

7. **ACTION FINANCIAL ITEMS**

A. **None.**

8. **ACTION NON-FINANCIAL ITEMS**

A. **Legislative Update**

Jayne Bauer

Recommendation:

Forward a recommendation to the STA TAC and Board to take the following positions:

- Assembly Bill (AB) 4 (Linder) - Prohibiting the transfer of weight fee revenues from the State Highway Account to the Transportation Debt Service Fund; *Watch*
- Assembly Bill (AB) 227 (Alejo) – Prohibiting the transfer of weight fee revenues from the State Highway Account to the Transportation Deb Service Fund and extending P3 authorization; *Watch*

(1:55 – 2:00 p.m.)

Pg. 11

9. **INFORMATIONAL ITEMS – DISCUSSION ITEMS**

A. **Solano College Student Transportation Fee Proposal**

(2:00 – 2:10 p.m.)

Pg. 73

Rischa Slade,
Solano Community
College

B. **Transit and Ridesharing Element of the Comprehensive Transportation Plan (CTP)**

(2:10 – 2:15 p.m.)

Pg. 75

Elizabeth Richards

C. **CTSA/Mobility Management Program Update – Travel Training Update**

(2:15 – 2:20 p.m.)

Pg. 77

Kristina Holden

D. **SolanoExpress Intercity Quarterly Reports**

(2:20 – 2:25 p.m.)

Pg. 79

Liz Niedziela

E. **SolanoExpress Intercity Transit Consortium 2015 Draft Work Plan**

(2:25 – 2:30 p.m.)

Pg. 89

Liz Niedziela

F. **SNCI Monthly Issues/Transportation Info Depot Update**

(2:30 – 2:35 p.m.)

Pg. 95

Judy Leaks

NO DISCUSSION

**G. Summary of Funding Opportunities
Pg. 97**

Andrew Hart

**10. TRANSIT CONSORTIUM OPERATOR UPDATES AND
COORDINATION ISSUES**

Group

11. FUTURE INTERCITY TRANSIT CONSORTIUM AGENDA ITEMS

Group

March 2015

- A. Intercity Paratransit/Taxi Scrip Program Update – Nelson Nygaard
- B. Transit Corridor Study – Phase 2 Discussion – Jim McElroy,
Project Manager
- C. Adopt Consortium Work Plan for FY 2015-16 – Liz Niedziela
- D. Adopt 2015 SolanoExpress Marketing Plan – Jayne Bauer
- E. Lifeline Recommendation – Liz Niedziela
- F. Solano Rail Plan – David McCrossan
- G. Presentation: Update on Curtola Park and Ride Project

April 2015

- A. CTSA/Mobility Management Program Update – ADA Eligibility
- B. Discussion of Intercity Paratransit/Taxi Scrip Program- Service Alternatives

11. ADJOURNMENT

The next regular meeting of the Solano Express Intercity Transit Consortium is scheduled for **1:30 p.m. on Tuesday, February 24, 2015.**

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**INTERCITY TRANSIT CONSORTIUM
Meeting Minutes of December 16, 2014**

1. CALL TO ORDER

Judy Leaks called the regular meeting of the SolanoExpress Intercity Transit Consortium to order at approximately 1:35 p.m. in the Solano Transportation Authority Conference Room.

Members

Present:	Brian McLean (By phone)	Vacaville City Coach
	Nathan Atherstone	Fairfield and Suisun Transit (FAST)
	John Harris	Rio Vista Delta Breeze
	Mona Babauta	Solano County Transit (SolTrans)
	Judy Leaks, Chair	Solano Napa Commuter Information (SNCI)
	Liz Niedziela	STA
	Nathan Newell for Matt Tuggle	County of Solano

Members

Absent:	Janet Koster, Vice Chair	Dixon Read-Ride
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Also Present (In Alphabetical Order by Last Name:

Janet Adams	STA
Jayne Bauer	STA
Robert Guerrero	STA
Kristina Holden	STA
Johanna Masielat	STA
Debbie McQuilkin	STA
Mary Pryor	STA Project Manager
Elizabeth Richards	STA Project Manager

Others (In Alphabetical Order by Last Name)

Present:	Wayne Lewis	FAST
	Claudia Preciado	Nelson-Nygaard
	Elizabeth Romero	SolTrans
	Richard Weiner	Nelson-Nygaard

2. APPROVAL OF THE AGENDA

On a motion by Mona Babauta, and a second by John Harris, the SolanoExpress Intercity Transit Consortium approved the agenda. (7 Ayes, 1 Absent)

3. OPPORTUNITY FOR PUBLIC COMMENT

None presented.

4. REPORTS FROM CALTRANS, MTC, AND STA STAFF

Richard Weiner, Nelson Nygaard, presented and provided an update to the transition of the Intercity Paratransit/Taxi Scrip Program.

5. CONSENT CALENDAR

On a motion by Brian McLean, and a second by John Harris, the SolanoExpress Intercity Transit Consortium approved Consent Calendar Item A. (7 Ayes, 1 Absent)

A. Minutes of the Consortium Meeting of December 16, 2014

Recommendation:

Approve the Consortium Meeting Minutes of December 16, 2014.

6. ACTION FINANCIAL ITEMS

A. Benicia Transit Bus Hub Project Funding Request

Graham Wadsworth, City of Benicia and STA's Robert Guerrero reviewed the proposed funding plan that would increase RTIF revenue allocation to the Benicia Bus Hub Project from a total of \$100k to \$276k. They noted that the City of Fairfield's FTC project *may will (amended at the request of Wayne Lewis)* continue to receive their approved allocation of \$400k after the first \$276k of RTIF is provided to the City of Benicia to construct the project. They also noted that the STAF funding recommended to finance the Benicia project would be paid back to STA as RTIF funding is collected.

Recommendation:

Forward a recommendation to the TAC and STA Board to set aside \$125,000 from State Transit Assistance Funds (STAF) in FY 2015-16 to help finance the construction of Benicia Transit Bus Hub Project which will be paid back as Regional Transportation Impact Fee (RTIF) funding is collected.

On a motion by Mona Babauta, and a second by Nathan Atherstone, the SolanoExpress Intercity Transit Consortium unanimously approved the recommendation. (8 Ayes)

B. Lifeline Transportation Program – Prop 1B

Liz Niedziela noted that due to the high maintenance cost of the bus that needs to be replaced, Rio Vista would like to replace their bus as soon as possible. She explained that instead of funding Rio Vista with Prop 1B funds, STA is recommending a loan of STAF in the amount of \$65,000 to fund Rio Vista replacement bus that can be paid back with a funding swap of FTA 5311 (rural) operating funds with TDA funds. She also noted that in 2016, STA will be allocating FTA 5311 funding and that STA will allocate an additional \$65,000 of FTA 5311 operating funds to Rio Vista. After Rio Vista receives the funding, they will reimburse STA \$65,000 in TDA funds and that staff also recommends that this loan be provided after the City of Rio Vista fulfills their obligation to MTC of completing their City's financial audits, submitting them to MTC and is cleared to receive TDA funding. She also indicated that the \$65,000 is recommended instead of \$90,000 due to the remaining balance of STAF that has already been committed as a local match for bus replacement and that Rio Vista is supportive of this proposed funding swap. She concluded by noting that staff recommends funding Dixon for \$8,421 for a replacement bus and SolTrans for \$890,796 for three replacement buses for local fixed route service. She also cited that Lifeline JARC and STAF applications are due to STA by March 3, 2015.

Recommendation:

Forward a recommendation to the TAC and STA Board to:

1. Approve the Proposition 1B funding as shown in Attachment C;
2. Approve a loan of \$65,000 of STAF funds to Rio Vista for the purchase of one replacement bus;
3. Allocate \$65,000 of FTA 5311 operating funds to Rio Vista in 2016; and
4. Authorize the Executive Director to execute an agreement with the City of Rio Vista for a STAF loan of \$65,000 and a funding swap of \$65,000 of FTA 5311 with TDA funds to be paid to STA for the repayment of the STAF loan.

On a motion by John Harris, and a second by Mona Babauta, the SolanoExpress Intercity Transit Consortium unanimously approved the recommendation. (7 Ayes, 1 Absent)

7. ACTION NON-FINANCIAL ITEMS

A. Consolidated Transportation Services Agency (CTSA) Advisory Committee – Appointment of Three (3) Consortium Members

Kristina Holden explained that as part of the formation of the CTSA, the STA Board established the formation of a CTSA Advisory Committee which would be made up of 11 members. She listed the members from each of the following committees and agencies as follows:

- Seniors and People with Disabilities Transportation Advisory Committee (1)
- Paratransit Coordinating Council (1)
- Lifeline Advisory Committee (1)
- **SolanoExpress Intercity Transit Consortium (3)**
- Solano County Department of Health and Social Services (1)
- Area Agency on Aging (1)
- STA Board Members (3)

She concluded by requesting the SolanoExpress Intercity Transit Consortium elect 3 members to serve on the CTSA Advisory Committee.

Recommendation:

Forward a recommendation to the TAC and STA Board to appoint 3 transit representatives to the CTSA Advisory Committee.

On a motion by Nathan Atherstone, and a second by Mona Babauta, the SolanoExpress Intercity Transit Consortium appointed Committee members representing FAST, SolTrans, and Vacaville City Coach (7 Ayes, 1 Absent).

B. Solano Comprehensive Transportation Plan (CTP) Update - Public Outreach

Jayne Bauer reviewed staff's proposed public outreach program with efforts to contact both traditional groups (such as City Council Planning Commissions and service clubs) with traditional and new media. She noted that STA staff will make at least one presentation in each of the 7 cities, but has a goal of two or more. Presentations will occur both during the work day and evening hours in order to maximize the cross section of the public that can participate.

She summarized each phase: **Phase 1 – “What are Your Transportation Priorities?”** The first phase will request input on the priority of transportation issues faced by members of the Solano community, and ideas they have for addressing those issues. **Phase 2 – “Here is What We Heard”** STA staff will develop a matrix of comments received and how they are addressed, similar to the format used in soliciting, organizing and responding to comments to Environmental Impact Reports.

Recommendation:

Approve the following:

1. The Solano CTP public outreach campaign as outlined above; and
2. Request MTC to enable STA to coordinate Solano CTP outreach with MTC’s Regional Transportation Plan (RTP)/Sustainable Communities Strategies (SCS).

On a motion by Mona Babauta, and a second by Liz Niedziela, the SolanoExpress Intercity Transit Consortium unanimously approved the recommendation. (7 Ayes, 1 Absent)

8. INFORMATIONAL ITEMS – DISCUSSION ITEMS

A. SolanoExpress Marketing Plan Update

Jayne Bauer provided an update to the SolanoExpress Marketing Plan. She noted that STA staff is preparing for the FY 2014-15 marketing efforts for SolanoExpress, and has developed the following list to finalize and implement:

1. FAST bus decals
2. Include branding of SolanoExpress on SolTrans website (replacing Multi-Zone term) and printed bus schedules
3. Rider appreciation promotions (“Buy One Get One” free)
4. Door hanger promotion for Vine Express Route 21 (Napa to Fairfield/Suisun City) February 2014

Tasks to complete that have been paid for:

5. Installation of bus stop signs
6. Installation of bus schedule frames and schedules

Jayne Bauer also noted that staff is seeking input from the Transit Consortium on the elements of the FY 2014-15 SolanoExpress marketing campaign in order to formulate a plan and a budget going forward.

B. Status of Funding the Intercity Bus Replacement Capital Plan

Mary Pryor, NWC and STA Project Manager, provided an update to the current funding commitments by agency which she referenced on Page 66 of the packet. She also noted that STA staff will continue to work with the Consortium members to identify the funding for the intercity bus replacement plan.

C. Proposed Regional Paratransit Policy Update

Elizabeth Romero presented and provided an update to the development and implementation of a new Regional Paratransit Policy in early 2015 which supports the overall quality of the SolTrans Americans with Disabilities Act (ADA) Paratransit Program.

D. CTSA/Mobility Management Program Update – Call Center and Website

Kristina Holden summarized the Countywide In-Person ADA Eligibility activities of CARE Evaluators in the second quarter of FY 2014-15, the second year of the program. She also provided an update to the outreach efforts of the Travel Training Program. She also reported that the Solano Mobility Website is going live by the end of January 2015. She added that the website will provide a variety of resources to the community including local, private, and non-profit transportation options, transit training information, a video library, non-profit services information and senior safety driver information.

E. SNCI Monthly Issues/Transportation Info Depot Update

Debbie McQuilkin provided an update to the Transportation Info Depot of the historic Suisun City Train Depot. During the first two months of operation, staff sold \$1,148 in Clipper Cards. The statistics for services provided in November and December are included as Attachment A. To date, a total of 10 vanpools have been formed with most of these formations occurring in December 2014 and January 2015.

NO DISCUSSION ITEMS

F. Summary of Funding Opportunities

9. TRANSIT CONSORTIUM OPERATOR UPDATES AND COORDINATION ISSUES

10. FUTURE INTERCITY TRANSIT CONSORTIUM AGENDA ITEMS

A summary of the agenda items for February and March 2015 were presented.

11. ADJOURNMENT

The meeting adjourned at 2:50 p.m. - The next regular meeting of the Solano Express Intercity Transit Consortium is scheduled **1:30 p.m. on Tuesday, February 24, 2014.**

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DATE: February 18, 2015
TO: SolanoExpress Intercity Transit Consortium
FROM: Jayne Bauer, Marketing and Legislative Program Manager
RE: Legislative Update

Background:

Each year, STA staff monitors state and federal legislation that pertains to transportation and related issues. On December 10, 2014, the STA Board approved its 2015 Legislative Priorities and Platform to provide policy guidance on transportation legislation and the STA's legislative activities during 2015.

Monthly legislative updates are provided by STA's State and Federal lobbyists for your information (Attachments A and B). A Legislative Bill Matrix listing state bills of interest is available at <http://tiny.cc/staleg>.

Discussion:

Assembly Member Linder has introduced Assembly Bill [\(AB\) 4](#) (Attachment C), to prevent vehicle weight fee revenues from paying off transportation general obligation bonds. These funds would instead remain in the State Highway Account. Currently, the "swap-based" excise tax on gasoline is used to backfill the State Highway Account for the loss of these funds - approximately \$1 billion annually - which results in less excise tax funding available for local streets and roads and the State Transportation Improvement Program (STIP). This bill does not propose any specific uses for the funds other than staying in the State Highway Account through January 1, 2020. Staff recommends watching AB 4.

Assembly Member Frazier has introduced Assembly Bill [\(AB\) 194](#) (Attachment D), which would authorize a regional transportation agency to apply to the California Transportation Commission to operate a high-occupancy toll (HOT) lane. This bill further requires that a regional transportation agency "consult" with any local transportation authority such as STA prior to applying for a HOT lane if any portion of the lane exists in the local transportation authority's jurisdiction. This bill also specifically does not authorize the conversion of a mixed-flow lane into a HOT lane. Staff may bring a recommendation for this bill at the March Consortium/TAC meeting.

Assembly Member Alejo introduced Assembly Bill [\(AB\) 227](#) (Attachment E), which would also prohibit the use of vehicle weight fees to pay debt-service on transportation bonds. In addition to protecting the vehicle weight fees, this bill would extend the authorization for Public Private Partnerships (P3) beyond the current sunset date of 2017. As it is early in the legislative year and bills have not started going through committees, staff recommends watching AB 227.

The Governor has also introduced a managed lanes trailer bill (Attachment F). It is somewhat different than the Frazier bill (AB 194), but seems to do the same thing, essentially, allowing regional agencies to apply to establish toll facilities. It proposes to authorize toll roads (like Highway 37) and lets regional agencies apply. Staff will monitor the progress of this bill.

The Administration (CalSTA) has introduced a budget trailer bill (Attachment G) which revises the way highway segment relinquishments would occur. It only identifies segments that can be relinquishments to cities or counties. At the direction of STA staff, our state lobbyist is working with the Administration to include Joint Power Authorities as eligible relinquishment agencies. STA staff is also having initial discussions with Sonoma County, MTC and Caltrans regarding options for funding improvements to the SR 37 Corridor, including the potential for tolling. Staff will monitor the progress of this bill.

Fiscal Impact:

None.

Recommendation:

Forward a recommendation to the STA TAC and Board to take the following positions:

- Assembly Bill (AB) 4 (Linder) - Prohibiting the transfer of weight fee revenues from the State Highway Account to the Transportation Debt Service Fund; *Watch*
- Assembly Bill (AB) 227 (Alejo) – Prohibiting the transfer of weight fee revenues from the State Highway Account to the Transportation Deb Service Fund and extending P3 authorization; *Watch*

Attachments:

- A. State Legislative Update
- B. Federal Legislative Update
- C. AB 4 (Linder)
- D. AB 194 (Frazier)
- E. AB 227 (Alejo)
- F. Administration Trailer Bill re Highway Tolling
- G. Administration Trailer Bill re Highway Relinquishment



SHAW/YODER/ANTWIH, inc.
LEGISLATIVE ADVOCACY • ASSOCIATION MANAGEMENT

February 11, 2015

TO: Board of Directors, Solano Transportation Authority

FM: Joshua W. Shaw, Partner
Matt Robinson, Legislative Advocate
Shaw / Yoder / Antwih, Inc.

RE: **STATE LEGISLATIVE UPDATE – February 2015**

Legislative Update

On January 9, Governor Brown released his 2015-16 Proposed Budget, which includes approximately \$17 billion in transportation spending across all programs under the umbrella of the California State Transportation Agency, with approximately \$1.4 billion going to cities and counties. As part of his budget, the Governor alluded to the need to find additional transportation funding, particularly to address the state's funding shortfall in the State Highway Operations and Protection Program (SHOPP), estimated to be around \$59 billion. The Governor also acknowledged the need to continue to explore new funding sources, including a road usage charge and tolling. The Governor's Budget also proposes to streamline the highway relinquishment process to allow roads that serve a local or regional purpose to more easily be transferred to local agencies. We submitted a detailed overview of the Governor's Budget to the Authority last month.

February 27 marks the final day to introduce bills for consideration in the first year of the 2015-16 Legislative Session. The Legislature will break for Spring Recess on March 26.

Cap and Trade

The Governor's Budget proposes \$1 billion in Cap and Trade spending in 2015-16, with 60 percent of that funding earmarked for transportation programs, including the high-speed rail project. The Legislative Analyst's Office, in its review of the Governor's Budget, argues that the above estimate is far too low and that Cap and Trade revenues will likely be in excess of \$2 billion.

The guidelines for the **Affordable Housing and Sustainable Communities (AHSC) Program** were adopted by the Strategic Growth Council (Council) on January 20. The Council received \$130 million for the AHSC Program in FY 2014-15 (20 percent of all Cap and Trade revenues beginning in FY 2015-16). The Program will fund two specific project-types – Transit Oriented Development (TOD) Projects and Integrated Connectivity Projects – with applicants applying for funding in either program based on the project's proximity to high-quality transit service. Public agencies, including joint powers authorities, may apply for funding under the Program. TOD Projects must include an affordable housing development. Eligible capital uses under the AHSC Program include: affordable housing development; housing-related infrastructure; and transportation-related infrastructure. The Program has a disadvantaged community

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benefit-target of 50 percent and no less than half of the funding in the Program must be spent on affordable housing.

The final guidelines for the **Transit and Intercity Rail Capital Program** were released on February 6 and CalSTA issued the call for projects shortly thereafter. This Program received \$20 million in 2014-15 (10 percent of all Cap and Trade revenues beginning in FY 2015-16) and will provide grants to fund capital improvements and operational investments that will modernize California's transit systems and intercity, commuter, and urban rail system. Eligible projects under the TIRCP will be rail capital projects; intercity and commuter rail projects that increase service levels, improve reliability, and decrease travel times; rail integration implementation; and, bus rapid transit and other bus transit investments to increase ridership and reduce greenhouse gas emissions. The Program has a disadvantaged community benefit-target of 25 percent.

Road Usage Charge and Tolling

On January 23, the Road Charge Technical Advisory Committee held its first meeting since being formed by the CTC in December. The meeting consisted primarily of framing up roles and responsibilities moving forward. The Committee also heard program updates from Oregon and Washington. The next meeting will be held on February 26 in Sacramento.

As mentioned above, the Governor has included tolling as part of his budget, a proposal we expect will be modeled after the recommendations contained in the California Transportation Infrastructure Priorities report released by CalSTA last February. The Administration indicated the authorizing legislation, similar to last session's SB 983 (Hernandez), will be part of the budget process and included in a budget trailer bill. We anticipate that at least one member of the Legislature will introduce a separate bill on the subject.

Bills of Interest

AB 4 (Linder) Vehicle Weight Fees

This bill would prohibit vehicle weight fee revenues from being transferred from the State Highway Account to the Transportation Debt Service Fund, the Transportation Bond Direct Payment Account, or any other fund or account for the purpose of payment of the debt service on transportation general obligation bonds, and would also prohibit loans of weight fee revenues to the General Fund. This bill would sunset on January 1, 2020.

SB 32 (Pavley) Extension of Global Warming Solutions Act of 2006 (AB 32)

Under AB 32, ARB adopted a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020 and was authorized to adopt regulations to achieve the GHG reduction-target, including a market-based compliance mechanism (Cap and Trade). This bill would require ARB to approve a GHG limit equivalent to 80% below the 1990 level to be achieved by 2050 and would authorize the continued use of the regulatory process to ensure the target is met.

