
SENATE COMMITTEE ON TRANSPORTATION
Senator Lena Gonzalez, Chair
2021 - 2022 Regular

Bill No:	AB 117	Hearing Date:	6/24/2021
Author:	Boerner Horvath		
Version:	5/24/2021		
Urgency:	No	Fiscal:	Yes
Consultant:	Randy Chinn		

SUBJECT: Air Quality Improvement Program: electric bicycles

DIGEST: This bill adds incentives for purchasing e-bikes as a project eligible for funding under the Air Quality Improvement Program.

ANALYSIS:

Existing law:

- 1) establishes the Air Quality Improvement Program (AQIP), administered by the California Air Resources Board (CARB), with the primary purpose of funding, upon appropriation by the Legislature, air quality improvement projects relating to fuel and vehicle technologies that reduce criteria air pollutants, improve air quality. AQIP also funds research to determine and improve the air quality impacts of alternative transportation fuels and vehicles, vessels, and equipment technologies.
- 2) This bill adds incentives for purchasing e-bikes as a project eligible for funding under the AQIP.

COMMENTS:

- 1) *What's an E-bike?* E-bikes, or electric bicycles, are a relatively new form of transportation which marries traditional bicycles with electric motors. While China, Japan and northern Europe are the leading e-bike nations, e-bike sales in the United States grew 145% from 2019 to 2020. The electric assist extends the range, speed and usefulness of the vehicle though at a substantial price increase. The minimum price for an e-bike is about \$600 though more typically \$1000 and easily over \$2000. California law limits the electric assist of an e-bike to a speed of 28 mph. Jump bikes are a form of e-bike.



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- 2) *How are E-bikes Used?* E-bikes have been hailed as a new form of active transportation that will substitute for single occupancy vehicle trips. Studies have looked into this and found that only partially true, but the data is patchy and mostly related to European users. A relatively recent study from the Netherlands reports that e-bike trips only significantly reduce conventional bicycle trips, though there was some substitution of e-bike trips for car trips.¹ An earlier analysis, also from the Netherlands, found that e-bike ownership strongly reduces the use of conventional bicycles but also, to a lesser extent, car and public transport use. It also found that at the level of vehicle ownership e-bikes substitute for conventional bicycles but not cars.²
- 3) *Air Quality Improvement Program (AQIP)* -- AQIP is a mobile source incentive program that focuses on reducing criteria pollutant and diesel particulate emissions with concurrent GHG reductions. AQIP has provided funding for the Clean Vehicle Rebate Project (CVRP), Clean Truck and Bus Vouchers (HVIP), and advanced technology demonstrations since 2009, and the allocation has ranged between \$25-\$30 million per year over the last few years. CARB is required to provide preference to projects with higher benefit-cost scores when considering projects for AQIP funding. Since 2014-15, the majority of AQIP funds have been directed to the Truck Loan Assistance Program, which helps small business truckers to secure financing for newer trucks to meet compliance deadlines for CARB's in-use Truck and Bus regulation. For FY 2020-21, the Legislature appropriated \$28.64 million to CARB for AQIP, a small fraction of California's air quality and GHG reduction expenditures.
- 4) *Authorize, not Require* – The bill authorizes e-bike incentives as eligible for AQIP funding. It does not require that e-bike incentives receive funding. CARB decides whether to authorize the incentive based on a cost-benefit analysis. In other words, e-bike incentives must compete for funding. The author is requesting funding for this program in the current budget negotiations.

¹ "E-bike user groups and substitution effects: evidence from longitudinal travel data in the Netherlands" by de Haas; May 10, 2021.

² "To what extent do e-bikes substitute travel by other modes? Evidence from the Netherlands" by Kroesen. Transportation Research Part D: Transport and Environment; June 2017, Pages 377-387.

- 5) *On a Roll*. E-bikes are on a roll. In 2019 SB 400 (Umberg-- Chapter 271, Statutes of 2019) included e-bikes as eligible for the Clean Cars 4 All “mobility option” vouchers.
- 6) *More to Come*. The author intends that the e-bike option be available only to those below a specified income level and hopes to amend the bill accordingly. This is in keeping with the widespread interest in having an equity perspective in our environmental programs. But instituting an income test raises substantial administrative hurdles which may render the program less effective. For example, the Clean Vehicle Rebate Program is income capped. That means that applicants must have their income verified before they receive the rebate so the applicant must pay the full cost for the vehicle up front. This process is bureaucratic out of necessity, but it leads to delays of 60 to 120 days in receiving the rebate, diminishing its ability to induce incremental sales. Far more effective would be having the rebate available at the time and point of purchase thereby reducing the out of pocket costs for participants. The Clean Cars for All program accomplishes this by requiring applicants to apply for approval in advance of seeking a vehicle.

RELATED LEGISLATION:

AB 2667 (Boerner Horvath, 2020) — Stated the intent of the Legislature to enact future legislation to develop an incentive program within the Clean Vehicle Rebate Project for the purchase of e-bikes for the purpose of providing climate change benefits by reducing vehicle miles traveled. *This bill was held at the Assembly Desk.*

SB 400 (Umberg, Chapter 271, Statutes, 2019) — Expands the eligible modes of transportation for which the Clean Cars 4 All “mobility option” vouchers may be used to include bike sharing and e-bikes.

AB 630 (Cooper, Chapter 636, Statutes, 2017) — Establishes the Clean Cars 4 All program, providing drivers of high polluting vehicles financial incentives and support to switch to lower-emission vehicles or other modes of transportation.

AB 615 (Cooper, Chapter 631, Statutes, 2017) — Extended, until 2019, income caps for CVRP of \$150,000 for single filers, \$204,000 for head-of-household filers, and \$300,000 for joint filers.

SB 859 (Committee on Budget, Chapter 368, Statutes, 2016) — Established, until 2018, income caps for CVRP of \$150,000 for single filers, \$204,000 for head-of-household filers, and \$300,000 for joint filers.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

Unknown

POSITIONS: (Communicated to the committee before noon on Friday, June 18, 2021.)

SUPPORT:

Active San Gabriel Valley
Asian Pacific Islander Forward Movement
Better World Group; the
Bicycle Kitchen/la Bici-cocina
Bike Bakersfield
Bike East Bay
Bike Santa Cruz County Education Fund
Bike Slo County
Bikerowave Co-op, Los Angeles
Bikesd
Bikeventura
Breathe California
CA Coalition for Clean Air
Calbike
California Bicycle Coalition (sponsor)
California Electric Transportation Coalition
California Interfaith Power & Light
Calstart INC.
City and County Association of Governments of San Mateo County
City of Alameda
City of Los Angeles
City/county Association of Governments of San Mateo County
Climate Resolve
Day One
East Bay for Everyone
East Side Riders Bike Club
Elders Climate Action, Norcal and SoCal Chapters
Glendale Environmental Coalition
Inland Empire Biking Alliance
Institute for Transportation & Development Policy
League of American Bicyclists

Local Government Commission
Los Angeles County Bicycle Coalition
Los Feliz Neighborhood Council
Marin County Bicycle Coalition
Move LA
Napa County Bicycle Coalition (napa Bike)
Natural Resources Defense Council (NRDC)
Northern California Power Agency
Oakland; City of
Pasadena Complete Streets Coalition
People for Mobility Justice
Rails-to-trails Conservancy
Sacramento Area Bicycle Advocates
Safe Routes Partnership
San Diego County Bicycle Coalition
San Francisco Bicycle Coalition
San Jose Bike Clinic
Shasta Living Streets
Silicon Valley Bicycle Coalition
Sonoma County Bicycle Coalition
Streets are For Everyone (SAFE)
Streets for All
Walk Bike Berkeley
Walk Bike Glendale

OPPOSITION:

None received

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SENATE COMMITTEE ON TRANSPORTATION
Senator Lena Gonzalez, Chair
2021 - 2022 Regular

Bill No: AB 744 **Hearing Date:** 6/24/2021
Author: Rodriguez
Version: 4/5/2021
Urgency: No **Fiscal:** Yes
Consultant: Randy Chinn

SUBJECT: State highways: State Route 83: reduction

DIGEST: Authorizes the California Transportation Commission (CTC) to relinquish to the City of Ontario all or a portion of State Route 83 within the city's jurisdiction.

ANALYSIS:

Existing law:

- 1) Defines a "state highway" as any roadway that is acquired, laid out, constructed, improved, or maintained as a state highway pursuant to constitutional or legislative authorization.
- 2) Statutorily identifies state highway system routes.
- 3) Specifies that it is the intent of the Legislature that the prescribed routes of the state highway system connect communities and regions of the state and that they serve the state's economy by connecting centers of commerce, industry, agriculture, mineral wealth, and recreation.
- 4) Allows the relinquishment of portions of state highways to local government control.
- 5) Relinquishes former portions of SR 83 from Route 71 to Route 10 near the City of Upland.

This bill:

Authorizes the California Transportation Commission to relinquish to the City of Ontario all or a portion of Route 83 within its jurisdiction.

COMMENTS:

- 1) *Author's Statement.* The City of Ontario has undergone significant changes as it emerges to be a regional transit hub and sustainable live-work city. The State should support the City as it continues its expansive redevelopment and new investment in building a strong central city core. State Route 83 is a vital artery to the region and home to many businesses. Working with Caltrans, the City of Ontario will be a partner in helping our community keep moving forward while important changes happen up and Down Euclid Avenue.
- 2) *Relinquishments.* Each session, the Legislature passes and the governor signs numerous bills authorizing CTC to relinquish segments of the state highway system to local jurisdictions. Relinquishment transactions are generally preceded by a negotiation of terms and conditions between the local jurisdiction and Caltrans. Once an agreement has been established, CTC typically approves the relinquishment and verifies its approval via a resolution.
- 3) *Background.* This part of State Route 83 passes through a commercial area with a large center median. The city wants to install storm drains, invest in median beautification, improve sidewalks, create active transportation paths, and create more transit-oriented development.
- 4) *No Objection.* The Committee has contacted Caltrans and they've raised no objections.

RELATED LEGISLATION:

AB 2172 (Petrie-Norris, Chapter 126, Statutes, 2020) — Allows the CTC to relinquish a portion of SR 133 to the City of Laguna Beach.

SB 921 (Dahle, Chapter 82, Statutes, 2020) — Allows the CTC to relinquish a portion of SR 174 to the City of Grass Valley.

SB 1459 (Caballero, Chapter 83, Statutes, 2020) — Allows the CTC to relinquish a portion of SR 183 to the City of Salinas.

AB 1456 (Kiley, Chapter 629, Statutes, 2019) — Authorizes the CTC to relinquish a portion of SR 193 to the City of Lincoln within its city limits.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

From the Assembly Appropriations Committee -- Potential one-time costs to Caltrans, ranging from minor to up to several million dollars, prior to the relinquishment of the designated segments of SR 83 to the City of Ontario (State Highway Account). These costs would be offset in future years by avoided maintenance on the relinquished segment

POSITIONS: (Communicated to the committee before noon on Friday, June 18, 2021.)

SUPPORT:

City of Ontario
San Bernardino; County of

OPPOSITION:

None Received

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SENATE COMMITTEE ON TRANSPORTATION
Senator Lena Gonzalez, Chair
2021 - 2022 Regular

Bill No: AB 955 **Hearing Date:** 6/24/2021
Author: Quirk
Version: 5/24/2021
Urgency: No **Fiscal:** Yes
Consultant: Randy Chinn

SUBJECT: Highways: encroachment permits: broadband facilities

DIGEST: This bill establishes additional procedures for the Department of Transportation (Caltrans) in its review of an application for an encroachment permit for a broadband facility.

ANALYSIS:

Existing law:

- 1) Requires Caltrans to approve or deny an application for an encroachment permit within 60 days of receiving a completed application, as determined by the department and establishes an appeals process for denied applications. (Streets & Highways Code § 671.5)
 - a) An application for encroachment permit is complete when all other statutory requirements, including CEQA, have been complied.
 - b) Caltrans' failure to notify the applicant within 60-days that the permit is deemed complete will constitute approval of the permit
 - c) If Caltrans denies an application for an encroachment permit, at the time of denial it shall furnish the applicant with a detailed explanation of the reason for the denial.
 - d) Sets up an appeals process for denied applications.
- 2) Defines encroachment as any tower, pole, pole line, pipe, pipe line, fence, billboard, stand or building, or any structure, object of any kind or character not particularly mentioned in this section, or special event, which is in, under, or over any portion of the highway. (Streets & Highways Code § 660 (b))
- 3) Requires Caltrans, under certain conditions, to notify companies or organizations, as defined, of anticipated construction projects for the purpose of

encouraging collaborative broadband installations and for those entities to collaborate for the installation of broadband conduit as part of a project. (Government Code § 14051)

- 4) Requires Caltrans, by January 1, 2018, to develop guidelines to facilitate the installation of broadband conduit on state highway rights of way. (Government Code § 14051)

This bill:

- 1) Requires Caltrans to provide public notice in writing of all utility encroachment permit criteria.
- 2) Restricts Caltrans from imposing new or different permit application criteria after an application has been submitted.
- 3) Requires Caltrans to notify the applicant within 30 days after application submission if the application is deemed complete.
- 4) Requires Caltrans, if it deems an application incomplete, to (a) provide a written notice to the applicant explaining why the application is incomplete and describing the information necessary to complete the application; (b) meet with the applicant within 14 days to discuss any outstanding supplemental information necessary to complete the application, if such a meeting is requested by the applicant; (c) provide the applicant with at least 30 days to resubmit its application with the supplemental information that Caltrans identified in the notice; and (d) approve or deny the permit application within 30 days of receiving supplemental information.
- 5) Provides that permits will be deemed approved if Caltrans fails to notify an applicant of its status within the 30-day period, regardless of whether Caltrans considers the application complete or incomplete.
- 6) Requires Caltrans to offer to act as the lead agency for purposes of ensuring compliance with the California Environmental Quality Act (CEQA).

COMMENTS:

- 1) *Author's Statement.* There has never been more pressure to address the Digital Divide than during the COVID-19 pandemic. As part of a comprehensive broadband solution to get more Californians internet access, AB 955 makes significant but reasonable improvements to the current Caltrans 60-day encroachment permit process that help expedite broadband deployment. This

bill simply requires Caltrans to notify encroachment permit applicants of all application requirements, sets a 30-day milestone for Caltrans to verify whether that application is complete, and clarifies that Caltrans will act as the lead agency for the CEQA process in the event that no other local agency takes that role.

- 2) *Divided Digitally*. The lack of access to high speed digital telecommunications services by some individuals and geographic areas is known as the “digital divide”. California has been trying to bridge this digital divide since the 1990s. One of the many unfortunate byproducts of the COVID epidemic is that it exposed how widespread the digital divide remains and how much of a disadvantage it creates for those without good digital access.
- 3) Freeways and highways physically connect our cities and towns, making them potentially convenient avenues for placing digital infrastructure such as fiber optic cable and cell towers. Over the years there have been several efforts to make Caltrans an enthusiastic partner in this endeavor. The lack of success of some of those efforts are behind this bill.
- 4) *Micromanaging?* Placing any structure or performing any construction within the highway right of way is obviously fraught with safety and operational considerations. Closing off a part of a freeway for construction is both hazardous and inconvenient for drivers. Under current law Caltrans is already required to respond to a request to place equipment in its right of way within 60 days. But according to the author, there are loopholes in the law which in effect allow Caltrans to take much longer. In an effort to get Caltrans to make decisions more quickly, and thereby speed construction of the telecommunications network, this bill provides specific timeframes and specific actions that Caltrans must take.
- 5) Some may contend that such specific directives amount to micromanaging Caltrans’ process. But the author believes such specificity is warranted based on specific instances of Caltrans inaction. The Committee reached out to Caltrans but they were unable to provide any specific response. Note that there is precedent for this level of Legislative involvement. In the 1990’s frustration with the slow and inconsistent processes of the California Public Utilities Commission caused Legislators to revamp that process and impose strict timeframes.

- 6) *Not Bad.* Caltrans has established a goal of approving or denying encroachment permits within 30 days 95% of the time. In the first half of 2020 they reached 89%.
- 7) *Opposition.* Opponents are concerned that the bill will facilitate the deployment of wireless communications services, which they view as dangerous.

RELATED LEGISLATION:

AB 14 (Aguiar-Curry, 2021) — Requires state strategies and engagement regarding broadband deployment for schools of local governments, among other provisions. *This bill is currently pending referral in the Senate.*

SB 743 (Bradford, 2021) — Requires the Department of Housing and Community Development (HCD) to establish a grant program to fund broadband adoption, digital literacy, and computer equipment for low and very low income communities. *This bill is currently pending in the Assembly Communications and Conveyance Committee.*

AB 1560 (Daly, 2021) — Requires the Superintendent of Public Instruction to survey the impact of distance learning on pupils and the Department of Technology to work with local schools on broadband deployment. *This bill is currently pending referral in the Senate.*

SB 4 (Gonzalez, 2021) — Authorizes the California Public Utilities Commission (CPUC) to leverage monies from the California Advanced Services Fund (CASF) with other federal and state sources for broadband deployment. *This bill is currently pending in the Assembly Communications and Conveyance Committee.*

AB 1557 (Santiago, 2021) — Establishes a streamlined notification system between public utilities and cable corporations with regards to pole attachments. *This bill is currently pending in Assembly Communications and Conveyance.*

AB 1549 (Wood Chapter 505, Statutes, 2016) — Requires that Caltrans, during the planning phase of specified Caltrans-led highway construction projects, notify broadband deployment companies and organizations on its Internet Web site of transportation projects that involve construction methods suitable for the installation of broadband.

SB 1563 (Padilla Chapter 674, Statutes, 2002) — Requires the State Public Utilities Commission to conduct a proceeding to identify reasons why advanced

communications technologies are not commonly available and to develop strategies for more widespread deployment of such technologies.

AB 617 (Richter Chapter 796, Statutes, 1993) — Establishes a procedure for appeals relative to denial of encroachment permits and conditions for subdivision by the Department of Transportation. It provides for an appeal to the director in writing and a final written determination by the director within 60 calendar days.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

From the Assembly Appropriations Committee: Annual cost to Caltrans of an unknown amount, but potentially in the millions of dollars, for augmented staffing to allow Caltrans to serve as the lead CEQA agency on a greater number of broadband projects (special fund). Actual costs will depend on the effectiveness of this bill in facilitating a greater number of broadband deployment projects. Eventually, Caltrans will be able to recover these costs from fees on broadband utility providers.

POSITIONS: (Communicated to the committee before noon on Friday, June 18, 2021.)

SUPPORT:

Calcom Association
California Cable & Telecommunications Association

OPPOSITION:

Physicians for Safe Technology
Santa Barbara Green Sisters
Towards an Internet of Living Beings

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SENATE COMMITTEE ON TRANSPORTATION
Senator Lena Gonzalez, Chair
2021 - 2022 Regular

Bill No:	AB 984	Hearing Date:	06/24/2021
Author:	Luz Rivas		
Version:	4/27/2021		
Urgency:	No	Fiscal:	Yes
Consultant:	Randy Chinn		

SUBJECT: Vehicle identification and registration: alternative devices

DIGEST: This bill requires the Department of Motor Vehicles (DMV) to establish a program authorizing an entity to issue devices as alternatives to the conventional license plates, stickers, tabs and registration cards, subject to approval of the California Highway Patrol (CHP).

ANALYSIS:

Existing law:

- 1) Requires DMV to issue two reflectorized license plates for vehicles and specifies that:
 - a) Each plate must display the word "California," the vehicle's registration number, and the year for which the vehicle's registration is valid; and,
 - b) For license plates other than motorcycles, the license must be rectangular in shape, 12 inches in length, and six inches in width.
- 2) Prohibits DMV from contracting with any non-governmental entity for purposes of manufacturing license plates.
- 3) Authorizes DMV to issue one or more stickers, tabs, or other suitable devices in lieu of a license plate as specified.
- 4) Authorizes DMV to conduct a pilot program to evaluate alternatives to vehicle license plates, registration stickers, and registration cards until no later than January 1, 2020, and requires DMV to report on the results of the pilot program to the Legislature no later than July 1, 2020.
- 5) Requires the CHP to approve any DMV-selected alternative to license plates or registration stickers and cards.

This bill:

- 1) Requires the DMV to establish a program to authorize the use of alternatives to conventional license plates, stickers and registration cards with the following requirements:
 - a) The alternative device is subject to approval by the DMV and the CHP.
 - b) The alternative device shall be available in a form that does not include vehicle location technology, and it may be available in a form that includes vehicle location at a higher price. If the vehicle location technology is active there shall be a visible indication.
 - c) Data exchanged between the DMV and the device is limited to only necessary data, and the DMV shall not receive any location information.
 - d) Use of the alternative device is optional and offered on an opt-in basis.
- 2) An alternative device intended to substitute for a license plate shall be visible in the same way that conventional license plates are visible, as specified.
- 3) For devices intended to substitute for a license plate:
 - a) Authorizes the DMV to approve alternative banner messages in lieu of the DMV website.
 - b) Authorizes the DMV to allow the display of environmental or specialized license plates.
 - c) Authorizes the DMV to establish additional requirements.
 - d) Prohibits the DMV from authorizing advertising.
- 4) If the alternative device malfunctions it shall not be the basis for any government action relating to the user or subject the user to any criminal or civil fines, fees or punishments.

COMMENTS:

- 1) *Author's Statement.* AB 984 will give the Department of Motor Vehicles the authority to move forward with new vehicle registration technologies. After testing several products during the pilot program, the Department issued the required report in August 2019 to the Legislature which recommended the DMV be able to move forward with the various products and devices. Some of

these products will serve to reduce internal DMV workloads and allow vehicle registration renewal to become a completely remote transaction.

- 2) *Successful New Product Pilot.* In 2013 legislation was signed authorizing DMV to establish a pilot program to evaluate the use of alternatives to license plates, registration stickers, and registration cards. DMV has developed specifications and completed procurements for each of the three authorized alternatives. The procurement process ran longer than was anticipated and field testing for some of the technologies by the contracted vendors did not begin until as late as November 2015. As noted by the author, in its evaluation of the pilot program the DMV reported that “In general, there were no significant law enforcement, DMV, or customer concerns with any of the three pilot products. DMV recommends all three products be fully authorized in statute for permanent use.”¹
- 3) *Going Digital.* Two of the three new productions are digital, a digital license plate and a digital vehicle registration. (The third new product is a lower-tech adhesive license plate that wraps around the bumper.) The digital nature of these two new products allows for over-the-air updating and renewal. But this raises additional concerns about cybersecurity and hacking: The DMV pilot program report notes that the digital license plate is protected by encryption and is password protected. A feature of the digital license plate is that the lower area of the plate which lists the DMV’s website on standard plates can have alternative messaging, such as a greeting (e.g. Have a Nice Day). One can imagine the opportunity for creativity and mischief, though this is mitigated by the requirement that the digital plate can only display information and images approved by the DMV.
- 4) *Why Go Digital?* A digital license plate will cost more than a traditional plate, \$499 for a non-GPS enabled model. That it’s digital may be reason enough for some individuals to switch. A digital plate will also make vehicle registration renewal easier as it can be done completely electronically without requiring the annual application of stickers. When coupled with GPS capability the digital plate can be used for location and security services. In any event, the marketing and financial risk (and reward) of these devices is on the shoulders of the 3rd party vendors.
- 5) *Enforcement.* Concerns have been raised by the CHP that the bill does not allow law enforcement to detain or penalize a user if the digital license plate is missing or malfunctions. This seems unwise as it’s an invitation to disable the

¹ “REPORT ON ALTERNATIVE REGISTRATION PRODUCTS PILOT PROGRAM”, August 2019.

plate. A fairer principle would be that the penalty for not having a digital plate, or having an unreadable digital plate, should be the same as the penalty for not having a metal plate, or having an unreadable metal plate. That penalty is a fix-it ticket. The author has agreed to amend the bill in this way. The amendments also provide that the digital plate must always be visible and cannot have advertising, as is true with a metal plate. With these amendments the CHP concerns have been addressed.

- 6) *Your Choice*. The digital products offered as a result of this bill are optional. Individuals will only receive these digital products if they make an affirmative choice to do so. A digital license plate must be offered without GPS capability and may be offered with such capability.
- 7) *Opposition*. The opposition is concerned about potential violations resulting from the GPS capability of the digital plates. While the deployment of a GPS-enabled digital license plate is at the discretion of the vehicle owner, the opponents note that not does not mean all users and passengers in the vehicle have consented to GPS tracking. They argue that the bill should prohibit the device from collecting any information other than what is necessary to display evidence of compliance with the law.
- 8) *Double Referral*. This bill is double-referred to the Judiciary Committee.

RELATED LEGISLATION:

AB 2285 (Transportation Committee, Chapter 100, Statutes, 2020) — Extended the sunset on the DMV pilot program evaluating alternatives to license plates, registration stickers, and registration cards from January 1, 2021 to January 1, 2023, amongst other things.

AB 1614 (Gipson, Chapter 319, Statutes, 2019) — Extended the sunset on the DMV pilot program evaluating alternatives to license plates, registration stickers, and registration cards from January 1, 2010 to January 1, 2021.

SB 1387 (Beall, Chapter 520, Statutes, 2018) — Extended the sunset on the DMV pilot program evaluating alternatives to license plates, registration stickers, and registration cards from January 1, 2019 to January 1, 2020.

SB 1399 (Hueso, Chapter 155, Statutes, 2016) — Extended the sunset on the DMV pilot program evaluating alternatives to license plates, registration stickers, and registration cards to January 1, 2019, and the deadline for DMV to report on the pilot to July 1, 2020.

SB 806 (Hueso, Chapter 569, Statutes, 2013) — Authorized DMV to conduct a pilot program to evaluate alternatives to license plates, registration stickers, and registration cards.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

From the Assembly Appropriations Committee: This bill would entail significant cost to the DMV.

The DMV reports it would need to establish a new unit charged with approval and oversight of alternative registration products and make information technology changes to manage vendors and make record information available to law enforcement. DMV anticipates costs \$511,000 in fiscal year 2022-23 and \$945,000 in fiscal year 2023-24 and each year thereafter for staffing. The DMV would charge vendors fees that, eventually, would offset costs associated with the program.

In addition, the CHP would experience minor, absorbable costs to test alternative DMV products, such as digital license plates, and to update and train CHP personnel on the use and regulation of alternative DMV products.

POSITIONS: (Communicated to the committee before noon on Friday, June 18, 2021.)

SUPPORT:

Reviver Auto (sponsor)
Silicon Valley Leadership Group

OPPOSITION:

ACLU California Action
Anti Police-terror Project
Consumer Federation of America
Consumer Federation of California
Electronic Frontier Foundation
Justice Teams Network
Oakland Privacy
Privacy Rights Clearinghouse
Secure Justice

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SENATE COMMITTEE ON TRANSPORTATION
Senator Lena Gonzalez, Chair
2021 - 2022 Regular

Bill No:	AB 992	Hearing Date:	06/24/2021
Author:	Cooley		
Version:	3/25/2021		
Urgency:	No	Fiscal:	Yes
Consultant:	Randy Chinn		

SUBJECT: California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program

DIGEST: This bill adds peer-to-peer truck sharing platform demonstration as an eligible project under the Clean Truck Program

ANALYSIS:

Existing law:

- 1) Creates the Clean Truck Program administered by the California Air Resources Board (CARB) in conjunction with the State Energy Resources Conservation and Development Commission (CEC).
- 2) Establishes the Greenhouse Gas Reduction Fund (GGRF) in the State Treasury and requires all money collected pursuant to cap and trade, with limited exceptions, to be deposited into the fund.
- 3) Upon appropriation of money from GGRF, requires the Clean Truck Program to fund development, demonstration, pre-commercial pilot, and early commercial deployment of zero- and near-zero emission truck, bus, and off-road vehicle equipment technologies.
- 4) Establishes the Air Quality Improvement Program (AQIP), administered by CARB, with the primary purpose of funding, upon appropriation by the Legislature, air quality improvement projects relating to fuel and vehicle technologies.
- 5) Requires CARB, in consultation with CEC, to develop guidance through the existing AQIP funding plan process, which includes public workshops, for the implementation of the Clean Truck Program.

This bill:

- 1) Adds “peer-to-peer truck sharing platform demonstration” as an eligible project under the Clean Truck Program.

COMMENTS:

- 1) *Author’s Statement.* AB 992 will help California achieve its GHG reduction goals, reduce the use of high polluting vehicles for last mile deliveries, and improve the air quality for local communities and drivers by ensuring that small businesses and independent delivery truck drivers have access to a wide variety of zero-emission trucks. Peer-to-peer sharing platforms can help get more zero-emission trucks on the road. Purchasers who list their vehicles on a platform are able to take advantage of resource sharing of their investment, while making the vehicle broadly available to a diverse group of small and medium sized businesses. This bill will allow for a demonstration where users place their vehicle on a truck sharing platform, which will permit the vehicle to be used instead of sitting idle, replacing vehicle miles traveled of a gasoline or diesel vehicle with a ZEV or hybrid vehicle.
- 2) *What’s That?* The “sharing” economy is becoming increasingly pervasive. (Nit-pickers might note that “share” implies free while in practice the sharing is anything but free.) What started as ride sharing (e.g. Lyft and Uber) soon extended to the sharing of space (e.g. AirBnB) and now includes, for example, the sharing of clothes, power tools and RVs. This bill deals with the sharing of zero- and near-zero emission trucks, where a truck owner rents his vehicle directly to others using an app or website.
- 3) *Clean Truck Program Background.* In 2014, SB 1204 (Lara) established the Clean Truck Program, which is administered by ARB. The intent of SB 1204 was to create a single, overarching program to develop and deploy heavy-duty vehicles. The Program develops zero-and near-zero emission technologies not only for trucks, but also for buses, off-road vehicles, and equipment at the ports, as well as in agricultural, marine, and rail sectors. It is a competitive program with funding priority generally given to projects that demonstrate benefits to disadvantaged communities, the ability to leverage additional public and private funding, and provide the potential for co-benefits.
- 4) CARB carries out the Clean Truck Program in concert with the Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project (HVIP), which provides point-of-sale voucher discounts to fleet owners, and the Zero-Emission

Truck and Bus Pilot Commercial Deployment Project, which provides funding for large scale deployments of medium- and heavy-duty trucks and buses, as well as accompanying fueling infrastructure and supporting vehicle service and repair facility upgrades.

- 5) HVIP provides point-of-sale voucher discounts to purchasers of eligible vehicles. Under HVIP, a purchaser is defined as “the fleet that will purchase or lease the eligible vehicle and operate the vehicle for at least three years. Vehicles under common ownership or control that share a common Taxpayer identification number (TIN) or California Carrier Identification Number (CA #) are considered part of a single fleet. A purchaser is not a manufacturer, dealership, or leasing company that enters into any agreement with another party to operate the vehicle.”
- 6) *Here’s the Problem.* The HVIP program as currently implemented by CARB restricts receipt of an HVIP voucher to an applicant with one owner and one operator. Under peer to peer truck sharing there is one owner but multiple operators, hence the need for this bill. CARB’s program participation requirements are stringent because they have found fraud in an earlier version of this program. The Committee checked with CARB about this bill and they raised no objection. Perhaps this is because the bill makes peer-to-peer truck sharing demonstrations eligible to compete for funding but does not require that it be funded.
- 7) *Double Referral.* This bill is double-referred to the Environmental Quality Committee.

RELATED LEGISLATION:

AB 214 (The Budget Act of 2021) — Appropriates \$150,000,000 from the Greenhouse Gas Reduction Fund for clean trucks, buses, and off-road freight equipment including HVIP and advanced technology freight demonstration and pilot commercial deployment projects.

SB 1204 (Lara, Chapter 524, Statutes, 2014) — Creates the Clean Truck and Bus Program, funded from cap and trade revenues, to fund zero- and near-zero-emission truck, bus, and off-road vehicle and equipment technologies and related projects, with priority to be given to certain projects, including those that benefit disadvantaged communities.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

From the Assembly Appropriations Committee — ARB costs are minor and absorbable.

The proposed amount in the January 2021-2022 for the Clean Truck Program is \$150 million. Since peer-to-peer platform demos are already eligible under the Clean Truck Program, there are no costs associated with this bill.

POSITIONS: (Communicated to the committee before noon on Friday, June 18, 2021.)

SUPPORT:

Breathe California
Fluid Truck

OPPOSITION:

None received

-- END --

COMMENTS:

- 1) *Author's Statement.* Construction materials of aggregates, asphalt, and concrete are required to build and maintain roads. In turn, road repair and maintenance generates large quantities of aggregate, concrete, and asphalt rubble that can be recycled and re-used in road construction. While much progress has been made in recycling these materials, about a million tons are sent to landfills each year. The use of recycled construction materials helps conserve natural sources of aggregates, preserve embodied energy of manufactured concrete and asphalt, conserve oil resources, and reduce greenhouse gases from less transport and production of new materials. Caltrans has standards that allow for the use of recycled construction materials in road base, pavement, and minor concrete applications. Although there are cities and counties that match or exceed Caltrans standards, there are many that either do not allow the use of recycled construction materials or don't allow them to the extent allowed by Caltrans' standards. This important measure will require, to the extent feasible, that cities and counties allow at least the same percentage of recycled materials for aggregate base, hot mix asphalt, minor concrete, reclaimed fly ash, and returned plastic concrete as Caltrans.
- 2) *Recycled and Reused.* California policy has long supported recycling and reuse of pavement as it reduces waste and is potentially more economic than using new material.¹ In 2012 AB 812 was passed encouraging Caltrans to use up to 40% of recycled asphalt. In 2014 legislation was passed requiring local governments to adopt Caltrans recycled material standards unless they publicly articulated why they could not. In 2017 SB 1, the Road Repair and Accountability Act, required the use of material recycling where cost effective and feasible.
- 3) *Benefits, but with a Cost.* The use of recycled materials has resulted in significant benefits though at a cost. Take the use of crumb rubber, which is derived from old tires. State law requires crumb rubber be used in specified quantities for asphalt paving. Caltrans estimates that its crumb rubber usage in asphalt pavement diverted 5.5 million tires from landfills in 2018. However, the cost of using the crumb rubber was about 8% higher in most cases. And the crucial unanswered question of the durability of the crumb rubber asphalt pavement won't be answered until later this year.

¹ Pavement recycling involves grinding down the top few inches of pavement, reheating the asphalt and adding an adhesive to hold it together, and laying it back on the road. This can be done with a single machine; the front of the machine rips up the old, damaged pavement and recycled pavement is laid down towards the back.

- 4) *Including Everyone*. The primary purpose of the bill is to require local governments to adopt Caltrans recycled material standards in the areas of asphalt pavement, the roadbed underneath the pavement, and concrete. While Caltrans has the resources to independently evaluate alternative materials and methods, most local governments do not, making them reliant on Caltrans or the contractors to help determine when new practices make sense. An issue for local governments is their large variation in size, geography, and local conditions. What might be suitable in metropolitan Los Angeles with year-round temperate weather and access to many contractors might be a bad fit for a smaller community with more extreme weather, different traffic conditions and fewer contractors with lesser capabilities. Hence some flexibility for local governments is warranted. The bill requires local governments to review Caltrans' recycled materials standards beginning January 1, 2025 and adopt them if they are feasible.
- 5) *Amendments*. Local governments have raised concerns about their lack of input in Caltrans standard setting, the importance of cost-effectiveness as a metric for evaluating new standards, and how the specific road requirements of cities can vary greatly. The author has agreed to amend the bill to address those concerns by include local governments in the standards setting process, clarifying that cost-effectiveness is part of the evaluation of standards, and having local governments evaluate adopting the standards every three years. With these amendments local governments concerns are addressed.

RELATED LEGISLATION:

SB 1227 (Skinner, 2020) — Would have required cities and counties to allow the use of recycled materials in road maintenance and rehabilitation in order to be eligible for SB 1 funds. *This bill was held by the author in Senate Transportation Committee in light of the COVID-19 pandemic.*

SB 1238 (Hueso, 2020) — Would have required Caltrans to conduct a study to assess the feasibility, cost effectiveness, and life-cycle environmental benefits of including recycled plastics in asphalt used as paving materials, and, depending on the findings, authorizes Caltrans to develop specifications for the use of recycled plastics in asphalt. *This bill died in Assembly Transportation Committee.*

SB 1 (Beall, Chapter 5, Statutes, 2017) — Increases several taxes and fees to raise the equivalent of roughly \$52.4 billion over ten years in new transportation revenues and makes adjustments for inflation every year. Requires, to the extent possible and cost effective, and where feasible, Caltrans and cities and counties to use advanced technologies and material recycling techniques that reduce the cost

of maintaining and rehabilitating the streets and highways, and that exhibit reduced levels of greenhouse gas emissions through material choice and construction method.

AB 2355 (Levine, Chapter 609, Statutes, 2014) — Requires by January 1, 2017, local agencies to adopt Caltrans standards on the use of recycled materials or to discuss why the standards are not being adopted at a public hearing.

AB 812 (Ma, Chapter 230, Statutes, 2012) — Authorizes Caltrans to establish specifications for the use of up to 40% reclaimed asphalt pavement for hot asphalt mixes on or before January 1, 2014.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

From the Assembly Appropriations Committee: The fiscal effects of this bill are unclear, and may not be known until sometime after implementation. This is because some materials used pursuant to this bill may cost more initially but prove more durable, thereby leading to long-term savings. Conversely, some materials used pursuant this bill may prove less durable, in which case maintenance and repair costs would be higher than they otherwise would be.

In any case, this bill limits, to the extent feasible and cost effective, the requirement Caltrans and locals use advanced technologies and material recycling techniques, and it describes those technologies and techniques as ones that reduce the cost of maintaining and rehabilitating streets and highways. Presumably, Caltrans and locals will implement this bill in ways that, on balance, should lead to cost savings.

The bill declares the state will reimburse any local costs, as required by law, that result from this bill if the Commission on State Mandates determines the bill's requirements constitute a reimbursable state mandate.

POSITIONS: (Communicated to the committee before noon on Friday, June 18, 2021.)

SUPPORT:

A & a Ready Mixed Concrete, INC.
California Construction & Industrial Materials Association (sponsor)
Cemex INC.
Granite Construction Company

Graniterock
Haulhub Technologies
Holliday Rock Company INC.
Master Builders Solutions
Master Builders Solutions - No. California
P.w. Gillibrand Co. INC.
Syar Industries, INC.
Zanker Recycling

OPPOSITION:

California State Association of Counties
League of California Cities

-- END --

SENATE COMMITTEE ON TRANSPORTATION
Senator Lena Gonzalez, Chair
2021 - 2022 Regular

Bill No:	AB 1196	Hearing Date:	June 24, 2021
Author:	Cooley		
Version:	4/20/2021		
Urgency:	No	Fiscal:	Yes
Consultant:	Melissa White		

SUBJECT: Sacramento Regional Transit District: board of directors: voting procedures

DIGEST: This bill changes the voting structure of the Sacramento Region Transit District (SacRT) Board of Directors.

ANALYSIS:

Existing law:

- 1) Establishes the SacRT Act, which governs the powers and functions of SacRT; establishes its territory, Board of Directors, and planning duties; and authorizes SacRT to issue general obligation bonds and revenue bonds, as specified.
- 2) Specifies that the Board of Directors, in acting on any item, the following weighted voting procedure shall apply:
 - a) There shall be 100 votes.
 - b) The presence of members eligible to cast a majority of the 100 votes shall constitute a quorum for the transaction of business at a noticed meeting.
 - c) All official acts of the board shall require the affirmative vote of members casting a majority of the 100 votes.
 - d) Each board member shall have the number of votes determined by the following formula:
 - i) Each member entity is entitled to five votes as a membership incentive; however, the total number of incentive votes shall not exceed 30. If the number of member entities exceeds six, the 30

incentive votes shall be divided equally among the member entities;
and

ii) The remaining votes shall be divided among all voting entities in proportion to each entity's financial contribution to the district.

However, each voting entity represented on the board shall have at least one vote, and there shall be no fractional votes.

This bill:

- 1) Makes findings and declarations regarding the mission and goals of SacRT.
- 2) Specifies that each board member shall have one vote.
- 3) Provides that a majority of the members of the board shall constitute a quorum.
- 4) Requires all official acts of the board to require the affirmative vote of a majority of all the members of the board.
- 5) Specifies that the board shall post these voting procedures on the district's internet website.
- 6) Deletes multiple provisions related to the existing weighted voting structure.
- 7) Declares that if the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made.
- 8) Makes numerous technical and clarifying changes.

COMMENTS:

- 1) *Purpose.* According to the author, "AB 1196 will change the present governing statute for SacRT to modify its Board voting structure to one-person one-vote methodology in lieu of the present weighted vote procedure, which is the manner in which most transit agencies statewide have structured their voting structure. SacRT changed its voting structure to a weighted voting structure in 2006 (AB 2137, Niello) based on each voting entity's financial contribution. That change was deemed necessary because the Board contained members from member entities, as well as participating entities. As of April 12th, 2021, the final participating entity (City of Elk Grove) has annexed its transit services

into SacRT and the weighted voting structure is no longer necessary, as each entity is now a member agency.”

- 2) *SacRT*. SacRT serves the Cities of Sacramento, Citrus Heights, Elk Grove, Folsom, and Rancho Cordova, by operating 70 bus routes and 43 miles of light rail across a 418 square-mile service area, among other services. SacRT is governed by an 11-member Board of Directors comprised of 10 directors that are appointed by the annexed jurisdictions, which are "member entities," including Sacramento County, and the Cities of Sacramento, Citrus Heights, Elk Grove, Folsom, and Rancho Cordova.

In 2006, the Legislature adopted AB 2137 (Niello, Chapter 272, Statutes of 2006), which created SacRT's current weighted voting structure and is based on the financial contributions of its member entities. At the time, SacRT wanted to create a voting structure that promoted regional participation and equitable voting power between its two classes of members, "regional members" and "annexed" members.

- 3) *Tine for a change*. As noted by the author, this bill brings SacRT in line with most other transit agencies in the state. The weighted voting structure was put in place to encourage regional participation by all entities in the county service area, based upon their financial contributions to the transit system. Some of the members of the Board were from official member entities, and some were participating entities, meaning they also operated their own transit service. The City of Elk Grove is the final participating entity to be annexed into the district.

Writing in support, the Sacramento Metro Advocates for Rail and Transit (SMART), state, "as advocates for improving public transit, and increasing community engagement, our organization believes it is critical that jurisdictions within the district have a fair and equitable way of distributing much-needed funding for projects that benefit the entire region, while also addressing the needs of communities that are transit-dependent. SacRT has improved its services and made sure that transit access is seamless, regardless of city boundaries, and that newer options such as microtransit on-demand and paratransit ADA services are provided county-wide."

RELATED LEGISLATION:

AB 709 (McCarty, Chapter 522, Statutes, 2018) — Revised various laws relating to the SacRT, including the imposition of local sales tax.

AB 2137 (Niello, Chapter 272, Statutes, 2006) — Created SacRTs weighted voting structure.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

This bill contains a state-mandated local program.

POSITIONS: (Communicated to the committee before noon on Friday, June 18, 2021.)

SUPPORT:

Sacramento Regional Transit District (sponsor)
Breathe California Sacramento Region
Sacramento Metro Advocates for Rail and Transit

OPPOSITION:

None received.

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SENATE COMMITTEE ON TRANSPORTATION
Senator Lena Gonzalez, Chair
2021 - 2022 Regular

Bill No:	AB 1337	Hearing Date:	June 24, 2021
Author:	Lee		
Version:	4/7/2021		
Urgency:	No	Fiscal:	Yes
Consultant:	Melissa White		

SUBJECT: Transportation: transit district policing responsibilities

DIGEST: This bill extends the authority of specified transit district entities to issue prohibition orders to include the property, facilities, and vehicles upon which it owes policing responsibilities to a local government, and expands current law to make entering or remaining on those properties without permission a misdemeanor.

ANALYSIS:

Existing law:

- 1) Provides that any person who enters or remains upon the property of any railroad without the permission of the owner of the land, the owner's agent, or the person in lawful possession and whose entry, presence, or conduct upon the property interferes with, interrupts, or hinders, or which, if allowed to continue, would interfere with, interrupt, or hinder the safe and efficient operation of any locomotive, railway car, or train is guilty of a misdemeanor.
- 2) Defines "property of any railroad" as any land owned, leased, or possessed by a railroad upon which is placed a railroad track and the land immediately adjacent thereto, to the distance of 20 feet on either side of the track, which that is owned, leased, or possessed by a railroad.
- 3) Provides that any person who enters or remains upon any transit-related property without permission or whose entry, presence, or conduct upon the property interferes with, interrupts, or hinders the safe and efficient operation of the transit-related facility is guilty of a misdemeanor.
- 4) Defines "transit-related property" as any land, facilities, or vehicles owned, leased, or possessed by a county transportation commission, transportation

authority, or transit district, as specified, that are used to provide public transportation by rail or passenger bus or are directly related to that use.

- 5) Specifies that these provisions do not prohibit picketing in the immediately adjacent area of the property of any railroad or transit-related property or any lawful activity by which the public is informed of the existence of an alleged labor dispute.
- 6) Authorizes Sacramento Regional Transit District (SacRT), the Fresno Area Express (FAX), Los Angeles County Metropolitan Transportation Authority (Metro), or the San Francisco Bay Area Rapid Transit District (BART) to issue a prohibition order to any person who, on at least three separate occasions within a period of 90 consecutive days, is cited for an infraction committed in or on a vehicle, bus stop, or light rail station of the transit district for any of the following acts:
 - a) Interfering with the operator or operation of a transit vehicle, or impeding the safe boarding or alighting of passengers;
 - b) Committing any act or engaging in any behavior that may, with reasonable foreseeability, cause harm or injury to any person or property;
 - c) Willfully disturbing others on or in a transit facility or vehicle by engaging in boisterous or unruly behavior;
 - d) Carrying an explosive, acid, or flammable liquid in a public transit facility or vehicle;
 - e) Urinating or defecating in a transit facility or vehicle, except in a lavatory;
 - f) Willfully blocking the free movement of another person in a transit facility or vehicle; or,
 - g) Defacing with graffiti the interior or exterior of the facilities or vehicles of a public transportation system.
- 7) Authorizes a prohibition order to be issued to a person arrested or convicted for any misdemeanor or felony committed in or on a vehicle, bus stop, or light rail station of the transit district, for acts involving violence, threats of violence, lewd or lascivious behavior, or possession for sale or sale of a controlled substance.

- 8) Authorizes a prohibition order to be issued to a person convicted of loitering with the intent to commit specified drug offenses or loitering with intent to commit prostitution.
- 9) Prohibits a person subject to a prohibition order from entering the property, facilities, or vehicles of the transit district for a period of time deemed appropriate by the transit district, provided that the duration of the prohibition order does not exceed the following specified time limits: 30 days for a first order, 90 days for a second order within one year, and 180 days for a third order within one year related to infractions; or, 30 days if issued pursuant to an arrest for a misdemeanor or felony offense. Upon conviction for the offense, the order may be extended to a total of 180 days for a misdemeanor and one year for a felony.
- 10) Specifies prohibition processes, notification procedures, and hearing and appeal procedures.
- 11) Requires the transit district to establish an advisory committee and to ensure that personnel charged with issuance and enforcement of prohibition orders receive training as emphasized and as recommended by the advisory committee. Tasks the advisory committee with responsibilities, as specified. Authorizes existing advisory committees to be used if appropriate.
- 12) Defines “transit district” to mean the SacRT, LA Metro, FAX, and BART.
- 13) Establishes categories of peace officers with varying powers and authority to make arrests and carry firearms.
- 14) Provides that a member of the BART Police Department is a peace officer whose authority extends to any place in the state for the purpose of enforcing the law in or about the properties owned, operated, and administered by BART, when performing necessary duties with respect to patrons, employees, and properties of the district, or when making an arrest if there is immediate danger to a person or property or of an escape of the perpetrator of an offense.
- 15) Makes it an infraction for a person to do any of the following with respect to the property, facilities, or vehicles of a transit district:
 - a) Operate, interfere with, enter into, or climb on or in the property, facilities, or vehicles of the transit district without permission;

- b) Interfere with the operator or operation of a transit vehicle, or impede the safe boarding or alighting of passengers;
- c) Extend any portion of the body through a window opening of a transit vehicle in a manner that may cause harm or injury;
- d) Throw an object from a transit vehicle;
- e) Commit an act or engage in a behavior that may, with reasonable foreseeability, cause harm or injury to any person or property;
- f) Violate a notice, prohibition, instruction, or direction on a sign that is intended to provide for the safety and security of transit passengers, or the safe and secure operation of the transit system;
- g) Knowingly give false information to a district employee, or contracted security officer, engaged in the enforcement of a district ordinance or a state law, or otherwise obstruct the issuance of a citation for the violation of a district ordinance or a state law, or,
- h) Violate any of the conditions established by a transit district ordinance under which a passenger may board a transit vehicle with a bicycle and where that bicycle may be stowed on the transit vehicle.

This bill:

- 1) Provides that a person who enters or remains on any property, facilities, or vehicles on which the applicable transit entity owes policing responsibilities to a local government pursuant to an operations and maintenance agreement or similar interagency agreement without permission, or whose entry, presence, or conduct on that property interferes with, interrupts, or hinders the safe and efficient operation of the transit-related facility, is guilty of a misdemeanor.
- 2) Extends the transit entity's authority to issue prohibitions and the scope of the prohibition orders to include these properties.
- 3) Authorizes a transit district's ordinance to be enforced outside of the transit district's jurisdiction only where the local jurisdiction has adopted the ordinance by reference as authorized by the local jurisdictions' governing body.

COMMENTS:

- 1) *Purpose.* According to the author, “prohibition orders, or “stay-away” orders, are issued after an individual is cited by BART police for infractions three times within a 90-day period or arrested for a violent crime such as assault or robbery. While current law already specifies that BART police have the authority to issue prohibition orders on BART-owned property, the property and infrastructure at the new BART stations that run through Assembly District 25 are owned by a different transportation entity – the Santa Clara Valley Transportation Authority (VTA). Because it is currently unclear whether BART police have the explicit authority to enforce these measures, this proposal extends existing authority to issue prohibition orders to where BART operates.”
- 2) *BART.* BART is a special district created by the State of California consisting of Alameda County, Contra Costa County, and the City and County of San Francisco. BART connects San Francisco with cities in the East Bay and suburbs in northern San Mateo County operating on five lines, 121 miles of track with 48 stations in four counties. With an average pre-COVID-19 weekday daily ridership of about 410,000 passengers, BART is the fifth-busiest heavy rail rapid transit system in the nation.

BART, in partnership with the Santa Clara Valley Transportation Authority (VTA), is also extending the system into Santa Clara County, with the opening of the Silicon Valley Berryessa Extension, with stops at Milpitas and Berryessa/North San Jose, and future planned extensions into San Jose.

- 3) *Transit Prohibition Orders.* Public transit systems in the state and across the country experience complaints from riders and employees regarding safety and security. AB 716 (Dickinson, Chapter 534, Statutes of 2011), authorized the creation of a three-year pilot program to allow BART to issue prohibition orders, which allow BART to deny passengers committing certain illegal behaviors entry onto transit vehicles and facilities for a specified amount of time. In 2013, BART initiated its AB 716 program, which also required BART to provide the Legislature with annual reports on the program. The program was made permanent with the passage of AB 730 (Quirk, Chapter 46, statutes of 2017).

According to BART’s annual report, as required by AB 716, the number of prohibition orders issued in 2019 was 371 compared to 376 in 2018. Battery and threats to BART patrons continued to be a noticeable problem in 2019, accounting for 28% of prohibition orders issued. To address this, BART is

implementing high visibility foot patrols and commanders for specific zones. The report notes a need or continued outreach efforts involving mental health and homelessness. BART created the Crisis Intervention Training (CIT) officers and police personnel to offer services at the scene by referring individuals in crisis to appropriate resources through local city or county organizations. In 2019, less than 3% of individuals issued prohibition orders violated the order. In 2018, seven persons violated the prohibition order for a total of 12 arrests.

- 4) *New Stations Require Extended Authority.* As mentioned, BART has expanded beyond the three-county Bay Area Rapid District into Santa Clara County, opening two new stations in June 2020. VTA was responsible for the design, engineering, and construction of the extension and maintains ownership of all facilities, equipment, and related infrastructure. The extension is managed through a comprehensive operations and maintenance agreement, including policing responsibilities. State law has not been updated to reflect these agreements. AB 1337 is intended to make clear that the BART Police have the express authority to issue prohibition orders at the Milpitas and Berryessa/North San Jose stations in Santa Clara County.

BART, the sponsors of the bill, note, “AB 1337 would align BART’s prohibition order authority with the policing responsibilities owed to VTA pursuant to the operations and maintenance agreement. Specifically, the bill would grant BART clear authority to issue prohibition orders to individuals who commit offense in areas under the District’s policing jurisdiction, which include train cars, station platforms, and concourse areas.”

- 5) *Double Referral:* This bill was double referred to the Senate Public Safety Committee.

RELATED LEGISLATION:

AB 730 (Quirk, Chapter 46, Statutes, 2017), — Repealed the sunset on the law that allows BART to issue prohibition orders to passengers committing certain illegal behaviors, making BART’s authority to do so permanent.

AB 468 (Santiago Chapter 192, Statutes, 2017) — Added the Los Angeles County Metropolitan Transportation Authority (Metro) to the transit districts authorized to issue prohibition orders to passengers committing certain illegal behaviors.

SB 1154 (Hancock Chapter 559, Statutes, 2014) — Extended the sunset on the law that allows BART to issue prohibition orders denying passengers committing certain illegal behaviors entry onto transit vehicles and facilities, until January 1, 2018.

AB 716 (Dickinson, Chapter 534, