



Metropolitan Transportation Commission

101 Eighth Street,
Joseph P. Bort
MetroCenter
Oakland, CA

Meeting Agenda

Legislation Committee

Alicia Aguirre, Chair Sam Liccardo, Vice Chair

Friday, November 13, 2015

9:40 AM

Lawrence D. Dahms Auditorium

*This meeting is scheduled to be audiocast live on the Metropolitan Transportation
Commission's Website: www.mtc.ca.gov*

1. Roll Call / Confirm Quorum

*Quorum: A quorum of this committee shall be a majority of its regular voting members
(4).*

2. Consent Calendar

- 2a. [15-1000](#) Minutes of October 9, 2015 meeting.

Action: Committee Approval

Attachments: [2a Minutes Oct 2015.pdf](#)

3. Information

- 3a. [15-1027](#) 2015 Legislative Scorecard

Summary of outcomes on MTC priority bills and MTC 2015 Advocacy
Program

Action: Information

Presenter: Rebecca Long

Attachments: [3a 2015 Legislative Scorecard.pdf](#)

- 3b. [15-1002](#) Draft 2016 Advocacy Program

Initial ideas for state and federal legislative priorities for 2016

Action: Information

Presenter: Randy Rentschler

Attachments: [3b Draft 2016 Advocacy Program.pdf](#)

4. State Legislation

- 4a. [15-0925](#) AB x1-24 (Levine) Reconfiguration of MTC's Board

This bill would replace MTC's current 21-member board with a directly-elected board of an undetermined number of members and change MTC's name to the Bay Area Transportation Commission.

Action: Commission Approval

Presenter: Randy Rentschler

Attachments: [4a AB x1-24 -Levine- Reconfiguration of MTCs Board.pdf](#)

5. Federal Legislation

- 5a. [15-1016](#) Overview of H.R. 3763 (Shuster): Surface Transportation Reauthorization and Reform Act

A summary and analysis of the House Transportation & Infrastructure Committee's six-year bill, including how it would affect funding for the San Francisco Bay Area.

Action: Information

Presenter: Randy Rentschler

Attachments: [5a Overview of H.R. 3763 -Shuster- Surface Transportation Reauthorization an](#)

- 5b. [15-1003](#) Tom Bulger's Report

Report from MTC's advocate in Washington D.C.

Action: Information

Presenter: Randy Rentschler

Attachments: [5b Tom Bulger's DC Report Oct 2015.pdf](#)

6. Public Comment / Other Business

7. Adjournment / Next Meeting

The next meeting of the Legislation Committee will be December 11, 2015, 9:40 a.m. in the Lawrence D. Dahms Auditorium, First Floor, 101 Eighth Street, Oakland, CA.

Public Comment: The public is encouraged to comment on agenda items at Committee meetings by completing a request-to-speak card (available from staff) and passing it to the Committee secretary. Public comment may be limited by any of the procedures set forth in Section 3.09 of MTC's Procedures Manual (Resolution No. 1058, Revised) if, in the chair's judgment, it is necessary to maintain the orderly flow of business.

Meeting Conduct: If this meeting is willfully interrupted or disrupted by one or more persons rendering orderly conduct of the meeting unfeasible, the Chair may order the removal of individuals who are willfully disrupting the meeting. Such individuals may be arrested. If order cannot be restored by such removal, the members of the Committee may direct that the meeting room be cleared (except for representatives of the press or other news media not participating in the disturbance), and the session may continue.

Record of Meeting: Committee meetings are recorded. Copies of recordings are available at a nominal charge, or recordings may be listened to at MTC offices by appointment. Audiocasts are maintained on MTC's Web site (mtc.ca.gov) for public review for at least one year.

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可及性和法令第六章：MTC 根據要求向希望來委員會討論有關事宜的殘疾人士及英語有限者提供服務/方便。需要便利設施或翻譯協助者，請致電 510.817.5757 或 510.817.5769 TDD / TTY。我們要求您在三個工作日前告知，以滿足您的要求。

Acceso y el Titulo VI: La MTC puede proveer asistencia/facilitar la comunicación a las personas discapacitadas y los individuos con conocimiento limitado del inglés quienes quieran dirigirse a la Comisión. Para solicitar asistencia, por favor llame al número 510.817.5757 o al 510.817.5769 para TDD/TTY. Requerimos que solicite asistencia con tres días hábiles de anticipación para poderle proveer asistencia.

Attachments are sent to Committee members, key staff and others as appropriate. Copies will be available at the meeting.

All items on the agenda are subject to action and/or change by the Committee. Actions recommended by staff are subject to change by the Committee.

MTC's Chair and Vice-Chair are ex-officio voting members of all standing Committees.



Metropolitan Transportation Commission

101 Eighth Street,
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Oakland, CA

Legislation Details (With Text)

File #: 15-1000 **Version:** 1 **Name:**
Type: Minutes **Status:** Consent
File created: 10/15/2015 **In control:** Legislation Committee
On agenda: 11/13/2015 **Final action:**
Title: Minutes of October 9, 2015 meeting.
Sponsors:
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
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Subject:
Minutes of October 9, 2015 meeting.

Recommended Action:
Committee Approval

Attachments



Metropolitan Transportation Commission

101 Eighth Street,
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Oakland, CA

Meeting Minutes - Draft

Legislation Committee

Alicia Aguirre, Chair Sam Liccardo, Vice Chair

Friday, October 9, 2015

9:05 AM

Lawrence D. Dahms Auditorium

Call Meeting to Order

1. Roll Call / Confirm Quorum

Present: 4 - Commissioner Halsted, Vice Chair Liccardo, Commissioner Pierce, and
Commissioner Spering

Absent: 3 - Chairperson Aguirre, Commissioner Haggerty, and Commissioner Kinsey

Non-Voting Member Present: Commissioner Azumbrado

Non-Voting Member Absent: Commissioner Giacomini

Ex Officio Voting Members Present: Commission Chair Cortese and Commission Vice Chair
Mackenzie

Ad Hoc Non-Voting Members Present: Commissioner Campos, Commissioner Luce and
Commissioner Rein Worth

2. Consent Calendar

Approval of the Consent Calendar

**Upon the motion by Commissioner Pierce and second by Commissioner Spering,
the Consent Calendar was unanimously approved by the following vote:**

Aye: 4 - Commissioner Halsted, Vice Chair Liccardo, Commissioner Pierce and
Commissioner Spering

Absent: 3 - Chairperson Aguirre, Commissioner Haggerty and Commissioner Kinsey

2a. [15-0859](#) Minutes of September 11, 2015 meeting

Action: Committee Approval

2b. [15-0860](#) Legislative History

Action: Information

Presenter: Rebecca Long

2c. [15-0878](#) Update on Transportation Special Session

Update on the Transportation Funding Special Session

Action: Information

Presenter: Randy Rentschler

2d. [15-0879](#) Overview of the Senate-passed DRIVE Act

Summary of the U.S. Senate's multi-year surface transportation proposal.

Action: Information

Presenter: Rebecca Long

2e. [15-0862](#) Tom Bulger's Report

July 2015 report from MTC's advocate in Washington D.C.

Action: Information

Presenter: Randy Rentschler

3. Federal Legislation

3a. [15-0880](#) S. 1994 (Carper)

Tax Relief And #FixTheTrustFund For Infrastructure Certainty Act of 2015 (TRAFFIC)

Action: Support / Commission Approval

Presenter: Randy Rentschler

Upon the motion by Commissioner Halsted and second by Commissioner Pierce, a support position on S. 1994 (Carper) was adopted to be forwarded to the Commission for approval. The motion carried by the following vote:

Aye: 4 - Commissioner Halsted, Vice Chair Liccardo, Commissioner Pierce and Commissioner Sperring

Absent: 3 - Chairperson Aguirre, Commissioner Haggerty and Commissioner Kinsey

3b. [15-0885](#) Tom Bulger's Report

September 2015 report from MTC's advocate in Washington D.C.

Action: Information

Presenter: Randy Rentschler

4. Public Comment / Other Business

5. Adjournment / Next Meeting

The next meeting of the Legislation Committee will be November 13, 2015, 9:40 a.m. in the Lawrence D. Dahms Auditorium, First Floor, 101 Eighth Street, Oakland, CA.



Metropolitan Transportation Commission

101 Eighth Street,
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Legislation Details (With Text)

File #: 15-1027 **Version:** 1 **Name:**
Type: Report **Status:** Informational
File created: 10/28/2015 **In control:** Legislation Committee
On agenda: 11/13/2015 **Final action:**
Title: 2015 Legislative Scorecard

Summary of outcomes on MTC priority bills and MTC 2015 Advocacy Program

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
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Subject:

2015 Legislative Scorecard

Summary of outcomes on MTC priority bills and MTC 2015 Advocacy Program

Presenter:

Rebecca Long

Recommended Action:

Information

Attachments



METROPOLITAN
TRANSPORTATION
COMMISSION

Agenda Item 3a

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Memorandum

TO: Legislation Committee

DATE: November 6, 2015

FR: Executive Director

W. I. 1131

RE: 2015 Legislative Scorecard

Like many years in Sacramento and Washington, D.C., 2015 was a mixed bag. There were a number of notable successes, along with many disappointments —particularly with respect to the lack of progress on raising additional state or federal transportation funding. However, there is some hopeful late-breaking action in Washington as this is written.

Attached are two documents that summarize the legislative outcomes, collectively constituting a legislative scorecard:

- Attachment 1 compares the goals set forth in our 2015 Advocacy Program with what actually occurred in Sacramento and Washington, D.C.
- Attachment 2 summarizes the outcome of the bills on which MTC took a position this year.

Our batting average was better in opposing bills than supporting them. None of the bills MTC opposed were enacted, but we batted only .235 in getting legislation we supported signed into law.

Steve Heminger






SH:rl













METROPOLITAN
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2015 ADVOCACY PROGRAM OUTCOMES

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STATE		
Issue	Goal	Outcome
1. Transportation Funding	A. Secure new sources of statewide transportation funding	 While 2015 set a recent record for new proposals and discussion in Sacramento with respect to transportation funding, as of November 2015, no agreement has been reached.
	B. Raise the sales tax cap for local option transportation sales taxes	 Assembly Member Mullin authored AB 464, which would have raised the cap for counties pursuing transportation sales tax increases by 1 percent statewide. While the bill reached the Governor's desk, Governor Brown vetoed it due to concerns about the many local and statewide taxes being considered for the 2016 ballot. The Governor did appear more open to county-specific proposals as he did sign SB 705 (Hill), raising the cap for San Mateo and Santa Cruz counties.
	C. FY 2015-16 State Budget	 The FY 2015-16 missed the opportunity to reverse a 6-cent gas tax cut made by the Board of Equalization as a result of requirements incorporated into the 2011 Gas Tax Swap. As a result, cities and counties have lost approximately 25 percent of the gas tax subvention funding this year. Otherwise, transportation funding in the state budget was status quo with funding commitments from Cap and Trade for transportation programs fully honored.
	D. Regional Measure 3	 While the 2015 Advocacy Program included seeking a bill to authorize a toll increase, staff and legislators chose to defer this legislation to a future year.
2. Senate Bill 375 Implementation	A. Increase state funding for affordable housing	 Unfortunately, AB 1335 (Atkins), the primary bill proposing a new permanent source of state funding for affordable housing did not pass the State Assembly. In addition, AB 35 (Chiu) — which would have authorized state tax credits for affordable housing, enabling greater access to federal tax credits — was vetoed due to concerns about its fiscal impact.

