:** Chairman and Commissioners

**Date:** April 20, 2001

**From:** Robert I. Remen

**File No:** F 9  
BOOK ITEM 4.1  
ACTION

**Ref:** STATE LEGISLATION

Listed below are the bills listed for the Commission at the March meeting. The status of the bills as of April 20, 2001 is shown below. New bills added to the list include AB 1705 (Assembly Transportation Committee) and SB 759 (Murray) which deal with technical cleanup of the TCTP Funding Exchange Program, and AB 1419 (Aroner) which deals with a Caltrans land transfer for the San Francisco Transbay Terminal Project. Staff will update the status of these bills at the May Commission meeting identify bills that may require Commission action.

## FUNDING

### **AB 19 a (Briggs) - Sales and Use Tax Exemption: Diesel Fuel**

STATUS: Passed Assembly Revenue and Taxation Committee

Passed Assembly Energy , Costs and availability Committee

In Assembly Appropriations Committee - To Suspense File

SUMMARY: Exempts from the Sales and Use Tax Law diesel fuel as used in farming activities. Provides that the exemption established by this bill does not apply to local sales or transactions and use taxes, or to certain state tax rates that fund local services.

### **AB 37 (Strickland) - Sales and Use Taxes: Exemptions**

STATUS: Assembly Revenue and Taxation Committee

SUMMARY: Exempts motor vehicle fuel and diesel fuel from those taxes on the gross receipt from the sale in this state of, or the storage, use, or other consumption in this state of, tangible personal property.

### **AB 227 (Longville) - Transportation: Funding**

STATUS: Passed Assembly Transportation Committee

In Assembly Appropriations Committee - To Suspense File

SUMMARY: Extends indefinitely the period during which the Controller would be required to make the quarterly transfers from the General Fund to the Transportation Investment Fund.

### **AB 321 (Vargas) - Transportation: Transit: Streets and Highways**

STATUS: Assembly Transportation Committee - Not Heard

SUMMARY: Requires the State Board of Equalization, in consultation with the Department of Finance, to estimate the amount that is transferred to the General Fund under the Sales and Use Tax Law that is attributable to revenue collected for the sale or lease of new or used motor vehicles. Requires the State Board of Equalization to inform the Controller, in writing, of the amount and requires the Controller to transfer the amount to the Congestion Relief Trust Fund.

**AB 403 (Bates) - Transportation: Funding: Elderly Persons**

STATUS: Assembly Transportation Committee

SUMMARY: Authorizes the funds transferred from the General Fund to the Transportation Investment Fund to cities, counties, and cities and counties to be expended, all or in part, to fund transportation services for the elderly, as defined, if all of certain conditions are met.

**AB 608 (Dickerson) - Transportation Funding**

STATUS: Assembly Transportation Committee

SUMMARY: Requires that, if a project in a county is completed for less than the amount estimated by the California Transportation Commission, the funds that were not used be reprogrammed for projects in that particular county. Also increases the portion of a rural county’s STIP Share that can be used for administration from 2% to 5%.

**AB 860 (McLeod) - Transportation Funding: Alameda Corridor**

LOCATION: ASSEMBLY

SUMMARY: Declares the intent of the Legislature to provide funding for a project in the County of Los Angeles that will assist in the mitigation of traffic impacts due to the construction of the Alameda Corridor.

**AB 1092 (Cardoza) - Department of Transportation: Highway Improvements**

STATUS: Assembly Transportation Committee

SUMMARY: Requires the Department of Transportation to conduct a study and develop plans to improve the interchanges on the portion of Highway 99 within the City of Modesto and to expand the Altamont Commuter Express to provide connecting services to the City of Modesto. Appropriates \$200,000,000 from the General Fund to the Department of Transportation for the 2001-02 fiscal year and allocates funds for these purposes.

**AB 1220 (Pavley) - Commuter Travel: San Fernando Valley: Appropriation**

STATUS: Assembly Transportation Committee

SUMMARY: Appropriates \$1,000,000 from the General Fund to the Department of Transportation for the 2001-02 fiscal year for allocation to the Los Angeles Metropolitan Transportation Authority for the development of shared-use agreements for park and ride lots in the San Fernando Valley.

