



Memorandum

TO: BUILDING BETTER
TRANSPORTATION COMMITTEE

FROM: James R. Helmer
Betsy Shotwell

SUBJECT: LEGISLATIVE REPORT

DATE: 07-18-03

Approved

Date

RECOMMENDATION

Accept Legislative Report.

BACKGROUND

On January 14, 2003 the City Council approved legislative priorities for the year. During this legislative session, these guidelines have provided direction to City staff in making its legislative recommendations.

The objective of this report is to provide information and insights on legislative activities at both the federal and state levels. Attached to the report is the Legislative matrix prepared by the Office of Intergovernmental Relations. The matrix provides the status of current State Transportation related legislation and the City's official positions.

ANALYSIS

Federal Pedestrian and Bicycle Legislation

On June 18, 2003, Representative James Oberstar (D-MN), the ranking member of the House Transportation and Infrastructure Committee introduced H.R. 2568, the Pedestrian and Cyclist Equity Act of 2003 (PACE Act). The bill was introduced to help communities make infrastructure and safety improvements that encourage people to walk or bicycle from place to place.

H.R. 2568 if enacted would authorize \$250 million a year in community grants from the Highway Trust Fund for fiscal years 2004 through 2009 to establish and implement a national Safe Routes to School program. Funding would be provided to states and administered through the state's Department of Transportation. The goal of this program is to ensure that children in elementary and middle schools have safe routes to school. Funds would be apportioned to each state on the basis of

total student enrollment in primary and middle schools, and no state would receive an apportionment for a fiscal year of less than \$2 million.

The grants would allow local governments to build or improve sidewalks, bike paths and other infrastructure to help children walk or ride to school safely. The funds can also be used for non-infrastructure expenses, such as hiring crossing guards or traffic safety programs.

Additionally, PACE would provide \$25 million annually, \$150 million through the six years proposed for the ACT for a Transportation and Active Living program to design safe, walkable and bikeable communities throughout the country. This program would be administered by the Federal Department of Transportation and the total amount awarded to applicants in any state could not exceed \$1 million for a fiscal year. Funds could be used for planning, education, communications and marketing functions, but construction, reconstruction, or renovation of facilities would not be eligible for these funds.

The bill also provides \$225 million over the life of the program for three Non-Motorized Transportation pilot projects to build sidewalks, paths and bikeways linking homes, schools, businesses, civic facilities and public transit. The pilot projects, which would be selected by the Secretary of the Department of Transportation, would be used to demonstrate the extent to which bicycling and walking can carry a significant part of the transportation load, and represent a major portion of the transportation solution, within the three selected communities.

The bill currently has bipartisan support and 14 cosponsors. Legislative action is not likely on this bill in the near future, but it may be considered for addition to the surface transportation reauthorization package (TEA-21) when the House begins consideration of such legislation later this year.

State Transportation Legislation

The Legislature is scheduled to recess on July 18, 2003 for its summer break and is scheduled to reconvene on August 18th. Prior to adjourning, Assembly and Senate policy committees are required to report out bills from the opposite chamber in order for them to continue to move through the process. Fiscal committees, which would have jurisdiction over many of the voter threshold bills, have an additional month to hear bills and move them out of committee. Both houses must pass bills off of their floors by September 12, 2003 in order that they may be transmitted to the Governor's office for his signature or veto later this fall.

Below is a status of various transportation measures in Sacramento:

- ACA 7 (Dutra), which if passed by California voters would lower the voter threshold for transportation sales tax measures to 55 percent
City Position: Support
Status: Assembly Floor

- ACA 9 (Levine), which if passed by California voters would lower the voter threshold for transportation sales tax measures from a two-thirds requirement to a simple majority to fund local capital infrastructure construction projects.
City Position: Support
Status: Assembly Floor
- ACA 11 (Levine), which if passed by California voters would change voter requirements from two-thirds voter requirement allowing local governments to place general obligations bonds on the ballot and have them pass by a 55 percent majority of those voting on the item.
City Position: Support
Status: Assembly Floor
- SB 916 (Perata) defines the Bay Area Toll Authority (BATA) as a separate entity governed by the same governing board as the Metropolitan Transportation Commission (MTC). Makes MTC responsible for programming, administration, and allocation of toll revenues from the state-owned toll bridges in the San Francisco Bay Area, including the seismic retrofit surcharge. Requires a special election on proposed toll rate increase and establishes the Transbay Joint Powers Authority. Requires specified counties in the San Francisco Bay Area to conduct a special election on a proposed \$ 1 increase in the base toll rate charged on state-owned toll bridges in the bay area and identifies projects to be funded from the toll increase, including \$2 million to incorporate the Altamont High Speed Rail Alternative, as defined and evaluated in the Intercity High Speed Rail Commission Report published in December 1996, together with a new high-speed rail bridge parallel to the Dumbarton Rail Bridge, fully into the California High Speed Rail System Environmental Impact Report (EIR) program so that the Altamont Alternative, including the new rail bridge, is treated equivalently with other alternatives being considered in the EIR.
City Position: Oppose Unless Amended
Status: Assembly Appropriations Committee
- SCA 2 (Torlakson), which if passed by the voters of California would lower the threshold on local transportation measures to a simple majority, but would require that 25 percent of the revenues be used for smart growth planning.
City Position: Support if Amended
Status: Senate Floor
- SCA 7 (Murray) would place before the voters of California a constitutional amendment that would require any loans made to the State or the State's General Fund from the State Highway Account or the Public Transportation Account be repaid with interest.
City Position: No official position taken
Status: Senate Appropriations Committee

- SCA 11 (Alarcon), which if passed by the voters of California would amend the State Constitution allowing cities, counties and special districts to impose, extend, or increase special taxes and to incur debt with general obligation bonds with majority-voter approval if the tax or bond exclusively funds all of the following: construction of affordable housing, transportation enhancement activities, and acquisition of open space.
City Position: Support
Status: Senate Committee on Constitutional Amendments

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Attachment