Issue	Goal	Strategy
2. Senate Bill 375 Implementation (cont'd)	B. Improve bicycle and pedestrian safety	 The Legislature enacted and the Governor signed AB 8 (Gatto), establishing a Yellow Alert notification system enabling issuance of alerts with respect to hit-and-run incidents in the death or injury of a person.
	C. Ensure Cap & Trade Funds are invested in a manner that helps implement Plan Bay Area	 The Bay Area has performed well under the three new state programs — two of which are competitive — established by SB 832 (2014) as part of the FY 2014-15 state budget.
3. Project Delivery	Speed up the design and construction of transportation projects	 A number of bills were introduced in 2015 to expand flexibility for design-build and public private partnerships, but such bills did not advance this year.
4. Bridge Toll Evasion	Require temporary license plates at the point of sale on new and used cars	 Substantial progress was made on this subject in 2015 through introduction of AB 516 (Mullin), establishing a temporary license plate program that would be implemented by new and used car dealers and applicable to all vehicles sold without permanent plates. In addition to toll agencies across the state along with local transportation agencies, the bill had the support of statewide law enforcement agencies and the California New Car Dealers Association. While the bill reached the Senate Floor, the Administration expressed concerns about proposed consumer transaction charges of \$10 per plate. Staff will resume negotiations over the next few months.
5. Express Lanes	Support development of the Bay Area's Express Lane Network	 AB 194 (Frazier) was enacted, authorizing the California Transportation Commission to resume its authority to approve new express lanes, providing the region the opportunity to implement the complete Bay Area Express Lane Network.

FEDERAL		
Issue	Goal	Strategy
1. Surface Transportation Authorization	A. Maintain basic structure of MAP 21, but provide financial stability supporting a multi-year surface transportation bill	 While we do not yet have a multi-year surface transportation bill, both houses have approved proposals that generally retain the current structure of MAP 21. It remains to be seen if Congress can agree on funding sources enabling a multi-year bill before the end of the year.
1. Surface Transportation Authorization(cont'd)	B. Support creation of a National Freight Program funded by a new, dedicated revenue stream	 Similar to the above, both the House and Senate surface transportation proposals include funding for a National Freight Program. While this is a positive step, we remain concerned that neither proposal includes a dedicated funding source with a nexus to goods movement.
2. Federal Appropriations	A. Maximize federal transportation appropriations for MAP-21 programs	 Due to the failure of Congress to enact a new surface transportation act, funding levels remained flat in federal fiscal year 2014-15.
	B. Advocate for Capital Investment Grant funding for Resolution 3434/ Plan Bay Area Projects	 Congress provided sufficient funding for the Federal Transit Administration to meet its full funding grant commitments to the San Francisco Municipal Transportation Authority's Central Subway project and the Santa Clara Valley Transportation Authority's BART to Silicon Valley project.
3. Increase Local/Regional Transportation Funding	Seek passage of the Marketplace Fairness Act in order to increase sales tax revenue available for transportation	 There has been no action by Congress on this subject in 2015.

FEDERAL		
Issue	Goal	Strategy
4. Pre-Tax Transportation Fringe Benefits	Preserve mode- neutrality in pre-tax transportation benefits	 There has been no action by Congress on this subject in 2015, but there remains a possibility it could be addressed in legislation related to the extension of various tax credits.

Outcomes of MTC Priority State Bills in 2015

Measure	Author	Topic	Position	Status
AB 4	Linder	Vehicle Weight Fees: Transportation Bond Debt Service	Support and Seek Amendment	Two-year Bill
AB 35	Chiu	Affordable Housing Tax Credits	Support	Vetoed
AB 156	Perea	Cap and Trade Funds: Disadvantaged Communities	Oppose	Two-year bill
AB 157	Levine	Richmond-San Rafael Bridge	Support & Seek Amendments	Enacted
AB 194	Frazier	Express Lanes	Support	Enacted
AB 227	Alejo	Public-private partnerships; loan repayments	Support	Two-year bill
AB 464	Mullin	Exemption from Local Sales Tax Cap for Transportation Measures	Support	Vetoed
AB 516	Mullin	Temporary License Plate Program	Support	Two-year bill
AB 744	Chau	Parking Minimums for Transit Oriented Affordable Housing Projects	Support	Enacted
AB 828	Low	Transportation Network Companies: Definition of commercial vehicle	Support	Two-year bill
AB 1176	Perea	Clean Energy Transportation Funding: Disadvantaged Communities	Oppose	Two-year bill
AB 1265	Perea	Public-private partnerships	Support	Two-year bill
AB 1335	Atkins	Building Homes and Jobs Act: Affordable Housing funding	Support	Died
AB 1336	Salas	Cap and Trade Funding: Disadvantaged Communities	Oppose	Two-year bill

AB 1360	Ting	Transportation Network Companies: Authorizing split fares	Support	Two-year bill
SB 16	Beall	Transportation Funding	Support	Died
SB 39	Pavley	High Occupancy Vehicle Lanes: Clean Air Vehicles	Oppose	Died
SB 321	Beall	Fuel Tax Adjustment: Gas Tax Swap	Support	Two-year bill
SB 344	Monning	Commercial Driver's License: Education	Support	Two-year bill
SB 516	Fuller	Motorist Aid Services	Support	Enacted
SB 760	Mendoza	Urban Greening Funds: Disadvantaged Communities	Oppose	Two-year bill
SB 773	Allen	Vehicle Registration Fraud Study	Support	Two-year bill

Summary

Position	Total	Enacted	Two-Year Bill	Vetoed	Died
Support	17	4	9	2	2
Oppose	5	0	4	0	1



Metropolitan Transportation Commission

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Legislation Details (With Text)

File #: 15-1002 **Version:** 1 **Name:**
Type: Report **Status:** Informational
File created: 10/15/2015 **In control:** Legislation Committee
On agenda: 11/13/2015 **Final action:**
Title: Draft 2016 Advocacy Program

Initial ideas for state and federal legislative priorities for 2016

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
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Subject:

Draft 2016 Advocacy Program

Initial ideas for state and federal legislative priorities for 2016

Presenter:

Randy Rentschler

Recommended Action:

Information

Attachments



METROPOLITAN
TRANSPORTATION
COMMISSION

Agenda Item 3b

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Memorandum

TO: Legislation Committee

DATE: November 6, 2015

FR: Executive Director

W.I. 1131

RE: Draft 2016 Advocacy Program

The Draft Advocacy Program for 2016 is attached for your review and comment. The program includes a number of efforts staff proposes that MTC spearhead, as well as a number of items that MTC will actively engage in as opportunities present themselves, in Sacramento and in Washington, D.C. New legislative initiatives for 2016 are shown in *italic type*.

This year, MTC's Policy Advisory Council has been exploring the merits of establishing an oil extraction fee in California as a way to help pay for our transportation needs. They requested that such an idea be included in our advocacy program this year. We agree this concept has merit and have included it for your consideration as part of the first item on transportation funding. A separate memo from the council on this subject, along with a brief presentation, is included as Attachments B and C to this item.

As part of our consultation and advisory process, MTC hosted a meeting of Bay Area transit and CMA legislative staff and shared a draft with MTC's Policy Advisory Council at its November 4 meeting. Based on feedback received, staff will prepare a final 2016 Advocacy Program for consideration by the Legislation Committee in December, before going to the full Commission for approval that month.



Steve Heminger

Attachment

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METROPOLITAN
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2016 DRAFT ADVOCACY PROGRAM

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STATE		
Issue	Goal	Strategy
1. Transportation Funding	A. Secure new sources of statewide transportation funding	Continue to support efforts to establish new sources of statewide funding for transportation. Advocate that all transportation modes should benefit from increased transportation funding. <i>Based on the recommendation of MTC's Policy Advisory Council, explore the merits and potential of an oil extraction fee to fund transportation, among other purposes. California is the nation's third largest oil producing state and the only major mineral-rich state lacking any form of state extraction fee.</i>
	B. Raise the sales tax cap for local option transportation sales taxes	Support efforts by individual Bay Area counties to raise the cap on local sales taxes in order to accommodate additional transportation sales taxes. Ensure legislation to provide such an increase preserves a reasonable degree of local control over the development of the expenditure plan, subject to negotiation with the state on road maintenance issues.
	C. Authorize New Regional Bridge Toll Measure	Sponsor legislation providing authority for MTC to place on the ballot a measure allowing Bay Area voters to consider in 2018 a measure to raise tolls on state-owned bridges to fund transportation improvements in bridge corridors.
	D. FY 2015-16 State Budget	Advocate for a FY 2016-17 State Budget that focuses transportation funds on the state's most important needs, giving top priority to state of good repair and system operations. Seek opportunities to enhance the state's investment in public transportation, active transportation and highway operations/system management.

Issue	Goal	Strategy
	<i>E. Increase Transportation's Share of Cap & Trade Funding</i>	<i>In 2014, the Legislature enacted legislation to continuously appropriate 60 percent of Cap and Trade funds to various transportation-related programs. In 2015, the Legislature deferred action on appropriating the remaining 40 percent of Cap and Trade funding, leaving approximately \$735 million unappropriated for FY 2015-16. Given the state's vast transportation needs, MTC will support legislation to increase the share of Cap and Trade funds dedicated to transportation, providing increased funding for public transit, goods movement and other greenhouse gas emission reducing projects in line with our Climate Initiatives Program.</i>
	<i>F. Authorize MTC to issue bonds backed by federal transit formula funds</i>	<i>In cooperation with Bay Area transit operators, seek legislation authorizing MTC to issue bonds backed by federal transit formula funds in order to expedite construction/delivery of priority transit capital projects.</i>
2. Senate Bill 375/ Plan Bay Area Implementation	<i>A. Extend Regional Commuter Benefit Program</i>	<i>In partnership with the Bay Area Air Quality Management District, sponsor legislation to extend the authorization of the Regional Commuter Benefit Program, applicable to employers of 50 or more full-time Bay Area employees. As of June 2015, approximately 3,800 employers had registered with the program, of which 53 percent reported they were offering commuter benefits for the first time. An evaluation based on a randomized telephone survey of Bay Area commuters estimated that 44,400 employees switched from driving alone to an alternative commute mode as a direct result of the program, reducing vehicle miles traveled by approximately 3.2 million over the first year.</i>
	<i>B. Improve Bike and Pedestrian Safety</i>	<i>In partnership with the San Francisco Municipal Transportation Agency, the City of San Jose and others, support legislation to help achieve Vision Zero — aimed at eliminating all traffic related fatal injuries by 2024. Support proposals to increase enforcement of traffic laws protecting pedestrians and bicyclists, and where appropriate, pursue new laws to improve safety.</i>
3. Reduce barriers to construction of new housing	Increase state <i>and/or regional</i> funding to support affordable housing	Consistent with the goal in Plan Bay Area to secure additional funding for affordable housing, continue to work with Bay Area and statewide affordable housing organizations and other interested parties to support efforts to establish a statewide <i>or regional</i> Affordable Housing Trust Fund through enactment of a new, dedicated statewide <i>or regional</i> revenue source.

4. Project Delivery	Speed up the design and construction of transportation projects	Support legislation to expedite transportation project delivery by increasing contracting and financing options, including increased flexibility in the Caltrans design review process and broad authority for the use of design-build by Caltrans and regional transportation agencies.
5. Bridge Toll Evasion	Require temporary license plates at the point of sale on new and used cars	Secure Senate passage and Governor's signature of AB 516 (Mullin), establishing a temporary license plate program applicable to new and used car dealers. The bill will mitigate for the loss of approximately \$7 million per year in uncollected toll revenue from vehicles using the region's state-owned toll bridges without license plates.

