



Call and Notice

ABAG Legislation Committee

Friday, November 9, 2018

10:10 AM

Board Room, 1st Floor

CALL AND NOTICE OF A SPECIAL MEETING OF THE LEGISLATION COMMITTEE OF THE ASSOCIATION OF BAY AREA GOVERNMENTS

As Chair of the Legislation Committee of the Association of Bay Area Governments, I am calling a special meeting as follows:

Date and Time

Friday, November 9, 2018, 10:10 a.m., or immediately following the preceding joint ABAG/MTC committee meeting

Location

Bay Area Metro Center, 375 Beale Street, Board Room, San Francisco, California

The ABAG Legislation Committee may act on any item on the agenda.

The ABAG Legislation Committee will meet jointly with the MTC Legislation Committee.

Agenda, roster, and webcast available at <http://abag.ca.gov/meetings>.

For information, contact Clerk of the Board at (415) 820-7913.

1. CALL TO ORDER / ROLL CALL / CONFIRM QUORUM

2. ABAG COMPENSATION ANNOUNCEMENT

3. ABAG LEGISLATION COMMITTEE CONSENT CALENDAR

- A. Approval of ABAG Legislation Committee Minutes of September 20, 2018. ABAG Legislation Committee Approval.

4. MTC LEGISLATION COMMITTEE CONSENT CALENDAR

- A. Approval of MTC Legislation Committee Minutes of October 12, 2018 Meeting. MTC Legislation Committee Approval.

5. INFORMATION

- A. November 2018 Election: Impact on Transportation and Housing. ABAG Administrative committee Information / MTC Legislation Committee Information.
- B. Draft 2019 Advocacy Program. ABAG Administrative committee Information / MTC Legislation Committee Information.

6. FEDERAL LEGISLATION

- A. Tom Bulger's Report. MTC Legislation Committee Information.

7. PUBLIC COMMENT / OTHER BUSINESS

8. ADJOURNMENT / NEXT MEETING

The next regular meeting of the ABAG Legislation Committee will be announced.

Members of the public shall be provided an opportunity to directly address the ABAG Legislation Committee concerning any item described in this notice before consideration of that item.

ABAG Legislation Committee

November 9, 2018

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Agendas and materials will be posted and distributed for this meeting by staff in the normal course of business.

Submitted:


Scott Haggerty
Chair

Date: November 2, 2018



375 Beale Street
Suite 700
San Francisco, California
94105

Meeting Agenda

ABAG Legislation Committee

Chair, Scott Haggerty, Supervisor, Alameda County
Vice Chair, Julie Pierce, Councilmember, Clayton

Friday, November 9, 2018

10:10 AM

Board Room - 1st Floor

Association of Bay Area Governments

Special Meeting

The ABAG Legislation Committee may act on any item on the agenda.

The ABAG Legislation Committee will meet jointly with the MTC Legislation Committee.

The meeting is scheduled to begin at 10:10 a.m., or immediately following the preceding joint
ABAG/MTC committee meeting.

Agenda, roster, and webcast available at <http://abag.ca.gov/meetings>.

For information, contact Clerk of the Board at (415) 820-7913.

Legislation Committee Roster

Scott Haggerty, Supervisor, County of Alameda—Chair

Julie Pierce, Councilmember, City of Clayton—Vice Chair

David Cortese, Supervisor, County of Santa Clara

Pat Eklund, Councilmember, City of Novato

Dave Hudson, Councilmember, City of San Ramon

Karen Mitchoff, Supervisor, County of Contra Costa

David Rabbitt, Supervisor, County of Sonoma

Belia Ramos, Supervisor, County of Napa

Greg Scharff, Councilmember, City of Palo Alto

1. Call to Order / Roll Call / Confirm Quorum

2. ABAG Compensation Announcement

3. ABAG Legislation Committee Consent Calendar

- 3.a. [18-0915](#) Approval of ABAG Legislation Committee Minutes of September 20, 2018

Action: ABAG Legislation Committee Approval

Presenter: Clerk of the Board

Attachments: [3a ABAG Legislation Minutes 20180920.pdf](#)

4. MTC Legislation Committee Consent Calendar

- 4.a. [18-0948](#) Approval of MTC Legislation Committee Minutes of October 12, 2018 Meeting

Action: MTC Legislation Committee Approval

Attachments: [4a_MTC LEGIS_Minutes_OCT 12 2018.pdf](#)

5. Information

- 5.a. [18-0916](#) November 2018 Election: Impact on Transportation and Housing

Effects of the November 6, 2018 General Election on transportation and housing.

Action: ABAG Legislation Committee Information / MTC Legislation Committee Information

Presenter: Rebecca Long

Attachments: [5a_Election Memo.pdf](#)

- 5.b. [18-0917](#) Draft 2019 Joint Advocacy Program

Initial ideas for state and federal legislative priorities for 2019.