**AB 1225 (Cedillo) - Transportation Issues**

STATUS: Assembly Transportation Committee

SUMMARY: States various findings and declarations relating to, among other things, improving and upgrading transportation infrastructure in downtown areas. Establishes the Downtown Transportation Infrastructure Account in the State Transportation Fund.

**AB 1335 (Cohn) - Transportation: Regional and Local Project Funds**

STATUS: Passed Assembly Transportation Committee

In Assembly Appropriations Committee

SUMMARY: Authorizes a regional or local entity to expend its own funds for any component of a transportation project prior to the inclusion of the project in the State Transportation Improvement Program (STIP) and still be eligible for reimbursement through programming in the STIP

**AB 1419 (Aroner) - Transportation: San Francisco Transbay Terminal**

STATUS: In Assembly Transportation Committee

SUMMARY: Requires Caltrans to transfer and convey to the Redevelopment Authority of the City and County of San Francisco certain parcels of land to facilitate the construction of the Transbay Terminal Project on the site of the existing Transbay Terminal in San Francisco and extension of the CalTrain commuter rail line by the Transbay Joint Powers Authority.

**AB 1494 (Aanestad) - Transportation: Funding**

STATUS: In Assembly Transportation Committee

SUMMARY: Requires all of the interregional transportation funds to be programmed and expended for the specified interregional state highways and intercity rail improvements.

**AB 1636 (Briggs) Gasoline and Diesel Fuel Sales and Use Tax**

STATUS: In Assembly Revenue and Taxation Committee

SUMMARY: Exempts diesel fuel from the sales and use taxes on storage use or other consumption of tangible personal property; specifies that this exemption does not apply to local sales and use taxes or transactions and use taxes.

**AB 1705 (Committee on Transportation) - Transportation: Funding Exchange Program**

STATUS: In Assembly Transportation Committee

SUMMARY: Requires the Department of Transportation to repay from the State Highway Account in the State Transportation Fund to the Traffic Congestion Relief Fund all funds received as federal reimbursements, as they are received, for funds exchanged under the exchange program, except that the repayments are not required to be made more frequently than on a quarterly basis.

**ACA 2 (Vargas) - Streets And Highways Funding**

STATUS: In Assembly Transportation Committee - Not Heard

SUMMARY: Would impose conditions upon a loan to the General Fund of funds in the Congestion Relief Transportation Trust Fund in the State Treasury, which fund would be created separately by statute, or the Transportation Investment Fund in the State Treasury, or any successor to either of those funds, similar to current conditions on loans to the General Fund from the State Highway Account.

**ACR 32 (Dutra) - Transportation: Funding**

STATUS: Passed Assembly Transportation Committee  
In Assembly Appropriations Committee

SUMMARY: Requests the California Transportation Commission, in consultation with the Department of Transportation and regional transportation planning agencies, to prepare and submit to the Legislature, by January 1, 2003, a study of potential decreases in transportation revenue for transportation planning agencies, including, but not be limited to, identifying all of the following: (1) Whether a decrease may potentially occur in transportation revenue available to transportation planning agencies under Section 7104 of the Revenue and Taxation Code, relating to the Transportation Investment Fund; (2) Whether transportation planning agencies in California are likely to in fact experience funding shortfalls; (3) Whether transportation planning agencies are anticipating transportation funding shortfalls and how those agencies are addressing the potential shortfalls; (4) Suggested legislative remedies to address potential funding shortfalls.

**SB 124 (Johnson) - Department of Transportation: Property Transfer**

STATUS: Passed Senate Governmental Organization Committee  
In Senate Appropriations Committee

SUMMARY: Requires the Department of Transportation to transfer a certain parcel of land in the City of Newport Beach to the Department of Parks and Recreation, for use as a park. Authorizes the Department of Parks and Recreation and the City of Newport Beach to enter into an operating agreement whereby the city would agree to perform all or a portion of the responsibilities related to the construction, operation, and maintenance of the park and its improvements.

**SB 180 (Speier) - Peninsula Corridor Joint Powers Board**

STATUS: Failed Passage in Senate Transportation Committee

SUMMARY: Relates to San Mateo County Transportation Authority; funding. Appropriates the sum of \$225,000,000 from the General Fund to the Director of Transportation for allocation in the amount of \$150,000,000 to the governing board of the Peninsula Corridor Joint Powers Board for safety improvements, grade separations, and transit operating costs to access to rail stations, and \$75,000,000 to the San Mateo County Transportation Authority for the purpose of constructing auxiliary lanes along State Highway Route 101.