FEDERAL		
Issue	Goal	Strategy
1. Surface Transportation Authorization	A. Maintain structure of MAP 21 and restore financial stability for a multi-year surface transportation bill	Work with our partner Bay Area transportation agencies, Caltrans and other statewide and national organizations to build on the structure and performance-based framework established by MAP-21 and identify a new, permanent funding source of funding for the Highway Trust Fund.
2. Federal Appropriations	A. Maximize federal transportation appropriations for MAP-21 programs	Partner with local, regional and statewide transportation agencies as well as national associations to ensure that Congress appropriates funding in FY 2014-15 and 2015-16 consistent with amounts authorized in MAP-21.
	B. Advocate for Capital Investment Grant funding for Resolution 3434/ Plan Bay Area Projects	Support annual Capital Investment Grant appropriations to help implement the Regional Transit Expansion Program, Resolution 3434, consistent with the full funding grant agreements approved for the San Francisco Third Street Light Rail/Central Subway project and the BART to Berryessa extension. Seek New Starts commitments for the next generation of transit expansion projects, consistent with Plan Bay Area, namely: San Francisco Transbay Transit Center (Phase 2)/Downtown Extension (DTX) and BART to Silicon Valley: Phase 2.
3. Increase Local/Regional Transportation Funding	Seek passage of the Marketplace Fairness Act in order to increase sales tax revenue available for transportation	Track and support any renewed efforts to enact the Marketplace Fairness Act (MFA), which seeks to apply state and local sales tax rates to e-commerce transactions. The MFA has the prospect of increasing funding for Bay Area transportation agencies as a result of increased revenue from county-based transportation sales taxes, the Transportation Development Act (TDA) funds — a key source of transit operating funding — and AB 1107, the permanent ½ cent sales tax for BART (applicable in Alameda, San Francisco and Contra Costa counties).
4. Pre-Tax Transportation Fringe Benefits	Preserve mode-neutrality in pre-tax transportation benefits	Continue our long-standing advocacy for parity between the pre-tax transportation fringe benefit allowed for public transit and vanpooling and that which is allowed for parking. Advocate for elimination of parking as an allowable pre-tax benefit, unless an employer also offers parking cash-out.



**METROPOLITAN
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Memorandum

TO: Legislation Committee

DATE: November 6, 2015

FR: Randi Kinman, Policy Advisory Council Chair

W. I. 1114

RE: Oil Extraction Tax Proposal

Background

Last year, the Policy Advisory Council held a brainstorming session to discuss possible new funding sources for transportation. As a result of that session, the Council formed a subcommittee to focus on the possibility of support for a California state oil severance fee.

The Council's Fuel Extraction Fee Subcommittee has held meetings since April and gave its final presentation to the Council last month (see attachment). While much more research was done than was forwarded in that presentation, the Council supported the condensed version of the report and unanimously voted to move the discussion on to the Legislation Committee for your deliberation.

Recommendation

The Policy Advisory Council respectfully requests the Legislation Committee include in MTC's 2016 Advocacy Program an item to explore the feasibility of building a coalition in support of a California oil extraction fee for the purpose of funding transportation. The Council further recommends that MTC consider supporting any future ballot measure on this topic.

Attachment

RK:plg

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Energy Extraction Fee

MTC Policy Advisory Council
Fuel Extraction Fee Subcommittee

What's Wrong With This Picture?

- Six states — Texas, Louisiana, Alaska, California, Oklahoma, and Wyoming — account for 80% of all oil produced in the U.S.
- California is the 3rd leading oil-producing state and the 10th natural gas-producing state in the U.S.
- California is the only major mineral-rich state lacking any form of state extraction fee.

Severance Fees

- Extraction, or severance, fees are designed to ensure the public receives a lasting benefit from the depletion of non-renewable resources.
- By maximizing collection of fossil fuel revenue and ensuring it is adequately distributed, California will increase the benefits of energy development.

Alaska Severance Fee Facts

- Oil-related revenue from fees and taxes fund 72% of Alaska's treasury, including an annual oil revenue share check for every Alaskan citizen.
- Alaska sets aside approximately 11% of the proceeds it receives from oil and gas companies into the Alaska Permanent Fund. As of 2007, the fund had grown to more than \$40 billion.
- California receives 30% of its oil from Alaska.

MTC Should Lead the Call
for Extraction Fees to
Focus the Funds on
Transportation and Housing

...

Here's Our Plan To Get a Seat at the Table

...

Leadership Role

1. MTC should build a coalition to seek legislation or a ballot measure.

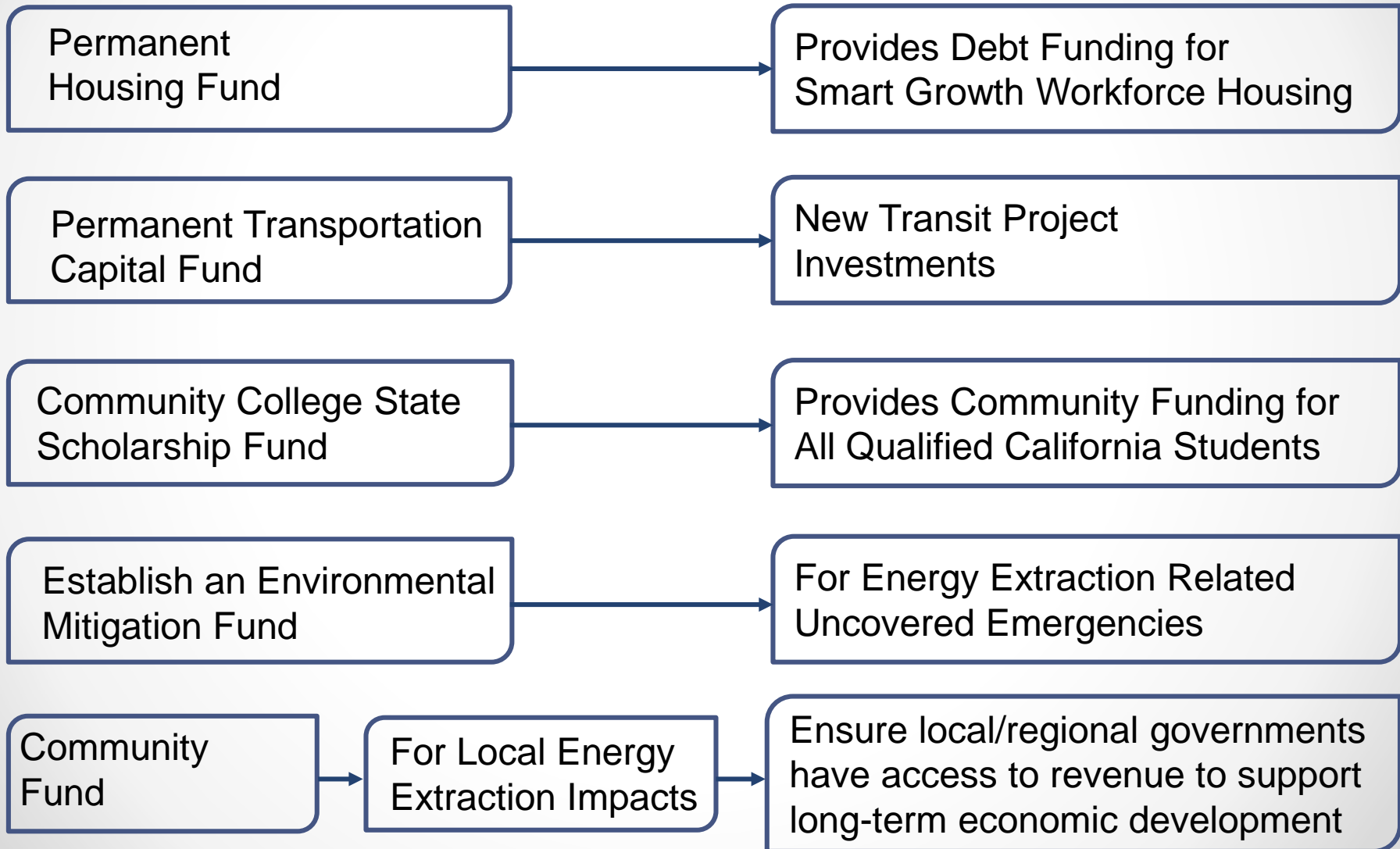
Some constituency examples:

- Transit agencies
- Housing advocates
- Community colleges
- Environmental activists
- Energy producing communities
- Senior groups

Leadership Role (continued)

2. MTC should design a simplified distribution formula for a severance fee, with revenues flowing into permanent trust funds (not the general fund).

Trust Fund Distribution Options





Metropolitan Transportation Commission

101 Eighth Street,
Joseph P. Bort MetroCenter
Oakland, CA

Legislation Details (With Text)

File #:	15-0925	Version:	1	Name:	
Type:	Assembly Bill	Status:		Commission Approval	
File created:	9/23/2015	In control:		Legislation Committee	
On agenda:	11/13/2015	Final action:			
Title:	AB x1-24 (Levine) Reconfiguration of MTC's Board				

This bill would replace MTC's current 21-member board with a directly-elected board of an undetermined number of members and change MTC's name to the Bay Area Transportation Commission.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
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Subject:

AB x1-24 (Levine) Reconfiguration of MTC's Board

This bill would replace MTC's current 21-member board with a directly-elected board of an undetermined number of members and change MTC's name to the Bay Area Transportation Commission.

Presenter:

Randy Rentschler

Recommended Action:

Commission Approval

Attachments



**METROPOLITAN
TRANSPORTATION
COMMISSION**

Agenda Item 4a

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E-MAIL info@mtc.ca.gov
WEB www.mtc.ca.gov

Memorandum

TO: Legislation Committee

DATE: November 6, 2015

FR: Executive Director

W. I. 1131

RE: AB x1-24 (Levine) Reconfiguration of MTC's Board

Background

AB x1-24 (Levine) would replace MTC's current board with a directly-elected board comprised of districts that represent approximately 750,000 residents with one additional member for those districts that have a toll bridge located within the district. Drawn by a citizen's redistricting commission, 10 districts based on the currently estimated 7.6 million total population in the San Francisco Bay Area would be joined by an indeterminate number of additional members for those districts that include a toll bridge within its boundaries. The bill combines MTC and BATA into a single entity and renames it the Bay Area Transportation Commission.

Other than the certainty that districts would cross county lines, given the wide array of potential options for district boundaries, it is impossible to forecast potential district boundaries or the actual number of board seats. However, a useful illustration would be the current boundaries of California's State Senate districts that were created by an independent redistricting commission. Nine Senate districts include a substantial portion of a Bay Area county. The table below compares the current board structure with the number of seats that would be assigned based on the current State Senate district boundaries.

Illustrative Only

Representing	Commissioners
Alameda County	3
Contra Costa County	2
Marin County	1
Napa County	1
San Francisco County	2
San Mateo County	2
Santa Clara County	3
Solano County	1
Sonoma County	1
San Francisco Bay Conservation and Development Commission	1
Association of Bay Area Governments	1
Total Voting Members	18

California State Senate District	Counties Represented	Number of Seats under AB x1-24
10	Alameda,	2
7	Alameda, Contra Costa	2
9	Alameda, Contra Costa	2
3	Contra Costa, Napa, Solano	2
2	Marin, Sonoma	2
11	San Francisco	2
13	San Mateo, Santa Clara	2
15	Santa Clara	1
17	Santa Clara	1
Total		16

Recommendation: Action on this bill is a policy matter for the Commission.

Discussion

When reviewing the table on the prior page, the table below and Attachment 1 (a map illustrating the number of seats based on the State Senate district boundaries), a few things stand out on the question of board representation:

- Alameda, Contra Costa, San Francisco and Santa Clara County would have split representation due to the fact that their populations each exceed the 750,000 threshold.
- Santa Clara County, which currently has three seats (including the City of San Jose’s seat) could potentially drop to just two dedicated seats because it lacks a toll bridge.
- Marin, Napa, Solano, Sonoma and potentially San Mateo counties would each be required to share representation with another county in order to reach the approximate 750,000 population threshold.

For reference, the official 2010 U.S. Census population counts by county are as follows:

County	Population	County	Population
Alameda	1,510,271	San Mateo	718,451
Contra Costa	1,049,025	Santa Clara	1,781,642
Marin	252,409	Solano	413,344
Napa	136,484	Sonoma	483,878
San Francisco	805,235	Total	7,150,739

Another noteworthy change to the overall board representation would be the loss of voting representation for the Association of Bay Area Governments and the Bay Conservation and Development Commission, as well as the nonvoting seats for Caltrans, the U.S. Department of Transportation and the U.S. Department of Housing and Urban Development.

