Memorandum

To: Chairman and Commissioners

Date: April 3, 2003

Diane C Eidam

From: Diane C. Eidam

BOOK ITEM 4.1

Ref: **State Legislation**

Enclosed for the Commissioners' reference is a listing of proposed state legislation that staff will be following in the 2003-04 Legislative Session. This list will be updated to incorporate the changing status of bills as well as any new bills or initiatives and provided to the Commissioners each month.

ACA 7 (Dutra/Wolk) will be heard in the Assembly Transportation Committee on April 7, 2003. It would amend the Constitution to authorize a local transportation agency or a regional transportation agency to impose an additional sales and use tax for a period of 20 to 30 years at a rate of 0.5% exclusively for transportation purposes if the tax is approved by 55% of the voters of the jurisdiction voting on the tax. The Commission has not taken a formal position on this bill.

California Transportation Commission

Summary of Legislation

State Bills	Subject	Bill Current Status	CTC Position
AB 33 (Samuelian) San Joaquin Valley Project Acceleration Program	Establishes a demonstration program for the accelerated processing of state highway projects located in the San Joaquin Valley counties of San Joaquin, Madera, Merced, Fresno and Kern that meet specified criteria. Establishes a coordinated environmental review process for eligible projects in that region. (Introduced 12/02/02)	Assembly Transportation	
AB 114 (Nakano) Hybrid Vehicle Access to Carpool Lanes	Authorizes a hybrid vehicle to be operated in a carpool lane regardless of the number of occupants in the vehicle. (Introduced 1/14/03)	Assembly Transportation	
AB 139 (Corbett) Transportation Needs Assessment	Declares the intent of the Legislature that a statewide transportation needs assessment be conducted every 5 years. (Introduced 1/17/03)	Assembly Transportation	
AB 420 (Longville) Congestion Management Program: Welfare-to-Work Transportation Programs	Existing law requires that a congestion management program be developed, adopted, and updated biennially for each county that includes an urbanized area. Under existing law, the program is required to contain certain elements, including a travel demand element that promotes alternative transportation methods such as carpools, vanpools, transit, bicycles, and park-and-ride lots. This bill would include county welfare-to-work transportation programs among the alternative transportation methods included within the congestion management programs. (Introduced 2/18/03)	Assembly Transportation	
AB 427 (Longville) Local Transportation Sales Tax: Removal of 20-Year Limit	Deletes the 20-year limit on the duration of a local transportation sales tax and instead provides that the tax shall remain in effect for the period of time specified in the tax ordinance that is adopted by the transportation authority and approved by the voters. (Introduced 2/14/03)	Assembly Transportation	
AB 437 (Matthews) Inter-Regional Partnership State Pilot Project	Existing law establishes the Inter-Regional Partnership (IRP) as a state-supported pilot project, monitored by the state Department of Housing and Community Development, to test and evaluate a variety of policies and incentives designed to mitigate current and future imbalances of jobs and housing in the counties of Alameda, Contra Costa, Santa Clara, San Joaquin, and Stanislaus. This bill deletes provisions that the IRP have no fiscal impact on any local jurisdiction and instead requires that local jurisdictions within the five IRP counties and a Jobs-Housing Opportunity Zone that participate in the pilot project be given priority eligibility in the award of state competitive grants and other economic incentives for projects within the IRP pilot project area. (Introduced 2/14/03)	Housing and Community Development	
AB 443 (Matthews) Rural Transit System Grant Program	Subject to a budget appropriation, this bill requires Caltrans and the California Transportation Commission to establish a Rural Transit System Grant Program to purchase, construct, and rehabilitate transit facilities, vehicles, and equipment, including energy efficiency retrofits, and to purchase right-of-way for transit systems. Requires Caltrans to submit a report describing the projects funded under the program to the Legislature on or before June 30, 2004. (Introduced 2/14/03)	Assembly Transportation	
AB 463 (Oropeza) Transit Operators: Ticket Machines	Declares the intent of the Legislature that each transit operator using automated ticket machines should provide at least one ticket machine that is accessible to blind and other visually impaired persons at each station or location of that operator that is equipped with ticket machines. (Introduced 2/14/03)	Assembly Transportation	
AB 531 (Kehoe) Infrastructure Bond Act.	This bill would enact the Community Infrastructure and Economic Development Bond Act of 2004, which would authorize the issuance, for the purposes of financing local infrastructure and economic development projects, of bonds in the amount of $10,000,000,000.	Com. on Jobs, Economic Development & the Economy	