Action: ABAG Legislation Committee Information / MTC Legislation Committee Information

Presenter: Rebecca Long

Attachments: [5b_2019 Draft Joint Advocacy Program.pdf](#)

6. Federal Legislation

- 6.a. [18-0949](#) Tom Bulger's Report

Report from Washington D.C. advocate.

Action: MTC Legislation Committee Information

Presenter: Randy Rentschler

Attachments: [6a_Tom Bulger's DC Report_OCT_2018.pdf](#)

7. Public Comment / Other Business

8. Adjournment / Next Meeting

The next regular meeting of the ABAG Legislaton Committee will be announced.

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.

Accessibility and Title VI: MTC provides services/accommodations upon request to persons with disabilities and individuals who are limited-English proficient who wish to address Commission matters. For accommodations or translations assistance, please call 415.778.6757 or 415.778.6769 for TDD/TTY. We require three working days' notice to accommodate your request.

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 415.778.6757 或 415.778.6769 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 415.778.6757 o al 415.778.6769 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.



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 18-0915 **Version:** 1 **Name:**
Type: Minutes **Status:** Committee Approval
File created: 10/15/2018 **In control:** ABAG Legislation Committee
On agenda: 11/9/2018 **Final action:**
Title: Approval of ABAG Legislation Committee Minutes of September 20, 2018
Sponsors:
Indexes:
Code sections:
Attachments: [3a_ABAG Legislation Minutes 20180920.pdf](#)

Date	Ver.	Action By	Action	Result
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Approval of ABAG Legislation Committee Minutes of September 20, 2018

Clerk of the Board

ABAG Legislation Committee Approval



Meeting Minutes - Draft

ABAG Legislation Committee

Chair, Scott Haggerty, Supervisor, Alameda County
Vice Chair, Julie Pierce, Councilmember, Clayton

Thursday, September 20, 2018

5:00 PM

Board Room - 1st Floor

Committee Roster

Scott Haggerty, Supervisor, County of Alameda—Chair
Julie Pierce, Councilmember, City of Clayton—Vice Chair
David Cortese, Supervisor, County of Santa Clara
Pat Eklund, Councilmember, City of Novato
Dave Hudson, Councilmember, City of San Ramon
Karen Mitchoff, Supervisor, County of Contra Costa
David Rabbitt, Supervisor, County of Sonoma
Belia Ramos, Supervisor, County of Napa
Greg Scharff, Councilmember, City of Palo Alto

1. Call to Order

Chair Haggerty called the meeting to order at about 5:00 p.m.

1.a. Roll Call

Present: 8 - Cortese, Eklund, Haggerty, Hudson, Mitchoff, Pierce, Ramos, and Scharff

Absent: 1 - Rabbitt

1.b. Confirm Quorum

Quorum was present.

1.c. Compensation Announcement

The compensation announcement was not required.

2. Public Comment

There was no public comment.

3. Committee Announcements

There were no committee announcements.

4. Legislation Committee Consent Calendar

Upon the motion by Mitchoff and seconded by Ramos, the Consent Calendar was approved. The motion carried by the following vote:

Aye: 8 - Cortese, Eklund, Haggerty, Hudson, Mitchoff, Pierce, Ramos, and Scharff

Absent: 1 - Rabbitt

- 4.a. [18-0723](#) Approval of ABAG Legislation Committee Summary Minutes of July 19, 2018

Attachments: [Minutes 20180719 Draft.pdf](#)

- 4.b. [18-0724](#) Report on Legislative History

Attachments: [Legislative History September 2018.pdf](#)

5. Update on ABAG Priority Bills

The Committee received the staff report.

- [18-0726](#) Update on ABAG Priority Bills

Attachments: [Memo ABAG Priority Bill Status Update Final.pdf](#)
[Attachment A Update on ABAG Priority Bills v2.pdf](#)

6. Report on Proposition 6

The Committee received the staff report.

- [18-0727](#) Proposition 6: Overview of Bay Area Impacts

Attachments: [Memo Prop 6 Overview Impacts.pdf](#)
[Attachment A Map of SB 1 Projects.pdf](#)
[Attachment B Prop 6 SB 1 Funding Flow Chart.pdf](#)
[Attachment C SB 1 Transportation Funds at Risk Update 092018.pdf](#)

7. Adjournment / Next Meeting

Chair Haggerty adjourned the meeting at about 5:15 p.m.

The next regular meeting of the ABAG Legislation Committee is on November 15, 2018.