M E M O R A N D U M

January 29, 2015

To: Solano Transportation Authority
From: Akin Gump Strauss Hauer & Feld LLP
Re: January Report

On January 14, 2014 Susan Lent attended the meeting of the Solano Transportation Authority (STA) Board and made a presentation regarding the outlook for surface transportation legislation and funding. She also discussed approaches for STA to communicate its priorities in Washington. During January we also followed activities and actions surrounding the organization of the new Congress and brought developments to the attention of STA staff.

State of the Union

The President delivered his State of the Union speech on January 20. He highlighted infrastructure growth as a pathway to job creation and indicated that his fiscal year 2016 budget, scheduled for release on February 2, would propose a multi-year authorization of surface transportation programs. President Obama urged Congress to support a broad infrastructure plan to construct roads and transit systems, modernize ports, replace bridges, and build faster trains and build-out the infrastructure to support high speed internet services.

The Obama Administration will continue to advocate for passage of *The Grow America Act*, which would authorize \$302 billion over four years for highways, bridges, rail and transit. The Administration proposed the same legislation as part of last year's budget request. Congress took no action on the proposal and enacted a short-term extension of *MAP-21* that will expire on May 31, 2015. At a January 28 hearing before the Senate Environment and Public Works Committee, Department of Transportation Secretary Anthony Foxx stated that the Administration would submit an improved version of the bill in the 2016 budget that will include provisions to speed infrastructure permitting, including concurrent project review, and incentivize private investment in infrastructure.

The White House also has proposed the creation of Qualified Public Infrastructure Bonds (QPIB), which would be used to finance airports, port, mass transit, solid waste disposal, sewer and water and other infrastructure projects. The bonds would not be subject to state volume caps, which currently limit the use of PABs to finance mostly short-term construction projects. Interest on the bonds would be exempt from the alternative minimum tax. While the President

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did not discuss the new bond program in his address, additional information is expected to be released as part of the budget proposal.

Surface Transportation Reauthorization

Republicans and Democrats have coalesced around their support for identifying funding for multiyear surface transportation legislation. The May expiration of the current reauthorization, gives Congress only a few months to enact a multi-year bill or another short-term extension.

Identifying a stable funding source is the greater impediment to enacting a multi-year bill. In January, declining gas prices led many lawmakers to state that increasing the gasoline tax should be considered as a means of increasing revenue to the Highway Trust Fund, including a few Republican Senators -- Chairman Inhofe, Commerce Committee Chairman John Thune, (SD) and Finance Committee Chairman Orin Hatch (UT). However, House Transportation and Infrastructure Committee Chairman Bill Shuster (PA) and Speaker John Boehner (R-OH) have said that a gas tax increase will not pass the House.

The Administration has suggested that funding for surface transportation could come from corporate tax reform, particularly repatriation of overseas profits. However, there is opposition to the proposal as repatriation would create a temporary windfall and not provide sustainable funding. House Republicans also have discussed tax reform as a means to fund infrastructure in addition to direct revenue from royalties from increased domestic energy production.

While some Members of Congress and the Administration have expressed support for using revenues generated from tax reform to fund transportation, it is highly unlikely that comprehensive reform can be enacted before the May 31 deadline. It is more likely that Congress will be forced to pass another short term extension of MAP-21.

On January 28, the Senate Environment and Public Works Committee heard testimony from Secretary Anthony Foxx and the Governors of Alabama (Robert Bentley), Connecticut (Dannel Malloy), Vermont (Peter Shumlin), and South Dakota (Dennis Daugaard) regarding the need for a multi-year bill. On January 29, the Senate Commerce Committee heard testimony from stakeholders on improving the freight network, including former Pennsylvania Governor Ed Rendell, representing Building American's Future, Union Pacific President Lance Fritz, Werner Enterprises General Counsel Jim Mullen, and Cabela's Chief Supply Chain Officer Douglas Means. The House T&I Committee will hold a hearing on February 3 on *How the Changing Energy Markets Will Affect U.S. Transportation*.

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Regulatory Streamlining

Bills have been introduced in both the House and Senate that are designed to speed the permitting for infrastructure projects. Representatives Tom Marino (D-PA) and Collin Peterson (D-MN) introduced *The Responsibly and Professionally Invigorating Development (“RAPID”) Act*, H.R. 348. The bill would expedite project approval by requiring federal agencies to work concurrently in evaluating environmental impacts of a project. The lead agency would be required to set deadlines and if an agency failed to act within the deadline, the permit, license or application would be deemed approved. Similar legislation passed the House in the 113th Congress. The House Judiciary Committee is planning to act on the bill early this year.

On February 28, Senators Rob Portman (R-OH) and Claire McCaskill (D-MO) introduced the *Federal Permitting Improvement Act*. The bill contains provisions similar to the RAPID Act to improve agency coordination and establish deadlines for permitting decisions. It also contains provisions to enhance transparency and encourage early public participation, and limit construction delays caused by litigation. The bill is limited to economically significant capital projects, defined as those with an initial investment of more than \$25 million. Senators Angus King (I-ME), Joe Manchin (D-WV), Roy Blunt (R-MO), Ron Johnson (R-WI) and Rand Paul (R-KY) cosponsored the bill.

DOT Safer People, Safer Streets Initiative

On January 22, Secretary Foxx announced the *Mayor’s Challenge for Safer People and Safer Streets*, as part of DOT’s Safer People, Safer Streets initiative. As part of the program, a Mayor’s summit will be held on March 12 in Washington D.C. to discuss how to build upon or implement the challenge’s seven activity areas: 1) adopting a Complete Streets approach; 2) identifying and addressing barriers improve safety and convenience for all users; 3) gathering and tracking biking and pedestrian data; 4) adopting designs that are appropriate to the context of the street and its uses; 5) capturing opportunities to build on-road bike networks during routine resurfacing; 6) improving walking and biking safety laws and regulations; and 7) education and enforcement of proper road use behavior. DOT staff will assist attendees to identify new departmental resource that they can use to meet the goals of the challenge. DOT will hold a webinar on February 10.

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Legislation Introduced

Many bills have been introduced that are likely to be considered as part of consideration of the surface transportation reauthorization:

- *The Rebuild America Act, S. 268* (Sanders, I-VT) -- Authorizes \$1 trillion through fiscal year 2020 in funding for infrastructure projects, including targeted investments in roads, bridges, transit, passenger and freight rail, water infrastructure, marine ports and inland waterways, national parks, broadband and the electric grid. The proposed funding includes \$735 billion to repair roads, bridges and transit systems, \$75 billion for inter-city passenger and freight rail, \$145 billion for water infrastructure, and \$15 billion to improve inland waterways and coastal harbors and shipping channels to improve goods movement. The legislation does not specify a funding source for the spending.
- *The Local Transportation Infrastructure Act, S. 206* (Ayotte, R-NH) -- Reauthorizes the State infrastructure bank program.
- *The Partnership to Build America Act, H.R. 413* (Delaney, D-MD and Fitzpatrick, R-PA) -- Establishes the American Infrastructure Fund (AIF) as a wholly-owned government corporation to provide bond guarantees and make loans to state and local governments and non-profit infrastructure providers for transportation, energy, water, communications, or educational facility infrastructure projects. The fund would be capitalized through the sale of \$50 billion in qualified infrastructure bonds (QIBs) to U.S. corporations repatriating foreign assets. Senators Michael Bennet (D-CO) and Roy Blunt (R-MO) are expected to introduce a companion bill.
- *The Gas Tax Replacement Act, H.R. 309* (Huffman, D-CA) – Repeals the gas tax and establishes a carbon tax on highway fuels.
- *The 44 to 69 Act, H.R. 301* (Farenthold, R-TX) -- Amends the Intermodal Surface Transportation Efficiency Act of 1991 to include Texas State Highway 44 from United States Route 59 at Freer, Texas, to Texas State Highway 358 as part of the high priority Lower Rio Grande Valley Corridor of the National Highway System in Texas.
- *The Transportation Investment Generating Economic Recovery for Cities Underfunded Because of Size (TIGER CUBs) Act, H.R. 278* (Larsen, D-WA) – Creates a 20-percent setaside in the TIGER grants program for cities with populations with populations between 10,000 and 50,000. The bill was referred to the House Appropriations Committee.

Solano Transportation Authority

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- *The Commute Less Act*, H.R. 200 (Sires, D-NJ) -- Requires metropolitan planning organizations (MPOs) to engage in programs to expand employer-based commuter programs and requires MPO transportation improvement programs to include a list of projects identified in a commuter trip reduction plan to help achieve reduction goals.
- *The Bicycle and Pedestrian Infrastructure Improvement Act*, H.R. 199 (Sires, D-NJ) – Establishes a pilot program to make loans and loan guarantees to carry out bicycle and pedestrian infrastructure projects. Corporations, public-private partnerships, joint ventures, trusts and state infrastructure financing authorities are eligible to receive the financing. The bill has 12 Democratic cosponsors.
- *The Multimodal Opportunities Via Enhanced (“MOVE”) Freight Act*, H.R. 198 (Sires, D-NJ) -- Redefines the "national freight network" as a network composed of highways, railways, navigable waterways, seaports, airports, freight intermodal connectors, and aerotropolis transportation systems most critical to the multimodal movement of freight and creates a competitive grant program for capital investment projects that improve the efficiency of the national transportation system to move freight. There are two Democratic cosponsors of the bill.
- *The Transportation for Heroes Act*, H.R. 127 (Green, D-TX) - Requires transit agencies to provide veterans with discounted fares limited to no more than 50% of the peak hour fare during non-peak hours for transportation using or involving a facility or equipment of a project financed by urbanized formula grants.

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ASSEMBLY BILL**No. 4****Introduced by Assembly Member Linder**

December 1, 2014

An act to add and repeal Section 9400.5 of the Vehicle Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 4, as introduced, Linder. Vehicle weight fees: transportation bond debt service.

Existing law imposes weight fees on the registration of commercial motor vehicles and provides for the deposit of net weight fee revenues into the State Highway Account. Existing law provides for the transfer of certain weight fee revenues from the State Highway Account to the Transportation Debt Service Fund to reimburse the General Fund for payment of debt service on general obligation bonds issued for transportation purposes. Existing law also provides for the transfer of certain weight fee revenues to the Transportation Bond Direct Payment Account for direct payment of debt service on designated bonds, which are defined to be certain transportation general obligation bonds issued pursuant to Proposition 1B of 2006. Existing law also provides for loans of weight fee revenues to the General Fund to the extent the revenues are not needed for bond debt service purposes, with the loans to be repaid when the revenues are later needed for those purposes, as specified.

This bill, notwithstanding these provisions or any other law, until January 1, 2020, would prohibit weight fee revenues from being transferred from the State Highway Account to the Transportation Debt Service Fund, the Transportation Bond Direct Payment Account, or

any other fund or account for the purpose of payment of the debt service on transportation general obligation bonds, and would also prohibit loans of weight fee revenues to the General Fund.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 9400.5 is added to the Vehicle Code, to
2 read:

3 9400.5. (a) Notwithstanding Sections 9400.1, 9400.4, and
4 42205 of this code, Sections 16773 and 16965 of the Government
5 Code, Section 2103 of the Streets and Highways Code, or any
6 other law, weight fee revenues shall not be transferred from the
7 State Highway Account to the Transportation Debt Service Fund,
8 the Transportation Bond Direct Payment Account, or any other
9 fund or account for the purpose of payment of the debt service on
10 transportation general obligation bonds, and shall not be loaned
11 to the General Fund.

12 (b) This section shall remain in effect only until January 1, 2020,
13 and as of that date is repealed, unless a later enacted statute, that
14 is enacted before January 1, 2020, deletes or extends that date.

O

ASSEMBLY BILL**No. 194****Introduced by Assembly Member Frazier**

January 28, 2015

An act to amend Section 149.7 of, and to add Section 149.2 to, the Streets and Highways Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 194, as introduced, Frazier. High-occupancy toll lanes.

Existing law provides that the Department of Transportation has full possession and control of the state highway system. Existing law authorizes the department to construct exclusive or preferential lanes for buses only or for buses and other high-occupancy vehicles.

Existing law authorizes a regional transportation agency, as defined, in cooperation with the department to apply to the California Transportation Commission to develop and operate high-occupancy toll (HOT) lanes, including administration and operation of a value-pricing program and exclusive or preferential lane facilities for public transit, consistent with established standards, requirements, and limitations that apply to specified facilities. Existing law limits the number of approved facilities to not more than 4, 2 in northern California and 2 in southern California, and provides that no applications may be approved on or after January 1, 2012.

This bill would delete the requirement that the above-described facilities be consistent with the established standards, requirements, and limitations that apply to specified facilities and would instead require the commission to establish guidelines for the development and operation of the facilities approved by the commission on or after January 1, 2016, subject to specified minimum requirements. The bill

would provide that these provisions do not authorize the conversion of any existing nontoll or nonuser-fee lanes into tolled or user-fee lanes, except that a high-occupancy vehicle lane may be converted into a high-occupancy toll lane pursuant to its provisions. The bill would authorize a regional transportation agency to issue bonds, refunding bonds, or bond anticipation notes backed by revenues generated from the facilities. The bill would additionally authorize the Santa Clara Valley Transportation Authority to apply to the commission for purposes of the above-described provisions. The bill would remove the limitations on the number of approved facilities and would delete the January 1, 2012, deadline for HOT lane applications. The bill would provide that each application is subject to the review and approval of the commission and would require a regional transportation agency that applies to the commission to reimburse the commission for all of the commission’s cost and expense incurred in processing the application. Before submitting an application to the commission, the bill would require a regional transportation agency to consult with a local transportation authority whose jurisdiction includes the facility that the regional transportation agency proposes to develop and operate pursuant to the above-described provisions.

This bill would additionally authorize the department to apply to the commission to develop and operate HOT lanes and associated facilities pursuant to similar provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 149.2 is added to the Streets and
- 2 Highways Code, to read:
- 3 149.2. (a) The department may apply to the commission to
- 4 develop and operate high-occupancy toll lanes, including the
- 5 administration and operation of a value pricing program and
- 6 exclusive or preferential lane facilities for public transit.
- 7 (b) Each application for the development and operation of the
- 8 facilities described in subdivision (a) shall be subject to review
- 9 and approval by the commission pursuant to eligibility criteria
- 10 established by the commission. For each eligible application, the
- 11 commission shall conduct at least one public hearing in northern
- 12 California and one in southern California.

1 (c) The commission shall establish guidelines for the
2 development and operation of facilities described in subdivision
3 (a) and approved by the commission pursuant to this section,
4 subject to the following minimum requirements:

5 (1) The department shall develop and operate the facilities in
6 cooperation with regional transportation agencies, as applicable,
7 and with the active participation of the Department of the California
8 Highway Patrol.

9 (2) The department shall be responsible for establishing,
10 collecting, and administering tolls.

11 (3) The department shall be responsible for paying for the
12 maintenance of the facilities from net toll revenue.

13 (4) The revenue generated from the operation of the facilities
14 shall be available to the department for the direct expenses related
15 to the maintenance, administration, and operation of the facilities,
16 including toll collection and enforcement.

17 (5) All remaining revenue generated by the facilities shall be
18 used in the corridor from which the revenue was generated pursuant
19 to an expenditure plan developed by the department and approved
20 by the commission.

21 (6) This section shall not prevent any regional transportation
22 agency or local agency from constructing facilities that compete
23 with the facilities approved by the commission and the department
24 shall not be entitled to compensation for the adverse effects on toll
25 revenue due to those competing facilities.

26 (d) The department shall provide any information or data
27 requested by the commission or the Legislative Analyst relating
28 to a facility that the department develops or operates pursuant to
29 this section. The commission, in cooperation with the Legislative
30 Analyst, shall annually prepare a report on the progress of the
31 development and operation of a facility authorized under this
32 section. The commission may submit this report as a section in its
33 annual report to the Legislature required pursuant to Section 14535
34 of the Government Code.

35 (e) Nothing in this section shall authorize the conversion of any
36 existing nontoll or nonuser-fee lanes into tolled or user-fee lanes,
37 except that a high-occupancy vehicle lane may be converted into
38 a high-occupancy toll lane.

39 SEC. 2. Section 149.7 of the Streets and Highways Code is
40 amended to read:

1 149.7. (a) A regional transportation agency, as defined in
 2 ~~Section 143, subdivision (h)~~, in cooperation with the department,
 3 may apply to the commission to develop and operate
 4 high-occupancy toll lanes, including the administration and
 5 operation of a value pricing program and exclusive or preferential
 6 lane facilities for public transit, ~~consistent with the established~~
 7 ~~standards, requirements, and limitations that apply to those facilities~~
 8 ~~in Sections 149, 149.1, 149.3, 149.4, 149.5, and 149.6:~~ transit.

9 (b) ~~The commission shall review each~~ *Each* application for the
 10 development and operation of the facilities described in subdivision
 11 ~~(a) according~~ *shall be subject to review and approval by the*
 12 *commission pursuant to* eligibility criteria established by the
 13 commission. For each eligible application, the commission shall
 14 conduct at least one public hearing in northern California and one
 15 in southern California.

16 (c) *A regional transportation agency that applies to the*
 17 *commission to develop and operate facilities described in*
 18 *subdivision (a) shall reimburse the commission for all of the*
 19 *commission’s costs and expenses incurred in processing the*
 20 *application.*

21 (e)
 22 (d) ~~The number~~ *commission shall establish guidelines for the*
 23 *development and operation of facilities described in subdivision*
 24 *(a) and approved under by the commission on or after January 1,*
 25 *2016, pursuant to this section shall not exceed four, two in northern*
 26 ~~California and two in southern California:~~ *section, subject to the*
 27 *following minimum requirements:*

28 (1) *The regional transportation agency shall develop and*
 29 *operate the facilities in cooperation with the department, and the*
 30 *active participation of the Department of the California Highway*
 31 *Patrol, pursuant to an agreement that addresses all matters related*
 32 *to design, construction, maintenance, and operation of state*
 33 *highway system facilities in connection with the facilities.*

34 (2) *The regional transportation agency shall be responsible for*
 35 *establishing, collecting, and administering tolls.*

36 (3) *The regional transportation agency shall be responsible for*
 37 *paying for the maintenance of the facilities from net toll revenue,*
 38 *pursuant to an agreement between the department and the regional*
 39 *transportation agency.*

1 (4) *The revenue generated from the operation of the facilities*
2 *shall be available to the regional transportation agency for the*
3 *direct expenses related to the maintenance, administration, and*
4 *operation of the facilities, including toll collection and*
5 *enforcement.*

6 (5) *All remaining revenue generated by the facilities shall be*
7 *used in the corridor from which the revenue was generated*
8 *pursuant to an expenditure plan adopted by the regional*
9 *transportation agency.*

10 (6) *This section shall not prevent the department or any local*
11 *agency from constructing facilities that compete with the facilities*
12 *approved by the commission and the regional transportation*
13 *agency shall not be entitled to compensation for the adverse effects*
14 *on toll revenue due to those competing facilities.*

15 ~~(d)~~

16 (e) *A regional transportation agency that develops or operates*
17 *a facility, or facilities, described in subdivision (a) shall provide*
18 *any information or data requested by the commission or the*
19 *Legislative Analyst. The commission, in cooperation with the*
20 *Legislative Analyst, shall annually prepare a report on the progress*
21 *of the development and operation of a facility authorized under*
22 *this section. The commission may submit this report as a section*
23 *in its annual report to the Legislature required pursuant to Section*
24 *14535 of the Government Code.*

25 (f) (1) *A regional transportation agency may issue bonds,*
26 *refunding bonds, or bond anticipation notes, at any time, to finance*
27 *construction of, and construction-related expenditures for, facilities*
28 *approved pursuant to this section, and construction and*
29 *construction-related expenditures that are included in the*
30 *expenditure plan adopted pursuant to paragraph (5) of subdivision*
31 *(d), payable solely from the revenues generated from the respective*
32 *facilities.*

33 (2) *Any bond issued pursuant to this subdivision shall contain*
34 *on its face a statement to the following effect:*

35

36 *“Neither the full faith and credit nor the taxing power of the*
37 *State of California is pledged to the payment of principal of, or*
38 *the interest on, this bond.”*

39

- 1 (g) Before submitting an application pursuant to subdivision
- 2 (a), a regional transportation agency shall consult with any local
- 3 transportation authority designated pursuant to Division 12.5
- 4 (commencing with Section 131000) or Division 19 (commencing
- 5 with Section 180000) of the Public Utilities Code whose
- 6 jurisdiction includes the facility that the regional transportation
- 7 agency proposes to develop and operate.
- 8 (h) Notwithstanding Section 143, for purposes of this section,
- 9 “regional transportation agency” means any of the following:
- 10 (1) A transportation planning agency described in Section 29532
- 11 or 29532.1 of the Government Code.
- 12 (2) A county transportation commission established under
- 13 Section 130050, 130050.1, or 130050.2 of the Public Utilities
- 14 Code.
- 15 (3) Any other local or regional transportation entity that is
- 16 designated by statute as a regional transportation agency.
- 17 (4) A joint exercise of powers authority established pursuant to
- 18 Chapter 5 (commencing with Section 6500) of Division 7 of Title
- 19 1 of the Government Code, with the consent of a transportation
- 20 planning agency or a county transportation commission for the
- 21 jurisdiction in which the transportation project will be developed.
- 22 (5) The Santa Clara Valley Transportation Authority established
- 23 pursuant to Part 12 (commencing with Section 100000) of Division
- 24 10 of the Public Utilities Code.
- 25 ~~(e) No applications may be approved under~~
- 26 (i) Nothing in this section ~~on~~ shall authorize the conversion of
- 27 any existing nontoll or ~~after January 1, 2012.~~ nonuser-fee lanes
- 28 into tolled or user-fee lanes, except that a high-occupancy vehicle
- 29 lane may be converted into a high-occupancy toll lane.