In addition to these “shape of the table” issues, there are several additional policy ramifications of AB x1-24 for the Commission to consider:

- Both nationally and within California, directly-elected transportation boards are very rare. Of the thousands of public transit providers in America, there are only three directly-elected boards. Of the hundreds of MPO’s in America, only one, Portland Oregon’s Metro, is directly elected.
- Under the current structure, most MTC commissioners represent local jurisdictions. As such, they are land use decision-makers as well and bring that expertise to bear in fashioning regional transportation policy. A directly elected board would sever that valuable connection to local land use decision-making.
- This legislation also repeals the separate legal status enjoyed by the Bay Area Toll Authority (BATA), and simply states that BATA “is the Bay Area Transportation Commission.” This change – together with the directly-elected nature of the new board – could cause credit concerns about the segregation of toll funds from other MTC activities and the willingness of an elected board to raise tolls as necessary to fulfill our obligation to bondholders.

Known Positions

Support

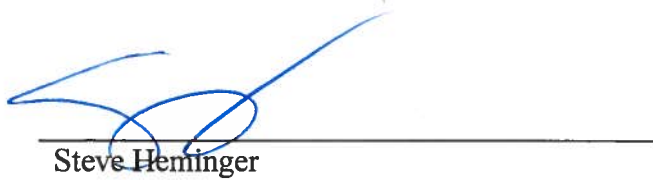
None on file

Oppose

Mayor Ed Lee, City and County of San Francisco

Mayor Sam Liccardo, City of San Jose

Mayor Libby Schaaf, City of Oakland



Steve Heminger

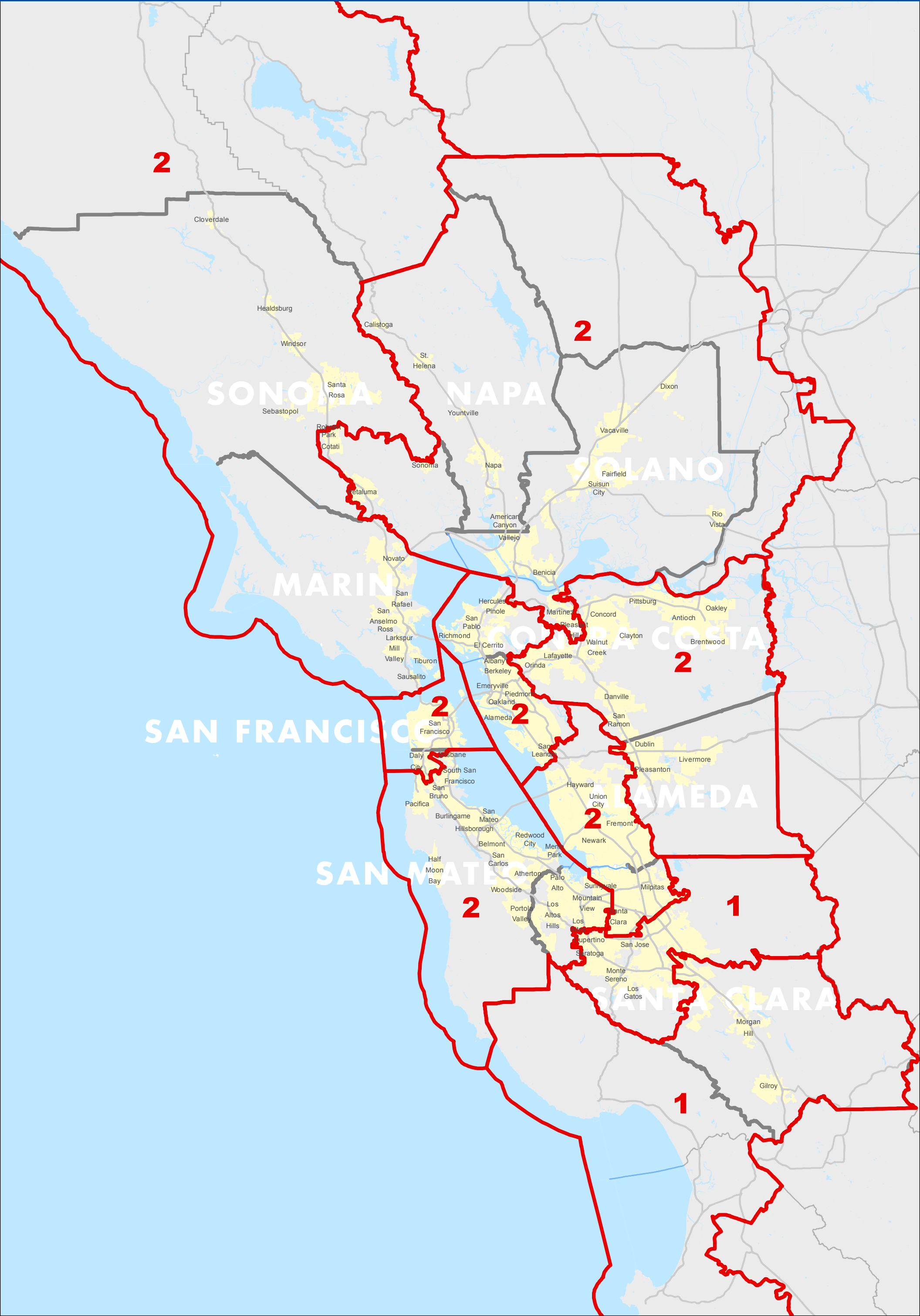
Attachments

SH: rl

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Potential Board Representation Under AB x1-24

Based on Existing State Senate Boundaries





September 28, 2015

The Honorable Marc Levine
California State Assembly
State Capitol, Room 2141
Sacramento, CA 95814

The Honorable Phil Ting
California State Assembly
State Capitol, Room 3123
Sacramento, CA 95814

Re: ABX1 24 (Levine and Ting) Bay Area Transportation Commission: Election of Commissioners – OPPOSE

Dear Assemblymember Levine and Assemblymember Ting,

As mayors of the largest cities in the Bay Area, we write to inform you of our respectful opposition to ABX1 24. The bill would redesignate the Metropolitan Transportation Commission (MTC) as the Bay Area Transportation Commission and merge the Bay Area Toll Authority into this new organization, which would be comprised of commissioners elected based on the population and existence of toll bridges in a given district. By entirely reconstituting the representation of an organization that has provided important support and coordination to our cities and our region, this proposal only adds uncertainty to the future of Bay Area land use and transportation planning.

For decades, MTC has been a leader in forward-looking transit and transportation planning in the Bay Area. Comprised of elected officials and planning experts from across the region representing a mixture of city, county, and statewide viewpoints, the Commission and its staff have worked effectively to produce thoughtful and impactful results for our cities. Projects such as the US 101 Doyle Drive replacement and SFMTA Central Subway expansion in San Francisco, the Citywide Pavement Management Program and ongoing BART extension projects in San José, and the Port of Oakland/Oakland Army Base and I-880 North safety improvements in Oakland have all benefited from financial and planning support provided by MTC. The Commission has also championed ambitious multi-county efforts, ranging from the Bay Area bike share expansion program to Caltrain electrification to BART Tube seismic retrofitting. These are just a few of the many examples of MTC-supported endeavors that are helping to improve the functionality of our region and better connect the residents of our cities.

As the Bay Area continues to grow, we as mayors need the continued support of steady and coordinated regional planning organizations, and under its current structure, MTC has provided a high level of competency for important transportation and transit projects in our cities. As always, there are opportunities for improvement. We are committed to working closely with

the Commission to build upon its ongoing coordination with all of the citizens, cities, and issues that it works to benefit, particularly as we continue to address pressing concerns about transportation system capacity, housing supply, and affordability in our cities. However, we do not believe that your proposed remaking of the Commission's structure would improve the quality of land use planning in the Bay Area.

For the reasons stated, we respectfully oppose ABX1 24.

Sincerely,



Edwin M. Lee
Mayor, City and County of San Francisco



Sam T. Liccardo
Mayor, City of San José



Libby Schaaf
Mayor, City of Oakland

Cc: Honorable Members, San Francisco State Legislative Delegation
Honorable Members, San José State Legislative Delegation
Honorable Members, Oakland State Legislative Delegation

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Assembly California Legislature



MARC LEVINE
ASSEMBLYMEMBER, TENTH DISTRICT

October 19, 2015

COMMITTEES
CHAIR: WATER, PARKS AND WILDLIFE
GOVERNMENTAL ORGANIZATION
HIGHER EDUCATION
AGING AND LONG-TERM CARE
ARTS, ENTERTAINMENT, SPORTS,
TOURISM AND INTERNET MEDIA

SELECT COMMITTEES
CHAIR: CRAFT BREWING AND DISTILLING
BIOTECHNOLOGY
CAMPUS CLIMATE
COASTAL PROTECTION
IMPROVING BAY AREA TRANSPORTATION
SYSTEMS
WINE

E-MAIL
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WEBSITE
www.assembly.ca.gov/Levine

The Honorable Steve Kinsey
Metropolitan Transportation Commissioner
3501 Civic Center Drive Room 329
San Rafael, CA 94903

RECEIVED

OCT 23 2015

MTC

Dear Commissioner Kinsey:

I am writing to thank you for our productive meeting on October 15, 2015. It was good to hear that the Metropolitan Transportation Commission (MTC) will be fully funding the Association of Bay Area Governments (ABAG) through the 2015-2016 fiscal year. This will allow for more discussion and input from stakeholders on the proposed consolidation of regional planning under MTC. It is critical that any change in regional planning and governance be well thought out and have broad support in the region.

Additionally, I hope that MTC will view AB 1 x 24 as a means to improve public confidence in Bay Area transportation planning and infrastructure. I look forward to hearing MTC's thoughts on what can be done to build public trust in Bay Area transportation decision making.

Sincerely,


MARC LEVINE

cc: Dave Cortese, Chair
Alicia C. Aguirre, Commissioner
Jason Baker, Commissioner
David Campos, Commissioner
Federal D. Glover, Commissioner
Anne W. Halsted, Commissioner
Mark Luce, Commissioner
Bijan Sartipi, Commissioner
James P. Spering, Commissioner
Scott Wiener, Commissioner
Steve Heminger MTC Executive Director

Jake Mackenzie, Vice Chair
Tom Azumbrado, Commissioner
Tom Bates, Commissioner
Dorene M. Giacopini, Commissioner
Scott Haggerty, Commissioner
Sam Liccardo, Commissioner
Julie Pierce, Commissioner
Libby Schaaf, Commissioner
Adrienne J. Tissier, Commissioner
Amy Rein Worth, Commissioner
Bay Area Legislative Caucus



Metropolitan Transportation Commission

101 Eighth Street,
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Oakland, CA

Legislation Details (With Text)

File #: 15-1016 **Version:** 1 **Name:**
Type: Report **Status:** Informational
File created: 10/15/2015 **In control:** Legislation Committee
On agenda: 11/13/2015 **Final action:**
Title: Overview of H.R. 3763 (Shuster): Surface Transportation Reauthorization and Reform Act

A summary and analysis of the House Transportation & Infrastructure Committee's six-year bill, including how it would affect funding for the San Francisco Bay Area.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
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Subject:

Overview of H.R. 3763 (Shuster): Surface Transportation Reauthorization and Reform Act

A summary and analysis of the House Transportation & Infrastructure Committee's six-year bill, including how it would affect funding for the San Francisco Bay Area.

Presenter:

Randy Rentschler

Recommended Action:

Information

Attachments



METROPOLITAN
TRANSPORTATION
COMMISSION

Agenda Item 5a

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Memorandum

TO: Legislation Committee

DATE: November 6, 2015

FR: Executive Director

W. I. 1131

RE: Overview of H.R. 3763 (Shuster): Surface Transportation Reauthorization and Reform Act

On November 5, by a vote of 363 to 64, the U.S. House of Representatives approved the Surface Transportation Reauthorization and Reform Act of 2015 (the STRR Act) as an amendment to H.R. 22, the Senate-approved DRIVE Act. The STRR Act, H.R. 3763, is a six-year reauthorization proposal for the nation's transit and highway programs. This memo provides an overview of key provisions and funding levels for the Bay Area. As additional details emerge, we will update you at your November meeting.