State Bills	Subject	Bill Current Status	CTC Position
AB 574 (Yee) San Francisco Vehicle Registration Fee: Local Streets and Highways	Authorizes the City and County of San Francisco Board of Supervisors by ordinance or resolution to require a fee in an amount to be established by the Board of Supervisors to be paid at the time of registration or renewal of registration of every vehicle registered to an address within the city and county. Requires the Department of Motor Vehicles to distribute the revenues derived from the fee to the city and county, after deducting all costs incurred pursuant to these provisions. Requires that money allocated to the city and county under these provisions be expended only to fund programs for the construction, improvement, and maintenance of local streets and highways in the City and County of San Francisco. (Introduced 2/18/03)	Assembly Transportation	
AB 723 (Matthews) Jobs-Housing Opportunity Zones	Authorizes counties and cities to create infrastructure financing districts in jobs-housing opportunity zones, as defined, to finance public capital facilities in the five-county interregional partnership area of northern California for the purpose of mitigating current and future imbalances of jobs and housing in the counties of Alameda, Contra Costa, Santa Clara, San Joaquin, and Stanislaus. (introduced 2/19/03)	Committee on Local Government	
AB 775 (Para) Transportation Plan	This bill would add the unique transportation needs of rural areas to the concerns in transportation planning that the Legislature finds that need to be addressed.	Assembly Transportation	
AB 822 (Matthews) Redevelopment: Jobs/Housing Balance	Authorizes a redevelopment agency, consistent with the authority granted pursuant to the Community Redevelopment Law, to use tax-increment financing to finance projects near transit jointly in cooperation with other public agencies that are authorized to undertake transit oriented development projects, and projects designed to address jobs-housing imbalances in cooperation with an Inter-Regional Partnership designed to improve the balance of housing and jobs. (Introduced 2/20/03)		
AB 829 (Salinas) Regional Planning: San Francisco Bay Area	Declares legislative intent that regional planning efforts in the San Francisco Bay Area shall, among other things, be supported through consensus of local jurisdictions, recognize, preserve, and support local land use and transportation policies, be compatible with local land use general plans, encourage local jurisdictions to implement local and regional smart growth objectives through positive incentives, rather than penalties, and be appointed by local jurisdictions to provide equitable and proportional representation in decision-making. (Introduced 2/20/03)		
AB 856 (Oropeza) Comm. Regional Collaboration	This bill would state the intent of the Legislature to enact legislation to do whatever is necessary to solve the state's disconnected economic efforts through a partnership with the state and community regional collaboration.		
AB 875 (Wyland) Fuel Tax & Sales Tax on Gasoline: Return to Source Allocation Formula; Restriction of Expenditures to Highway Construction	Requires all fuel tax revenues deposited in the Highway Users Tax Account to be apportioned proportionally to each county in which the revenues were generated and to be used solely for freeway construction purposes, effective January 1, 2004. Further requires all revenues deposited in the Transportation Investment Fund (pursuant to Proposition 42) available for transportation capital improvement purposes to be apportioned proportionally to each county in which the revenues were generated and to be used solely for freeway construction purposes. (Introduced 2/20/03)	Assembly Transportation	
AB 935 (Diaz)	This bill would enact a process for the Santa Clara Valley Transportation Authority to establish benefit assessment districts relative to its rail lines and to issue revenue bonds in that regards.	Assembly Transportation	
AB 1004 (Leslie) Public Transit Operators: Service Cuts	Requires a public transit operator before approving a service reduction or route restructuring of bus service greater than 3% of total revenue miles or a fare increase for budget deficit purposes, to conduct a third party competitive procurement process for a route that the operator determines will minimize all, or a portion of, the planned service reduction. (Introduced 2/20/03)	Assembly Transportation	