~~**SB 289 (Committee on Transportation) - Commercial Vehicle Weight Fees: Exemption**~~

~~STATUS: Passed Senate Transportation Committee~~

~~SUMMARY: Amended - provision to increases specified weight limit of commercial vehicles entitled to the weight fee exemption from less than 6,001 pounds to less than 8,001 pounds was removed from the bill.~~

**SB 313 (Alpert) - Highway Tolls: Transit Service**

STATUS: Passed Senate Transportation Committee  
In Senate Appropriations Committee

SUMMARY: Relates to a demonstration program pursuant to which single-occupant vehicles are allowed to use the high-occupancy vehicle (HOV) lane on a specified portion of Interstate Highway 15 for a fee. Deletes the requirement that San Diego Association of Governments report to the Legislature. Deletes the repeal date.

**SB 618 (Margett) - Highways: Soundwalls**

STATUS: In Senate Transportation Committee

SUMMARY: Would require expenditures for retrofit soundwalls on the Caltrans May 3, 1989 priority list, be funded prior to making state transportation funds available for interregional and regional capital improvement projects in the state transportation improvement program.

**SB 759 (Murray) - Traffic Congestion Relief Fund**

STATUS: Passed Senate Transportation Committee  
In Senate Appropriations Committee

SUMMARY: Relates to a funding exchange for the Traffic Congestion Relief Fund. Makes technical nonsubstantive changes to provisions regarding the Fund. Requires the Department of Transportation to repay from the State Highway Account in the State Transportation Fund all funds received as federal reimbursement for funds exchanged under the exchange program.

**SB 787 (Chesbro) - Rural Transit System Grant Program**

STATUS: Passed Senate Transportation Committee

SUMMARY: - Requires the Department of Transportation and the Transportation Commission to establish a Rural Transit System Grant Program to purchases, construct, and rehabilitate transit facilities and equipment, including energy efficiency retrofits, and to purchase right-of-way for transit systems.

**SB 790 (Karnette) - Transportation Funding**

STATUS: Passed Senate Transportation Committee  
In Senate Appropriations Committee

SUMMARY: Authorizes all regions to use STIP County Share advances for one or more projects, and requires the Commission to develop criteria for county share advances that ensure county shares will be advanced equitably among all regions.

**SB 829 (Karnette) - Transportation Funding**

STATUS: Passed Senate Transportation Committee  
In Senate Appropriations Committee

SUMMARY: Extends indefinitely the period during which the Controller would be required to make the quarterly transfers from the General Fund to the Transportation Investment Fund (TIF), and thereby would make an appropriation. Deletes the requirement that transfers be made from the TIF to the Traffic Congestion Relief Fund.

**SB 835 (Battin) - Exemptions for Fuel Taxes**

STATUS: In Senate Transportation Committee

SUMMARY: Provides that the state sales and use tax on the gross receipts from the sale of tangible personal property sold at retail in this State or on the sales price of tangible personal property purchased from a retailer for the storage, use or other consumption of that property in this State by the purchaser does not apply to the amount of any State and Federal fuel taxes.

**SB 954 (Karnette) - Transportation**

STATUS: In Senate Rules Committee

SUMMARY: Declares the intent of the Legislature to authorize a comprehensive statewide transportation spending plan to address traffic congestion, commercial delivery, and intermodal freight movement.

**SB 956 (Ackerman) - Highways: Maintenance: Funding**

STATUS: In Senate Rules Committee

SUMMARY: declares the intent of the Legislature to appropriate funds for the purpose of funding the annual maintenance cost of local streets and roads.

**SB 1042 (Karnette) - Transportation**

STATUS: In Senate Rules Committee

SUMMARY: Declares the intent of the Legislature to authorize a comprehensive statewide transportation spending plan to address traffic congestion.