Attachment 1 includes a side-by-side comparison of H.R. 3763 with H.R. 22, the Senate's reauthorization proposal, known as the Developing a Reliable and Innovative Vision for the Economy (DRIVE) Act prepared by the National Governor's Association. Note that this document does not reflect amendments made on the House Floor. Attachment 2 includes the House Transportation & Infrastructure Committee's conferees for the conference committee, including Congresswoman Napolitano and Congressman Denham from California.

Funding Overview

The bill authorizes \$325 billion over six-years (in comparison to \$341 billion in the Senate DRIVE Act) — totaling \$158 billion over the first three years. In a remarkable late breaking development, the House adopted an amendment that identified an additional \$40 billion in revenue from a Federal Reserve surplus account and incorporated it into the bill. The exact use of those funds is not yet determined, but options include spreading them out over six-years to enable a long-term bill or using them to boost annual funding levels for a bill of shorter duration. Based on our preliminary review, staff estimates this infusion of \$40 billion would translate to an additional \$532 million above the bill's current funding level for the Bay Area, including \$354 million in additional transit funding and \$178 million in additional highway formula funds.

However, the actual funding authorizations approved in the House bill represent just a 1 percent increase over current levels in year 1 for both transit and highway formula funding, in comparison to a 3 percent highway funding increase and a 7 percent transit funding increase in year 1 of the Senate-approved DRIVE Act. Likewise, future annual highway and transit formula funding levels grow at a higher rate in the Senate bill than the House.

Bay Area Funding

As noted, the House bill provides far less funding for transit than the Senate bill. Specifically, over the first three-years, H.R. 3763 provides the Federal Transit Administration (FTA) with \$1.7 billion less than the DRIVE Act — \$26.7 billion vs. \$28.4 billion, translating to \$83 million less transit funding for the Bay Area than that provided by the DRIVE Act.

While there are a number of key differences in how the bills treat the federal highway programs with respect to suballocation and funding set-asides, taken as a whole, the region's federal highway formula funds — Congestion Mitigation and Air Quality (CMAQ), Surface Transportation Program and Transportation Alternatives Program (TAP) — would be roughly the same at approximately \$500 million over the three-year period. Notably, STP would comprise a much larger share in the House bill, while TAP would comprise a larger share in the Senate bill.

HIGHWAY PROGRAMS

Restrictive Language on Use of CMAQ Of paramount concern, both bills include restrictive language related to prioritizing Congestion Mitigation and Air Quality Improvement Program (CMAQ) funds on projects that reduce fine particulate matter (PM2.5). While current law contains a related provision requiring PM2.5 projects receive priority for 25 percent of CMAQ funds, the House and Senate bills include language requiring such projects be prioritized to the “maximum extent possible” and that they go towards projects that reduce “directly emitted” PM2.5 — i.e. diesel engine retrofit or replacement. This could limit the region's ability use CMAQ funds for the flexible One Bay Area Grant program which is vital to the region's climate protection strategy. An amendment authored by Congressman Ryan (D-Ohio) was approved on the House floor to partially restore such flexibility. MTC staff is working closely with other MPOs, Caltrans and Senator Boxer's office to ensure the conference committee addresses this problem.

Surface Transportation Program Converted to “Block Grant” The House bill converts the highly flexible STP program to a block grant, though it is unclear what the ramifications are beyond removing some existing FHWA reporting requirements. With respect to suballocation of funds based on population, the House bill gradually increases it from 50 percent in year 1 to 55 percent in year 6 (in contrast to the Senate bill which sets suballocation at 55 percent in year 1).

Freight Funding Lower and Limited to Competitive Program Similar to the DRIVE Act, H.R. 3763 establishes a National Freight Program, though a key difference is that the House program is 100 percent competitive with no formula component. Specifically, whereas the DRIVE Act provides \$1 billion in freight formula funding, plus \$250 million in competitive funding in FY 2016 (growing to \$2 billion formula funding and \$350 million competitive funding by FY 2018), H.R. 3763 strictly provides \$725 million in competitive freight funding, reaching only \$750 million by FY 2018.

TRANSIT PROGRAMS

New Bus and Bus Facilities Program The House bill creates a new discretionary bus program funded at \$353 million in FY 2016, \$463 million in FY 2017, growing thereafter to reach \$485 million by FY 2021. The program was more than doubled on the House floor after an amendment was approved that shifted funds away from a portion of FTA's transit formula program that benefits only 7 states considered “high density.” While this doesn't increase the region's formula funds, Bay Area bus operators may benefit from the competitive program.

Local Match H.R. 3763 originally included a provision to increase the local match requirement from 20 percent to 50 percent for all projects funded by FTA's competitive Capital Investment Program (a.k.a. New Starts). After significant outcry from the transit community, this was modified to restore a 20 percent local match requirement for Core Capacity and Small Starts projects, but retain a 50 percent match for fixed-guideway projects. The Bay Area's next generation of transit projects seeking New Starts funding (Transbay Transit Center/Downtown Extension and BART to Silicon Valley (Phase 2) are assuming close to 75 percent local match, so this provision should not affect

them. A related provision restricting any other federal transportation funds from being used as match for fixed guideway, core capacity or small starts projects was amended by Congressman Lipinski to exclude only STP funds from being used in a Full Funding Grant Agreement for a fixed-guideway project. Likewise, this provision should not affect the Bay Area's New Starts projects.

State of Good Repair/High Intensity Motor Bus Unfortunately, an amendment by Congresswoman Comstock (VA) to ensure that express bus service operated on express lanes be treated the same as express bus service on HOV lanes for purpose of determining an area's share of transit State of Good Repair funds was not taken up on the House floor due to concerns that it would fail. The issue may be addressed during the conference committee. Staff will continue to work with regions across the U.S. seeking to correct this narrow interpretation of current law during the conference committee.

Next Steps

The remaining House and Senate conferees are expected to be named after Veterans Day. Given the fast pace by which Congress has been moving, it now seems plausible that a multi-year bill could be enacted before the November 20 deadline of the most recent MAP 21 extension. The swift handling of amendments and passage of the House bill this week demonstrated how quickly Congress can move when an item rises to the top of the agenda. Staff will continue to coordinate closely with our Washington D.C. representative and regional, state and national transportation partners to keep our Congressional delegation informed of our priorities as negotiations continue.



Steve Heminger

SH: rl

J:\COMMITTEE\Legislation\Meeting Packets\Legis2015\11_Legis_Nov 2015\5a_House T&I Bill Summary.docx

National Governors Association (NGA) Staff Analysis:
Developing a Reliable and Innovative Vision for the Economy (DRIVE) Act
Surface Transportation Reauthorization and Reform (STRR) Act
 October 2015

Moving Ahead for Progress in the 21st Century, or MAP-21, the most recent federal surface transportation authorization enacted in July 2012, introduced innovations and reforms for highways and transit that are still being rolled out. MAP-21, however, expired on September 30, 2014 and has been extended until October 29, 2015.

In July, the Senate passed [H.R. 22](#), an expanded version of the **Developing a Reliable and Innovative Vision for the Economy (DRIVE) Act** by a vote of 65 – 34. The bill would reauthorize highway and transit programs for six years, but it provides only three years’ worth of funding because of limits on general fund revenue offsets available to support projected Highway Trust Fund (HTF) shortfalls.

In October, the House Transportation and Infrastructure Committee passed the **Surface Transportation Reauthorization and Reform Act (STRR)** out of committee by voice vote. The House bill authorizes surface transportation spending for six years, at baseline funding adjusted for inflation, which totals \$339 billion between FY 2016 and FY 2021. Like the DRIVE Act, STRR provides only enough revenue to keep the Highway Trust Fund solvent for the first three years of the bill. Funding authorization for the remaining three years would be contingent upon adding enough revenue to the Highway Trust Fund to maintain the minimum prudent balance level of \$4 billion for the Highway Account and \$1 billion for the Mass Transit Account in any given fiscal year. The House Ways and Means Committee has not released the funding portion for STRR at this time.

The following side-by-side compares current law against key provisions of interest to the states from the comprehensive DRIVE Act and STRR bill. This is not an exhaustive review. Please refer to the actual legislative texts if you need additional details. NGA will issue updates to this chart as new information becomes available.

Policy Initiative	Current Law (P.L. 112-239): <i>Moving Ahead for Progress in the 21st Century (MAP-21)</i>	Senate Proposal: <i>Developing a Reliable and Innovative Vision for the Economy (DRIVE) Act</i>	House Proposal: <i>Surface Transportation Reauthorization and Reform Act (STRR) of 2015</i>
<i>Authorizations</i>	<p>Extended current funding levels through September 30, 2014. The program was extended through July 31, 2015.</p> <p>Total funding levels from the Highway Trust Fund were adjusted for inflation and set at:</p> <ul style="list-style-type: none"> • \$40.9 billion in FY 2013, and • \$41 billion for FY 2014. 	<p>Extends current funding levels through September 30, 2021, and would provide a total of \$278 billion over that time period.</p> <p>Total annual funding levels:</p> <ul style="list-style-type: none"> • \$40.1 billion in FY 2016, • \$41.1 billion in FY 2017, • \$42.1 billion in FY 2018, • \$43.3 billion in FY 2019, • \$44.4 billion in FY 2020, and • \$45.5 billion in FY 2021. 	<p>Extends current funding levels through September 30, 2021, and would provide \$262 billion for federal-aid highways over that time period.</p> <p>Total annual funding levels:</p> <ul style="list-style-type: none"> • \$38.4 billion in FY 2016, • \$39.1 billion in FY 2017, • \$39.9 billion in FY 2018, • \$40.7 billion in FY 2019, • \$41.6 billion in FY 2020, and • \$42.5 billion in FY 2021.

Policy Initiative	Current Law (P.L. 112-239): <i>Moving Ahead for Progress in the 21st Century (MAP-21)</i>	Senate Proposal: <i>Developing a Reliable and Innovative Vision for the Economy (DRIVE) Act</i>	House Proposal: <i>Surface Transportation Reauthorization and Reform Act (STRR) of 2015</i>
	<p>Additionally, MAP-21 provided the following funding levels for transit:</p> <ul style="list-style-type: none"> • \$10.6 billion in FY 2013, and • \$10.7 billion for transit in FY 2014. 	<p>Additionally, the DRIVE Act provides the following funding levels for mass transit and bus grant contract authority:</p> <ul style="list-style-type: none"> • \$9.2 billion in FY 2016, • \$9.4 billion in FY 2017, • \$9.9 billion in FY 2018, • \$10.1 billion in FY 2019, • \$10.4 billion in FY 2020, and • \$10.6 billion in FY 2021. 	<p>Funding levels are consistent with the current baseline, plus a small increase for inflation.</p> <p>Additionally, STRR provides the following funding levels for mass transit and bus grant contract authority:</p> <ul style="list-style-type: none"> • \$8.7 billion in FY 2016, • \$8.9 billion in FY 2017, • \$9.1 billion in FY 2018, • \$9.2 billion in FY 2019, • \$9.4 billion in FY 2020, and • \$10.6 billion in FY 2021.
<p>Obligation Limitation</p> <p><i>(The obligation limit is the overall authority to spend federal funds for projects annually.)</i></p>	<p>Established an annual obligation limitation of:</p> <ul style="list-style-type: none"> • \$39.7 billion in FY 2013, and • \$40.3 billion in FY 2014. 	<p>Establishes an annual obligation limitation of:</p> <ul style="list-style-type: none"> • \$42.3 billion in FY 2016, • \$43.4 billion in FY 2017, • \$44.5 billion in FY 2018, • \$45.6 billion in FY 2019, • \$46.9 billion in FY 2020, and • \$48.0 billion in FY 2021. 	<p>Establishes an annual obligation limitation of:</p> <ul style="list-style-type: none"> • \$40.9 billion in FY 2016, • \$41.6 billion in FY 2017, • \$42.5 billion in FY 2018, • \$43.3 billion in FY 2019, • \$44.2 billion in FY 2020, and • \$45.1 billion in FY 2021.
<p>Apportionment Formula</p>	<p>For FY13 and FY14, the amount each state received was based on their share of apportionments for FY12 set under the previous authorization.</p> <p>For FY14, state apportionments were adjusted to ensure that no state received less than 95 percent return on its contribution to the Highway Account of the HTF.</p>	<p>Preserves current apportionment formula.</p> <p>Funding for the new National Freight Program would be a take-down from each state apportionment.</p>	<p>Preserves current apportionment formula for core highway programs.</p> <p>Converts the Surface Transportation Program to the Surface Transportation Block Grant Program.</p>
<p>Highway Trust Fund Revenue</p>	<p>Required transfers from the General Fund and the Leaking Underground Storage Tank Trust Fund to cover the HTF shortfall.</p>	<p>Provides only three years' worth of funding for the six year reauthorization because of limits on general fund revenue offsets available to support projected Highway Trust Fund shortfalls.</p>	<p>Provides only three years' worth of funding for the six year reauthorization because of limits on general fund revenue offsets available to support projected Highway Trust Fund shortfalls.</p>