O

ASSEMBLY BILL**No. 227****Introduced by Assembly Member Alejo**

February 3, 2015

An act to amend Sections 16773, 16965.1, and 63048.67 of, to add Section 16321 to, and to repeal Section 16965 of, the Government Code, to amend Sections 143, 183.1, and 2103 of the Streets and Highways Code, and to amend Sections 9400.1 and 42205 of, and to repeal Section 9400.4 of, the Vehicle Code, relating to transportation, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 227, as introduced, Alejo. Transportation funding.

(1) Existing law provides for loans of revenues from various transportation funds and accounts to the General Fund, with various repayment dates specified.

This bill, with respect to any loans made to the General Fund from specified transportation funds and accounts with a repayment date of January 1, 2019, or later, would require the loans to be repaid by December 31, 2018.

(2) Existing law imposes weight fees on the registration of commercial motor vehicles and provides for the deposit of net weight fee revenues into the State Highway Account. Existing law provides for the transfer of certain weight fee revenues from the State Highway Account to the Transportation Debt Service Fund to reimburse the General Fund for payment of debt service on general obligation bonds issued for transportation purposes. Existing law also provides for the transfer of certain weight fee revenues to the transportation Bond Direct Payment Account for direct payment of debt service on designated

bonds, which are defined to be certain transportation general obligation bonds issued pursuant to Proposition 1B of 2006. Existing law also provides for loans of weight fee revenues to the General Fund to the extent the revenues are not needed for bond debt service purposes, with the loans to be repaid when the revenues are later needed for those purposes, as specified.

This bill would repeal these provisions, thereby retaining the weight fee revenues in the State Highway Account. The bill would make other conforming changes in that regard.

(3) Existing law provides for the deposit of fuel excise tax revenues imposed by the state on fuels used in motor vehicles upon public streets and highways in the Highway Users Tax Account, and appropriates those revenues to various purposes. Existing law, with respect to the portion of these revenues that is derived from increases in the motor vehicle fuel excise tax in 2010, requires an allocation of revenues to reimburse the State Highway Account for the amount of weight fee revenues that the State Highway Account is not receiving due to use of weight fee revenues to pay debt service on transportation general obligation bonds and to make certain loans to the General Fund, with the remaining amount of this portion of revenues allocated 44% to the State Transportation Improvement Program, 12% to the State Highway Operation and Protection Program, and 44% to city and county streets and roads.

This bill would delete the provisions relating to the reimbursement of the State Highway Account for weight fee revenues and relating to the making of loans to the General Fund, thereby providing for the portion of fuel excise tax revenues that is derived from increases in the motor vehicle fuel excise tax in 2010 to be allocated 44% to the State Transportation Improvement Program, 12% to the State Highway Operation and Protection Program, and 44% to city and county streets and roads. The bill would thereby make an appropriation.

(4) Existing law requires certain revenues deposited in the State Highway Account that are not restricted as to expenditure by Article XIX of the California Constitution to be transferred to the Transportation Debt Service Fund in the State Transportation Fund, as specified, and continuously appropriates these funds for payment of current year debt service on certain mass transportation bonds.

This bill would delete the requirement to transfer these revenues to the Transportation Debt Service Fund, thereby providing for these

revenues to be used for any transportation purpose authorized by statute, upon appropriation by the Legislature.

(5) Existing law authorizes the Department of Transportation and regional transportation agencies, as defined, to enter into comprehensive development lease agreements with public and private entities, or consortia of those entities, for certain transportation projects that may charge certain users of those projects tolls and user fees, subject to various terms and requirements. These arrangements are commonly known as public-private partnerships. Existing law provides that a lease agreement may not be entered into under these provisions on or after January 1, 2017.

This bill would delete that date, thereby providing for no lease agreements to be entered into under these provisions after an unspecified date.

Vote: majority. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 16321 is added to the Government Code,
2 to read:

3 16321. Notwithstanding any other provision of law, loans of
4 revenues to the General Fund from the State Highway Account,
5 the Public Transportation Account, the Bicycle Transportation
6 Account, the Motor Vehicle Fuel Account, the Highway Users
7 Tax Account, the Pedestrian Safety Account, the Transportation
8 Investment Fund, the Traffic Congestion Relief Fund, the Motor
9 Vehicle Account, and the Local Airport Loan Account shall be
10 repaid, on or before December 31, 2018, to the account or fund
11 from which the loan was made. This section shall apply to all loans
12 that otherwise have a repayment date of January 1, 2019, or later.

13 SEC. 2. Section 16773 of the Government Code is amended
14 to read:

15 16773. (a) Whenever any payment of principal of any bonds
16 shall become due, either upon the maturity of any of the bonds or
17 upon the redemption thereof prior to maturity, and whenever any
18 interest on any of the bonds shall fall due, warrants shall be drawn
19 against the appropriation made by the bond act from the General
20 Fund by the Controller in favor of the Treasurer, or state fiscal

1 agents, or other duly authorized agents, pursuant to claims filed
 2 with the Controller by the Treasurer, in the amounts so falling due.

3 (b) For any payments of debt service, as defined in subdivision
 4 (c) of Section 998.404 of the Military and Veterans Code, with
 5 respect to any bonds issued pursuant to a veterans’ farm and home
 6 purchase bond act adopted pursuant to Chapter 6 (commencing
 7 with Section 980) of Division 4 of the Military and Veterans Code,
 8 the Controller shall first draw warrants against the appropriation
 9 from the Veterans’ Bonds Payment Fund in Section 988.6 of the
 10 Military and Veterans Code, and, to the extent moneys in that fund
 11 are insufficient to pay the amount of debt service then due, shall
 12 draw warrants against the appropriation made by the bond act from
 13 the General Fund for payment of any remaining amount then due.

14 ~~(e) (1) For any payments of debt service, as defined in~~
 15 ~~paragraph (4) of subdivision (a) of Section 16965, with respect to~~
 16 ~~any designated bonds issued pursuant to Proposition 1B, the~~
 17 ~~Controller shall first draw warrants against the appropriation from~~
 18 ~~the Transportation Bond Direct Payment Account of the~~
 19 ~~Transportation Debt Service Fund created by subdivision (a) of~~
 20 ~~Section 16965, and, to the extent moneys in that account are~~
 21 ~~insufficient to pay the amount of debt service then due, shall draw~~
 22 ~~warrants from the General Fund for payment of any remaining~~
 23 ~~amount then due against such appropriation as may be available~~
 24 ~~therefor, including the appropriation made by Proposition 1B.~~

25 ~~(2) (A) For purposes of this subdivision and Section 16965,~~
 26 ~~“Proposition 1B” means the Highway Safety, Traffic Reduction,~~
 27 ~~Air Quality, and Port Security Bond Act of 2006 (Chapter 12.49~~
 28 ~~(commencing with Section 8879.20) of Division 1).~~

29 ~~(B) For purposes of this subdivision, Section 16965, and Section~~
 30 ~~9400.4 of the Vehicle Code, the term “designated bond” means~~
 31 ~~any designated bond under Proposition 1B, and the term~~
 32 ~~“nondesignated bond” means any bond issued under Proposition~~
 33 ~~1B, whether issued before or after the enactment of the act adding~~
 34 ~~this subdivision, that is not a designated bond. For purposes of this~~
 35 ~~subdivision, a “designated bond” is an issue of bonds (including~~
 36 ~~refunding bonds) under Proposition 1B that has been designated~~
 37 ~~by the Treasurer upon or prior to its issuance, with the approval~~
 38 ~~of the related finance committee, to be paid pursuant to paragraph~~
 39 ~~(1).~~

40 SEC. 3. Section 16965 of the Government Code is repealed.

1 ~~16965. (a) (1) The Transportation Debt Service Fund is hereby~~
2 ~~created in the State Treasury. Moneys in the fund shall be dedicated~~
3 ~~to all of the following purposes:~~

4 ~~(A) Payment of debt service with respect to designated bonds,~~
5 ~~as defined in subdivision (e) of Section 16773, and as further~~
6 ~~provided in paragraph (3) and subdivision (b).~~

7 ~~(B) To reimburse the General Fund for debt service with respect~~
8 ~~to bonds.~~

9 ~~(C) To redeem or retire bonds, pursuant to Section 16774,~~
10 ~~maturing in a subsequent fiscal year.~~

11 ~~(2) The bonds eligible under subparagraph (B) or (C) of~~
12 ~~paragraph (1) include issued pursuant to the Clean Air and~~
13 ~~Transportation Improvement Act of 1990 (Part 11.5 (commencing~~
14 ~~with Section 99600) of Division 10 of the Public Utilities Code),~~
15 ~~the Passenger Rail and Clean Air Bond Act of 1990 (Chapter 17~~
16 ~~(commencing with Section 2701) of Division 3 of the Streets and~~
17 ~~Highways Code), the Seismic Retrofit Bond Act of 1996 (Chapter~~
18 ~~12.48 (commencing with Section 8879) of Division 1 of Title 2),~~
19 ~~and the Safe, Reliable High-Speed Passenger Train Bond Act for~~
20 ~~the 21st Century (Chapter 20 (commencing with Section 2704) of~~
21 ~~Division 3 of the Streets and Highways Code), and nondesignated~~
22 ~~bonds under Proposition 1B, as defined in subdivision (e) of~~
23 ~~Section 16773.~~

24 ~~(3) (A) The Transportation Bond Direct Payment Account is~~
25 ~~hereby created in the State Treasury, as a subaccount within the~~
26 ~~Transportation Debt Service Fund, for the purpose of directly~~
27 ~~paying the debt service, as defined in paragraph (4), of designated~~
28 ~~bonds of Proposition 1B, as defined in subdivision (e) of Section~~
29 ~~16773. Notwithstanding Section 13340, moneys in the~~
30 ~~Transportation Bond Direct Payment Account are continuously~~
31 ~~appropriated for payment of debt service with respect to designated~~
32 ~~bonds as provided in subdivision (e) of Section 16773. So long as~~
33 ~~any designated bonds remain outstanding, the moneys in the~~
34 ~~Transportation Bond Direct Payment Account may not be used~~
35 ~~for any other purpose, and may not be borrowed by or available~~
36 ~~for transfer to the General Fund pursuant to Section 16310 or any~~
37 ~~similar law, or to the General Cash Revolving Fund pursuant to~~
38 ~~Section 16381 or any similar law.~~

39 ~~(B) Once the Treasurer makes a certification that payment of~~
40 ~~debt service with respect to all designated bonds has been paid or~~

1 provided for, any remaining moneys in the Transportation Bond
 2 Direct Payment Account shall be transferred back to the
 3 Transportation Debt Service Fund.

4 (C) The moneys in the Transportation Bond Direct Payment
 5 Account shall be invested in the Surplus Money Investment Fund,
 6 and all investment earnings shall accrue to the account.

7 (D) The Controller may establish subaccounts within the
 8 Transportation Bond Direct Payment Account as may be required
 9 by the resolution, indenture, or other documents governing any
 10 designated bonds.

11 (4) For purposes of this subdivision and subdivision (b), and
 12 subdivision (c) of Section 16773, “debt service” means payment
 13 of all of the following costs and expenses with respect to any
 14 designated bond:

15 (A) The principal of and interest on the bonds.

16 (B) Amounts payable as the result of tender on any bonds, as
 17 described in clause (iv) of subparagraph (B) of paragraph (1) of
 18 subdivision (d) of Section 16731.

19 (C) Amounts payable under any contractual obligation of the
 20 state to repay advances and pay interest thereon under a credit
 21 enhancement or liquidity agreement as described in clause (iv) of
 22 subparagraph (B) of paragraph (1) of subdivision (d) of Section
 23 16731.

24 (D) Any amount owed by the state to a counterparty after any
 25 offset for payments owed to the state on any hedging contract as
 26 described in subparagraph (A) of paragraph (2) of subdivision (d)
 27 of Section 16731.

28 (b) From the moneys transferred to the fund pursuant to
 29 paragraph (2) or (3) of subdivision (c) of Section 9400.4 of the
 30 Vehicle Code, there shall first be deposited into the Transportation
 31 Bond Direct Payment Account in each month sufficient funds to
 32 equal the amount designated in a certificate submitted by the
 33 Treasurer to the Controller and the Director of Finance at the start
 34 of each fiscal year, and as may be modified by the Treasurer
 35 thereafter upon issuance of any new issue of designated bonds or
 36 upon change in circumstances that requires such a modification.
 37 This certificate shall be calculated by the Treasurer to identify, for
 38 each month, the amount necessary to fund all of the debt service
 39 with respect to all designated bonds. This calculation shall be done
 40 in a manner provided in the resolution, indenture, or other

1 documents governing the designated bonds. In the event that
2 transfers to the Transportation Bond Direct Payment Account in
3 any month are less than the amounts required in the Treasurer's
4 certificate, the shortfall shall carry over to be part of the required
5 payment in the succeeding month or months.

6 ~~(e) The state hereby covenants with the holders from time to~~
7 ~~time of any designated bonds that it will not alter, amend, or restrict~~
8 ~~the provisions of subdivision (e) of Section 16773 of the~~
9 ~~Government Code, or Sections 9400, 9400.1, 9400.4, and 42205~~
10 ~~of the Vehicle Code, which provide directly or indirectly for the~~
11 ~~transfer of weight fees to the Transportation Debt Service Fund~~
12 ~~or the Transportation Bond Direct Payment Account, or~~
13 ~~subdivisions (a) and (b) of this section, or reduce the rate of~~
14 ~~imposition of vehicle weight fees under Sections 9400 and 9400.1~~
15 ~~of the Vehicle Code as they existed on the date of the first issuance~~
16 ~~of any designated bonds, if that alteration, amendment, restriction,~~
17 ~~or reduction would result in projected weight fees for the next~~
18 ~~fiscal year determined by the Director of Finance being less than~~
19 ~~two times the maximum annual debt service with respect to all~~
20 ~~outstanding designated bonds, as such calculation is determined~~
21 ~~pursuant to the resolution, indenture, or other documents governing~~
22 ~~the designated bonds. The state may include this covenant in the~~
23 ~~resolution, indenture, or other documents governing the designated~~
24 ~~bonds.~~

25 ~~(d) Once the required monthly deposit, including makeup of~~
26 ~~any shortfalls from any prior month, has been made pursuant to~~
27 ~~subdivision (b), from moneys transferred to the fund pursuant to~~
28 ~~paragraph (2) or (3) of subdivision (e) of Section 9400.4 of the~~
29 ~~Vehicle Code, or pursuant to Section 16965.1 or 63048.67, the~~
30 ~~Controller shall transfer as an expenditure reduction to the General~~
31 ~~Fund any amount necessary to offset the cost of current year debt~~
32 ~~service payments made from the General Fund with respect to any~~
33 ~~bonds issued pursuant to Proposition 192 (1996) and three-quarters~~
34 ~~of the amount of current year debt service payments made from~~
35 ~~the General Fund with respect to any nondesignated bonds, as~~
36 ~~defined in subdivision (e) of Section 16773, issued pursuant to~~
37 ~~Proposition 1B (2006). In the alternative, these funds may also be~~
38 ~~used to redeem or retire the applicable bonds, pursuant to Section~~
39 ~~16774, maturing in a subsequent fiscal year as directed by the~~
40 ~~Director of Finance.~~

1 ~~(e) From moneys transferred to the fund pursuant to Section~~
2 ~~183.1 of the Streets and Highways Code, the Controller shall~~
3 ~~transfer as an expenditure reduction to the General Fund any~~
4 ~~amount necessary to offset the cost of current year debt service~~
5 ~~payments made from the General Fund with respect to any bonds~~
6 ~~issued pursuant to Proposition 116 (1990). In the alternative, these~~
7 ~~funds may also be used to redeem or retire the applicable bonds,~~
8 ~~pursuant to Section 16774, maturing in a subsequent fiscal year~~
9 ~~as directed by the Director of Finance.~~

10 ~~(f) Once the required monthly deposit, including makeup of any~~
11 ~~shortfalls from any prior month, has been made pursuant to~~
12 ~~subdivision (b), from moneysmoneys transferred to the fund~~
13 ~~pursuant to paragraph (2) or (3) of subdivision (c) of Section 9400.4~~
14 ~~of the Vehicle Code, or pursuant to Section 16965.1 or 63048.67,~~
15 ~~the Controller shall transfer as an expenditure reduction to the~~
16 ~~General Fund any amount necessary to offset the eligible cost of~~
17 ~~current year debt service payments made from the General Fund~~
18 ~~with respect to any bonds issued pursuant to Proposition 108 (1990)~~
19 ~~and Proposition 1A (2008), and one-quarter of the amount of~~
20 ~~current year debt service payments made from the General Fund~~
21 ~~with respect to any nondesignated bonds, as defined in subdivision~~
22 ~~(e) of Section 16773, issued pursuant to Proposition 1B (2006).~~
23 ~~The Department of Finance shall notify the Controller by July 30~~
24 ~~of every year of the percentage of debt service that is expected to~~
25 ~~be paid in that fiscal year with respect to bond-funded projects that~~
26 ~~qualify as eligible guideway projects consistent with the~~
27 ~~requirements applicable to the expenditure of revenues under~~
28 ~~Article XIX of the California Constitution, and the Controller shall~~
29 ~~make payments only for those eligible projects. In the alternative,~~
30 ~~these funds may also be used to redeem or retire the applicable~~
31 ~~bonds, pursuant to Section 16774, maturing in a subsequent fiscal~~
32 ~~year as directed by the Director of Finance.~~

33 ~~(g) On or before the second business day following the date on~~
34 ~~which transfers are made to the Transportation Debt Service Fund,~~
35 ~~and after the required monthly deposits for that month, including~~
36 ~~makeup of any shortfalls from any prior month, have been made~~
37 ~~to the Transportation Bond Direct Payment Account, the Controller~~
38 ~~shall transfer the funds designated for reimbursement of bond debt~~
39 ~~service with respect to nondesignated bonds, as defined in~~
40 ~~subdivision (e) of Section 16773, and other bonds identified in~~

1 subdivisions (d), (e), and (f) in that month from the fund to the
2 General Fund pursuant to this section:

3 SEC. 4. Section 16965.1 of the Government Code is amended
4 to read:

5 16965.1. (a) (1) The loan repayment dates relative to State
6 Highway Account loans to the General Fund that are specified in
7 the provisional language of the following Budget Act items are
8 hereby eliminated, and the Director of Finance may repay any
9 remaining portion of the outstanding balance of these loans in any
10 year in which the director determines the funds are needed to
11 reimburse the General Fund for debt service or to redeem or defease
12 bonds maturing in a subsequent fiscal year, provided that the loans
13 shall be repaid no later than ~~June 30, 2024~~: *December 31, 2018*:

14 (A) Item 2660-011-0042 of Section 2.00 of the Budget Act of
15 2010 (SB 870, Chapter 712 of the Statutes of 2010).

16 (B) Item 2660-013-0042 of Section 2.00 of the Budget Act of
17 2010, as added by Section 6 of SB 84 (Chapter 13 of the Statutes
18 of 2011).

19 (C) Item 2660-013-0042 of Section 2.00 of the Budget Act of
20 2011, as contained in SB 69 of the 2011–12 Regular Session, if
21 that provision is enacted.

22 (2) All funds loaned pursuant to the provisions referenced in
23 subparagraphs (A), (B), and (C) of paragraph (1) are hereby
24 determined to have been from weight fee revenues in the State
25 Highway Account fund balance. ~~Upon repayment of those loans
26 to the State Highway Account, those funds shall be immediately
27 transferred by the Controller to the Transportation Debt Service
28 Fund for use pursuant to Section 16965.~~

29 (b) The loan repayment date relative to the Public Transportation
30 Account that is specified in the provisional language in Item
31 2660-011-0046 of Section 2.00 of the Budget Act of 2010 (SB
32 870, Chapter 712 of the Statutes of 2010), is hereby eliminated,
33 and the loan pursuant to this item shall instead be repaid by ~~June
34 30, 2024~~: *December 31, 2018*.