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 18-0948 **Version:** 1 **Name:**
Type: Report **Status:** Informational
File created: 10/18/2018 **In control:** ABAG Legislation Committee
On agenda: 11/9/2018 **Final action:**
Title: Approval of MTC Legislation Committee Minutes of October 12, 2018 Meeting
Sponsors:
Indexes:
Code sections:
Attachments: [4a_MTC LEGIS_Minutes_OCT 12 2018.pdf](#)

Date	Ver.	Action By	Action	Result
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Approval of MTC Legislation Committee Minutes of October 12, 2018 Meeting

MTC Legislation Committee Approval



Metropolitan Transportation Commission

Meeting Minutes - Draft

Legislation Committee

Committee Members:

Alicia C. Aguirre, Chair Sam Liccardo, Vice Chair

*Damon Connolly, Dave Cortese, Anne W. Halsted,
Julie Pierce, James P. Spering*

Non-Voting Members: Tom Azumbrado, Dorene M. Giacomini

Agenda Item 4a

Bay Area Metro Center
375 Beale Street
San Francisco, CA 94105

Friday, October 12, 2018

10:10 AM

Board Room - 1st Floor

1. Roll Call / Confirm Quorum

Present: 7 - Chair Aguirre, Vice Chair Liccardo, Commissioner Connolly, Commissioner Cortese, Commissioner Halsted, Commissioner Pierce, and Commissioner Spering

Non-Voting Member Present: Commissioner Azumbrado

Non-Voting Member Absent: Commissioner Giacomini

Ex Officio Voting Members Present: Commission Chair Mackenzie and

Commission Vice Chair Haggerty

Ad Hoc Non-Voting Members Present: Commissioner Josefowitz and Commissioner Worth

2. Consent Calendar

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

Aye: 6 - Chair Aguirre, Vice Chair Liccardo, Commissioner Connolly, Commissioner Halsted, Commissioner Pierce and Commissioner Spering

Absent: 1 - Commissioner Cortese

2a. [18-0758](#) Minutes of September 14, 2018 Meeting

Action: Committee Approval

Attachments: [2a MTC LEGIS Minutes Sept 14 2018.pdf](#)

2b. [18-0759](#) Legislative History

Action: Information

Presenter: Rebecca Long

Attachments: [2b Oct LegisHistory State and Federal.pdf](#)

Commissioner Cortese arrived after the approval of the Consent Calendar.

3. State Legislation**3a. [18-0760](#) 2018 Legislative Scorecard**

Summary of outcomes on MTC priority bills and MTC 2018 Advocacy Program.

Action: Information

Presenter: Rebecca Long

Attachments: [3a LegislativeScorecard 2018.pdf](#)

4. Federal**4a. [18-0761](#) Tom Bulger's Report**

Report from Washington D.C. advocate.

Action: Information

Presenter: Randy Rentschler

Attachments: [4a Tom Bulger's DC Report SEPT 2018.pdf](#)

5. Public Comment / Other Business**6. Adjournment / Next Meeting**

The next meeting of the Legislation Committee will be Friday, November 9, 2018, 10:10 a.m. the Bay Area Metro Center, 375 Beale Street, San Francisco, CA.



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 18-0916 **Version:** 1 **Name:**
Type: Report **Status:** Informational
File created: 10/15/2018 **In control:** ABAG Legislation Committee
On agenda: **Final action:**
Title: November 2018 Election: Impact on Transportation and Housing
Effects of the November 6, 2018 General Election on transportation and housing.
Sponsors:
Indexes:
Code sections:
Attachments: [5a Election Memo.pdf](#)

Date	Ver.	Action By	Action	Result
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November 2018 Election: Impact on Transportation and Housing

Effects of the November 6, 2018 General Election on transportation and housing.

Rebecca Long

ABAG Legislation Committee Information / MTC Legislation Committee Information

Memorandum

TO: Joint MTC Legislation Committee and
ABAG Legislation Committee

DATE: November 2, 2018

FR: Deputy Executive Director, Policy

RE: November 2018 Election: Impact on Transportation & Housing

California Voters Face Big Choices

On Tuesday, November 6, 2018, tens of millions of Californians will go the polls to vote in the general election. Beyond their votes for representatives in every chamber from the United States Senate to their local school board, voters will also be making critical choices about several policy matters. This memorandum is a pre-election brief and focuses primarily on statewide and regional transportation and housing measures, but it is not exhaustive. It also generally examines the universe of local measures that are appearing on the ballot regionally and statewide. The memo also surveys the landscape of the legislative races in this election. Once the election has concluded, information on the outcomes will be provided.

Statewide Measures

Voters face 11 statewide ballot measures this election (Proposition 9, to separate the state into three parts, was removed by the state Supreme Court). This memo focuses on five of those measures. Of course, of greatest relevance is Proposition 6, which ABAG and MTC voted to oppose. The initiative aims to repeal transportation funding increases enacted by Senate Bill 1 (2017) and institute a new voter approval requirement for future vehicle or fuel taxes. MTC and ABAG also took formal action to support Proposition 1, authorizing \$4 billion of bonds to fund specified housing assistance programs and Proposition 2, authorizing up to \$2 billion worth in revenue bonds to fund existing housing program for individuals with mental illness. Both of these measures were placed on the ballot by the Legislature.