Policy Initiative	Current Law (P.L. 112-239): <i>Moving Ahead for Progress in the 21st Century (MAP-21)</i>	Senate Proposal: <i>Developing a Reliable and Innovative Vision for the Economy (DRIVE) Act</i>	House Proposal: <i>Surface Transportation Reauthorization and Reform Act (STRR) of 2015</i>
	<p>Extended the collection of highway user fees through September 30, 2016.</p>	<p>Establishes a solvency test that would stop further new obligations from the Highway Trust Fund if, after FY 2018, the Highway Trust Fund drops below \$4 billion by the end of the upcoming fiscal year, and the Mass Transit Account drops below \$1 billion.</p> <p>Requires transfers from the General Fund. Offsets to pay for the transfer include: savings from tax compliance (\$7.6 billion), the sale of crude oil from the Strategic Petroleum Reserve (\$9 billion), reducing the fixed dividend rate paid by large banks (\$16.3 billion), indexing customs user fees (\$4 billion), and extending deposits of TSA security fees (\$3.5 billion) into the general fund and other adjustments.</p> <p>Extends the collection of highway user fees through September 30, 2023.</p>	<p>Locks spending from the Highway Trust Fund for fiscal years 2019, 2020, and 2021 unless subsequent appropriations are enacted to transfer enough money into the trust fund to maintain a minimum balance of \$4 billion in the Highway account and \$1 billion in the Mass Transit account.</p> <p>Reestablishes a revenue based trigger that would increase or decrease proposed highway and mass transit contract authority and obligations starting in FY17 based on actual HTF receipts received in past years.</p> <p>Rescinds \$6 billion of unobligated contract authority on July 1, 2018, which would be derived from Federal-aid Highway Program categories other than the Highway Safety Improvement Program, Railway-Highway Crossings Program, Metropolitan Planning, and suballocated portions of the Surface Transportation Block Grant Program. As of the end of FY 2015, \$15.2 billion on unobligated contract authority was carried by all states.</p> <p>Requires transfers from the General Fund. Offsets to pay for the transfer are still under consideration by the House Ways and Means Committee, but are likely to be similar to the Senate funding package.</p>
<i>Innovative Funding and Financing</i>	<p>MAP-21 maintained authorization of state infrastructure banks and GARVEE bonds, and directed the Department of Transportation to provide technical assistance and report on best practices with public-private partnerships.</p>	<p>Authorizes annual appropriations of \$150 million for FY16 - FY21 to support the <i>Achievement in Transportation Performance and Innovation Awards</i>, a competitive grant program to support best practices that promote progress, innovations, and efficiency for surface transportation programs at state DOTs and Metropolitan Planning Organizations.</p>	<p>Creates the National Surface Transportation and Innovation Finance Bureau at the US DOT to provide concierge services to states and local governments pursuing innovative financing projects. The bureau would provide (i) administrative help with applications for competitive federal grants and credit assistance programs; (ii) encourage innovations such as</p>

Policy Initiative	Current Law (P.L. 112-239): <i>Moving Ahead for Progress in the 21st Century (MAP-21)</i>	Senate Proposal: <i>Developing a Reliable and Innovative Vision for the Economy (DRIVE) Act</i>	House Proposal: <i>Surface Transportation Reauthorization and Reform Act (STRR) of 2015</i>
		<p>Creates a program to encourage establishing a state user fee for electric vehicles. The bill would authorize increased federal funding for projects if states contribute at least five percent of the cost from revenue on vehicles with a fuel not subject to federal taxes.</p> <p>Authorizes DOT to provide grants to states, groups of states, or other appropriate entities to undergo research on user-based alternative revenue mechanisms for the Highway Trust Fund and create a Surface Transportation Revenue Alternatives Advisory Council. The Council will define the functionality of as least two user-based funding alternatives, identify relevant issues, conduct public outreach, evaluate research, and provide recommendations to the Secretary of Transportation.</p> <p>Authorizes states to bundle multiple bridge projects as if they were a single project, creating public-private partnership opportunities for bridge reconstruction.</p> <p>Allows states to increase the federal share of a project by up to five percent if the state covers at least five percent of the project cost with qualified revenues from fees on the registration of vehicles that operate solely on a fuel (i.e. electric vehicles) that is not subject to the federal gas tax.</p> <p>Requires the DOT to submit a report to Congress by 2023 describing the most efficient and equitable means of taxing motor vehicles that are not subject to the federal fuel tax.</p>	<p>public-private partnerships; and (iii) assist applicants with project streamlining and permitting. The bureau would complement the DOT's modal agencies and not replace their work.</p> <p>Allows states to use up to 10 percent of their annual National Highway Performance program and state transportation block grant program apportionments in FY16 – FY21 to capitalize state infrastructure banks.</p> <p>Establishes a new Council on Credit and Finance within DOT to replace the current ad hoc credit counsel. Members of the council would include: the Under Secretary for Policy; the Chief Financial Officer; the General Counsel; the Assistant Secretary for Policy; the administrators of the Federal Highway Administration, Federal Transit Administration, and Federal Railroad Administration, and up to three DOT officials to be named by the Secretary.</p>

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<i>TIFIA</i>	<p>Increased annual available funding for TIFIA to \$750 million in FY13 and \$1 billion in FY14.</p> <p>Created a 10 percent set-aside for rural projects and a rolling application process.</p> <p>Changed the evaluation criteria for projects, with creditworthiness becoming the dominant factor in project selection.</p> <p>Increased the maximum share of project costs that TIFIA may provide from 33 percent to 49 percent.</p>	<p>Cuts TIFIA funding from the authorized amount of \$1 billion annually to \$300 million per year.</p> <p>Expands TIFIA eligibility to include transit-oriented projects.</p> <p>Creates a Rural Projects Fund and designates a fund to capitalize State Infrastructure Banks.</p> <p>Redefines TIFIA master credit agreements to require that projects receive an investment grade rating before the Secretary of Transportation could sign the agreement.</p> <p>Authorizes DOT to establish a regional infrastructure accelerator demonstration program to assist in speeding up TIFIA eligible projects. The text is not clear regarding what entities can apply to the regional infrastructure accelerator program.</p> <p>Provides the Secretary of Transportation the authority to designate regional infrastructure accelerators that will: (1) serve a defined geographic area; and (2) act as a resource in the geographic area to qualified entities.</p> <p>Authorizes appropriations of \$12 million to carry out the regional infrastructure accelerator demonstration program, with \$11.75 million provided for initial grants to regional infrastructure accelerators.</p>	<p>Cuts TIFIA funding from the authorized amount of \$1 billion annually to \$200 million per year.</p> <p>Redefines TIFIA master credit agreements to require that projects receive an investment grade rating before the Secretary of Transportation could sign the agreement.</p> <p>Redefines “rural infrastructure project” to mean any project outside of a Census Bureau defined urbanized area.</p> <p>Creates a new, lower \$10 million threshold project size for projects sponsored by a local government or local facility.</p> <p>Moves the redistribution of unused TIFIA funds back to April 1, 2016 and sets specific dollar amounts for the TIFIA set-aside for administrative expenses instead of a percentage of the total program.</p>
<i>Tolling</i>	<p>Permitted tolling on new Interstates and new lanes on existing Interstates.</p>	<p>Allows unlimited tolling of new Interstate lane construction.</p> <p>Strikes existing limitations on HOV conversion to HOT lanes.</p>	<p>Allows more tolling of HOV facilities by public authorities.</p> <p>Strikes existing limitations on HOV conversion to HOT lanes.</p>

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	<p>Preserved the Interstate System Reconstruction and Rehabilitation Pilot Program.</p> <p>Eliminated the requirement that public authorities execute a toll agreement with FHWA before tolling a facility.</p>	<p>Amends the Interstate toll pilot program by easing application requirements and permitting Interstate Maintenance funds to be used on a tolled facility. Forces states to solicit contract within one year after being selected and execute contracts within two years after being selected.</p> <p>Sets up a pilot program to implement a toll credit marketplace where up to 10 states can buy and sell toll credits.</p>	<p>Requires the three states approved for the Interstate toll pilot program mandated in TEA-21 to use their approval within three years or lose such approval.</p>
<i>Transit</i>	<p>Combined existing and new transit programs into a new State of Good Repair Grant Program for rail fixed guideways and bus rapid transit projects.</p> <p>Converted the existing Bus and Bus Facilities competitive grant program into a formula program.</p> <p>Made core capacity projects eligible for New Starts funding.</p>	<p>Creates a pilot program establishing three cooperative procurement programs, between multiple states and providers, in order to streamline the purchase of public transportation vehicles.</p> <p>Restores \$387 million to the Bus and Bus Facilities program to bring the total program level back up to \$815 million by FY 2021 and establishes a new minimum state allocation of \$2 million.</p> <p>Reinstates a bus discretionary grant program totaling \$190 million annually and includes a 10 percent rural set-aside.</p> <p>Provides an additional \$862 million for Urbanized Area Formula grants and includes a grant requirement that recipients must maintain their equipment and facilities in a state of good repair.</p> <p>Allows the Secretary to utilize Urbanized Area Formula grants to provide targeted operating assistance to large urbanized areas that have a three-month unemployment rate greater than seven percent. The amount that can be used for operating expenses is capped at 25 percent of the area's total</p>	<p>Maintains the Bus and Bus Facilities program and increases spending slightly, bringing the total program level up to \$486 million by FY 2021.</p> <p>Reinstates a bus discretionary grant program totaling \$90 million in FY 2016 and rising to \$200 million annually for subsequent fiscal years. Each state will receive \$1.2 million annually, with the remainder of the funds distributed through formula. States can transfer formula funds to other eligible recipients.</p> <p>Creates a competitive grant for bus state of good repair.</p> <p>Maintains Urbanized Area Formula grants at current funding levels, totaling \$27.7 billion over six years.</p> <p>Lowers the maximum cost share of federal assistance for a new start project from not exceeding 80 percent to not exceeding 50 percent. However the bill maintains the federal share for core capacity or small starts project at a maximum 80 percent.</p>

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		<p>apportionment in the first year and 20 percent in succeeding years.</p> <p>Includes intermodal facilities that support intercity transportation as eligible for consideration in statewide transportation plans and transportation improvement programs.</p> <p>Changes the definition of a "small start" project from projects between \$75 - \$250 million to projects between \$100 - \$300 million.</p> <p>Establishes an expanded pilot program for projects that streamline the process for project delivery. Eligible projects include: new fixed guideway projects, core capacity projects, and small start projects seeking federal funding.</p>	<p>Establishes a public transportation innovation program, providing assistance for projects and activities that advance innovative public transportation research and development. Grants are provided to cover 80 percent of the project costs.</p> <p>Lowens the federal share for bicycle facilities to 80 percent.</p> <p>Allows the use of value capture to account for local matching funds for capital projects.</p>
<i>National Freight Program</i>	<p>Establishes a national freight policy, requiring the designation of a primary freight network of up to 30,000 miles.</p> <p>Encouraged states to develop state freight plans.</p>	<p>Establishes a formula-based national freight program, based off of the current apportionment formula. The program would be paid for by new money out of the Highway Trust Fund.</p> <p>The National Freight Program is authorized at:</p> <ul style="list-style-type: none"> • \$1.0 billion in FY16, • \$1.45 billion in FY17, • \$2.0 billion in FY18, • \$2.3 billion in FY19, • \$2.4 billion in FY20, and • \$2.5 billion in FY21. <p>Allows states to increase the number of miles designated as part of the primary highway freight network and permits states to designate critical rural and urban freight corridors.</p>	<p>Establishes a new competitive grant program for nationally significant multi-modal freight projects, but does not establish a formula-based national freight program.</p> <p>The grant program is authorized at:</p> <ul style="list-style-type: none"> • \$725 million in FY16, • \$735 million in FY17, and • \$750 million in FY18 through FY21. <p>States, local governments, port authorities, metropolitan planning organizations, and other entities can apply to DOT for funding for projects with a total cost of the lesser of \$100 million or a certain percentage of the state's total annual federal highway apportionment. Twenty percent of the total annual available grant funds will be set aside for projects located in rural areas.</p>

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		<p>The Secretary of Transportation, in consultation with state departments of transportation, would develop a National Freight Strategic Plan. Requires the Secretary to update the National Freight Strategic Plan every 5 years.</p> <p>Requires the Secretary of Transportation to submit a report to Congress within two years of enactment which contains a study of freight projects identified in state freight plans, and an evaluation of multimodal freight projects included in the state freight plans.</p> <p>Makes state freight advisory committees and state freight plans mandatory.</p> <p>Requires that a state's freight plan identifies state needs, while detailing how to improve the state's ability to meet national freight goals.</p> <ul style="list-style-type: none"> Includes a sense of Congress stating freight planning activities should be multimodal. Develops state incentives for multimodal planning efforts, including reducing the state cost share and expediting the review of agreements for multimodal freight specific projects. <p>Cancels state freight apportionments after two years if states have not established a freight advisory committee and developed a freight plan.</p> <p>Permits states with 3 percent or more of the total national freight network to use apportionments for projects on the primary system, critical urban corridors, or critical rural corridors. States with less</p>	<p>The Secretary of Transportation, in consultation with state departments of transportation, would develop a National Freight Strategic Plan. Requires the Secretary to update the National Freight Strategic Plan every 5 years.</p> <p>Requires the Secretary of Transportation to establish a National Highway Freight Network consisting of the Interstate system, non-Interstate highway segments on the primary freight network, and additional non-Interstate highway segments designated by the states.</p> <p>Encourages states to establish a freight advisory committee.</p> <p>Requires each state develop a state freight plan that provides a comprehensive plan for immediate and long-term planning investments of the state with respect to freight.</p> <p>Within 1 year of enactment each state, in consultation with the state freight advisory committee, can increase the number of miles included in the National Highway Freight Network by not more than 10 percent of the miles designated in that state if those miles close gaps in the network, establish connections to critical freight facilities, or are critical emerging corridors.</p> <p>Provides states the authority to designate critical commerce corridors to the National Highway Freight Network.</p> <p>Every 5 years the Secretary of Transportation, in consultation with the states, will reexamine the</p>

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		<p>than 3 percent of the total national freight networks can use its apportionment on any component of the national network.</p> <p>Allows states to use up to 10 percent of their National Freight funds within the boundaries of public and private freight rail, water facilities, and intermodal facilities.</p> <p>Would replace the TIGER competitive grant program with a new one to fund infrastructure projects authorized at \$500 million annually.</p>	<p>National Highway Freight Network for any additional updates.</p> <p>Requires the Secretary of Transportation to establish the National Multimodal Freight Network consisting of the National Highway Freight Network, class I freight railroads, public U.S. ports, inland and intracoastal waterways, the Great Lakes, the St. Lawrence Seaway, and the top 50 U.S. airports. The network would be updated every five years.</p>
<i>Rail</i>	MAP-21 did not include a separate rail provision.	<p>Authorizes a consolidated grant program that would make positive train control (PTC) implementation an eligible use; frees up loan money to help operators become PTC complaint. Requires freight and passenger railroads fully install necessary PTC equipment on trains, in facilities, and along track no later than 2018.</p> <p>Reauthorizes Amtrak for four years at an annual average of \$1.65 billion for operating and capital grants, and \$570 million for federal-state partnership grants.</p>	<p>Extends the deadline for railroads to implement positive train control (PTC) to December 31, 2018, with the opportunity for an additional two-year grace period.</p> <p>The Surface Transportation Reauthorization and Reform Act does not include a separate rail provision.</p> <p>The House of Representatives passed H.R. 749, the Passenger Rail Reform and Investment Act, in March 2015 by a vote of 316 – 101.</p>
<i>Accelerating Project Delivery</i>	<p>Established deadlines for decision making in the environmental review process (ERP) and penalties for federal agencies that miss the deadlines.</p> <p>Expanded the usage of categorical exclusions from the National Environmental Protection Act (NEPA) process.</p>	Includes the Federal Permitting Improvement Act, which improves the permitting process for major capital projects through better coordination and deadline setting for permitting decisions; enhanced transparency; and reduced litigation delays. The language is limited to economically significant capital projects, defined as more than \$200 million, or projects that would benefit from increased agency coordination. Eligible capital projects include renewable or conventional energy production, electricity transmission, surface	<p>Creates a pilot program to authorize five states to conduct environmental reviews and approve projects under state laws and regulations instead of federal laws and regulations. To participate, a state's laws and regulations must be determined by the DOT to be substantially equivalent to the comparable federal laws and regulations.</p> <p>Requires DOT to develop a coordinated and concurrent environmental review and permitting process within one year of enactment.</p>

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	<p>Makes permanent the Surface Transportation Project Delivery Pilot Program.</p> <p>Allows all states to assume federal responsibilities under NEPA for one or more transportation projects.</p>	<p>transportation, aviation, ports and waterways, water resources, broadband, pipelines, and manufacturing.</p> <p>Requires the DOT to develop programmatic requirements for the review of federal categorical exclusions.</p> <p>Requires that the DOT to provide a written response to environmental review applications within 45 days of receipt.</p> <p>Allows DOT modes with technical expertise to cooperate in categorical exclusion reviews for multimodal projects.</p> <p>Directs DOT to “modernize, simplify, and improve implementation of NEPA” within 180 days of enactment.</p> <p>Establishes an Infrastructure Permitting Improvement Center to coordinate and support priority infrastructure permitting reforms, support innovative pilot programs, provide technical assistance, and track permitting metrics and outcomes for projects.</p> <ul style="list-style-type: none"> Develops a coordinated and concurrent environmental review and permitting process for transportation projects requiring an environmental impact statement. 	<p>Allows DOT modes with technical expertise to cooperate in categorical exclusion reviews for multimodal projects.</p> <p>Requires DOT to produce a public website showing the status of projects requiring an environmental review.</p> <p>Directs DOT to delegate authority to states for project design, plans, and inspections to the maximum extent practicable.</p> <p>Requires annual inflation adjustments for the \$5 million and \$30 million categorical exclusion thresholds, both prospectively and retroactively back to July 1, 2012.</p> <p>Directs DOT to carry out capacity building programs with states and clarifies that states granted this authority can exercise it on behalf of local governments.</p> <p>Allows public entities receiving DOT funding to provide funds to the federal agencies that support activities that directly contribute to expediting and improving the permitting and review processes.</p>
Transportation Planning	Established criteria for the evaluation of new performance-based planning processes. States were required to develop appropriate performance	Requires states to develop state freight plans that consider congestion and delays caused by freight movements, as well as freight investment plans.	Requires that MPOs determine their own representatives and that transit agency provider representatives can also represent municipalities.

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	targets and report progress toward achieving those targets.	Requires states, MPOs, and non-metropolitan agencies include intercity bus facilities to be included on transportation plans.	Requires states, MPOs, and non-metropolitan agencies include intercity bus facilities to be included on transportation plans.
<i>Performance Management</i>	Created national goals for the Federal highway program, with separate goals for each of the following categories: (i) safety; (ii) infrastructure condition; (iii) system reliability; (iv) freight movement and economic vitality; (v) environmental sustainability and; (vi) reduced project delivery delays.	Requires the Department of Transportation to establish a new program within one year of enactment to measure and report on progress from MAP-21 project delivery and performance measure improvement provisions. Establishes a port performance statistics program and requires U.S. ports subject to federal regulation or which receive federal assistance submit monthly reports to the Bureau of Transportation Statistics on their capacity and throughput.	Requires the Government Accountability Office to review the progress made under SAFETEA-LU, MAP-21, and STRR to accelerate project delivery within two years of enactment of STRR.
<i>National Highway Performance Program (NHPP)</i>	Required states to develop a risk- and performance-based asset management plan for the National Highway System. Created penalties on states for the failure to implement a performance-based asset management plan. Established the minimum standard for NHS bridge conditions.	Funded at \$143.5 billion over six years.	Funded at \$140.2 billion over six years. Allows off-system bridges on federal-aid highways to be eligible for federal-aid highway funding under the NHPP.
<i>Surface Transportation Program (STP)</i>	Continued previous STP eligibilities and changed the current sub-state distribution allocation to a 50-50 federal/state split. Required that a portion of a state's STP funds must be set aside for off-system bridges. Incorporated the following programs into the STP: transportation enhancements, recreational trails, ferry	Funded at \$64.5 billion over six years. Increases the set-aside for off-system bridges to either 15 percent of total surface transportation program funds or 110 percent of the FY14 off-system bridge set-aside, whichever is greater. <i>(The required increased spending from the state for off-system bridges means that the increase in the allocation from 50 percent to 55 percent for local agencies will actually only maintain the status quo.)</i>	Funded at \$65.3 billion over six years. Converts the Surface Transportation Program to the Surface Transportation Block Grant Program. Supplemental funds are provided for the block grant program, boosting funding from 2016 to 2021 between \$71 and \$240 million per year. Changes the sub-allocation to local and regional agencies from 50 percent to 51 percent in FY16,

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	boats, truck parking facilities, and the Appalachian Development Highway System projects.	Changes the sub-allocation to local and regional agencies from 50 percent to 55 percent. Permits that emergency evacuation planning eligible for STP funding.	with an increase of an additional 1 percent each year until it reaches 55 percent in 2020 and 2021. <i>(In real dollar terms the state share under STP is expected to remain nearly unchanged.)</i> There is no change to the off-system bridge set-aside under the STP program. Permits states to use block grant funds to establish public-private partnership oversight offices.
<i>Highway Safety Improvement Program (HSIP) and Motor Vehicle Safety</i>	Required states to develop a Strategic Highway Safety Plan. A state that fails to have an approved plan is not eligible to receive additional obligation limitation and must devote a portion of funds to the safety program.	Funded at \$12 billion over six years. Amends the HSIP program to add vehicle to infrastructure communication equipment, pedestrian hybrid beacons, and improvements that separate pedestrians and motor vehicles to the eligibility list. Amends eligibility for distracted driving incentive grants to require that states include this topic in the state's driver's license exam, and prohibit states from enacting exceptions that allow drivers to text while stopped in traffic. <ul style="list-style-type: none"> • Would establish a pilot program for up to six states to develop notification programs to inform consumers of motor vehicle recalls. 	Funded at \$13.9 billion over six years. Amends the HSIP program to add vehicle to infrastructure communication equipment, pedestrian hybrid beacons, and improvements that separate pedestrians and motor vehicles to the eligibility list. Amends the high-risk rural road safety program to require all states with rural road fatalities that are above the median fatality rate for rural roads to amend their strategic safety plans in order to address the issue. Establishes a process that permits states to cease data collection on gravel roads.
<i>Congestion Mitigation and Air Quality Improvement Program (CMAQ)</i>	Funding remains available to reduce congestion and improve air quality for areas that do not meet the National Ambient Air Quality Standards for ozone, carbon monoxide, or particulate matter.	Funded at \$14.6 billion over six years. Directs that funding will be utilized on the most cost-effective projects that are proven to reduce directly-emitted particulate matter to the maximum extent possible.	Funded at \$14.5 billion over six years. Permits states that do not have, and never have had, a Clean Air Act nonattainment area to use the funds for any CMAQ or surface transportation block grant program eligible projects in the state.

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		Adds a nonattainment and maintenance exception for states with a population of 80 or fewer persons per square mile under certain conditions.	Permits states that do have a nonattainment area which receives more CMAQ funding than it did in FY 2009 to use the excess money for any CMAQ or surface transportation block grant program eligible projects in the state. Directs states and metropolitan planning organizations to give priority to projects that reduce direct PM 2.5 emissions (except in low density states).
<i>Transportation Alternatives (TA)</i>	Established a new program to replace the transportation enhancements program. Authorized states to transfer up to 50 percent of "transportation alternatives" funding to other state programs. Provides funding for programs and projects defined as transportation alternatives, including on- and off-road pedestrian and bicycle facilities, improvements to non-driver access to public transportation, environmental mitigation, recreational trails, and safe routes to schools.	Sets the annual Transportation Alternatives set-aside at a flat \$850 million per year instead of 2 percent of Federal Highway Administration contract authority. Clarifies that MPOs can further allocate Transportation Alternative funding on a competitive basis.	Maintains the Transportation Alternatives program (TAP) under state control, funded at \$819 million annually as a set-aside. State allocations of the TAP funds are based off of the overall formula ratios. Requires that \$84.2 million each year of the \$819 million in TAP funds are spent on the recreational trails program. Rolls the TAP into the Surface Transportation program (STP), making the \$819 million annually money taking off the top of the block grant program. Allows 50 percent of TAP funds in urbanized areas to be used on any eligible STP project.
<i>Projects of National and Regional Significance</i>	Authorized \$500 million in FY 2013 to fund critical high-cost surface transportation capital projects through a competitive grant program.	Establishes the Assistance for Major Project Program authorized at: <ul style="list-style-type: none"> • \$250 million in FY16, • \$300 million in FY17, • \$350 million in FY18, • \$400 million in FY19, • \$400 million in FY20, and • \$400 million in FY21. 	Establishes the Nationally Significant Freight and Highway Projects program, a new competitive grant program for multi-modal freight projects. The grant program is authorized at: <ul style="list-style-type: none"> • \$725 million in FY16, • \$735 million in FY17, and • \$750 million in FY18 through FY21.

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		<p>The new program provides funds to critical high-cost projects that are difficult to complete with existing funds, but would generate significant benefits.</p> <p>Spending on the program would be considered above the baseline.</p> <p>Total project costs exceeding \$350 million (or, in smaller or rural states, costing in excess of 25 percent of that state's annual total federal highway funding). Rural states are defined under the program as having less than 80 persons per square mile.</p> <p>States would be required to submit applications to the Federal Highway Administration (FHWA), and the FHWA Administrator would have the authority to select projects.</p>	<p>Establishes a 20 percent annual set-aside for rural projects.</p> <p>Not more than \$500 million of the total FY 2016 – 2021 funding can be used for intermodal or rail freight projects on the National Multimodal Freight Network.</p> <p>Total minimum project costs equal or exceed the lesser of \$100 million, or 30 percent of a state's total annual federal highway apportionment for a project located in a single state; or for multi-state projects, 50 percent of the annual federal highway apportionment of the largest participating state.</p> <p>States would submit applications to the Secretary of Transportation. The Secretary of Transportation must then submit grant notifications to Congress and the grant cannot be made until after Congress has 60 days to enact a joint resolution disapproving the project.</p>
<i>Federal Lands and Tribal Transportation Programs</i>	Created a unified program for Federal lands transportation facilities, Federal lands access transportation facilities, and tribal transportation facilities.	<p>Establishes a new discretionary program, authorized at \$150 million annually, to construct or rehabilitate nationally significant federal lands and tribal transportation projects.</p> <p>Amends the Tribal Transportation Program by lowering the administrative set-aside from 6 percent to 5 percent in order to increase the bridge set-aside from 2 percent to 3 percent.</p> <p>Permits transit capital spending for the Federal Lands Transportation program.</p>	<p>Amends the Tribal Transportation Program by lowering the administrative set-aside from 6 percent to 5 percent.</p> <p>Permits transit capital spending for the Federal Lands Transportation program.</p> <p>Creates a new Tribal Transportation Self-Governance Program allowing eligible tribes to enter into their own annual highway funding agreements with DOT.</p> <p>Extends the Tribal High Priority Projects program through FY21.</p>

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<i>Research, Technology Deployment, Training, and Education</i>	Continued to provide states the authority to use apportioned funds for training and other educational activities. Continues the State Planning and Research (SP&R) program.	<p>Maintains the Federal Highway Administration’s research programs under the Highway Trust Fund.</p> <p>Creates an Intelligent Transportation Systems Deployment competitive grant program, authorized at \$30 million annually.</p> <p>Authorizes the Federal Highway Administration to continue the Every Day Counts Initiative to work with states and local agencies to identify and deploy innovative practices and products that shorten the project delivery process, improve environmental sustainability, enhance safety, and reduce congestion.</p> <p>Establishes a six-year pilot program for states to form up to three multistate compacts governing commercial driver’s license eligibility for applicants between the ages of 18 and 21 to operate in interstate commerce. No more than four states per compact can participate in each interstate compact. Interstate compacts may not go into effect until it has been approved by the participating state governors, after consultation with the Secretary of Transportation and the Administrator of the Federal Motor Carrier Safety Administration.</p>	<p>Maintains the Federal Highway Administration’s research programs under the Highway Trust Fund.</p> <p>Creates the Advanced Transportation Technologies program, funded at \$75 million annually through the overall research program dollars. Grants will be provided to develop model deployment sites for large scale installation and operation of advanced transportation technologies to improve safety, efficiency, system performance, and infrastructure return on investment.</p> <p>Provides \$5 million for a study on actions needed to upgrade and repair the Interstate Highway System to meet growing and shifting demands over the next 50 years.</p> <p>Establishes a new program to provide grants to states to demonstrate user-based alternative revenue mechanisms that utilize a user fee structure to maintain the long-term solvency of the Highway Trust Fund and authorizes \$115 million over six years for the program. The number of states or groups of states that can participate in the program is not defined.</p>

Members of the House-Senate Conference Committee on the DRIVE Act (H.R. 22)

Conferees on the part of the House

From the Committee on Transportation and Infrastructure, for the entire House amendment and Senate amendment and modifications committed to conference:

<u>Majority (16)</u>	<u>Minority (12)</u>
Shuster	DeFazio
Duncan (TN)	Norton
Graves (MO)	Nadler
Miller (MI)	Brown (FL)
Crawford	Johnson, E.B.
Barletta	Cummings
Farenthold	Larsen
Gibbs	Capuano
Denham	Napolitano
Ribble	Lipinski
Perry	Cohen
Woodall	Sires
Katko	
Babin	
Hardy	
Graves (LA)	

More House conferees will be named by the Speaker from the Committees on Ways and Means, Energy and Commerce, Financial Services, Science, Space and Technology, Oversight and Government Reform, and other panels for items under their jurisdiction after the Veterans Day recess.

The Senate cannot name its conferees until the Senate formally agrees to a conference, which will also be after the Veterans Day recess.



Metropolitan Transportation Commission

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Oakland, CA

Legislation Details (With Text)

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Title:	Tom Bulger's Report				

Report from MTC's advocate in Washington D.C.

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Date	Ver.	Action By	Action	Result
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Subject:

Tom Bulger's Report

Report from MTC's advocate in Washington D.C.

Presenter:

Randy Rentschler

Recommended Action:

Information

Attachments

GOVERNMENT RELATIONS, INC.

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October 2015 Monthly Report for MTC

To: Steve Heminger, Executive Director
From: Tom Bulger, President, GRI
Re: Monthly Report for October 2015
Date: November 3, 2015

- **House Moves Surface Transportation Authorization Legislation**
- **Congress Approves Two-Year Budget Agreement**
- **Another Highway Trust Fund Extension**
- **United States Department of Transportation (USDOT) Announces FY 2015 Transportation Investment Generating Economic Recovery (TIGER) Grants**
- **Coming and Going**
- **Meetings**

House Moves Surface Transportation Authorization Legislation

The entire month of October was mostly devoted to the House Transportation and Infrastructure Committee's efforts to secure a six-year surface Transportation authorization bill. The bill H.R. 3763, the Surface Transportation Reauthorization and Reform Act is an amendment to the Senate's amendments to H.R. 22 or simply the Senate Developing a Reliable and Innovative Vision for the Economy (DRIVE) Act. The house bill is expected to be voted on the House floor this week.

Overall funding levels in the House Bill:

- Provides \$325 billion over six-years for Highways, Transit and Highway Safety, which is approximately equal to these programs baseline funding levels plus annual inflation increases. We had recommended increased funding levels but the House Majority would not support additional funding levels. Conversely, the Senate Drive Act increased overall funding by \$16 Billion over the current program baseline.
- Six-year Funding levels for Highways is \$262 Billion, Transit is \$55 Billion.
- Increases the percentage of Surface Transportation Program (STP) that would be suballocated to regions like MTC from 50 % to 55% over the life of the bill. MTC supported this change in current law.
- Creates a national freight program called the Nationally Significant Freight and Highway Projects Program funded at \$725 Million in FY 2016, \$735 Million in FY 2017, and \$750 Million the last four years of the Bill.
- Funds transportation alternatives (Bicycle, Pedestrian, Trails and Safe Routes to Schools) at the current funding level of \$819 Million/ Year. Metropolitan Planning Organizations, like MTC, can use up to 50% of this funding for other Surface Transportation eligible projects.

The Transportation Infrastructure Finance and Innovation Act (TIFIA) Program was reduced from \$1 Billion /year to \$200 Million/year. The Senate Bill provides \$300 Million for the TIFIA program.

Congress Approves Two-Year Budget Agreement

Late on October 28, 2015, the House voted 266 to 167 to approve a two year budget agreement. The Senate approved the budget deal in a late night session the next day.

The Budget agreement increases the current Budget's ceilings for discretionary appropriations by \$50 Billion in FY 2016 and \$30 Billion in F Y 2017. The increases are split evenly between defense and non-defense.

Another Highway Trust Fund Extension

Congress approved another extension for the Highway Trust Fund in October. The latest extension is for three weeks to November 20, 2015. This legislation also extended the deadline for railroads and commuter railroads to install positive train control (PTC) by three years to December 31, 2018.

United States Department of Transportation (USDOT) Announces FY 2015 Transportation Investment Generating Economic Recovery (TIGER) Grants

On October 29, 2015, the USDOT announced the recipients of the \$485 Million FY 15 TIGER Grants. None of the Bay Area's TIGER Grant applications were selected in this round.

Coming and Going

- On October 2, 2015, the Eno Center for Transportation Board of Directors announced that Emil Frankel will serve as Interim President and CEO, as Joshua Schank, the former CEO and President, accepted a position at the Los Angeles County Metropolitan Transportation Authority.

Meetings

- Numerous meetings and conference calls with House Delegation offices as well as MTC staff.