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AB 1011 (Richman & Canciamilla) California Twenty-First Century Infrastructure Investment Fund	Assembly Constitutional Amendment No. 11, subject to approval of the voters at the March 2, 2004 statewide election, establishes the California Twenty-First Century infrastructure investment fund in the state Treasury. The measure requires that beginning in the 2006-07 fiscal year, a specified percentage of revenues shall be transferred from the General Fund to infrastructure fund according to a specified schedule. This bill sets forth specified calculation and formulas for funds transferred from the General Fund to the infrastructure fund pursuant to those provisions. (introduced 2/20/03)	Referred to Committee on Business & Professions	
AB 1112 (Lowenthal) Housing Opportunity Districts	This bill would enact the Housing near Transit Act, which and would authorize a city, county, or city and county that has adopted a resolution of intent, to create a housing transit district, subject to approval by the department.	Coms. on Housing & Comm. Dev. & Local Gov.	
AB 1233 (S. Horton) Highway capacity enhancement demo projects	This bill until January 1 2008, would establish a coordinated environmental review process for three highway capacity enhancement demonstration projects.	Assembly Transportation April 7	
AB 1279 (Horton) HOV Lanes: Transportation Planning Agency Authority	Authorizes a transportation planning agency to design and implement a high-occupancy vehicle (HOV) lane concept that authorizes single occupant vehicles to operate in underutilized HOV lanes on the state highway system within the jurisdiction of the transportation planning agency. (Introduced 2/21/03)	Assembly Transportation	
AB 1289 (Benoit) Toll roads	Existing law authorizes, prior to January 1, 2003, construction of 2 toll road projects.. This bill would delete the Jan 1, 2003 date applicable to these provisions.	Assembly Transportation	
AB 1410 (Wolk) Surplus land. Transit stations	This bill would require that a written offer to sell or lease be sent for the purpose of developing a transit village.	Committee on Business & Professions	
AB 1487 (Levine) Sales & Use Tax: Infrastructure Projects	Declares the Legislature's intent to enact legislation that would utilize sales taxes to fund state infra structure projects. (Introduced 2/21/03)		
AB 1500 (Diaz & Pavley) Petroleum Pollution Cleanup and Prevention Act	Establishes the Petroleum Pollution Cleanup and Prevention Act of 2003 to require the operator of every refinery to pay a $1 fee per barrel of crude oil received at a refinery within the state to the Board of Equalization on a monthly basis based on the number of barrels of crude oil received during the previous month. Requires that 15% of revenues from the fee be allocated to the Petroleum Pollution Remediation Account and 85% to the Petroleum Pollution Prevention and clean Transportation Account both of which would be established by the bill. Further requires that 90% of the funds allocated to the Transportation account be expended by Caltrans for projects relating to public and alternative transportation and projects designed to improve clean, alternatively fueled public transportation infrastructure. (Introduced 2/21/03)	Committees on Environmental Safety & Toxic Materials and Transportation	
ACA 7 (Dutra & Wolk) Local Transportation Sales Taxes: 55% vote	Amends the State Constitution to authorize a local or a regional transportation agency to impose an additional sales and use tax for a period of 20 to 30 years at t rate of 0.5% exclusively for transportation purposes if the tax is approved by 55% of the voters of the jurisdiction voting on the tax. (Introduced 1/14/03)	Assembly Transportation April 7	