35 SEC. 5. Section 63048.67 of the Government Code is amended
36 to read:

37 63048.67. The loans made from the State Highway Account
38 through the Traffic Congestion Relief Fund to the General Fund
39 that are referenced in clause (i) of subparagraph (A) of paragraph
40 (1) of subdivision (c) of Section 63048.65 are hereby determined

1 to have been from weight fee revenues in the State Highway
 2 Account fund balance. ~~Any repayments made to the State Highway~~
 3 ~~Account pursuant to subdivision (c) of Section 63048.65, upon~~
 4 ~~transfer of those funds to the State Highway Account, shall be~~
 5 ~~immediately transferred by the Controller from the State Highway~~
 6 ~~Account to the Transportation Debt Service Fund for use pursuant~~
 7 ~~to Section 16965.~~

8 SEC. 6. Section 143 of the Streets and Highways Code is
 9 amended to read:

10 143. (a) (1) “Best value” means a value determined by
 11 objective criteria, including, but not limited to, price, features,
 12 functions, life-cycle costs, and other criteria deemed appropriate
 13 by the department or the regional transportation agency.

14 (2) “Contracting entity or lessee” means a public or private
 15 entity, or consortia thereof, that has entered into a comprehensive
 16 development lease agreement with the department or a regional
 17 transportation agency for a transportation project pursuant to this
 18 section.

19 (3) “Design-build” means a procurement process in which both
 20 the design and construction of a project are procured from a single
 21 entity.

22 (4) “Regional transportation agency” means any of the
 23 following:

24 (A) A transportation planning agency as defined in Section
 25 29532 or 29532.1 of the Government Code.

26 (B) A county transportation commission as defined in Section
 27 130050, 130050.1, or 130050.2 of the Public Utilities Code.

28 (C) Any other local or regional transportation entity that is
 29 designated by statute as a regional transportation agency.

30 (D) A joint exercise of powers authority as defined in Chapter
 31 5 (commencing with Section 6500) of Division 7 of Title 1 of the
 32 Government Code, with the consent of a transportation planning
 33 agency or a county transportation commission for the jurisdiction
 34 in which the transportation project will be developed.

35 (5) “Public Infrastructure Advisory Commission” means a unit
 36 or auxiliary organization established by the ~~Business,~~
 37 ~~Transportation and Housing~~ Agency that advises the department
 38 and regional transportation agencies in developing transportation
 39 projects through performance-based infrastructure partnerships.

1 (6) “Transportation project” means one or more of the following:
2 planning, design, development, finance, construction,
3 reconstruction, rehabilitation, improvement, acquisition, lease,
4 operation, or maintenance of highway, public street, rail, or related
5 facilities supplemental to existing facilities currently owned and
6 operated by the department or regional transportation agencies
7 that is consistent with the requirements of subdivision (c).

8 (b) (1) The Public Infrastructure Advisory Commission shall
9 do all of the following:

10 (A) Identify transportation project opportunities throughout the
11 state.

12 (B) Research and document similar transportation projects
13 throughout the state, nationally, and internationally, and further
14 identify and evaluate lessons learned from these projects.

15 (C) Assemble and make available to the department or regional
16 transportation agencies a library of information, precedent,
17 research, and analysis concerning infrastructure partnerships and
18 related types of public-private transactions for public infrastructure.

19 (D) Advise the department and regional transportation agencies,
20 upon request, regarding infrastructure partnership suitability and
21 best practices.

22 (E) Provide, upon request, procurement-related services to the
23 department and regional transportation agencies for infrastructure
24 partnership.

25 (2) The Public Infrastructure Advisory Commission may charge
26 a fee to the department and regional transportation agencies for
27 the services described in subparagraphs (D) and (E) of paragraph
28 (1), the details of which shall be articulated in an agreement entered
29 into between the Public Infrastructure Advisory Commission and
30 the department or the regional transportation agency.

31 (c) (1) Notwithstanding any other provision of law, only the
32 department, in cooperation with regional transportation agencies,
33 and regional transportation agencies, may solicit proposals, accept
34 unsolicited proposals, negotiate, and enter into comprehensive
35 development lease agreements with public or private entities, or
36 consortia thereof, for transportation projects.

37 (2) Projects proposed pursuant to this section and associated
38 lease agreements shall be submitted to the California Transportation
39 Commission. The commission, at a regularly scheduled public
40 hearing, shall select the candidate projects from projects nominated

1 by the department or a regional transportation agency after
2 reviewing the nominations for consistency with paragraphs (3)
3 and (4). Approved projects may proceed with the process described
4 in paragraph (5).

5 (3) The projects authorized pursuant to this section shall be
6 primarily designed to achieve the following performance
7 objectives:

8 (A) Improve mobility by improving travel times or reducing
9 the number of vehicle hours of delay in the affected corridor.

10 (B) Improve the operation or safety of the affected corridor.

11 (C) Provide quantifiable air quality benefits for the region in
12 which the project is located.

13 (4) In addition to meeting the requirements of paragraph (3),
14 the projects authorized pursuant to this section shall address a
15 known forecast demand, as determined by the department or
16 regional transportation agency.

17 (5) At least 60 days prior to executing a final lease agreement
18 authorized pursuant to this section, the department or regional
19 transportation agency shall submit the agreement to the Legislature
20 and the Public Infrastructure Advisory Commission for review.
21 Prior to submitting a lease agreement to the Legislature and the
22 Public Infrastructure Advisory Commission, the department or
23 regional transportation agency shall conduct at least one public
24 hearing at a location at or near the proposed facility for purposes
25 of receiving public comment on the lease agreement. Public
26 comments made during this hearing shall be submitted to the
27 Legislature and the Public Infrastructure Advisory Commission
28 with the lease agreement. The Secretary of ~~Business, Transportation~~
29 ~~and Housing~~ *Transportation* or the chairperson of the Senate or
30 Assembly fiscal committees or policy committees with jurisdiction
31 over transportation matters may, by written notification to the
32 department or regional transportation agency, provide any
33 comments about the proposed agreement within the 60-day period
34 prior to the execution of the final agreement. The department or
35 regional transportation agency shall consider those comments prior
36 to executing a final agreement and shall retain the discretion for
37 executing the final lease agreement.

38 (d) For the purpose of facilitating those projects, the agreements
39 between the parties may include provisions for the lease of
40 rights-of-way in, and airspace over or under, highways, public

1 streets, rail, or related facilities for the granting of necessary
2 easements, and for the issuance of permits or other authorizations
3 to enable the construction of transportation projects. Facilities
4 subject to an agreement under this section shall, at all times, be
5 owned by the department or the regional transportation agency,
6 as appropriate. For department projects, the commission shall
7 certify the department's determination of the useful life of the
8 project in establishing the lease agreement terms. In consideration
9 thereof, the agreement shall provide for complete reversion of the
10 leased facility, together with the right to collect tolls and user fees,
11 to the department or regional transportation agency, at the
12 expiration of the lease at no charge to the department or regional
13 transportation agency. At the time of the reversion, the facility
14 shall be delivered to the department or regional transportation
15 agency, as applicable, in a condition that meets the performance
16 and maintenance standards established by the department or
17 regional transportation agency and that is free of any encumbrance,
18 lien, or other claims.

19 (e) Agreements between the department or regional
20 transportation agency and the contracting entity or lessee shall
21 authorize the contracting entity or lessee to use a design-build
22 method of procurement for transportation projects, subject to the
23 requirements for utilizing such a method contained in Chapter 6.5
24 (commencing with Section ~~6800~~ 6820) of Part 1 of Division 2 of
25 the Public Contract Code, other than Sections ~~6802, 6803, 6821~~
26 and ~~6813~~ 6822 of that code, if those provisions are enacted by the
27 Legislature during the ~~2009-10 Regular Session, or a 2009-10~~
28 ~~extraordinary session.~~ *code.*

29 (f) (1) (A) Notwithstanding any other provision of this chapter,
30 for projects on the state highway system, the department is the
31 responsible agency for the performance of project development
32 services, including performance specifications, preliminary
33 engineering, prebid services, the preparation of project reports and
34 environmental documents, and construction inspection services.
35 The department is also the responsible agency for the preparation
36 of documents that may include, but need not be limited to, the size,
37 type, and desired design character of the project, performance
38 specifications covering the quality of materials, equipment, and
39 workmanship, preliminary plans, and any other information deemed

1 necessary to describe adequately the needs of the department or
2 regional transportation agency.

3 (B) The department may use department employees or
4 consultants to perform the services described in subparagraph (A),
5 consistent with Article XXII of the California Constitution.
6 Department resources, including personnel requirements, necessary
7 for the performance of those services shall be included in the
8 department’s capital outlay support program for workload purposes
9 in the annual Budget Act.

10 (2) The department or a regional transportation agency may
11 exercise any power possessed by it with respect to transportation
12 projects to facilitate the transportation projects pursuant to this
13 section. The department, regional transportation agency, and other
14 state or local agencies may provide services to the contracting
15 entity or lessee for which the public entity is reimbursed, including,
16 but not limited to, planning, environmental planning, environmental
17 certification, environmental review, preliminary design, design,
18 right-of-way acquisition, construction, maintenance, and policing
19 of these transportation projects. The department or regional
20 transportation agency, as applicable, shall regularly inspect the
21 facility and require the contracting entity or lessee to maintain and
22 operate the facility according to adopted standards. Except as may
23 otherwise be set forth in the lease agreement, the contracting entity
24 or lessee shall be responsible for all costs due to development,
25 maintenance, repair, rehabilitation, and reconstruction, and
26 operating costs.

27 (g) (1) In selecting private entities with which to enter into
28 these agreements, notwithstanding any other provision of law, the
29 department and regional transportation agencies may utilize, but
30 are not limited to utilizing, one or more of the following
31 procurement approaches:

32 (A) Solicitations of proposals for defined projects and calls for
33 project proposals within defined parameters.

34 (B) Prequalification and short-listing of proposers prior to final
35 evaluation of proposals.

36 (C) Final evaluation of proposals based on qualifications and
37 best value. The California Transportation Commission shall
38 develop and adopt criteria for making that evaluation prior to
39 evaluation of a proposal.

40 (D) Negotiations with proposers prior to award.

1 (E) Acceptance of unsolicited proposals, with issuance of
2 requests for competing proposals. Neither the department nor a
3 regional transportation agency may award a contract to an
4 unsolicited bidder without receiving at least one other responsible
5 bid.

6 (2) When evaluating a proposal submitted by the contracting
7 entity or lessee, the department or the regional transportation
8 agency may award a contract on the basis of the lowest bid or best
9 value.

10 (h) The contracting entity or lessee shall have the following
11 qualifications:

12 (1) Evidence that the members of the contracting entity or lessee
13 have completed, or have demonstrated the experience, competency,
14 capability, and capacity to complete, a project of similar size,
15 scope, or complexity, and that proposed key personnel have
16 sufficient experience and training to competently manage and
17 complete the design and construction of the project, and a financial
18 statement that ensures that the contracting entity or lessee has the
19 capacity to complete the project.

20 (2) The licenses, registration, and credentials required to design
21 and construct the project, including, but not limited to, information
22 on the revocation or suspension of any license, credential, or
23 registration.

24 (3) Evidence that establishes that members of the contracting
25 entity or lessee have the capacity to obtain all required payment
26 and performance bonding, liability insurance, and errors and
27 omissions insurance.

28 (4) Evidence that the contracting entity or lessee has workers'
29 compensation experience, history, and a worker safety program
30 of members of the contracting entity or lessee that is acceptable
31 to the department or regional transportation agency.

32 (5) A full disclosure regarding all of the following with respect
33 to each member of the contracting entity or lessee during the past
34 five years:

35 (A) Any serious or willful violation of Part 1 (commencing with
36 Section 6300) of Division 5 of the Labor Code or the federal
37 Occupational Safety and Health Act of 1970 (~~P.L.~~ *Public Law*
38 91-596).

1 (B) Any instance where members of the contracting entity or
2 lessee were debarred, disqualified, or removed from a federal,
3 state, or local government public works project.

4 (C) Any instance where members of the contracting entity or
5 lessee, or its owners, officers, or managing employees submitted
6 a bid on a public works project and were found to be nonresponsive
7 or were found by an awarding body not to be a responsible bidder.

8 (D) Any instance where members of the contracting entity or
9 lessee, or its owners, officers, or managing employees defaulted
10 on a construction contract.

11 (E) Any violations of the Contractors’ State License Law
12 (Chapter 9 (commencing with Section 7000) of Division 3 of the
13 Business and Professions Code), including, but not limited to,
14 alleged violations of federal or state law regarding the payment of
15 wages, benefits, apprenticeship requirements, or personal income
16 tax withholding, or Federal Insurance Contributions Act (FICA)
17 withholding requirements.

18 (F) Any bankruptcy or receivership of any member of the
19 contracting entity or lessee, including, but not limited to,
20 information concerning any work completed by a surety.

21 (G) Any settled adverse claims, disputes, or lawsuits between
22 the owner of a public works project and any member of the
23 contracting entity or lessee during the five years preceding
24 submission of a bid under this article, in which the claim,
25 settlement, or judgment exceeds fifty thousand dollars (\$50,000).
26 Information shall also be provided concerning any work completed
27 by a surety during this five-year period.

28 (H) If the contracting entity or lessee is a partnership, joint
29 venture, or an association that is not a legal entity, a copy of the
30 agreement creating the partnership or association that specifies
31 that all general partners, joint venturers, or association members
32 agree to be fully liable for the performance under the agreement.

33 (i) No agreement entered into pursuant to this section shall
34 infringe on the authority of the department or a regional
35 transportation agency to develop, maintain, repair, rehabilitate,
36 operate, or lease any transportation project. Lease agreements may
37 provide for reasonable compensation to the contracting entity or
38 lessee for the adverse effects on toll revenue or user fee revenue
39 due to the development, operation, or lease of supplemental
40 transportation projects with the exception of any of the following:

1 (1) Projects identified in regional transportation plans prepared
2 pursuant to Section 65080 of the Government Code.

3 (2) Safety projects.

4 (3) Improvement projects that will result in incidental capacity
5 increases.

6 (4) Additional high-occupancy vehicle lanes or the conversion
7 of existing lanes to high-occupancy vehicle lanes.

8 (5) Projects located outside the boundaries of a public-private
9 partnership project, to be defined by the lease agreement.

10 However, compensation to a contracting entity or lessee shall
11 only be made after a demonstrable reduction in use of the facility
12 resulting in reduced toll or user fee revenues, and may not exceed
13 the difference between the reduction in those revenues and the
14 amount necessary to cover the costs of debt service, including
15 principal and interest on any debt incurred for the development,
16 operation, maintenance, or rehabilitation of the facility.

17 (j) (1) Agreements entered into pursuant to this section shall
18 authorize the contracting entity or lessee to impose tolls and user
19 fees for use of a facility constructed by it, and shall require that
20 over the term of the lease the toll revenues and user fees be applied
21 to payment of the capital outlay costs for the project, the costs
22 associated with operations, toll and user fee collection,
23 administration of the facility, reimbursement to the department or
24 other governmental entity for the costs of services to develop and
25 maintain the project, police services, and a reasonable return on
26 investment. The agreement shall require that, notwithstanding
27 Sections 164, 188, and 188.1, any excess toll or user fee revenue
28 either be applied to any indebtedness incurred by the contracting
29 entity or lessee with respect to the project, improvements to the
30 project, or be paid into the State Highway Account, or for all three
31 purposes, except that any excess toll revenue under a lease
32 agreement with a regional transportation agency may be paid to
33 the regional transportation agency for use in improving public
34 transportation in and near the project boundaries.

35 (2) Lease agreements shall establish specific toll or user fee
36 rates. Any proposed increase in those rates not otherwise
37 established or identified in the lease agreement during the term of
38 the agreement shall first be approved by the department or regional
39 transportation agency, as appropriate, after at least one public

1 hearing conducted at a location near the proposed or existing
2 facility.

3 (3) The collection of tolls and user fees for the use of these
4 facilities may be extended by the commission or regional
5 transportation agency at the expiration of the lease agreement.
6 However, those tolls or user fees shall not be used for any purpose
7 other than for the improvement, continued operation, or
8 maintenance of the facility.

9 (k) Agreements entered into pursuant to this section shall include
10 indemnity, defense, and hold harmless provisions agreed to by the
11 department or regional transportation agency and the contracting
12 entity or lessee, including provisions for indemnifying the State
13 of California or the regional transportation agency against any
14 claims or losses resulting or accruing from the performance of the
15 contracting entity or lessee.

16 (l) The plans and specifications for each transportation project
17 on the state highway system developed, maintained, repaired,
18 rehabilitated, reconstructed, or operated pursuant to this section
19 shall comply with the department’s standards for state
20 transportation projects. The lease agreement shall include
21 performance standards, including, but not limited to, levels of
22 service. The agreement shall require facilities on the state highway
23 system to meet all requirements for noise mitigation, landscaping,
24 pollution control, and safety that otherwise would apply if the
25 department were designing, building, and operating the facility.
26 If a facility is on the state highway system, the facility leased
27 pursuant to this section shall, during the term of the lease, be
28 deemed to be a part of the state highway system for purposes of
29 identification, maintenance, enforcement of traffic laws, and for
30 the purposes of Division 3.6 (commencing with Section 810) of
31 Title 1 of the Government Code.

32 (m) Failure to comply with the lease agreement in any significant
33 manner shall constitute a default under the agreement and the
34 department or the regional transportation agency, as appropriate,
35 shall have the option to initiate processes to revert the facility to
36 the public agency.

37 (n) The assignment authorized by subdivision (c) of Section
38 130240 of the Public Utilities Code is consistent with this section.

39 (o) A lease to a private entity pursuant to this section is deemed
40 to be public property for a public purpose and exempt from

1 leasehold, real property, and ad valorem taxation, except for the
2 use, if any, of that property for ancillary commercial purposes.

3 (p) Nothing in this section is intended to infringe on the authority
4 to develop high-occupancy toll lanes pursuant to Section 149.4,
5 149.5, or 149.6.

6 (q) Nothing in this section shall be construed to allow the
7 conversion of any existing nontoll or nonuser-fee lanes into tolled
8 or user fee lanes with the exception of a high-occupancy vehicle
9 lane that may be operated as a high-occupancy toll lane for vehicles
10 not otherwise meeting the requirements for use of that lane.

11 (r) The lease agreement shall require the contracting entity or
12 lessee to provide any information or data requested by the
13 California Transportation Commission or the Legislative Analyst.
14 The commission, in cooperation with the Legislative Analyst, shall
15 annually prepare a report on the progress of each project and
16 ultimately on the operation of the resulting facility. The report
17 shall include, but not be limited to, a review of the performance
18 standards, a financial analysis, and any concerns or
19 recommendations for changes in the program authorized by this
20 section.

21 (s) Notwithstanding any other provision of this section, no lease
22 agreement may be entered into pursuant to the section that affects,
23 alters, or supersedes the Memorandum of Understanding (MOU),
24 dated November 26, 2008, entered into by the Golden Gate Bridge
25 Highway and Transportation District, the Metropolitan
26 Transportation Commission, and the San Francisco County
27 Transportation Authority, relating to the financing of the U.S.
28 Highway 101/Doyle Drive reconstruction project located in the
29 City and County of San Francisco.

30 (t) No lease agreements may be entered into under this section
31 on or after January 1, 2017 ____.

32 SEC. 7. Section 183.1 of the Streets and Highways Code is
33 amended to read:

34 183.1. ~~(a)~~Notwithstanding subdivision (a) of Section 182 or
35 any other provision of law, money deposited into the account that
36 is not subject to Article XIX of the California Constitution,
37 including, but not limited to, money that is derived from the sale
38 of documents, charges for miscellaneous services to the public,
39 condemnation deposits fund investments, rental of state property,
40 or any other miscellaneous uses of property or money, may be

1 used for any transportation purpose authorized by statute, upon
 2 appropriation by the Legislature or, after transfer to another fund,
 3 upon appropriation by the Legislature from that fund.

4 ~~(b) Commencing with the 2013-14 fiscal year, and not later~~
 5 ~~than November 1 of each fiscal year thereafter, based on prior year~~
 6 ~~financial statements, the Controller shall transfer the funds~~
 7 ~~identified in subdivision (a) for the prior fiscal year from the State~~
 8 ~~Highway Account to the Transportation Debt Service Fund in the~~
 9 ~~State Transportation Fund, and those funds are continuously~~
 10 ~~appropriated for the purposes specified for the Transportation Debt~~
 11 ~~Service Fund.~~

12 SEC. 8. Section 2103 of the Streets and Highways Code is
 13 amended to read:

14 2103. (a) Notwithstanding Section 13340 of the Government
 15 Code, of the net revenues deposited to the credit of the Highway
 16 Users Tax Account that are derived from the increases in the rates
 17 of taxes that are imposed pursuant to subdivision (b) of Section
 18 7360 and Section 7361.1 of the Revenue and Taxation Code, all
 19 of the following shall occur on a monthly basis:

20 ~~(1) (A) By the 15th day of every month, the Treasurer's office,~~
 21 ~~in consultation with the Department of Finance, shall notify the~~
 22 ~~Controller of the amount of debt service that will be paid on each~~
 23 ~~transportation bond during that month.~~

24 ~~(B) Within two business days following the 28th day of each~~
 25 ~~month, the Controller shall transfer to the Transportation Debt~~
 26 ~~Service Fund an amount equal to the amount of monthly debt~~
 27 ~~service paid by the General Fund on any bonds issued pursuant to~~
 28 ~~the Seismic Retrofit Bond Act of 1996 (Chapter 12.48~~
 29 ~~(commencing with Section 8879) of Division 1 of Title 2 of the~~
 30 ~~Government Code) or any other bonds issued for highway or~~
 31 ~~eligible guideway projects consistent with the requirements~~
 32 ~~applicable to the expenditure of revenues under Article XIX of the~~
 33 ~~California Constitution as identified by the Department of Finance~~
 34 ~~pursuant to Section 16965 of the Government Code, and~~
 35 ~~three-quarters of the amount of monthly debt service paid on any~~
 36 ~~bonds issued pursuant to the Highway Safety, Traffic Reduction,~~
 37 ~~Air Quality, and Port Security Bond Act of 2006 (Chapter 12.49~~
 38 ~~(commencing with Section 8879.20) of Division 1 of Title 2) for~~
 39 ~~reimbursement of the General Fund for these costs. If revenues~~
 40 ~~available pursuant to this subdivision in any given month are~~

1 insufficient to fully reimburse the General Fund for the debt service
2 payments made, the first revenues available pursuant to this
3 subdivision in the following month or months shall be transferred
4 to the Transportation Debt Service Fund so that all debt service
5 payments made on these bonds from the General Fund in a given
6 fiscal year are fully reimbursed. However, no further transfers
7 shall be made pursuant to this subparagraph once the transfers for
8 the months of July to October, inclusive, in 2010 have been made.
9 Any transfers made from the net revenues identified in this
10 paragraph for highway and eligible guideway bond debt service
11 for months after October 2010 shall be reversed and shall instead
12 be made from weight fee revenues in the State Highway Account,
13 as described in subparagraph (F).