Staff is also tracking two housing and development-related measures on the ballot this election that were placed on the ballot via the initiative process:

- **Proposition 5:** Changes requirements for certain property owners to transfer their previous proposition 13 set property tax base to replacement property. This measure is expected to have a sizable negative fiscal impact on schools and local governments due to a reduction in property tax collection.
- **Proposition 10:** Expands local governments' authority to enact rent control on residential property by repealing the Costa Hawkins Rental Housing Act (1995), which restricted rent control's use.

Regional Measures

There are hundreds of city, county, and special district measures on the ballot across California, with over a hundred in the nine-county San Francisco Bay Area, including the following:

- **City of Santa Rosa Measure N** authorizes the City of Santa Rosa to issue \$124 million in general obligation bonds to advance housing recovery following the October 2017 wildfires. (2/3 vote required)
- **City of Dixon Measure N** is a 10-year, 1/2-cent transportation sales tax to fund street maintenance and roadway improvements. This measure would generate an estimated \$14 million over ten years. (2/3 vote required)

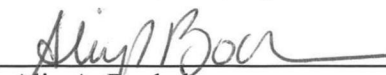
- **Marin County Measure AA** is an extension of Marin County's 1/2-cent transportation sales tax through 2049 and approval of a new, long-term transportation spending plan. The existing sales tax is set to expire in 2025. This measure would generate an estimated \$872 million over 3 decades. (2/3 vote required)
- **City and County of San Francisco Proposition C** is a new tax on San Francisco based businesses to fund housing and homeless services. Over 30 years it is estimated the measure would generate \$7.5 to \$9 billion. (50%+1 vote required)
- **San Mateo County Measure W** is a 30-year, 1/2-cent transportation sales tax that will go to several different aspects of local and regional transportation systems, generating an estimated \$2.4 billion over three decades. (2/3 vote required)
- **City of San Jose Measure T** authorizes the City of San Jose to issue \$650 million in general obligation bonds to upgrade infrastructure and systems in preparation for disasters. (2/3 vote required)
- **City of San Jose Measure V** authorizes the City of San Jose to issue \$450 million in general obligation bonds for the homeless and affordable housing. (2/3 vote required)
- **Santa Clara County Measure A** is an extension of the County's 1/8-cent general sales tax, generating an estimated \$1.5 billion over 3 decades. (50%+1 vote required)

Out of the 100-plus local measures on various ballots in the Bay Area, staff identified over 60 with some tie-in to transportation, housing, development, or resiliency. At least seven are local cannabis business taxes proposed to supplement general fund revenues. Nearly 20 of these measures involve an increase in the transient occupancy tax, or hotel tax, also imposed for general funding. In total, these local measures represent between \$17 and \$19 billion in funding for various uses.

Outside the Bay Area, voters in San Benito County will consider Measure G, a 1-cent sales tax for transportation, expected to raise \$480 million over 30 years. City of Burbank voters will consider Measure P, a 3/4-cent sales tax, at least part of which is proposed to fund streets, bridges, and other infrastructure, and is expected to bring in \$600 million over 30 years. City of Pasadena voters will consider Measure I, a 3/4-cent general sales tax with an accompanying advisory measure that directs two-thirds of the funds to aging infrastructure and services to the homeless, and is expected to raise \$630 million over 30 years. Los Angeles County Measure W is a countywide parcel tax – authorized last year by AB 1180 (Holden, 2017) – for water capture, stormwater and flood protection that is expected to raise \$9 billion over 30 years. Dozens of cities around the state are also attempting to institute cannabis business taxes as a new source of general revenue with the potential to generate millions of dollars from this new tax base.

Outgoing, Incoming Representative Delegations:

At the widest lens, a total of 46 elected officials represent the Bay Area in Sacramento and Washington, D.C. between the California Assembly (18), State Senate (13), and California Congressional Delegation including the US Senate (15). Almost each of these seats (45) is up for reelection this cycle. Most polling indicates that there will be no new members in our U.S. House of Representatives delegation. However, it remains to be seen what the partisan balance will be of the entire House or Senate and thus, what impact the election might have on our various committees of jurisdiction. Staff will provide an election readout on the Bay Area's new state and federal delegation, as well as all the measures described above, at your meeting.


Alix A. Bockelman

AAB:rl



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 18-0917 **Version:** 1 **Name:**
Type: Report **Status:** Informational
File created: 10/15/2018 **In control:** ABAG Legislation Committee
On agenda: 11/9/2018 **Final action:**
Title: Draft 2019 Joint Advocacy Program

Initial ideas for state and federal legislative priorities for 2019.

Sponsors:

Indexes:

Code sections:

Attachments: [5b_2019 Draft Joint Advocacy Program.pdf](#)

Date	Ver.	Action By	Action	Result
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Draft 2019 Joint Advocacy Program

Initial ideas for state and federal legislative priorities for 2019.