**SB 1101 (Knight) - Transportation: Funding**

STATUS: In Senate Transportation Committee

SUMMARY: Appropriates \$75,000,000 from the State Highway Account in the State Transportation Fund to the Department of Transportation, for allocation in the amount of \$50,000,000 to widen State Highway Route 138 from 2 to 4 lanes between Avenue T and 165th Street in the County of Los Angeles and \$25,000,000 to realign State Highway Route 58 for safety purposes at the Boron "S" curve near the City of Boron.

**SCA 3 (Karnette) - Transportation: Motor Vehicle Fuel Taxes**

STATUS: In Senate Transportation Committee

SUMMARY: Authorizes capital, maintenance, and operating costs for public mass transit vehicles as a purpose for which revenues from motor vehicle fuel taxes and motor vehicle fees and taxes may be expended.

**PROJECT DEVELOPMENT**

**AB 419 (Dutra) - Public Contracts:Design-Build Contracting**

STATUS: Passed Assembly Transportation Committee  
In Assembly Business and Professions Committee

SUMMARY: Authorizes, until January 1, 2010, certain transportation authorities to use a design-build process for bidding on transportation projects, including a requirement that certain information be verified under oath.

**AB 666 (Dutra) - Acceleration Highway Projects**

STATUS: Passed Assembly Transportation Committee

In Assembly Appropriations Committee

SUMMARY: Reenacts provisions that were repealed on January 1, 1997, relative to accelerated processing for state highway projects meeting specified criteria. Provides the Director of Transportation would be authorized to preliminarily designate as eligible any state highway project meeting those criteria. Requires projects to which objection has been made to be referred to an accelerated panel, comprised of specified membership, for approval or denial of that designation.

**AB 1171 (Dutra) - Transportation: Projects: Design-Build Contracting**

STATUS: In Assembly Transportation Committee

SUMMARY: Authorizes the Department of Transportation to enter into 10 design-build contracts for the design and construction of transportation projects that are funded from the Transportation Congestion Relief Fund.

**AB 1564 (Cardenas) Department of Transportation Contracts With Tribal Governments**

STATUS: In Assembly Transportation Committee

SUMMARY: Authorizes the Department of Transportation to enter into a contract with a Federally recognized Indian tribe for the department to provide services related to the development and installation of freeway on-ramps and off-ramps and related access roads serving a State transportation facility, if certain conditions exist.

**SB 116 (Kuehl) - Department of Parks and Recreation: Roads**

STATUS: Passed Senate Natural Resources and Wildlife Committee

Passed Senate Appropriations Committee

On Senate Floor

SUMMARY: Prohibits a state or local agency from constructing, or approving the construction of, any public road, or from making any improvement to an existing road, that substantially increases vehicular traffic capacity, in or through any property under the jurisdiction of the Department of Parks and Recreation.

**SB 171 (McClintock) - Highways: Transportation Gridlock Emergencies**

STATUS: In Senate Transportation Committee

SUMMARY: Includes a transportation gridlock emergency, which the bill would define, within the definition of "state of emergency." Authorizes a transportation gridlock emergency to be declared for the purpose of relieving traffic congestion on any highway or segment of highway for which the Department of Transportation has determined that the average daily vehicle hours of delay, excluding weekends, exceeds 3,000 vehicle hours.

**PLANNING**

**AB 133 (Alquist) - Regional Transportation Plans**

STATUS: In Assembly Transportation Committee

SUMMARY: Authorizes designated transportation planning agencies to include other factors of local significance as an element of the regional transportation plan.

**AB 411 (Diaz) - California Transportation Commission**

STATUS: In Assembly Transportation Committee

SUMMARY: Requires the California Transportation Commission in consultation with the Department of Transportation and regional transportation planning agencies, to prepare a statewide transportation needs assessment, as described, every 5 years.

**AB 631 (Oropeza) - Transportation: Needs Assessment**

STATUS: In Assembly Transportation Committee

SUMMARY: Requires the Transportation Commission in conjunction with the Department of Transportation and the state's regional transportation planning agencies, to prepare and submit a comprehensive statewide transportation needs assessment, containing specified information regarding unfunded transportation needs, every 5 years.

**AB 942 (Cedillo)- Highway 101:Pedestrian Overhead Crossing**

STATUS: In Assembly Transportation Committee

SUMMARY: Requires that a pedestrian overhead crossing, walkway, or deck be built over that portion of Highway 101 located in downtown Los Angeles from Alameda Street to Grand Street. Requires the Department of Transportation to provide assistance towards the completion of the pedestrian overhead crossing, walkway, or deck and to assist in obtaining jurisdictional approvals required for the project.