14 (C) Beginning November 2, 2010, the Controller shall transfer
15 to the State Highway Account within two business days following
16 the 28th day of each month all of the monthly net revenues
17 identified in subparagraph (B) that were designated for highway
18 and eligible guideway bond debt service reimbursement but that
19 have not been transferred, or that were transferred by means of a
20 transfer that was reversed, pursuant to that subparagraph. To the
21 extent the Controller has distributed any of those net revenues to
22 cities and counties pursuant to subparagraph (C) of paragraph (3)
23 between November 2, 2010, and March 24, 2011, the Controller
24 shall subsequently reduce the amount transferred to cities and
25 counties on a monthly basis pursuant to subparagraph (C) of
26 paragraph (3) and shall instead transfer these funds to the State
27 Highway Account until all of the revenues that would otherwise
28 have been transferred to the State Highway Account on and after
29 November 2, 2010, pursuant to this subparagraph have been so
30 transferred. For the 2011-12 fiscal year, the Controller shall
31 transfer to the State Highway Account within two business days
32 following the 28th day of each month an amount equal to the
33 weight fee revenues transferred to the Transportation Debt Service
34 Fund pursuant to subdivision (b) of Section 9400.4 of the Vehicle
35 Code, including forty-three million seven hundred thousand dollars
36 (\$43,700,000) authorized pursuant to Item 2660-013-0042 of
37 Section 2.00 of the Budget Act of 2011 and an amount equal to
38 weight fee revenues transferred to the General Fund as a loan
39 pursuant to subdivision (b) of Section 9400.4 of the Vehicle Code.
40 To the extent the Controller has distributed any of those revenues

1 to cities and counties pursuant to subparagraph (C) of paragraph
2 (3), the Controller shall subsequently reduce the amount transferred
3 to cities and counties on a monthly basis pursuant to subparagraph
4 (C) of paragraph (3) and instead transfer these funds to the State
5 Highway Account until all of the revenues that would otherwise
6 have been transferred to the State Highway Account in the 2011–12
7 fiscal year pursuant to this subparagraph have been so transferred.

8 (D) Notwithstanding subparagraph (C), commencing with the
9 2012–13 fiscal year and every fiscal year thereafter, the Controller
10 shall transfer to the State Highway Account within two business
11 days following the 28th day of each month an amount equal to the
12 amount of weight fee revenues transferred to the Transportation
13 Debt Service Fund for highway and eligible guideway bond debt
14 service and to the General Fund as a loan pursuant to subdivision
15 (e) of Section 9400.4 of the Vehicle Code.

16 (E) Beginning July 1, 2011, transfers made under subparagraphs
17 (C) and (D) during a fiscal year shall not exceed the annual revenue
18 generated from weight fees, as determined by Sections 9400.4 and
19 42205 of the Vehicle Code, at the rates in effect as of March 24,
20 2011, as determined by the Department of Finance.

21 (F) Any remaining amount of the highway or eligible guideway
22 bond debt service reimbursement authorized by this paragraph that
23 has not been made pursuant to subparagraph (B) on and after
24 November 2, 2010, shall instead be made pursuant to subdivisions
25 (a), (b), and (c) of Section 9400.4 of the Vehicle Code from
26 revenues in the State Highway Account derived from weight fees
27 deposited in the account pursuant to subdivision (e) of Section
28 9400.1 and Section 42205 of the Vehicle Code.

29 (2) (A) In the 2010–11 fiscal year, after the monthly transfer
30 made pursuant to paragraph (1), the sum of fifty-four million one
31 hundred sixty-seven thousand dollars (\$54,167,000) per month
32 shall be held in the account for future appropriation by the
33 Legislature.

34 (B) Notwithstanding any other provision of law, with respect
35 to the monthly net revenues described in subparagraph (A), no
36 further transfers of these revenues for the purpose of loans to the
37 General Fund shall be made pursuant to Item 2660-011-0062 of
38 Section 2.00 of the Budget Act of 2010 once the loan transfers for
39 the months of July to October, inclusive, in 2010 have been made.
40 Notwithstanding the loan repayment date specified in the

1 provisional language for that item, the funds loaned shall be repaid
 2 by June 30, 2021. Any transfers made from the monthly net
 3 revenues in subparagraph (A) for months after October 2010 shall
 4 be reversed and shall instead be made from weight fee revenues
 5 in the State Highway Account, as described in subparagraph (D).
 6 The revenues from loan repayments shall be held in the Highway
 7 Users Tax Account for future appropriation by the Legislature.

8 (C) Beginning November 2, 2010, all of the monthly net
 9 revenues described in subparagraph (A) shall instead be transferred
 10 by the Controller to the State Highway Account within two
 11 business days following the 28th day of each month. To the extent
 12 that the Controller has distributed any of the revenues identified
 13 in this paragraph to cities and counties pursuant to subparagraph
 14 (C) of paragraph (3) between October 14, 2010, and March 24,
 15 2011, the Controller shall subsequently reduce the amount
 16 transferred to cities and counties on a monthly basis pursuant to
 17 subparagraph (C) of paragraph (3) and shall instead transfer these
 18 funds to the State Highway Account until all of the revenues that
 19 would have been transferred to the General Fund as a loan pursuant
 20 to Item 2660-011-0062 of Section 2.00 of the Budget Act of 2010
 21 on and after November 2, 2010, have instead been transferred to
 22 the State Highway Account.

23 (D) Any remaining amount of the loans to the General Fund
 24 authorized pursuant to Item 2660-011-0062 of Section 2.00 of the
 25 Budget Act of 2010 that has not been made pursuant to
 26 subparagraph (B) on and after November 2, 2010, shall instead be
 27 made pursuant to subdivisions (a), (b), and (c) of Section 9400.4
 28 of the Vehicle Code from revenues in the State Highway Account
 29 derived from weight fees deposited in the account pursuant to
 30 subdivision (c) of Section 9400.1 and Section 42205 of the Vehicle
 31 Code.

32 (3) The Controller shall transfer any remaining net revenues
 33 subject to this subdivision as follows:

34 (A)

35 (1) Forty-four percent shall be transferred by the Controller to
 36 the State Highway Account to fund projects in the State
 37 Transportation Improvement Program that are consistent with
 38 Section 12 of Article XIX of the California Constitution, except
 39 in the 2010-11 fiscal year, 50 percent shall be transferred for
 40 purposes of this subparagraph. *Constitution.*

1 ~~(B)~~
 2 (2) Twelve percent shall be transferred to the State Highway
 3 Account to fund projects in the State Highway Operation and
 4 Protection Program, ~~except in the 2010–11 fiscal year, no revenues~~
 5 ~~shall be transferred for purposes of this subparagraph. Program.~~

6 ~~(C)~~
 7 (3) Forty-four percent shall be apportioned by the Controller
 8 for local street and road purposes, ~~except in the 2010–11 fiscal~~
 9 ~~year, 50 percent shall be transferred for purposes of this~~
 10 ~~subparagraph as follows:~~

11 ~~(i)~~
 12 (A) Fifty percent shall be apportioned by the Controller to cities,
 13 including a city and county, in the proportion that the total
 14 population of the city bears to the total population of all the cities
 15 in the state.

16 ~~(ii)~~
 17 (B) Fifty percent shall be apportioned by the Controller to
 18 counties, including a city and county, in accordance with the
 19 following formulas:

20 ~~(i)~~
 21 (i) Seventy-five percent shall be apportioned among the counties
 22 in the proportion that the number of fee-paid and exempt vehicles
 23 that are registered in the county bear to the number of fee-paid and
 24 exempt vehicles registered in the state.

25 ~~(ii)~~
 26 (ii) Twenty-five percent shall be apportioned among the counties
 27 in the proportion that the number of miles of maintained county
 28 roads in each county bear to the total number of miles of
 29 maintained county roads in the state. For the purposes of
 30 apportioning funds under this subparagraph, any roads within the
 31 boundaries of a city and county that are not state highways shall
 32 be deemed to be county roads.

33 (b) After the transfers or other actions pursuant to subdivision
 34 (a), at least 90 percent of the balance deposited to the credit of the
 35 Highway Users Tax Account in the Transportation Tax Fund by
 36 the 28th day of each month shall be apportioned or transferred, as
 37 applicable, by the Controller by the second working day thereafter,
 38 except for June, in which case the apportionment or transfer shall
 39 be made the same day. These apportionments or transfers shall be
 40 made as provided for in Sections 2104 to 2122, inclusive. If

1 information is not available to make the apportionment or transfer
2 as required, the apportionment or transfer shall be made on the
3 basis of the information of the previous month. Amounts not
4 apportioned or transferred shall be included in the apportionment
5 or transfer of the subsequent month.

6 (c) Notwithstanding any other law, the funds apportioned by
7 the Controller to cities and counties pursuant to ~~subparagraph (C)~~
8 of paragraph (3) of subdivision (a) are not subject to Section 7104
9 or 7104.2 of the Revenue and Taxation Code. These funds may
10 be expended for any street and road purpose consistent with the
11 requirements of this chapter.

12 SEC. 9. Section 9400.1 of the Vehicle Code is amended to
13 read:

14 9400.1. (a) (1) In addition to any other required fee, there
15 shall be paid the fees set forth in this section for the registration
16 of commercial motor vehicles operated either singly or in
17 combination with a declared gross vehicle weight of 10,001 pounds
18 or more. Pickup truck and electric vehicle weight fees are not
19 calculated under this section.

20 (2) The weight of a vehicle issued an identification plate
21 pursuant to an application under Section 5014, and the weight of
22 an implement of husbandry as defined in Section 36000, shall not
23 be considered when calculating, pursuant to this section, the
24 declared gross vehicle weight of a towing commercial motor
25 vehicle that is owned and operated exclusively by a farmer or an
26 employee of a farmer in the conduct of agricultural operations.

27 (3) Tow trucks that are utilized to render assistance to the
28 motoring public or to tow or carry impounded vehicles shall pay
29 fees in accordance with this section, except that the fee calculation
30 shall be based only on the gross vehicle weight rating of the towing
31 or carrying vehicle. Upon each initial or transfer application for
32 registration of a tow truck described in this paragraph, the
33 registered owner or lessee or that owner's or lessee's designee,
34 shall certify to the department the gross vehicle weight rating of
35 the tow truck:

Gross Vehicle Weight Range	Fee
10,001–15,000	\$ 257
15,001–20,000	353
20,001–26,000	435

1	26,001–30,000	552
2	30,001–35,000	648
3	35,001–40,000	761
4	40,001–45,000	837
5	45,001–50,000	948
6	50,001–54,999	1,039
7	55,000–60,000	1,173
8	60,001–65,000	1,282
9	65,001–70,000	1,398
10	70,001–75,000	1,650
11	75,001–80,000	1,700

12

13 (b) The fees specified in subdivision (a) apply to both of the
14 following:

15 (1) An initial or original registration occurring on or after
16 December 31, 2001, to December 30, 2003, inclusive, of a
17 commercial motor vehicle operated either singly or in combination
18 with a declared gross vehicle weight of 10,001 pounds or more.

19 (2) The renewal of registration of a commercial motor vehicle
20 operated either singly or in combination, with a declared gross
21 vehicle weight of 10,001 pounds or more for which registration
22 expires on or after December 31, 2001, to December 30, 2003,
23 inclusive.

24 (c) (1) For both an initial or original registration occurring on
25 or after December 31, 2003, of a commercial motor vehicle
26 operated either singly or in combination with a declared gross
27 vehicle weight of 10,001 pounds or more, and the renewal of
28 registration of a commercial motor vehicle operated either singly
29 or in combination, with a declared gross vehicle weight of 10,001
30 pounds or more for which registration expires on or after December
31 31, 2003, there shall be paid fees as follows:

32

33	Gross Vehicle Weight Range	Weight Code	Fee
34	10,001–15,000	A	\$ 332
35	15,001–20,000	B	447
36	20,001–26,000	C	546
37	26,001–30,000	D	586
38	30,001–35,000	E	801
39	35,001–40,000	F	937
40	40,001–45,000	G	1,028

1	45,001–50,000	H	1,161
2	50,001–54,999	I	1,270
3	55,000–60,000	J	1,431
4	60,001–65,000	K	1,562
5	65,001–70,000	L	1,701
6	70,001–75,000	M	2,004
7	75,001–80,000	N	2,064

8

9 (2) For the purpose of obtaining “revenue neutrality” as
10 described in Sections 1 and 59 of Senate Bill 2084 of the
11 1999–2000 Regular Session (Chapter 861 of the Statutes of 2000),
12 the Director of Finance shall review the final 2003–04 Statement
13 of Transactions of the State Highway Account. If that review
14 indicates that the actual truck weight fee revenues deposited in the
15 State Highway Account do not total at least seven hundred
16 eighty-nine million dollars (\$789,000,000), the Director of Finance
17 shall instruct the department to adjust the schedule set forth in
18 paragraph (1), but not to exceed the following fee amounts:

19

20	Gross Vehicle Weight Range	Weight Code	Fee
21	10,001–15,000	A	\$ 354
22	15,001–20,000	B	482
23	20,001–26,000	C	591
24	26,001–30,000	D	746
25	30,001–35,000	E	874
26	35,001–40,000	F	1,024
27	40,001–45,000	G	1,125
28	45,001–50,000	H	1,272
29	50,001–54,999	I	1,393
30	55,000–60,000	J	1,571
31	60,001–65,000	K	1,716
32	65,001–70,000	L	1,870
33	70,001–75,000	M	2,204
34	75,001–80,000	N	2,271

35

36 (d) (1) In addition to the fees set forth in subdivision (a), a
37 Cargo Theft Interdiction Program fee of three dollars (\$3) shall
38 be paid at the time of initial or original registration or renewal of
39 registration of each motor vehicle subject to weight fees under this
40 section.

1 (2) This subdivision does not apply to vehicles used or
2 maintained for the transportation of persons for hire, compensation
3 or profit, and tow trucks.

4 (3) For vehicles registered under Article 4 (commencing with
5 Section 8050) of Chapter 4, the fee imposed under this subdivision
6 shall be apportioned as required for registration fees under that
7 article.

8 (4) Funds collected pursuant to the Cargo Theft Interdiction
9 Program shall not be proportionately reduced for each month and
10 shall be transferred to the Motor Carriers Safety Improvement
11 Fund.

12 (e) Notwithstanding Section 42270 or any other provision of
13 law, of the moneys collected by the department under this section,
14 one hundred twenty-two dollars (\$122) for each initial, original,
15 and renewal registration shall be reported monthly to the Controller,
16 and at the same time, deposited in the State Treasury to the credit
17 of the Motor Vehicle Account in the State Transportation Fund.
18 All other moneys collected by the department under this section
19 shall be deposited to the credit of the State Highway Account in
20 the State Transportation Fund, or directly to the credit of the
21 Transportation Debt Service Fund as provided in paragraph (2) of
22 subdivision (e) of Section 9400.4, as applicable *Fund*. One hundred
23 twenty-two dollars (\$122) of the fee imposed under this section
24 shall not be proportionately reduced for each month. For vehicles
25 registered under Article 4 (commencing with Section 8050) of
26 Chapter 4, the fee shall be apportioned as required for registration
27 under that article.

28 (f) (1) The department, in consultation with the Department of
29 the California Highway Patrol, shall design and make available a
30 set of distinctive weight decals that reflect the declared gross
31 combined weight or gross operating weight reported to the
32 department at the time of initial registration, registration renewal,
33 or when a weight change is reported to the department pursuant
34 to Section 9406.1. A new decal shall be issued on each renewal
35 or when the weight is changed pursuant to Section 9406.1. The
36 decal for a tow truck that is subject to this section shall reflect the
37 gross vehicle weight rating or weight code.

38 (2) The department may charge a fee, not to exceed ten dollars
39 (\$10), for the department's actual cost of producing and issuing
40 each set of decals issued under paragraph (1).

1 (3) The weight decal shall be in sharp contrast to the background
2 and shall be of a size, shape, and color that is readily legible during
3 daylight hours from a distance of 50 feet.

4 (4) Each vehicle subject to this section shall display the weight
5 decal on both the right and left sides of the vehicle.

6 (5) A person may not display upon a vehicle a decal issued
7 pursuant to this subdivision that does not reflect the declared weight
8 reported to the department.

9 (6) Notwithstanding subdivision (e) or any other provision of
10 law, the moneys collected by the department under this subdivision
11 shall be deposited in the State Treasury to the credit of the Motor
12 Vehicle Account in the State Transportation Fund.

13 (7) This subdivision shall apply to vehicles subject to this section
14 at the time of an initial registration, registration renewal, or reported
15 weight change that occurs on or after July 1, 2004.

16 (8) The following shall apply to vehicles registered under the
17 permanent fleet registration program pursuant to Article 9.5
18 (commencing with Section 5301) of Chapter 1:

19 (A) The department, in consultation with the Department of the
20 California Highway Patrol, shall distinguish the weight decals
21 issued to permanent fleet registration vehicles from those issued
22 to other vehicles.

23 (B) The department shall issue the distinguishable weight decals
24 only to the following:

25 (i) A permanent fleet registration vehicle that is registered with
26 the department on January 1, 2005.

27 (ii) On and after January 1, 2005, a vehicle for which the
28 department has an application for initial registration as a permanent
29 fleet registration vehicle.

30 (iii) On and after January 1, 2005, a permanent fleet registration
31 vehicle that has a weight change pursuant to Section 9406.1.

32 (C) The weight decal issued under this paragraph shall comply
33 with the applicable provisions of paragraphs (1) to (6), inclusive.

34 SEC. 10. Section 9400.4 of the Vehicle Code is repealed.

35 ~~9400.4. Weight fee revenue deposited into the State Highway~~
36 ~~Account pursuant to subdivision (e) of Section 9400.1 and~~
37 ~~subdivision (a) of Section 42205 net of amounts appropriated for~~
38 ~~other purposes pursuant to subdivision (b) of Section 42205, and~~
39 ~~weight fee revenues deposited directly into the Transportation~~
40 ~~Debt Service Fund pursuant to subdivision (e) of Section 9400.1~~

1 and subdivision (a) of Section 42205, as applicable, shall be used
2 as follows:

3 (a) ~~For the 2010–11 fiscal year, seven hundred fifty-six million~~
4 ~~three hundred ninety-six thousand dollars (\$756,396,000) is hereby~~
5 ~~appropriated from weight fee revenues in the State Highway~~
6 ~~Account for transfer to the General Fund as transportation bond~~
7 ~~debt service reimbursement and loans as follows:~~

8 (1) ~~The Controller shall transfer all weight fee revenues~~
9 ~~deposited into the State Highway Account in any month to the~~
10 ~~Transportation Debt Service Fund for transfer to the General Fund~~
11 ~~as reimbursement for debt service costs until all of the debt service~~
12 ~~paid on transportation bonds for projects that the Director of~~
13 ~~Finance indicates qualify for reimbursement as provided for in~~
14 ~~Section 16965 of the Government Code have been reimbursed.~~

15 (2) ~~After the Director of Finance has notified the Controller that~~
16 ~~all debt service costs for the 2010–11 fiscal year have been~~
17 ~~reimbursed, the Controller shall transfer any remaining monthly~~
18 ~~weight fee revenues in the State Highway Account to the General~~
19 ~~Fund as a loan until the full amount appropriated in this subdivision~~
20 ~~has been transferred to the General Fund. The Director of Finance~~
21 ~~may repay any remaining portion of the outstanding balance of~~
22 ~~this loan in any year in which the Director of Finance determines~~
23 ~~the funds are needed to reimburse the General Fund for current~~
24 ~~year transportation bond debt service or to redeem or retire those~~
25 ~~bonds, pursuant to Section 16774 of the Government Code,~~
26 ~~maturing in a subsequent fiscal year, provided that the loans shall~~
27 ~~be repaid no later than June 30, 2021. All funds loaned pursuant~~
28 ~~to this section, upon repayment to the State Highway Account,~~
29 ~~shall be immediately transferred by the Controller to the~~
30 ~~Transportation Debt Service Fund for use pursuant to Section~~
31 ~~16965 of the Government Code.~~

32 (3) ~~By June 15, 2011, the Director of Finance in consultation~~
33 ~~with the Treasurer shall notify the Controller regarding the final~~
34 ~~amount of debt service paid from the General Fund during the~~
35 ~~2010–11 fiscal year pursuant to Section 16965 of the Government~~
36 ~~Code and shall direct the Controller to reverse and adjust any~~
37 ~~transfers made as debt service reimbursements or loans so that a~~
38 ~~maximum amount of transfers are made for debt service~~
39 ~~reimbursements and with any loan amounts limited to the~~
40 ~~difference between this amount and the total amount appropriated~~

1 in this subdivision. The total amount of weight fee revenues
2 transferred from the State Highway Account for the 2010–11 fiscal
3 year shall not be greater than the total amount of weight fee
4 revenues deposited into the State Highway Account for that year.