Rebecca Long

ABAG Legislation Committee Information / MTC Legislation Committee Information

Memorandum

TO: Joint MTC Legislation Committee and
ABAG Legislation Committee

DATE: November 2, 2018

FR: Deputy Executive Director, Policy

RE: Draft 2019 Joint Advocacy Program

Attached is the first draft of a joint ABAG/MTC advocacy program for 2019, the first year of a two-year state legislative session and the first year for the state's next governor. In addition, there will be a new Congress in Washington, D.C. with potentially new members holding leadership positions as well as committee chairs. Given this draft advocacy program was finalized a few days before the November 6th election, there are components of the document that will be revised pending the outcome of certain state ballot measures, as well as who holds the balance of power in Washington. Broadly speaking, the 2019 draft advocacy program seeks to advance the key goals of the *Plan Bay Area 2040's* [Action Plan](#), which include housing (the focus area of CASA), economic development, and resilience which includes:

- **Housing:** Lower the share of income spent on housing and transportation costs, lessen displacement risk, and increase the availability of housing affordable to low- and moderate-income households.
- **Economic Development:** Improve transportation access to jobs, increase middle wage job creation, and maintain the region's infrastructure.
- **Resilience:** Enhance climate protection and adaptation efforts, strengthen open space protections, and protect communities against natural hazards.

The first item on the advocacy program is implementation of the CASA Compact. Later this month, the CASA Compact – which is still under development – will be discussed at a Commission retreat and at the Executive Board's meeting.

Staff will return to the respective agencies' legislation committees to seek approval for specific bill positions that will subsequently be presented for approval to the Commission and Executive Board. Staff is in the early stages of seeking input on this document, but intends to do so over the next two months. Specifically, over the next three weeks, staff will convene MTC's Partnership Legislative Committee comprised of legislative staff from cities, transit agencies and congestion management agencies and other interested parties as well as host an annual meeting with staff from Regional Transportation Planning Agencies across the state to share our draft program and hear about what other organizations are prioritizing next year. Staff also intends to present the draft to the Policy Advisory Council and the ABAG Regional Planning Committee at their meetings in November and January. Based on discussion at your meeting and additional feedback received, staff will prepare a final 2018 Advocacy Program for your consideration at another joint ABAG/MTC Legislation Committee meeting in January, prior to final approval by the Commission and Executive Board. We look forward to hearing your feedback.


Alix A. Bockelman

Attachments:

- Attachment A: Draft 2019 Joint Advocacy Program

AAB:rl

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Draft 2019 Joint Advocacy Program



STATE		
Issue	Goal	Strategy
1. Housing Crisis	Implement the CASA Compact's 3Ps & 3Rs	Lead the Bay Area's efforts to enact legislation to make substantial progress on the "3 Ps" of the upcoming CASA Compact, which focuses on three core areas: 1) Production of additional housing, including affordable and market rate; 2) Preservation of existing affordable housing; and 3) Protection of current residents from displacement. Implementation of these core goals will be through various bills that aim to deliver the "3 Rs," namely Reform, Revenue and Regional Leadership . The Commission and ABAG Executive Board will be briefed on the CASA Compact later this month.
2. Transportation Funding	A. Defend and expand state investment in transportation	Scenario 1 (Prop 6 Fails): With SB 1 funds remaining intact, staff will focus our legislative efforts related to transportation funding on ensuring that statutes and guidelines for existing funds continue to be structured in a manner that recognizes the Bay Area's disproportionate contributions to the state's economy, our significant traffic congestion and public transit system needs, and seek opportunities to expand funding through one-time opportunities, such as Cap and Trade. Scenario 2 (Prop 6 Passes): Staff will actively participate in regional and statewide conversations about next steps to replace SB 1 funding.
	B. Transportation Development Act (TDA) Performance Standards Review	Participate in a subcommittee to be convened by the California Transit Association to evaluate the appropriateness of California's current TDA (Transportation Development Act) fare-box requirements in an era of disruptive on-demand transportation options that are contributing to declining transit ridership nationwide. Explore development of alternative measures that are focused on incentivizing transit agency actions that increase ridership for enactment in 2020.