State Bills	Subject	Bill Current Status	CTC Position
ACA 9 (Levine) Special Tax: Majority Vote Threshold	The California Constitution conditions approval of a general tax by a city or county upon approval of a majority of voters, whereas the imposition of a special tax by a city or county must be approved by two-thirds of voters. The measure would switch these voter-approval requirements to authorize a city, county, or special district, to impose a special tax by a majority approval, while a while a general tax would require two –thirds approval (introduced 2/6/03)	Coms. on Local Gov.& E.,R. & C.A	
ACA 11 (Levine) Local government: general obligation bonds: infrastructure projects.	This measure would authorize a local government, as defined, with the approval of a majority of its voters voting on the proposition at an election, to incur indebtedness in the form of general obligation bonds to fund infrastructure projects.	Referred to Coms. on L. Gov., E.R. & C.A., and APPR.	
SB 91 (Florez) High Speed Rail Authority	Transfers all of the duties and responsibilities of Caltrans relative to intercity rail passenger service to the High-Speed Rail Authority. Requires the authority to conduct a review of all programmed intercity rail projects that have not received an allocation of state funds as of January 1, 2004 and only to proceed with the implementation of projects that are determined to be complementary to the high speed rail service. (Introduced 1/28/03)	Senate Transportation	
SB 170 (Torlakson) San Francisco Bay Area Infrastructure Planning	Declares the Legislature's intent that cities, counties and regional agencies in the San Francisco Bay Area begin a constructive dialogue regarding how to deal with infrastructure challenges resulting from anticipated increases in population. (introduced 2/12/03)	Committee on Rules	
SB 234 (Oller) Access to Carpool Lanes for Vehicles with Disability Placard	This bill would require Caltrans to grant access to carpool lanes or ramps to vehicles that display a distinctive license plate or placard issued to a disabled person regardless of the number of occupants in the vehicle. (Introduced 2/14/03)	Senate Transportation	
SB 321 (Torlakson) Infrastructure Investment Bonds	Establishes the Infrastructure Investment Bond Commission (made up of the Treasurer, the Controller, the Secretary of the Business, Transportation and Housing Agency, and one appointee each of the Governor, the President pro Tempore of the Senate, and the Speaker of the Assembly) to issue and administer bonds to support local infrastructure investment. Provides that priority shall be given to support infrastructure investment for cities, counties, or other local government agencies that provide matching funds generated through local transportation sales tax expenditure plans or other revenue sources. (Introduced 2/19/03)	Senate Transportation	
SB 380 (McClintock and Murray) Highways, preferential-use lanes	This bill would require the Department of Transportation, on or before January 1, 2005, to evaluate and establish standards for all existing HOV lanes. The will would require that the department's engineering estimates include a traffic model study comparing the alternatives of establishing 1) an HOV lane 2 a high-occupancy toll lane 3) a mixed flow lane or 4) not establishing additional lanes.	Passed Senate Transportation April 1	
SB 403 (Florez) Fresno County Transportation Authority	This bill would delete the specified wording requirement of the proposition and would instead provide the actual wording of the proposition would be described in the expenditure plan. The bill would require that the bond appropriation limit of the authority be included in the expenditure plan.	Passed Senate Transportation	

State Bills	Subject	Bill Current Status	CTC Position
SB 465 (Soto) Transit Village Plan: Redevelopment	This bill would require the office of planning and Research to convene a task force to create a statewide guidelines that incorporate the best available practices for transit village planning and design. This bill would 1) extent the surrounding land of a transit village development dist from ¼ mile to ½ mile from a rail transit station transit station, 2) adds as a characteristic of a transit village plan a provision that not less than 20% of dwelling units be affordable to persons and families of low or moderate income with not less then 40% of these units to be at affordable to very low income households, 3)(specify conditions that constitute blight with respect to land surrounding a rail transit station and 4) enact an alternative method of adoption and amendment of a redevelopment plan that would authorize a city or county that has adopted a transit village plan area to include in a redevelopment project area all or a portion of an existing transit village plan area and to enable 2 or more adjoining local agencies to enter into an agreement to jointly establish and operate the new redevelopment plan for a Transit Village Redevelopment Project Area.	Senate Local Government	
SB 509 (Fugeroa) State Highway Route 238	This bill would delete the statutory provision prohibiting the California Transportation Commission from approving a Route 238 local alternative transportation improvement program submitted after January 1, 1988. Thus, the commission could approve an alternative plan which reallocates Route 238 funds to an alternative project in the Hayward area.	Senate Transportation	
SB 541 (Torlakson) Motor Vehicle Fuel Tax Increase	Requires the Motor Vehicle Fuel tax be adjusted for inflation beginning in 2004. Imposes an additional excise tax per gallon in the amount necessary to replace any suspended transfers of revenue to the Transportation Investment Fund or reductions from the Traffic Congestion Relief Fund. (Introduced 2/20/03)	Senate Transportation	
SB 585 (Soto) Freight Movement Bond Act	This bill would declare the intent of the Legislature to enact a general obligation bond measure for submission to the voters for their approval in order to provide funding to facilitate freight movement including, but not limited to, construction of railroad-highway grade separations and addition of truck lanes on highways. (Introduced 2/20/03)	Senate Rules	
SB 744 (Dunn and Ducheny) Planning: Housing	This bill would provide that a city, county, or city and county that has met at least 10% of its housing needs for each of the very low, low-, and moderate-income categories during the preceding year or 30% over the preceding 3 years shall receive priority eligibility in the award of competitive state grants or loans for planning, infrastructure, commercial or industrial development, or other economic development. This bill would also establish with the department a Housing Accountability Committee consisting of 5 members, appointed as specified, to hear appeals of city, county, or city and county decisions on applications for the construction of housing developments that meet specified affordability requirements.	Senate Housing and Community Development April 21	
SB 795 (Karnette) Motorist Aid Program	Authorizes a service authority established for freeway emergencies to use its funding for purposes of a motorist aid program that includes services in addition to the call box program, such as freeway service patrol and incident management activities. (Introduced 2/21/03)	Senate Transportation	
SB 825 (Torlakson) Bicycle/Pedestrian Funding	Creates the Pedestrian and Bicyclist Mobility and Safety Fund in the State Treasury. Declares legislative intent to promote safer conditions for pedestrians and bicyclists and to encourage more Californians to participate in physical activities such as bicycling and walking. (Introduced 2/21/03)	Senate Transportation	
SB 887 (Perata) Seaports Security-Infrastructure-Bonds.	This bill would enact the Seaport Security and Port Neighborhood Transportation, Clean Air, and Navigation Improvement Bond Act pf 2003, which would authorize $1,000,000,000 in bonds for purposes of financing a seaport security and port neighborhood transportation, clean air, and navigation improvement program.	Committees on Governmental Organization & Rules	