5 (4) With respect to transfers or portions of transfers that cannot
6 be made in any given month if weight fee revenues are insufficient,
7 the first weight fee revenues available in the following month or
8 months shall be used to complete the transfers for the previous
9 month or months prior to making additional transfers for later
10 months.

11 (b) For the 2011–12 fiscal year, all revenue generated from
12 weight fees in the State Highway Account, as determined by
13 Sections 9400.1 and 42205, excluding an amount equal to the loan
14 of forty-three million seven hundred thousand dollars
15 (\$43,700,000) authorized pursuant to Item 2660-013-0042 of
16 Section 2.00 of the Budget Act of 2011, is hereby appropriated for
17 transfer to the General Fund as debt service reimbursement and
18 loans as follows:

19 (1) The Controller shall transfer all weight fee revenues
20 deposited into the State Highway Account in any month to the
21 Transportation Debt Service Fund for transfer to the General Fund
22 as reimbursement for debt service costs until all of the debt service
23 paid on transportation bonds for projects that the Director of
24 Finance indicates qualify for reimbursement as provided for in
25 Section 16965 of the Government Code have been reimbursed.

26 (2) After the Director of Finance has notified the Controller that
27 all debt service costs for the 2011–12 fiscal year have been
28 reimbursed, the Controller shall transfer any remaining weight fee
29 revenues for that fiscal year in the State Highway Account to the
30 General Fund as a loan until all weight fee revenues for that fiscal
31 year appropriated in this subdivision have been transferred to the
32 General Fund, excluding forty-two million dollars (\$42,000,000),
33 which shall be transferred to the General Fund as a loan on July
34 1, 2012. The Director of Finance may repay any portion of the
35 balance of this loan in any year in which the Director of Finance
36 determines the funds are needed to reimburse the General Fund
37 for current year transportation bond debt service or to redeem or
38 retire those bonds, pursuant to Section 16774 of the Government
39 Code, maturing in a subsequent year, provided that the loans shall
40 be repaid no later than June 30, 2021. All funds loaned pursuant

1 to this section, upon repayment to the State Highway Account,
2 shall be immediately transferred by the Controller to the
3 Transportation Debt Service Fund for use pursuant to Section
4 16965 of the Government Code.

5 (3) By June 15, 2012, the Director of Finance in consultation
6 with the Treasurer shall notify the Controller regarding the final
7 amount of debt service paid from the General Fund during the
8 2011-12 fiscal year pursuant to Section 16965 of the Government
9 Code and shall direct the Controller to reverse and adjust any
10 transfers made as debt service reimbursements or loans so that a
11 maximum amount of transfers are made for debt service
12 reimbursements and with any loan amounts limited to the
13 difference between this amount and the total amount appropriated
14 in this subdivision. The total amount of weight fee revenues
15 transferred from the State Highway Account for the 2011-12 fiscal
16 year shall not be greater than the total amount of weight fee
17 revenues deposited into the State Highway Account in that year.

18 (4) With respect to transfers or portions of transfers that cannot
19 be made in any given month if weight fee revenues are insufficient,
20 the first weight fee revenues available in the following month or
21 months shall be used to complete the transfers for the previous
22 month or months prior to making additional transfers for later
23 months.

24 (e) (1) (A) Until the month of first issuance of designated bonds
25 as defined in subdivision (e) of Section 16773 of the Government
26 Code, and at any time thereafter that a Treasurer's certification
27 pursuant to subparagraph (B) of paragraph (3) of subdivision (a)
28 of Section 16965 of the Government Code applies, all weight fee
29 revenues subject to this section in any month shall be transferred
30 from the State Highway Account to the Transportation Debt
31 Service Fund.

32 (B) Except as provided in paragraph (3), or when subparagraph
33 (A) applies pursuant to a Treasurer's certification, upon the first
34 issuance of designated bonds, as defined in subdivision (e) of
35 Section 16773 of the Government Code, starting in the month
36 following that first issuance, all weight fee revenues received by
37 the Controller from the first day through the 14th day of every
38 month shall be transferred from the State Highway Account to the
39 Transportation Debt Service Fund.

1 ~~(C) All funds transferred pursuant to subparagraphs (A) and (B)~~
2 ~~are hereby appropriated for transfer to the General Fund by the~~
3 ~~Controller as reimbursement for debt service costs paid with respect~~
4 ~~to eligible bonds described in subparagraph (A) of paragraph (2)~~
5 ~~of subdivision (a) of Section 16965 of the Government Code, until~~
6 ~~all debt service that the Director of Finance indicates qualifies for~~
7 ~~reimbursement as provided for in subdivision (d), (e), or (f) of~~
8 ~~Section 16965 of the Government Code has been reimbursed, or~~
9 ~~to redeem or retire bonds, pursuant to Section 16774 of the~~
10 ~~Government Code, as referenced in subdivision (d), (e), or (f) of~~
11 ~~Section 16965 of the Government Code, that are maturing in a~~
12 ~~subsequent year. After the Director of Finance has notified the~~
13 ~~Controller that all debt service costs for the fiscal year have been~~
14 ~~reimbursed, the Controller shall transfer any remaining revenue~~
15 ~~generated from weight fees subject to this section for that fiscal~~
16 ~~year in the State Highway Account to the General Fund as a loan.~~
17 ~~The Director of Finance may repay any portion of the balance of~~
18 ~~this loan in any year in which the Director of Finance determines~~
19 ~~that the funds are needed to reimburse the General Fund for current~~
20 ~~year transportation bond debt service or to redeem or retire those~~
21 ~~bonds pursuant to Section 16774 of the Government Code,~~
22 ~~maturing in a future fiscal year, provided that the loans shall be~~
23 ~~repaid no later than June 30, 2021. All funds loaned pursuant to~~
24 ~~this section, upon repayment to the State Highway Account, shall~~
25 ~~be immediately transferred by the Controller to the Transportation~~
26 ~~Debt Service Fund for use pursuant to Section 16965 of the~~
27 ~~Government Code. By June 15 of each year, the Director of~~
28 ~~Finance, in consultation with the Treasurer, shall notify the~~
29 ~~Controller regarding the final amount of debt service paid from~~
30 ~~the General Fund during that fiscal year pursuant to subdivision~~
31 ~~(d), (e), or (f) of Section 16965 of the Government Code and shall~~
32 ~~direct the Controller to reverse or adjust any transfers made as debt~~
33 ~~service reimbursements or loans so that a maximum amount of~~
34 ~~transfers are made for debt service reimbursements and with any~~
35 ~~loan amounts limited to the difference between this amount and~~
36 ~~the total amount of revenue for that fiscal year generated from~~
37 ~~weight fees, as determined by Sections 9400.1 and 42205. The~~
38 ~~total amount of weight fee revenues transferred from the State~~
39 ~~Highway Account in any fiscal year shall not be greater than the~~

1 total amount of weight fee revenues deposited into the State
 2 Highway Account in that year.

3 (2) Starting in the month following the first issuance of any
 4 designated bonds, unless a Treasurer's certification pursuant to
 5 subparagraph (B) of paragraph (3) of subdivision (a) of Section
 6 16965 of the Government Code applies, all weight fee revenues
 7 subject to this section that are received by the Controller from the
 8 15th day of every month, or the first business day thereafter if not
 9 a business day, through the last day of the month shall be deposited
 10 directly in the Transportation Debt Service Fund and are hereby
 11 appropriated for transfer as follows:

12 (A) First, to the Transportation Bond Direct Payment Account
 13 as set forth in subdivision (b) of Section 16965 of the Government
 14 Code, to provide for payment of debt service with respect to
 15 designated bonds.

16 (B) Thereafter, as provided in subparagraph (C) of paragraph
 17 (1).

18 (3) Notwithstanding paragraphs (1) and (2), if by the last day
 19 of a month the transfer for that month relating to designated bonds
 20 required by the Treasurer's certificate described in subdivision (b)
 21 of Section 16965 of the Government Code has not been made due
 22 to insufficient weight fee revenue, weight fee revenue shall
 23 continue to be transferred pursuant to paragraph (2) beginning
 24 with the first day of the subsequent month and continuing every
 25 day until such time as sufficient revenue for full compliance with
 26 the certificate has been transferred.

27 (4) Except as otherwise provided in paragraph (1), (2), or (3),
 28 with respect to any transfers or portions of transfers that cannot
 29 be made in any given month if weight fee revenues are insufficient,
 30 the first weight fee revenues available in the following month or
 31 months shall be used to complete the transfers for the previous
 32 month or months prior to making additional transfers for later
 33 months.

34 SEC. 11. Section 42205 of the Vehicle Code is amended to
 35 read:

36 42205. (a) Notwithstanding Chapter 3 (commencing with
 37 Section 42270), the department shall file, at least monthly with
 38 the Controller, a report of money received by the department
 39 pursuant to Section 9400 for the previous month and shall, at the
 40 same time, remit all money so reported to the Treasurer. On order

1 of the Controller, the Treasurer shall deposit all money so remitted
2 into the State Highway Account in the State Transportation Fund;
3 ~~or directly into the Transportation Debt Service Fund as provided~~
4 ~~in paragraph (2) of subdivision (c) of Section 9400.4, as applicable~~
5 *Fund.*

6 (b) The Legislature shall appropriate from the State Highway
7 Account in the State Transportation Fund to the department and
8 the Franchise Tax Board amounts equal to the costs incurred by
9 each in performing their duties pursuant to Article 3 (commencing
10 with Section 9400) of Chapter 6 of Division 3. The applicable
11 amounts shall be determined so that the appropriate costs for
12 registration and weight fee collection activities are appropriated
13 between the recipients of revenues in proportion to the revenues
14 that would have been received individually by those recipients if
15 the total fee imposed under the Vehicle License Fee Law (Part 5
16 (commencing with Section 10701) of Division 2 of the Revenue
17 and Taxation Code) was 2 percent of the market value of a vehicle.
18 The remainder of the funds collected under Section 9400 and
19 deposited in the account, ~~other than the direct deposits to the~~
20 ~~Transportation Debt Service Fund referenced in subdivision (a);~~
21 may be appropriated to the Department of Transportation, the
22 Department of the California Highway Patrol, and the Department
23 of Motor Vehicles for the purposes authorized under Section 3 of
24 Article XIX of the California Constitution.

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Trailer Bill Language – Highway Tolling

SECTION 1. Section 14106 in the Government Code is amended to read:

14106. (a) Any toll revenues generated from a priced managed lane on the state highway system ~~that is administered by a local agency~~ shall be expended only within the respective corridor in which the managed lane is located.

(b) "Priced Managed managed lane" means either of the following:

(1) A high-occupancy toll lane, which is a dedicated lane that is free for vehicles carrying a minimum number of occupants, but which allows vehicles containing less than the minimum number of occupants to use the lane upon payment of a toll.

(2) An express toll lane, which is a dedicated lane that requires all vehicles to pay a toll in order to use the lane, but may provide for vehicles carrying a minimum number of occupants to pay a discounted toll.

(c) "Corridor" has the meaning provided in Section 30905.1 of the Streets and Highways Code.

SECTION 2. Article 5 is added to Chapter 3 of Division 17 of the Streets and Highways Code, to read:

30905. (a) The Legislature finds and declares that:

(1) The development, improvement, expansion, and maintenance of an efficient, safe, and well-maintained system of roads, highways, and other transportation facilities is essential to the economic well-being and high quality of life of the people of this state.

(2) The state's transportation system has not kept pace with the state's growing population.

(3) High-occupancy toll lanes, express toll lanes, and toll roads provide an opportunity to more effectively manage the state's highways in order to increase passenger throughput and to reduce delays for freight shipments and travelers, especially those traveling by carpool, vanpool, and bus.

(b) The Legislature intends for public sources of revenue, including federal funding, to be leveraged to meet growing transportation needs.

(c) The Legislature intends for highway tolling to be employed when it can be demonstrated to optimize the performance of the transportation system, contribute a significant portion of the cost of a project that cannot be funded solely with existing sources, provide additional funding for ongoing maintenance and repairs, or improve travel reliability on a transportation corridor.

(d) The Legislature intends for highway tolling, in all cases, to be fairly and equitably applied in the context of the statewide transportation system and not have significant adverse impacts through the diversion of traffic to other routes that cannot otherwise be reasonably mitigated.

30905.1. Unless the provision or context otherwise requires, these definitions shall govern the construction of this article:

(a) "Toll facility" includes high occupancy toll lanes, express toll lanes, and toll roads.

(b) "High occupancy toll lane" has the meaning provided in Section 14106 of the Government Code.

(c) "Express toll lane" has the meaning provided in Section 14106 of the Government Code.

(d) "Toll road" means a highway for which a toll is charged for its use.

(e) Notwithstanding Section 143, "regional transportation agency" means any of the following:

(1) A transportation planning agency described in Section 29532 or 29532.1 of the Government Code.

(2) A county transportation commission established under Section 130050, 130050.1, or 130050.2 of the Public Utilities Code.

(3) Any other local or regional transportation entity that is designated by statute as a regional transportation agency.

(4) A joint exercise of powers authority established pursuant to Chapter 5 (commencing with Section 6500) of Division 7 of Title 1 of the Government Code, with the consent of a transportation planning agency or a county transportation commission for the jurisdiction in which the transportation project will be developed.

(f) "Toll facility operator" means the public entity authorized to collect tolls by the commission pursuant to Section 30905.2.

(g) "Corridor" means the state highway or highways, where tolls could be collected, that serve motorists or freight movement and includes other transportation systems and facilities that affect the travel performance of, reliability of, or access to those highways or provide another mode of transportation on or within the vicinity of those highways.

30905.2. (a) (1) Notwithstanding Sections 149 and 30800, the commission may authorize the department or a regional transportation agency in cooperation with the department to develop and operate toll facilities on the state highway system and establish and collect the tolls on those facilities.

(2) The department may enter into agreements with regional transportation agencies for the purposes of developing, maintaining, repairing, rehabilitating, improving, reconstructing, and operating toll facilities on the state highway system. Any such agreement shall identify the respective obligations and liabilities, including legal liability related to the construction and operation of the toll facility, of the department and the regional transportation agency, and shall, at a minimum, define the initial term, options for extension of the term, assign responsibilities relating to the development, maintenance, repair, improvement, construction, reconstruction and operation of the facility; and the condition of the facility at the end of the term.

(b) A toll facility operator may contract with another entity for the collection of tolls.

(c) A toll facility operator shall enter into an agreement with the California Highway Patrol regarding the enforcement of those toll facilities.

(d) Agreements developed pursuant to this section shall provide for reimbursement of state agencies for all costs incurred in connection with the development, maintenance, repair, rehabilitation, and operation of a toll facility.

(f) A toll facility operator may include discounts and premiums to encourage efficient use of toll facilities and reduction of congestion and emission of greenhouse gases and criteria pollutants.

(g) A toll facility operator may require any vehicle to have an electronic toll collection transponder or other electronic device for enforcement or tolling purposes.

30905.3. (a) Projects proposed pursuant to this article are subject to review and approval by the commission. For each eligible project, the commission shall conduct at least one public hearing before approving the project.

(b) The commission shall develop eligibility criteria for projects to be approved pursuant to this article. These eligibility criteria must include, at a minimum, the following:

(1) The project is contained in the constrained portion of a conforming regional transportation plan prepared pursuant to Section 65080 of the Government Code. For purposes of this section, a regional transportation plan must be consistent with greenhouse gas reduction targets assigned by the State Air Resources Board, pursuant to Division 25.5 (commencing with Section 35800) of the Health and Safety Code.

(2) The project is technically feasible.

(3) The project is financially feasible and the project's initial expenditure plan pursuant to Section 30905.4 fully funds all expenses specified in paragraphs (1) through (3) of subdivision (b) of Section 30905.4.

(4) Performance measures have been developed for the project.

(5) The proposed toll facility operator demonstrates how it has considered social equity, transit and active modes of transportation in the corridor. This section may not be construed to require that toll revenues be used to finance the enhancement of transit or active modes of transportation in the project corridor.

30905.4. The department and the appropriate regional transportation agency shall develop a multiyear expenditure plan for the use of toll revenue within each tolled corridor. This expenditure plan shall cover a period of either ten years or the full term of any and all financing used to construct or repair any portion of the project, whichever is longer. This plan shall be updated annually.

(a) (1) For a toll facility operated by a regional transportation agency, the governing board of the regional transportation agency shall review and adopt the expenditure plan and each update.

(2) For a toll facility operated by the department, the commission shall review and adopt the expenditure plan and each update.

(3) An expenditure plan and each update must be made available for public review and comment for not less than 30 days prior to adoption.

(4) The expenditure plan must include a funding plan for all expenses specified in paragraphs (1) through (3) of subdivision (b).

(b) Toll revenues collected pursuant to this article must be used for:

(1) Where debt is issued to construct or repair any portion of the facility, payment of debt service, and satisfaction of other covenants and obligations related to indebtedness of the toll facility.

(2) Subject to any project financing obligations, direct expenses related to the development, maintenance, administration, repair, rehabilitation, improvement, reconstruction and operation, including collection and enforcement of the toll facility, and reserves for these purposes. These include reimbursements required under any agreements entered into pursuant to Section 30905.2.

(3) Reserves for the purposes specified in paragraphs (1) and (2).

(c) Subject to any project financing obligations, any revenue remaining after fulfilling the obligations specified in subdivision (b) must be used for projects that maintain or improve the safety, operation, or travel reliability of any transportation mode in the corridor in which the tolls were collected, or provide or improve travel options in the corridor in which the tolls were collected.

(d) (1) For any project under this article involving the conversion of an existing high-occupancy vehicle lane to a high-occupancy toll lane, the project must at a minimum result in a net benefit to the system including:

(A) Expanded efficiency of the corridor in terms of travel time reliability, person throughput, or other efficiency benefit. .

(B) Payments toward the operations and maintenance of the toll facility.

(C) If excess revenue exists, consideration of payments toward maintenance of the existing roadway.

(2) For any construction of a new toll lane or toll road undertaken by the department, tolls must be sufficient to pay all operations and maintenance costs of the new toll lanes. The department shall demonstrate in its first expenditure plan for the toll facility that tolls are sufficient to pay for all operations and maintenance costs over the first 10 years of the operations, and for the life of the expenditure plan, if it exceeds 10 years.

(3) For any project operated by a regional transportation agency, the toll facility operator, in its annual expenditure plan for the facility, shall demonstrate there are sufficient funds to pay for operations and maintenance costs.

30905.5. The Highway Toll Account is hereby created in the State Transportation Fund for the management of funds received by the department for toll facilities operated by the department and authorized pursuant to this article. Notwithstanding Section 13340 of the Government Code, moneys in the Highway Toll Account designated and necessary for the payment of any debt service associated with the project shall be continuously appropriated without regard to fiscal year to the department for the purposes described in paragraph (1) of subdivision (b) of Section 30905.4. All other moneys deposited in the fund that are derived from premium and accrued interest on bonds sold pursuant to this division shall be reserved in the fund and shall be available as specified in Section 30905.4. Pursuant to Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code, the cost of bond issuance shall be paid out of the bond proceeds, including premium, if any.

30905.6. Nothing in this article prevents the department or any transportation agency from constructing a facility that competes with a toll facility approved by the commission pursuant to this article, and a toll facility operator is not entitled to compensation for adverse effects on toll revenue due to a competing facility.

30905.7. (a) A regional transportation agency sponsoring a toll facility, the California Infrastructure and Economic Development Bank, or for toll facilities operated by the department, the State Treasurer, may issue bonds, refunding bonds, or bond anticipation notes, at any time, to finance development, construction or reconstruction, expenditures related to construction or reconstruction, or market-required reserves for toll facility projects approved pursuant to this article, and for the development, construction or reconstruction, and related expenditures that are included in the expenditure plan adopted pursuant to Section 30905.5, payable solely from toll revenue and ancillary revenue generated by the respective facilities.

(b) Any bond issued pursuant to this subdivision shall contain on its face a statement to the following effect:

“Neither the full faith and credit nor the taxing power of the State of California is pledged to the payment of principal of, or the interest on, this bond.”

(c) This section 30905.7(c) shall be deemed to provide all necessary state law authority for purposes of Government Code section 63024.5

Highway Relinquishments

SECTION 1. Section 73 of the Streets and Highways Code is amended to read:

73. (a) The Legislature finds and declares that:

(1) Ownership and management of transportation infrastructure should be placed at the most appropriate level of government. Transportation infrastructure primarily serving regional travel and not primarily facilitating interregional movement of people and goods is typically best managed by local and regional government entities. Transportation infrastructure, including interstate highways, that is needed to facilitate interregional movement of people and goods is typically best managed at the state government level.

(2) The Legislature intends for the department to identify routes, and segments of routes, which may be appropriate candidates for relinquishment and to streamline the process of approving relinquishments where the department and the city or county have entered into an agreement providing for the relinquishment.

(b) The commission ~~may shall~~ relinquish to any county or city any portion of any state highway within the county or city ~~that has been deleted from the state highway system by legislative enactment, and the relinquishment shall become effective upon the first day of the next calendar or fiscal year, whichever first occurs after the effective date of the legislative enactment. It may likewise relinquish any portion of any state highway~~ that has been superseded by relocation.

(1) The commission shall not relinquish to any county or city any portion of any state highway that has been superseded by relocation until the department has entered into an agreement with the city or county providing for the relinquishment or the department has placed the highway, as defined in Section 23, in a state of good repair. This requirement shall not obligate the department for widening, new construction, or major reconstruction.

(c) Whenever the department and the county or city concerned have entered into an agreement providing therefor, or the legislative body of the county or city has adopted a resolution consenting thereto, the commission may relinquish, to that county or city, frontage or service road or outer highway, within the territorial limits of the county or city, which has been constructed as a part of a state highway project, but does not constitute a part of the main traveled roadway thereof.

(d) The commission may also relinquish to a county or city within whose territorial limits it is located any nonmotorized transportation facility, as defined in Section 887, constructed as part

of a state highway project if the county or city, as the case may be, has entered into an agreement providing therefor or its legislative body has adopted a resolution consenting thereto.

(e) (1) Whenever the department and a city or county concerned have entered into an agreement providing for the relinquishment of any portion of a state highway that is not an interstate highway and does not primarily facilitate interregional movement of people and goods, the commission shall relinquish that portion of the state highway to the city or county within whose territorial limits it is located. The department and that city or county shall agree upon the condition or state of the relinquished portion of state highway at the time of its transfer from the department to the city or county. The agreement shall specify any financial terms upon which the department and city or county have agreed. The agreement shall transfer all legal liability for the relinquished portion of state highway at the time of its transfer from the department to the city or county.

(2) No such relinquishments may occur unless all of the following conditions are met:

(A) The commission has determined the relinquishment is in the best interest of the state.

(B) The department completes a cost-benefit analysis on behalf of the state, which may include a review of route continuity, market value assessments of the proposed relinquishment and associated parcels, a review of historical and estimated future maintenance costs of the proposed relinquishment, or any other quantifiable economic impacts.

(C) The commission holds a public hearing on the proposed relinquishment.

(3) Upon relinquishment of a portion of a state highway under this subdivision, the city or county accepting the relinquished former portion of state highway shall maintain within its jurisdictions signs directing motorists to the continuation of the remaining portions of the state highway, if any, to the extent deemed necessary by the department

(f) Relinquishment shall be by resolution. A certified copy of the resolution shall be filed with the board of supervisors or the city clerk, as the case may be. A certified copy of the resolution shall also be recorded in the office of the recorder of the county where the land is located and, upon its recordation, all right, title, and interest of the state in and to that portion of any state highway shall vest in the county or city, as the case may be, and that highway or portion thereof shall thereupon constitute a county road or city street, as the case may be.

(g) The vesting of all right, title, and interest of the state in and to portions of any state highways heretofore relinquished by the commission, in the county or city to which it was relinquished, is hereby confirmed.

(h) Not later than October 1, 2015, and biannually thereafter, the department shall report to the commission on which state highway routes primarily serve regional travel and do

not primarily facilitate interregional movement of people and goods. The department may segment these routes by one or more categories and shall indicate which of these routes are the best candidates for relinquishment. The report shall include an aggregate estimate of future maintenance and preservation costs of the routes included. The department, in consultation with the commission, shall develop guidelines for this report.

(i) Prior to relinquishing any portion of a state highway to a county or a city, ~~except where required by legislative enactment,~~ **pursuant to subdivisions (b) through (d),** the department shall give 90 days' notice in writing of intention to relinquish to the board of supervisors, or the city council, as the case may be. Where the resolution of relinquishment contains a recital as to the giving of the notice, adoption of the resolution of relinquishment shall be conclusive evidence that the notice has been given.

~~**(h)** The commission shall not relinquish to any county or city any portion of any state highway that has been superseded by relocation until the department has placed the highway, as defined in Section 23, in a state of good repair. This requirement shall not obligate the department for widening, new construction, or major reconstruction, except as the commission may direct. A state of good repair requires maintenance, as defined in Section 27, including litter removal, weed control, and tree and shrub trimming to the time of relinquishment.~~

Within the 90-day period, the board of supervisors or the city council may protest in writing to the commission stating the reasons therefor, including, but not limited to, objections that the highway is not in a state of good repair, or is not needed for public use and should be vacated by the commission. In the event that the commission does not comply with the requests of the protesting body, it may proceed with the relinquishment only after a public hearing given to the protesting body on 10 days' written notice.

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DATE: February 17, 2015
TO: SolanoExpress Intercity Transit Consortium
FROM: Judy Leaks, SNCI Program Manager
RE: Solano College Student Transportation Fee Proposal

Background:

Solano Community College (SCC) has three campuses – Fairfield, Vacaville and Vallejo – with a current student population of 11,000. Over the past couple of years, SCC staff has expressed an interest in and discussed with the local transit agencies and STA, the transit possibilities to and from the three campuses, including increasing transit service and/or linking service between campuses. In 2014, STA provided SCC with a Transportation for Clean Air (TFCA) Grant funds from the Bay Area Air Quality Management District (BAAQMD) for a pilot program to determine how likely free or a reduced cost transit pass would encourage SCC students to use public transit. UC Berkeley, UC Davis and other colleges/universities have similar programs where a transportation fee is included in the students’ overall fees. The students are then eligible to ride the public transit for free or at a reduced cost. SCC is considering adding a Transportation Fee to their students’ annual fees, beginning for the 2015-16 school year.

Discussion:

SCC staff recently contacted STA staff about their interest in implementing a student fee for transportation. A Student Transportation Fee at SCC must be voted in by student referendum. SCC would like to add the Transportation Fee to their Spring Election which will be held the week of March 23-26, 2015. While the fee amount has not yet been determined, they hope that majority of the students who vote in the election will vote to put the fee in place. Funds from the transportation fee could potentially be distributed to the transit agencies that provide services to the SCC campuses in exchange for reduced fare for SCC students. The Transportation Fee being considered ranges from \$7 to \$10 per student. This could generate between \$77,000 to \$110,000 for a SCC Student Transportation Pass Program.

SCC has mentioned two possible goals: 1) free transportation for SCC students to and from SCC campuses; or 2) significant discounts on bus passes for SCC students to and from SCC campuses. They would like to implement the fee as early as Fall 2015. STA staff has a representative from SCC to attend the Consortium to present the proposal to the Committee for discussion.

There is a time constraint. In order to be implemented by the Fall 2015 semester, the Transportation Fee Resolution has to go before the ASSC (student government), then to the SCC President by March 6th and then to the SCC Governing Board on March 18th in preparation of putting this issue on the Spring Election Ballot for March 23rd.

Recommendation:

Informational.

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DATE : February 12, 2014
TO: SolanoExpress Intercity Transit Consortium
FROM: Robert Macaulay, Director of Planning
RE: Transit and Ridesharing Element of the CTP

Background:

The Solano Comprehensive Transportation Plan (CTP) is one of the foundational documents for STA and provides the basis for STA's projects and programs priorities and for input to the Metropolitan Transportation Commission (MTC) /Association of Bay Area Government's Regional Transportation Plan (RTP)/Sustainable Communities Strategy (SCS) for the 9-county Bay Area). The current SCS was adopted in 2013, and is known as Plan Bay Area. The current Solano CTP was adopted in 2005 and needs to be updated prior to the next RTP/SCS being developed in 2017.

The Solano CTP consists of three primary elements: Active Transportation; Arterials Highways and Freeways; and, Transit and Ridesharing. There are additional supporting chapters, such as the Introduction, Past Achievements and Land Use.

Elizabeth Richards has been retained to author the Transit and Rideshare Element of the CTP.

Discussion:

The first tasks will be to review the element's Purpose and Goals, adopted in 2009, and to recommend any changes to the Goals. Her next tasks will be to co update the State of the System Report and the Goal Gap Analysis, which evaluates the difference between where the system is (State of the System) and where it is desired to be (Goals). These tasks will be completed by the end of March 2015. During April, she will develop a history of inter-city transit expenditures by STA since 2005, and a revenue projection out to 2025.

During March and April of 2015, STA staff will be conducting its first round of public outreach meetings on the CTP, covering both the Transit and Rideshare Element and the Arterials, Highways and Freeways Element. In May, work will focus on incorporating the various components of the Transit and Rideshare Element including the updated Solano Rail Plan, the Transit Corridor Study, the Mobility Management Plan, the Seniors and People with Disabilities Plan, Ridesharing and Ferry Services.

All draft documents developed will be reviewed and discussed by the Intercity Transit Consortium and the Transit and Rideshare Committee (made up of STA Board members and alternates) prior to consideration by the STA Board.

Recommendation:

Informational.

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DATE : February 17, 2015
TO: Solano Express Intercity Transit Consortium
FROM: Kristina Holden, Transit Mobility Coordinator
RE: CTSA/Mobility Management Program Update – Travel Training Update

Background:

The Solano County Mobility Management Program was developed in response to public input provided at two mobility summits held in 2009 and the Solano Transportation Study for Seniors and People with Disabilities completed in 2011. STA has been working with consultants, the Solano Transit Operators, the Paratransit Coordinating Council (PCC), and the Senior and People with Disabilities Transportation Advisory Committee since July 2012 to develop a Mobility Management Plan for Solano County. Mobility Management was identified as a priority strategy to address the transportation needs of seniors, people with disabilities, low income and transit dependent individuals in the 2011 Solano Transportation Study for Seniors and People with Disabilities. On April 9, 2014, the Solano Transportation Authority (STA) Board unanimously adopted the Solano County Mobility Management Plan.

The Solano Mobility Management Plan focuses on four key elements that were also identified as strategies in the Solano Transportation Study for Seniors and People with Disabilities:

1. Countywide In-Person American Disability Act (ADA) Eligibility and Certification Program
2. Travel Training
3. Senior Driver Safety Information
4. One Stop Transportation Call Center

This report summarizes the activities of Travel Training component of the Solano Mobility Management Plan.

Discussion:

Outreach

On February 17th, STA Mobility Management staff presented mobility options and programs at the California Highway Patrol "Age Well Drive Smart" event at the Rio Vista Veterans Hall. Also, on February 17th, a mobility management presentation was provided at the Advocates for Dixon Seniors event held at the Dixon Senior Center.

On February 18th STA Staff will partner with Solano County Transit (SolTrans) staff to provide travel training at the Omega Boys and Girls Club of Vallejo. The children ranging in ages 6-17 years old will be provided an individualized trip plan detailing their bus ride home from the Boys and Girls Club. SolTrans will have a bus on hand and allow the children to board the bus and become familiar with the vehicle.

On February 19th, STA staff is scheduled to present mobility options and programs at Emeritus of Vacaville Senior Living facility. Individualized travel plans will be provided to senior residents upon request.

Staff is scheduled to present mobility options to residents of Skylark Mobile Estates on March 3rd and to continue to partner with CHP at their Age Well Driver Smart events and will be identifying other public outreach opportunities.

Fixed- Route Transit Training Videos and Riders Guide

STA Staff recently helped complete a photo shoot that will be incorporated in the FAST Travel Training Video and Riders Guide. The video and riders guide is expected to be released to the public by April.

Transit Ambassador Program

Travel Ambassador flyers and posters recruiting Volunteer Transit Ambassadors as well as trainees have been completed. These posters and flyers will be posted on local and intercity buses as well as at transportation centers. Once a sufficient number of potential Ambassadors are registered STA Staff will hold an Ambassador Training. Staff is anticipating enough participants to hold a training session by the end of March.

Thanks to the input of the local Transit Operators, the Ambassador Shirt has been designed. Proofs have been emailed to all operators for review.

Recommendation:

Informational.



DATE: February 13, 2015
TO: SolanoExpress Intercity Transit Consortium
FROM: Liz Niedziela, Transit Program Manager
RE: SolanoExpress Intercity Quarterly Reports

Background:

Prior to 2005, the funding for Solano County’s intercity routes, collectively called Solano Express, was shared among local jurisdictions through various verbal understandings and informal and year to year funding agreements. In Fiscal Year (FY) 2005-06, at the request of Vallejo Transit and Fairfield and Suisun Transit (FAST), the STA developed with the transit operators a countywide cost-sharing method that would provide funding stability for the operators of the intercity services and an equitable and predictable cost sharing formula for the funding partners. A working group was formed, the Intercity Transit Funding Working Group (ITFWG), and was comprised of representatives from STA, Solano County, and each participating city in Solano County. The first countywide Intercity Transit Funding Agreement was established for FY 2006-07.

Key components of the agreement are the Intercity Cost Sharing Formula, primarily based upon two factors: ridership by residence and population. This shared funding is for the cost of these routes after farebox and other non-local revenue are taken into account. Another key element of the agreement is that these routes be regularly monitored so that all the funding partners are aware of these routes’ performances. This data helps guide future funding, service planning and marketing decisions.

In the intercity funding agreement, it states that transit operators shall report at least quarterly to the ITFWG the following information by intercity route:

- Budget vs. actual cost for the quarter
- Budget vs. actual fares for the quarter
- Ridership
- Service hours

Discussion:

Fairfield and Suisun Transit (FAST) and SolTrans have submitted their Fiscal Year 2014-15 2nd quarter reports for the working group's review (Attachment A). The report shows where the SolanoExpress Intercity routes are compared to the estimated numbers in the Cost Allocation Model (CAM). A percentage of 50% would indicate that the estimate is meeting the actual. A summary of the 2nd Quarter report is presented below.

2nd Quarter	FAST	SolTrans
Cost	40.1%	45.3%
Fares	42.1%	50.2%
Ridership	50.0%	50.5%
Service hours	48.9%	47.6%

Recommendation:

Informational.

Attachment:

A. FAST and SolTrans Intercity Quarterly Report

**SOLANO EXPRESS
INTERCITY TRANSIT SERVICE QUARTERLY MONITORING REPORT**

FY 2014-15 Budget vs Estimated or Actual Cost

Intercity Route	FY 14-15 Budget Revenue Hours	First Quarter Ending Sept. 30		Second Quarter Ending Dec. 31		Third Quarter Ending Mar. 31		Fourth Quarter Ending June 30		TOTAL	
		Estimate	% of Budget	Estimate	% of Budget	Estimate	% of Budget	Estimate	% of Budget	Estimate or Actual	% of Budget
FAST Rt 20	3,730	912	24.5%	913	24.5%		0.0%		0.0%	1,825	48.9%
FAST Rt 30	4,369	1,082	24.8%	1,110	25.4%		0.0%		0.0%	2,192	50.2%
FAST Rt 40	5,141	1,276	24.8%	1,269	24.7%		0.0%		0.0%	2,545	49.5%
FAST Rt 90	14,933	3,601	24.1%	3,626	24.3%		0.0%		0.0%	7,227	48.4%
Subtotal, FAST	28,173	6,871	24.4%	6,919	24.6%		0.0%		0.0%	13,790	48.9%
SolTrans Rt 78	7,547	1,801	23.9%	1,796	23.8%		0.0%		0.0%	3,597	47.7%
SolTrans Rt 80	19,611	4,693	23.9%	4,623	23.6%		0.0%		0.0%	9,316	47.5%
SolTrans Rt 85	9,669	2,388	24.7%	2,237	23.1%		0.0%		0.0%	4,625	47.8%
Subtotal, SolTrans	29,280	7,081	24.2%	6,860	23.4%	0	0.0%	0	0.0%	13,941	47.6%

Report Completed By: Kristina Botsford
Date: 1/30/2015
Report Completed By: Diane Feinstein
Date: 2/9/2015

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This report template created by STA. It is due quarterly to STA and should mirror what we report to MTC on the quarterly RM2 invoices.

Remit to Liz Niedziela

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**SOLANO EXPRESS
INTERCITY TRANSIT SERVICE QUARTERLY MONITORING REPORT**

FY 2014-15 Budget vs Estimated or Actual Cost

Intercity Route	FY 14-15 Annual Budget Expenses	First Quarter Ending Sept. 30		Second Quarter Ending Dec. 31		Third Quarter Ending Mar. 31		Fourth Quarter Ending June 30		TOTAL	
		Estimate	% of Budget	Estimate	% of Budget	Estimate	% of Budget	Estimate	% of Budget	Estimate or Actual	% of Budget
FAST Rt 20	\$ 415,274	\$ 69,876	16.8%	\$ 97,671	23.5%		0.0%		0.0%	\$ 167,547	40.3%
FAST Rt 30	\$ 540,955	\$ 90,158	16.7%	\$ 129,487	23.9%		0.0%		0.0%	\$ 219,645	40.6%
FAST Rt 40	\$ 626,075	\$ 105,784	16.9%	\$ 147,446	23.6%		0.0%		0.0%	\$ 253,230	40.4%
FAST Rt 90	\$ 1,808,272	\$ 299,274	16.6%	\$ 419,258	23.2%		0.0%		0.0%	\$ 718,532	39.7%
Subtotal, FAST	\$ 3,390,576	\$ 565,092	16.7%	\$ 793,862	23.4%		0.0%		0.0%	\$ 1,358,954	40.1%
SolTrans Rt 78	\$ 1,140,991	\$ 245,273	21.5%	\$ 259,855	22.8%		0.0%		0.0%	\$ 505,128	44.3%
SolTrans Rt 80	\$ 2,434,648	\$ 542,841	22.3%	\$ 554,422	22.8%		0.0%		0.0%	\$ 1,097,263	45.1%
SolTrans Rt 85	\$ 1,031,332	\$ 234,153	22.7%	\$ 237,619	23.0%		0.0%		0.0%	\$ 471,772	45.7%
Subtotal, SolTrans	\$ 3,465,980	\$ 776,994	22.4%	\$ 792,041	22.9%	\$ -	0.0%	\$ -	0.0%	\$ 1,569,035	45.3%

Report Completed By: Kristina Botsford
Date: 1/30/2015
Report Completed By: Diane Feinstein
Date: 2/9/2015

**SOLANO EXPRESS
INTERCITY TRANSIT SERVICE QUARTERLY MONITORING REPORT**

FY 2014-15 Budget vs Estimated or Actual Cost

Intercity Route	FY 14-15 Annual Budget Fares	First Quarter Ending Sept. 30		Second Quarter Ending Dec. 31		Third Quarter Ending Mar. 31		Fourth Quarter Ending June 30		TOTAL	
		Estimate	% of Budget	Estimate	% of Budget	Estimate	% of Budget	Estimate	% of Budget	Estimate or Actual	% of Budget
FAST Rt 20	\$ 92,538	\$ 15,759	17.0%	\$ 27,875	30.1%		0.0%		0.0%	\$ 43,634	47.2%
FAST Rt 30	\$ 189,646	\$ 38,458	20.3%	\$ 52,182	27.5%		0.0%		0.0%	\$ 90,640	47.8%
FAST Rt 40	\$ 193,308	\$ 31,495	16.3%	\$ 44,851	23.2%		0.0%		0.0%	\$ 76,346	39.5%
FAST Rt 90	\$ 1,027,939	\$ 190,811	18.6%	\$ 230,889	22.5%		0.0%		0.0%	\$ 421,700	41.0%
Subtotal, FAST	\$ 1,503,431	\$ 276,523	18.4%	\$ 355,797	23.7%		0.0%		0.0%	\$ 632,320	42.1%
SolTrans Rt 78	\$ 268,166	\$ 65,033	24.3%	\$ 56,801	21.2%		0.0%		0.0%	\$ 121,834	45.4%
SolTrans Rt 80	\$ 1,535,005	\$ 389,292	25.4%	\$ 373,407	24.3%		0.0%		0.0%	\$ 762,699	49.7%
SolTrans Rt 85	\$ 282,850	\$ 78,353	27.7%	\$ 70,810	25.0%		0.0%		0.0%	\$ 149,163	52.7%
Subtotal, SolTrans	\$ 1,817,855	\$ 467,645	25.7%	\$ 444,217	24.4%	\$ -	0.0%	\$ -	0.0%	\$ 911,862	50.2%

Report Completed By: Kristina Botsford
Date: 1/30/2015
Report Completed By: Diane Feinstein
Date: 2/9/2015

SOLANO EXPRESS INTERCITY TRANSIT SERVICE QUARTERLY MONITORING REPORT

FY 2014-15 Budget vs Estimated or Actual Cost

Intercity Route	FY 14-15 Annual Budget Ridership	First Quarter Ending Sept. 30		Second Quarter Ending Dec. 31		Third Quarter Ending Mar. 31		Fourth Quarter Ending June 30		TOTAL	
		Estimate	% of Budget	Estimate	% of Budget	Estimate	% of Budget	Estimate	% of Budget	Estimate or Actual	% of Budget
FAST Rt 20	51,551	12,770	24.8%	11,557	22.4%		0.0%		0.0%	24,327	47.2%
FAST Rt 30	53,118	13,736	25.9%	12,245	23.1%		0.0%		0.0%	25,981	48.9%
FAST Rt 40	47,510	11,515	24.2%	10,879	22.9%		0.0%		0.0%	22,394	47.1%
FAST Rt 90	248,278	64,360	25.9%	62,996	25.4%		0.0%		0.0%	127,356	51.3%
Subtotal, FAST	400,457	102,381	25.6%	97,677	24.4%		0.0%		0.0%	200,058	50.0%
SolTrans Rt 78	83,401	21,950	26.3%	20,035	24.0%		0.0%		0.0%	41,985	50.3%
SolTrans Rt 80	461,356	116,552	25.3%	114,136	24.7%		0.0%		0.0%	230,688	50.0%
SolTrans Rt 85	86,585	24,878	28.7%	21,342	24.6%		0.0%		0.0%	46,220	53.4%
Subtotal, SolTrans	631,342	163,380	25.9%	155,513	24.6%	0	0.0%	0	0.0%	318,893	50.5%

Report Completed By: Kristina Botsford
 Date: 1/30/2015
 Report Completed By: Diane Feinstein
 Date: 2/9/2015

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DATE: February 13, 2015
TO: SolanoExpress Intercity Transit Consortium
FROM: Liz Niedziela, Transit Program Manager
RE: SolanoExpress Intercity Transit Consortium 2015 Draft Work Plan

Background:

The SolanoExpress Intercity Transit Consortium has regularly prepared an annual Work Plan. In 2014, there was a number of key local and regional transit planning activities and projects that the Consortium was involved with ranging from transit service and funding to planning and marketing.