Issue	Goal	Strategy
2. Transportation Funding (cont'd)	C. Active Transportation Program Reform	Support legislation to streamline the administration of the Active Transportation Program (ATP) so that the projects do not require an allocation by the California Transportation Commission and a larger share of the funds are suballocated to regional transportation planning agencies to expand their competitive ATP programs, similar to the federal Surface Transportation Block Grant Program and Congestion Mitigation and Air Quality.
	D. Capturing Sales Tax from Internet Sales	In June 2018, the Supreme Court ruled 5-4 in <i>South Dakota v. Wayfair</i> that internet retailers can be required to collect sales taxes even in states where they have no physical presence if a seller's gross revenue exceeds a reasonable threshold of value or quantity. The decision was hailed as a victory for brick-and-mortar businesses and for states that have expressed concern about losing out on tax revenue as internet sales comprise an increasingly larger share of all sales. The Legislature has recently begun to explore next steps to implement this ruling through informational hearings. Staff will engage in legislative and regulatory efforts in 2019 to conform state law to this ruling in order to expand the sales tax base, which holds promise to increase transportation funding from local-option sales taxes and TDA funding across the region, as well as local county and city resources.
3. Climate Change & Resilience	A. Accelerate the transition to a low carbon future	Support legislation to accelerate the transition to a low carbon future through electrification of the vehicle fleet as well as incentives for low carbon buildings. Advocate for consideration of resilience and redundancy in electric vehicle charging infrastructure deployment. Seek additional funding to help transit operators meet the state's ambitious zero emission bus (ZEB) targets.
	B. Improve the Bay Area's resilience to various hazards	Support legislation aimed at increasing the Bay Area's resilience, including increased funding for mitigation of multiple hazards including seismic, fire and earthquake as well as funding for local and regional hazard mitigation planning and policy implementation.

Issue	Goal	Strategy
4. Toll Collection & Enforcement	Technical clean-up to toll statutes related to enforcement and interoperability	Co-sponsor clean-up legislation with other California toll operators related to authorizing the sharing of information about toll transactions necessary for the collection of tolls and toll penalties. The bill would retain current privacy protections (and penalties for violations thereof) for customers, while ensuring that toll agencies can comply with federal requirements (known as “interoperability”) which mandate the sharing of toll transaction information across toll agencies so that tolls can be seamlessly processed across toll agencies nationwide. Specifically, the legislation would: 1) affirm toll agencies’ ability to share information with the DMV and third parties necessary to place a hold on a vehicle’s registration for unpaid toll violations; and 2) affirm toll agencies’ authority to share relevant information related to toll transactions with other toll agencies for the purpose of processing a transaction by a customer with an account from another toll agency.
5. HOV Lanes	Improve HOV and Express Lane performance	Support efforts to improve the performance of high-occupancy vehicle (HOV) and express lanes through enhanced enforcement of vehicle passenger occupancy requirements. Potential components of a legislative effort include: (1) Authorization to deploy technology, on a pilot basis, to enforce vehicle occupancy requirements on HOV and express lanes. (2) Enhanced funding of and/or establishment of a dedicated vehicle occupancy enforcement unit within California Highway Patrol (CHP).
6. Bus Service	Authorize “bus-on-shoulder”	Support efforts by the California Transit Association and Bay Area operators to expand authorization of buses to use the highway shoulder, known as “bus-on-shoulder” during periods of heavy traffic. This is currently allowed in the Santa Cruz/Monterey area and 12 other metropolitan areas in the U.S., (including Seattle, Miami, Minneapolis/ St. Paul, Atlanta, and the Washington, D.C. area), to help speed up bus service in highly-congested corridors. Require collaboration with the California Highway Patrol in the development of guidelines to determine which roadways qualify to ensure public safety.
7. Active Transportation	Improve roadway safety for all users	Monitor and support legislation aimed at increasing bicycle and pedestrian safety. Oppose legislative efforts to reduce funding for active transportation or roll back other measures designed to enhance pedestrian and bicycle safety. See also Item 2C.

Issue	Goal	Strategy
8. Shared Mobility	Support policies that enable technological innovations to improve mobility, while protecting the public's interest	Monitor and support legislation and regulations related to shared mobility, such as transportation network companies and real-time carpooling, to ensure that mobility benefits are maximized, and access to critical data for transportation and land-use planning and operational purposes is assured.
9. Connected and Autonomous Vehicles	Monitor and engage in legislation and regulations to facilitate deployment of connected vehicles and autonomous vehicles	In partnership with Bay Area cities and counties, transit agencies, the business community, and other transportation organizations, engage in regulatory and legislative efforts related to facilitating the deployment of connected and autonomous vehicles with the goal of accelerating their safety, mobility, environmental, equity and economic benefits, including opportunities to support improved transit access. Similar to the "shared mobility" strategy, support access to critical data for transportation and land use planning and operational purposes. In addition, support Bay area jurisdictions' efforts to test and deploy these new technologies.