**AB 1303 (Hollingsworth) - Transportation: Riverside County**

STATUS: In Assembly Transportation Committee

SUMMARY: Declares the intent of the Legislature that alternative routes that may be used to travel from Riverside County to Orange County should be evaluated and considered for funding from the Traffic Congestion Relief Fund.

**AB 1587 (Pacheco R) Highways: Transportation Gridlock**

STATUS: In Assembly Transportation Committee

SUMMARY: Authorizes the Governor to proclaim a state of emergency during conditions of transportation gridlock as defined; requires the Department of Transportation to determine the average daily vehicle hours of delay, excluding weekends, for each highway in the state, rank each highway based on average daily vehicle hours of delay, excluding weekend, and prepare and submit to the Governor and Legislature.

**SB 213 (Perata) - Bay Area Jobs-Housing Balance & Regional Congestion Reduction**

STATUS: Passed Senate Transportation Committee  
In Senate Appropriations Committee

SUMMARY: Requires the Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG) to work collaboratively to determine on or before January 1, 2003, policy criteria based upon a balance of jobs and housing in the San Francisco Bay Area in order to evaluate whether local governments are implementing their fair share of housing starts, as well as participating in regional congestion reduction plans.

**SB 473 (Perata) - Metropolitan Transportation Commission**

STATUS: Passed Senate Transportation Committee  
In Senate Appropriations Committee

SUMMARY: Requires the Metropolitan Transportation Commission to prepare and adopt comprehensive congestion reduction plans on severely congested bridge corridors in the San Francisco Bay Area to reduce severe traffic congestion. Requires the commission to contract with the Institute of Transportation Studies to develop options for performance measurement criteria and to subcontract with a qualified consulting firm to conduct an independent technical analysis.

**SB 506 (McPherson) - Transit Center: City of Gilroy**

STATUS: In Senate Rukes Committee

SUMMARY: - Expresses the intent of the Legislature that the Department of Transportation and the appropriate regional transportation agencies create a regional transit center in the City of Gilroy that provides regional transportation options to the residents of the counties of Santa Clara, Santa Cruz, Monterey, and San Benito, with particular emphasis upon addressing the needs of daily commuters.

**SB 545 (McClintock) - Highways: Exclusive-Use or Preferential-Use Lanes**

STATUS: Passed Senate Transportation Committee  
In Senate Appropriations Committee

SUMMARY: Requires the Department of Transportation and local authorities to establish standards for all existing HOV lanes, evaluate all existing HOV lanes as HOV lanes, convert HOV lanes to high-occupancy toll lanes, or convert the HOV lanes to mixed-flow lanes.

**SB 638 (Oller) - Transportation: Fiscal Planning**

STATUS: In Senate Rules Committee

SUMMARY: Makes a technical, nonsubstantive change to provisions that it is the policy of the Legislature to provide for advance planning and continuity of fiscal policy in the construction and improvement of the state highway system and in the administration of the expenditures from the State Highway Account in the State Transportation Fund.

**SB 670 (Poochigian) - Street and Road Maintenance**

STATUS: Passed Senate Transportation Committee  
In Senate Appropriations Committee

SUMMARY: Requires the Department of Transportation in the Business, Transportation and Housing Agency in conjunction with the California Transportation Commission to determine how many roads are in the process of being converted from a pavement surface to a gravel surface.

**SB 726 (Polanco) - Highways: Department of Transportation: Duties**

STATUS: IN Senate Rules Committee

SUMMARY: Makes nonsubstantive changes in provisions of existing law which require the Department of Transportation to improve and maintain the state highways.

**SCR 17 (Costa) - Department of Transportation: State Route 99**

STATUS: In Senate Rules Committee

SUMMARY: Requests the Department of Transportation to identify those transportation related needs on the State Highway Route 99 Corridor that would result in traffic congestion relief, improved economic opportunities, safer communities, and better land-use policies so as to enhance the quality of life in California.

**RAIL & TRANSIT**

~~**AB 822 (Shelley) - Public Transportation**~~

~~LOCATION: ASSEMBLY~~

SUMMARY: - Amended to deal with public contractors suspension and debarment.

**AB 1094 (Briggs) - Rail Consolidation Grant Program**

STATUS: In Assemble Transportation Committee

SUMMARY: Establishes within the Department of Transportation the Rail Consolidation Grant Program for the purposes of funding rail consolidation. Authorizes the department to award grant funds on a competitive basis to eligible counties who apply. Provides that a county would be eligible to apply for a grant if it is consolidating multiple railroad lines and railroad crossings within the county.

**AB 1396 (Longville) - Passenger Rail Improvement, and Safety**

STATUS: In Assemble Transportation Committee

SUMMARY: Creates the Passenger Rail Improvement, Safety, and Modernization Program; establishes the Passenger Rail Improvement, Safety, and Modernization Subaccount in the Public Transportation Account in the State Transportation Fund; provides that eligible recipients of funding are certain public agencies and joint power authorities that provide regularly scheduled passenger rail service.

**SB 690 (Costa) - Transportation: High-Speed Rail Service**

STATUS: Passed Senate Transportation Committee

In Senate Appropriations Committee

SUMMARY: Limits certain statutory activities of the High Speed Rail Authority concerning high-speed rail operations, to high-speed rail systems and technologies that, as specified, have been in service for a minimum period of time, have verifiable construction methods and costs, have verifiable operating and maintenance costs, performance, and maintenance history, and can be implemented in segments.

**SB 796 (Costa) - High-speed Rail Authority**

STATUS: Passed Senate Transportation Committee

In Senate Appropriations Committee

SUMMARY: Requires the Secretary for the Business, Transportation and Housing Agency and the Director of the State Department of Transportation, to serve as ex-officio members of the High Speed Rail Authority; require 6 members to constitute a quorum for taking any action for the authority; prohibits an ex-officio member from receiving compensation or reimbursement from the authority for travel expenses incurred in attending to the business of the authority.

**AVIATION**

**AB 243 (Runner) - Aircraft Jet Fuel Tax: Exemption**

STATUS: In Assembly Revenue and Taxation Committee

SUMMARY: Exempts from tax upon every aircraft jet fuel dealer any aircraft jet fuel sold to an aircraft jet fuel user at any airport located within an enterprise zone.

**AB 872 (Nakano) - Airports: Projects**

STATUS: In Assembly Revenue and Taxation Committee

SUMMARY: Makes a technical, nonsubstantive change in provisions concerning submitting a project application, under the Federal Airport and Airway Safety and Capacity Expansion Act of 1987.

**AB 1001 (Longville) - Space Industry**

STATUS: Passed Assembly Jobs and Economic Development Committee

In Assembly Revenue and Taxation Committee

SUMMARY: Establishes the California Spaceport Development Zone Act of 2001 to promote the development of a commercial space transportation system in the state by providing development authority and economic incentives for the development of spaceport development zones.

**SB 244 (Speier) - Airport Noise**

STATUS: In Senate Environmental Quality Committee

SUMMARY: Requires that the public review period for a draft environmental impact report prepared for a project involving the expansion or enlargement of a publicly owned airport requiring the acquisition of any public trust land, or interest therein, not be less than 120 days.

**SB 869 (Karnette) - Department of Transportation**

STATUS: In Senate Transportation Committee

SUMMARY: Requires the Department of Transportation to conduct a needs assessment study on airports in the state.

## **HIGHWAY ROUTES**

### **AB 635 (Bates) - Highways: Relinquishment: State Highway Route 1**

STATUS: In Assembly Transportation Committee

SUMMARY: Authorizes the Transportation Commission to relinquish to the City of Dana Point the portion of State Highway Route 1 that is located within the city limits of that city upon terms and conditions the commission finds to be in the best interest of the state.

### **AB 1346 (Daucher) - State Highways**

STATUS: In Assembly Transportation Committee

SUMMARY: Makes technical, nonsubstantive changes to the term state highway.

### **SB 290 (Committee on Transportation) - State Highway Route 25: Description**

STATUS: Passed Senate Transportation Committee

In Senate Appropriations Committee

SUMMARY: Amends the description of State Highway Route 25 and authorizes the Transportation Commission to relinquish to the City of Los Angeles a portion of State Highway Route 2.

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