State Bills	Subject	Bill Current Status	CTC Position
SB 915 (Perata, Burton, Torlakson) San Francisco Bay Area Water Transit Authority	Deletes the existing requirements that (1) the Water Transit Authority's (WTA) plan is statutorily approved by the Legislature prior to operation of a water transit system, and (2) that WTA be funded through the annual Budget Act. Provides that WTA shall be funded from proposed increases in bridge tolls (see SB 916) and other state, local, regional, or federal funds that are available to transit agencies. Revises other provisions relating to safety of vessel operations and air quality standards of vessels operated by the authority. Requires MTC to consider the recommendations of the authority in programming certain transportation funds, and as such, constitutes a mandate. (Introduced 2/21/03)	Senate Transportation	
SB 916 (Perata) Bridge Toll Increase: State-Owned Bay Area Bridges	Requires the City an County of San Francisco and Alameda, Contra Costa, Marin, San Mateo, Santa Clara and Solano Counties to conduct a special election in March 2004 on a proposed increase of $1 in the amount of the base toll rate charged on the state-owned toll bridges in that area. Makes technical changes to existing statute to clarify the role of the Bay Area Toll Authority. (Introduced 2/21/03)	Senate Transportation	
SB 963 (McClintock) Transportation	This bill would declare the Legislature's intent to revise the State Transportation Improvement Plan process.	Senate Rules	
SB 998 (Bowen) California Economic Stimulus & Public Infrastructure Security & Investment Bond Act	This bill would enact the California Economic Stimulus and Public Infrastructure and Investment Bond Act, which would authorize $1,045,000,000 in bonds to be used for the above purpose.	Committee on Governmental Organization	
SCA 2 (Torlakson) Local Transportation Taxes: Majority Vote	Amends the State Constitution to authorize a county, city and county, or a regional transportation agency, with approval of a majority of its voters voting on the proposition, to impose a special tax that it is otherwise authorized to impose, if the tax is imposed exclusively to fund transportation projects and services and smart growth planning. Requires that a least 25% of the revenues be used for the purposes of smart growth planning. (Introduced 12/02/02)	Senate: third reading	
SCA 7 (Murray) Loans of Transportation Revenues	Requires that any loan of motor vehicle fuel revenue or funds from the Public Transportation Account must be repaid within the fiscal year of the loan, or must pre repaid in full, with interest at the rate of the Pooled Money Investment Account, within three fiscal years from the date of the loan and one of the following has occurred: the Governor has declared a state of emergency or General Fund revenues for the current fiscal are projected to be lower than for the previous fiscal year when adjusted for inflation. (Introduced 2/19/03)	Passed Senate Transportation	
	trosnow/excel/legislative bills update-pink		

TAB 52

ITEM STATE LEGISLATIVE MATTERS (4.1)

A VERBAL PRESENTATION WILL BE MADE AT THE
APRIL 3, 2003 CTC MEETING ON THIS ITEM.