FEDERAL

Issue	Goal	Strategy
1. FAST Act Reauthorization	Engage in national deliberations prioritizing the funding and policy framework for the next surface transportation act	Work with partners across the country to support a long-term, fully funded transportation authorization with funding and financing tools that work for metropolitan regions, including Build America Bonds. Advocate for increased funding for existing authorized programs, including the Surface Transportation Block Grant and Congestion Mitigation and Air Quality Improvement programs. Support new revenues for major transit, congestion relief and goods movement projects, and a new flexible metro-mobility formula program to assist regions in improving near-term mobility and preparing our most heavily trafficked population and job centers for a connected and autonomous future. Additionally, work state, local and national partners to identify planning and funding needs to support the transition to an autonomous and connected transportation system.
1. Infrastructure Initiative	Increase federal transportation and housing investment in metropolitan regions under any new infrastructure funding initiative	In the event that Congress takes up an infrastructure initiative outside of reauthorization of the FAST Act, urge that the nation's metropolitan regions receive priority for funding and that funds be invested in housing as well as transportation. Work with partners across the country to support an investment package with funding and financing tools that work for metropolitan regions, including Build America Bonds. Support new revenues for major transit, congestion relief and goods movement projects, a new metro-mobility formula program and increased funding for existing authorized programs, including the Surface Transportation Block Grant and Congestion Mitigation and Air Quality Improvement programs. In conjunction, support growing federal resources for affordable housing, including augmenting the Low Income Housing Tax Credit program and expanding federal tools for housing-supportive infrastructure investments.
2. Transportation and Housing Appropriations	A. Defend fiscal year (FY) 2019 and FY 2020 transportation appropriations	Partner with local, regional and statewide transportation agencies as well as national stakeholders to ensure that Congress appropriates, at a minimum, amounts authorized in the Fixing America's Surface Transportation (FAST) Act for highway and transit formula programs. If Congress proposes to increase appropriations above FAST Act-authorized levels, seek to maximize Bay Area funding in revenue allocations.

	B. Advocate for Capital Investment Grant funding for Resolution 3434/ <i>Plan Bay Area 2040</i> Projects	Work with regional, state and national partners to advocate for both funding and implementation of the Capital Investment Grant (CIG) Program as authorized by the FAST Act. Support federal appropriations consistent with the full funding grant agreements approved for the Caltrain Peninsula Corridor Electrification project. Seek to advance through the CIG process the Bay Area's next generation of transit expansion projects, namely: San Francisco Transbay Transit Center (Phase 2)/Downtown Extension (DTX), BART to Silicon Valley: Phase 2, and the Transbay Corridor Core Capacity project. Support transit operator requests for Small Starts funding for projects consistent with <i>Plan Bay Area 2040</i> .
	C. Support robust FY 2019 and FY 2020 housing appropriations	Work to defend federal affordable housing funds and programs, such as Section 8 housing vouchers, the HOME Investment Partnership Program and the Community Development Block Grant Program. Work with national coalitions to identify opportunities to advocate for new tools to support affordable housing, address homelessness, and invest in housing-supportive infrastructure.
3. Connected Vehicles and Autonomous Vehicles (CV/AV)	Monitor and engage in legislation and regulations to facilitate CV/AV deployment	In partnership with Bay Area cities and counties, the business community, state and national transportation organizations, engage in regulatory and legislative efforts with the goal of accelerating safety, mobility, environmental, equity and economic benefits associated with CV/AV deployment, including deployment in the transit sector. Support strong federal vehicle safety standards while also preserving the ability of state and local agencies to continue to set policies governing the operation of vehicles on highways and local roads, regardless of whether they are driven autonomously or manually.



Metropolitan Transportation Commission

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Tom Bulger's Report

Report from Washington D.C. advocate.

Randy Rentschler

MTC Legislation Committee Information

October 2018 Monthly Washington, D.C. Report



To: Steve Heminger, Executive Director

From: Tom Bulger, President GRI

Date: October 30, 2018

RE: Monthly Report for October 2018

- Department Of Transportation Releases Automated Vehicles 3.0 Document
- Meetings

For the first time in recent memory there was very little Washington, D.C. activity to report. This is because the Congress is in recess for the mid-term elections and the Administration did not issue policies or regulations of note, except for Automated Vehicles.

Department Of Transportation Releases Automated Vehicles 3.0 Document

On October 4, 2018, Secretary Elaine Chao unveiled her department's Automated Vehicles 3.0 guidance document called Preparing for the Future of Transportation Automated Vehicles 3.0. The guidance is primarily a voluntary safety self-assessment document versus legally binding federal safety standards. MTC staff reviewed the document and attached is a staff summary.

Meetings

- Coalition for America's Gateways and Trade Corridors concerning reauthorization principles and platform.
- U.S. Conference of Mayors about reauthorization principles.

Preparing for the Future of Transportation: Automated Vehicles 3.0 (AV 3.0)

U.S. Department of Transportation, released October 2018

Summary & Key Concerns by MTC

AV 3.0 builds upon, but does not replace, [Automated Driving Systems 2.0: A Vision for Safety](#) from September 2017, which provided guidance for AV manufacturers and outlined the respective roles of federal and state governments in regulating AVs. AV 2.0 was the first Trump admin document on AVs, replacing the first-ever [Federal Automated Vehicles Policy](#) from 2016. (This article, [USDOT Preparing to Revise Obama-Era AV Policies](#), gives a pretty good breakdown of the Obama/Fox era federal-vs-state responsibilities).

AV 3.0 outlines six guiding principles for the U.S. DOT on AVs:

1. **Prioritize safety** – encourage AV/automatic driving systems (ADS) developers to do Voluntary Safety Self-Assessments & make them public. Rely on a self-certification approach, rather than type approval, as the way to balance and promote safety and innovation. DOT is committed to preserving the 5.9 GHz spectrum (5G) for use by transportation safety systems.
2. **Remain technology neutral** – policies will be “flexible and tech-neutral, not “top-down, command and control.” DOT will not pick winners and losers, but will instead allow the market to pick the best solutions and technologies. Same with testing locations—will not prioritize any locations over others.
3. **Modernize regulations** – or “eliminate outdated regulations” – reducing regulations is a big theme throughout the document; in its closing paragraph DOT asks “Which regulatory obstacles need to be removed?” In all future regulatory actions, DOT will not automatically assume that a “driver” of a vehicle is a human.
4. **Encourage a consistent regulatory and operational environment** – work with states and other authorities to avoid a patchwork of regulations that could make it difficult for AVs to cross state lines.
5. **Prepare proactively for automation** – provide guidance, best practices, pilot programs, and other assistance to partners. Encourage development of standards and voluntary data exchanges between the public and private sector.
6. **Protect and enhance the freedoms enjoyed by Americans** – recognize that AVs will always operate alongside conventional, manually-driven vehicles and give people choice.

AV 3.0 identifies the following DOT administrations as contributors to the report and major players in encouraging automation, providing guidance on which operating administration within DOT handles the relevant AV policies. It announces several upcoming rulemakings and other actions being taken in the near future by these administrations, including:

- **National Highway Traffic Safety Administration** – will request public comment on a proposal to streamline and modernize the procedures it will follow when processing and deciding exemption petitions.
- **Federal Motor Carrier Safety Administration** – will initiate an Advance Notice of Proposed Rulemaking to address automated vehicles, particularly to identify regulatory gaps, including in the areas of inspection, repair and maintenance for ADS.
- **Federal Highway Administration** - announces plans to update the 2009 Manual on Uniform Traffic Control Devices, taking into consideration new connected and automated vehicle technologies. Researching connected vehicle technologies & cooperative automation.
- **Federal Railroad Administration** – initiating research to develop and demonstrate a concept of operations, including system requirements, for the use of automated and connected vehicles to improve safety of highway-rail crossings.

- **Maritime Administration** – with FMCSA, evaluating the regulatory and economic feasibility of using automated truck queueing as a technology solution to truck staging, access, and parking issues at ports.
- **Pipelines and Hazardous Materials Administration** – researching the ability to enable the digital transmission of information to first responders before they arrive at an incident that involves hazardous materials.
- **Federal Transit Administration** – published a five-year research plan on automating bus transit.

AV 3.0 states that AVs have the potential to increase productivity, facilitate freight movement, create new types of jobs, and improve access for traditionally underserved communities — especially the elderly and people with disabilities. It offers five core Automation Implementation Strategies for moving forward: engage stakeholders and the public; provide best practices and policy considerations to support stakeholders; support voluntary technical standards; conduct targeted technical research; and modernize regulations.

It also lists several best practices and considerations for state legislatures, state highway safety officials, infrastructure owners and operators, state commercial vehicle enforcement agencies, public and private sector transit industries, and local governments. All the guidance is somewhat commonsense and largely aspirational, however, since it is dependent upon voluntary development and adherence to best practices.

Finally, three appendices cover Key Terms and Acronyms, Stakeholder Engagement, and Voluntary Technical Standards for Automation.

Of particular concern to MTC may be the following sections of the report:

Considerations for Infrastructure Owners and Operators (pages 20-22)

- AV 3.0's suggestions for MPOs and State DOTs are to: support safe testing and operations of automated vehicles on public roadways; learn from testing and pilots to support highway system readiness; build organizational capacity to prepare for automated vehicles in communities; identify data needs and opportunities to exchange data; collaborate with stakeholders to review the existing Uniform Vehicle Code (UVC); and support scenario development and transportation planning for automation.

Considerations for Local Governments (24)

- Facilitate safe testing and operation of automated vehicles on local streets; understand the near-term opportunities that automation may provide; consider how land use, including curb space, will be affected; consider the potential for increased congestion, and how it might be managed; engage with citizens. "Automation provides an opportunity to address local goals, including making more land available for housing and business."

Best Practices for State Legislatures and State Highway Safety Officials (18-20)

- Engage U.S. DOT on legislative technical assistance; adopt terminology defined through voluntary technical standards; assess State roadway readiness; consider test driver training and licensing procedures for test vehicles; and recognize issues unique to entities offering automated mobility as a service.

Considerations for Public Sector Transit Industry and Stakeholders (22-24)

- Needs-based implementation; realistic expectations; workforce and labor; Complete Streets; accessibility; engagement and education.