Discussion:

STA staff is presenting the SolanoExpress Intercity Transit Consortium Draft Work Plan 2015 for the Consortium's review (Attachment A). The 2014 Work Plan (Attachment B) is presented for comparison. In the 2015 Draft Work Plan, several completed items have been removed and new projects have been added. STA staff requests a discussion at the Consortium meeting and is asking for comments no later than March 11th in order to prepare the 2015 Draft Work Plan for the Consortium as an action item for the Consortium meeting of March 24th.

Fiscal Impact:

None.

Recommendation:

Informational.

Attachments:

- A. SolanoExpress Intercity Transit Consortium 2015 Draft Work Plan
- B. SolanoExpress Intercity Transit Consortium 2014 Work Plan

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2015 SolanoExpress Intercity Transit Consortium
Draft Work Plan

(February 2015)

Transit Service:

- Evaluation of intercity transit services performance; prioritize, and implement intercity transit service changes.
- Monitor SolanoExpress intercity transit services
- Monitor facilities development that support SolanoExpress intercity transit services
- Discuss local transit issues and be mindful of harmonizing local and intercity transit needs
- Implement Lifeline project priorities.
- Identify and facilitate joint agency transit projects
- Monitor implementation of ~~new~~ intercity ADA paratransit services Phase I and identify funding opportunities for Phase II
- ~~Implement Early Delivery of Clipper~~

Transit Planning and Coordination

- Update I-80/I-680/I-780/Hwy 12 Transit Corridor Study – Phase 2
- ~~Conduct a Intercity Ridership Survey as per the Intercity Funding Agreement~~
- Conduct a Update Countywide Coordinated SRTP
- Transit Coordination
 - ✓ Different Fare Structure and Discounts/Standard Fare Structure/Fare Reconciliation;
 - ✓ Separate ADA Contractors, Eligibility and Rules/Joint Contracting/Eligibility Determination of ADA Paratransit;
 - ✓ Enhanced Transit Coordination of Capital Planning
 - ✓ Enhanced Coordination of Transit Service Planning; and
 - ✓ An analysis of transit connectivity to the Colleges in Solano County. The Colleges would include Touro University, Maritime Academy, and the three Solano Community Colleges in Solano County (Fairfield, Vacaville, and Vallejo).
 - ✓ Integrate bus/rail scheduling software to facilitate schedule coordination and customer travel planning. Establish a regional schedule change calendar.
- ~~Complete a Solano Transit Sustainability Plan of All Operators~~
- Conduct a CNG Feasibility Study for SolTrans and Benicia and assist with Dixon's Study
- ~~Complete a Countywide Mobility Management Plan~~
- Provide ~~and update survey and~~ input into Comprehensive Transportation Plan update including other studies
- Participate in the implementation of MTC's Transit Rideshare Element of Transit Connectivity Study, specifically the Transit Element
- ~~Monitor and coordinate with the new transit entity, SolTrans~~
- Implement coordination strategies following completion of Transit Sustainability and Transit Corridor Studies
- Monitor MTC's Regional Transit Sustainability Project
- Provide input into other county and regional transit planning efforts
- Update countywide transit capital inventory
- Implement and monitor Seniors and People with Disabilities Priorities

~~The highlighted sections are new items added to the list~~

- ✓ Intercity Taxi Script Phase II
- ✓ Mobility Management Plan
- ✓ Countywide In person ADA Eligibility
- ✓ Travel Training/Ambassador Program
- ✓ Older Driver Safety Program information system
- ✓ Coordination with Dialysis Centers
- ✓ One Stop Transportation Call Center and Website

- Coordinate in the Development of STA's Consolidated Transportation Services Agency
- Coordinate with Solano Community College in the development and establishment of a new student fee for transit.

Funding

- ~~Finalize the FY 2012 2013 Intercity Transit Funding Agreement~~
- Monitor the implementation of the Intercity Transit Funding Agreement
- Maximize Regional Measure (RM) 2, Prop 1B, 5310, 5311, Lifeline and other funding opportunities and work with STA to set priorities for capital and operating
- Implement and monitor Lifeline Funding Program
- Monitor and provide input into legislation to ensure adequate levels of transit funding
- Monitor and provide input into regional policy development to ensure adequate levels of transit funding.
- Update TDA matrix
- Work with Solano County to identify priorities for future County TDA funds to be dedicated to transit.
- Develop and Update the funding strategy plan for SolanoExpress Bus Replacements as needed
- Prioritize Review status of projects for the transit component for the Regional Transportation Impact Fee (RTIF)
- Develop Funding List to assist in funding transit priorities projects
 - ✓ Federal Section 5311
 - ✓ Lifeline Funding
 - ✓ STAF (Population Based)
 - ✓ STAF Regional
 - ✓ Prop 1B (Population Based)
 - ✓ TDA Solano County

Marketing of Transit Services and Programs

- Participate in the updating of SolanoExpress marketing.
- Plan, prioritize, and implement marketing support for intercity transit services including display of intercity route schedule information at key bus stops.
- Coordinate and participate in countywide and regional transit marketing activities.
- Update, print, and distribute SolanoExpress brochure, wall maps, website and other materials.

~~The highlighted sections are new items added to the list~~

2014 SolanoExpress Intercity Transit Consortium
Work Plan

(April 2014)

Transit Service:

- Evaluation of intercity transit services performance; prioritize, and implement intercity transit service changes.
- Monitor SolanoExpress intercity transit services
- Monitor facilities development that support SolanoExpress intercity transit services
- Discuss local transit issues and be mindful of harmonizing local and intercity transit needs
- Implement Lifeline project priorities.
- Identify and facilitate joint agency transit projects
- Monitor implementation of new intercity ADA paratransit services Phase I and identify funding opportunities for Phase II
- Implement Early Delivery of Clipper

Transit Planning and Coordination

- Update I-80/I-680/I-780/Hwy 12 Transit Corridor Study
- Conduct a Intercity Ridership Survey as per the Intercity Funding Agreement
- Conduct a Countywide Coordinated SRTP
- Transit Coordination
 - ✓ Different Fare Structure and Discounts/Standard Fare Structure/Fare Reconciliation;
 - ✓ Separate ADA Contractors, Eligibility and Rules/Joint Contracting/Eligibility Determination of ADA Paratransit;
 - ✓ Enhanced Transit Coordination of Capital Planning
 - ✓ Enhanced Coordination of Transit Service Planning; and
 - ✓ An analysis of transit connectivity to the Colleges in Solano County. The Colleges would include Touro University, Maritime Academy, and the three Solano Community Colleges in Solano County (Fairfield, Vacaville, and Vallejo).
 - ✓ Integrate bus/rail scheduling software to facilitate schedule coordination and customer travel planning. Establish a regional schedule change calendar.
- Complete a Solano Transit Sustainability Plan of All Operators
- Conduct a CNG Feasibility Study for SolTrans and Benicia and assist with Dixon's Study
- Complete a Countywide Mobility Management Plan
- Provide and update survey and input into Comprehensive Transportation Plan update including other studies
- Participate in the implementation of MTC's Transit Connectivity Study, specifically the Transit Element
- Monitor and coordinate with the new transit entity, SolTrans
- Implement coordination strategies following completion of Transit Sustainability and Transit Corridor Studies
- Monitor MTC's Regional Transit Sustainability Project
- Provide input into other county and regional transit planning efforts
- Update countywide transit capital inventory
- Implement and monitor Seniors and People with Disabilities Priorities
 - ✓ Intercity Taxi Script Phase II
 - ✓ Mobility Management Plan

- ✓ Countywide ADA Eligibility
- ✓ Travel Training/Ambassador Program
- ✓ Older Driver Safety Program information system
- ✓ Coordination with Dialysis Centers
- ✓ One Stop Transportation Call Center and Website

Funding

- Finalize the FY 2012-2013 Intercity Transit Funding Agreement
- Monitor the implementation of the Intercity Transit Funding Agreement
- Maximize Regional Measure (RM) 2, Prop 1B, 5310, 5311, Lifeline and other funding opportunities and work with STA to set priorities for capital and operating
- Implement and monitor Lifeline Funding Program
- Monitor and provide input into legislation to ensure adequate levels of transit funding
- Monitor and provide input into regional policy development to ensure adequate levels of transit funding.
- Update TDA matrix
- Work with Solano County to identify priorities for future County TDA funds to be dedicated to transit.
- Develop a Update the funding strategy plan for SolanoExpress Bus Replacements as needed
- Prioritize projects for the transit component for the Regional Transportation Impact Fee (RTIF)
- Develop Funding List to assist in funding transit priorities projects
 - ✓ Federal Section 5311
 - ✓ Lifeline Funding
 - ✓ STAF (Population Based)
 - ✓ STAF Regional
 - ✓ Prop 1B (Population Based)
 - ✓ TDA Solano County

Marketing of Transit Services and Programs

- Participate in the updating of SolanoExpress marketing.
- Plan, prioritize, and implement marketing support for intercity transit services including display of intercity route schedule information at key bus stops.
- Coordinate and participate in countywide and regional transit marketing activities.
- Update, print, and distribute SolanoExpress brochure, wall maps, website and other materials.



DATE: February 17, 2015
 TO: SolanoExpress Intercity Transit Consortium
 FROM: Judy Leaks, SNCI Program Manager
 RE: SNCI Monthly Issues/Transportation Info Depot Update

Background:

STA’s Solano Napa Commuter Information (SNCI) program staff routinely provides an update to the Consortium on several key issues: Transportation Info Depot, Napa and Solano transit schedule distribution, marketing, promotions and events. Other items are included as they become relevant.

Discussion:

Transportation Info Depot/Mobility Call Center:

Staff provides a variety of services at the Transportation Info Depot at the Suisun City Amtrak Station as well as at the Solano Mobility Call Center.

Info Depot Tracking:	14-Nov	14-Dec	15-Jan	Total
Amtrak	199	310	204	713
Greyhound	67	138	68	273
General Transit Questions	19	21	16	56
Trip Planning	8	30	17	55
RTC Questions	1	1	0	2
RTC Applications	1	0	1	2
Clipper Questions	5	4	6	15
Clipper Sales	5	5	4	14
Senior Clipper Sales	3	0	2	5

Mobility Call Center Tracking:	14-Nov	14-Dec	15-Jan	Total
General Transit Questions		1	3	4
Senior Trip Planning		4	2	6
RTC Questions		9	10	19
RTC Applications	5	11	8	24
Clipper Questions			3	3
Senior Clipper Questions		0	2	2
ADA Paratransit Eligibility		7	11	18

Senior Coalition Mini-Medical School – Aging with Vitality:

The Solano Senior Coalition and Solano County are hosting a ‘Mini-Medical School,’ a series of programs every Saturday in March at the Kroc Center in Suisun City. The programs will focus on senior health issues and are open to seniors throughout Solano County. Transit agencies throughout the county are providing special services to transport seniors to the Kroc site. The Mobility Call Center telephone number (800-535-6883) will be publicized as a way to get information about the specific services. Staff is being trained on each transit agencies’ service.

Recommendation:

Informational.



DATE: February 17, 2015
 TO: Solano Express Intercity Transit Consortium
 FROM: Drew Hart, Associate Planner
 RE: Summary of Funding Opportunities

Discussion:

Below is a list of funding opportunities that will be available to STA member agencies during the next few months, broken up by Federal, State, and Local. Attachment A provides further details for each program.

	FUND SOURCE	AMOUNT AVAILABLE	APPLICATION DEADLINE
Regional¹			
1.	Carl Moyer Memorial Air Quality Standards Attainment Program (for San Francisco Bay Area)	Approximately \$15 million	Due On First-Come, First Served Basis
2.	Carl Moyer Off-Road Equipment Replacement Program (for Sacramento Metropolitan Area)	Approximately \$10 million	Due On First-Come, First-Served Basis
3.	Air Resources Board (ARB) Clean Vehicle Rebate Project (CVRP)	Up to \$2,500 rebate per light-duty vehicle	Due On First-Come, First-Served Basis (Waitlist)
4.	Bay Area Air Quality Management District (BAAQMD) Hybrid Electric Vehicle Purchase Vouchers (HVIP) (for fleets)	Approximately \$10,000 to \$45,000 per qualified request	Due On First-Come, First-Served Basis
5.	TDA Article 3	\$67,000	No Deadline
6.	Lifeline Transportation Program Cycle 4*	\$3,710,402	Prop 1B: Jan 15, 2015 See details for other dates
State			
1.	Highway Safety Improvement Program (HSIP): High Risk Rural Roads	~\$100-150 million federally	Announcement Anticipated Spring 2015
2.	Active Transportation Program	\$360 million	May 29, 2015
Federal			

*New funding opportunity

Fiscal Impact:

None.

Recommendation:

Informational.

Attachment:

- A. Detailed Funding Opportunities Summary

¹ Local includes programs administered by the Solano Transportation Authority and regionally in the San Francisco Bay Area and greater Sacramento.

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The following funding opportunities will be available to the STA member agencies during the next few months. Please distribute this information to the appropriate departments in your jurisdiction.

Fund Source	Application Contact**	Application Deadline/Eligibility	Amount Available	Program Description	Proposed Submittal	Additional Information
Regional Grants¹						
Carl Moyer Memorial Air Quality Standards Attainment Program (for San Francisco Bay Area)	Anthony Fournier Bay Area Air Quality Management District (415) 749-4961 afournier@baaqmd.gov	Ongoing. Application Due On First-Come, First Served Basis Eligible Project Sponsors: private non-profit organizations, state or local governmental authorities, and operators of public transportation services	Approx. \$15 million	Carl Moyer Memorial Air Quality Standards Attainment Program provides incentive grants for cleaner-than-required engines, equipment, and other sources of pollution providing early or extra emission reductions.	N/A	Eligible Projects: cleaner on-road, off-road, marine, locomotive and stationary agricultural pump engines http://www.baaqmd.gov/Divisions/Strategic-Incentives/Funding-Sources/Carl-Moyer-Program.aspx
Carl Moyer Off-Road Equipment Replacement Program (for Sacramento Metropolitan Area)	Gary A. Bailey Sacramento Metropolitan Air Quality Management District (916) 874-4893 gbailey@airquality.org	Ongoing. Application Due On First-Come, First-Served Basis Eligible Project Sponsors: private non-profit organizations, state or local governmental authorities, and operators of public transportation services	Approx. \$10 million , maximum per project is \$4.5 million	The Off-Road Equipment Replacement Program (ERP), an extension of the Carl Moyer Program, provides grant funds to replace Tier 0, high-polluting off-road equipment with the cleanest available emission level equipment.	N/A	Eligible Projects: install particulate traps, replace older heavy-duty engines with newer and cleaner engines and add a particulate trap, purchase new vehicles or equipment, replace heavy-duty equipment with electric equipment, install electric idling-reduction equipment http://www.airquality.org/mobile/moyererp/index.shtml
Air Resources Board (ARB) Clean Vehicle Rebate Project (CVRP)*	Graciela Garcia ARB (916) 323-2781 ggarcia@arb.ca.gov	Application Due On First-Come, First-Served Basis (Currently applicants are put on waitlist)	Up to \$5,000 rebate per light-duty vehicle	The Zero-Emission and Plug-In Hybrid Light-Duty Vehicle (Clean Vehicle) Rebate Project is intended to encourage and accelerate zero-emission vehicle deployment and technology innovation. Rebates for clean vehicles are now available through the Clean Vehicle Rebate Project (CVRP) funded by the Air Resources Board (ARB) and implemented statewide by the California Center for Sustainable Energy (CCSE).	N/A	Eligible Projects: Purchase or lease of zero-emission and plug-in hybrid light-duty vehicles http://www.arb.ca.gov/mspr/og/aqip/cvrp.htm
Lifeline Transportation Program Cycle 4	Liz Niedziela Transportation Program Manager (707)399-3217 eniedziela@sta-snci.com	Prop1B - January 15, 2015 STAF – March 3, 2015 JARC March 3, 2015	\$3,710,402	The program is intended to improve mobility for residents of low-income communities and, more specifically, to fund solutions identified through the Community Based Transportation Plans. The Lifeline Transportation Program aims to fund projects that result in improved mobility for low-income residents of Solano County.	N/A	

¹ Regional includes opportunities and programs administered by the Solano Transportation Authority and/or regionally in the San Francisco Bay Area and greater Sacramento

Fund Source	Application Contact**	Application Deadline/Eligibility	Amount Available	Program Description	Proposed Submittal	Additional Information
Regional Grants						
Bay Area Air Quality Management District (BAAQMD) Hybrid Electric Vehicle Purchase Vouchers (HVIP)*	To learn more about how to request a voucher, contact: 888-457-HVIP info@californiahvip.org	Application Due On First-Come, First-Served Basis	Approx. \$10,000 to \$45,000 per qualified request	The California Air Resources Board (ARB) created the HVIP to speed the market introduction of low-emitting hybrid trucks and buses. It does this by reducing the cost of these vehicles for truck and bus fleets that purchase and operate the vehicles in the State of California. The HVIP voucher is intended to reduce about half the incremental costs of purchasing hybrid heavy-duty trucks and buses.	N/A	Eligible Projects: Purchase of low-emission hybrid trucks and buses http://www.californiahvip.org/
TDA Article 3	Cheryl Chi Metropolitan Planning Commission (510) 817-5939 cchi@mtc.ca.gov	No deadline	Approx. \$67,000	The Metropolitan Transportation Commission (MTC) administers TDA Article funding for each of the nine Bay Area counties with assistance from each of the county Congestion Management Agencies (e.g. STA). The STA works with the Pedestrian Advisory Committee (PAC), Bicycle Advisory Committee (BAC) and staff from the seven cities and the County to prioritize projects for potential TDA Article 3 funding.	N/A	

*New Funding Opportunity

**STA staff, Drew Hart, can be contacted directly at (707) 399-3214 or ahart@sta-snci.com for assistance with finding more information about any of the funding opportunities listed in this report

Fund Source	Application Contact**	Application Deadline/Eligibility	Amount Available	Program Description	Proposed Submittal	Additional Information
State Grants						
Highway Safety Improvement Program (HSIP): High Risk Rural Roads*	Sylvia Fung California Department of Transportation (Caltrans) (510) 286-5226 sylvia.fung@dot.ca.gov	Announcement Anticipated Spring of 2015	Approx. \$100-150 M nationally	The purpose of this program is to achieve a significant reduction in traffic fatalities and serious injuries on all public roads, including non-State-owned public roads and roads on tribal land. http://www.dot.ca.gov/hq/LocalPrograms/hsip.htm	N/A	Eligible Projects: HSIP funds are eligible for work on any public road or publicly owned bicycle/pedestrian pathway or trail, or on tribal lands for general use of tribal members, that corrects or improves the safety for its users.
Active Transportation Program (ATP)	Laurie Waters California Transportation Commission (CTC) (916) 651-6145 Laurie.Waters@dot.ca.gov v	May 29, 2015	\$260 M which includes: \$183M Statewide and \$30M Regional	The Active Transportation Program (ATP) was created to encourage increased use of active modes of transportation, such as biking and walking.	Currently being discussed between agencies	Call for projects will be on March 26, 2015. This is a 4-year funding cycle and can include environmental, engineering, and construction.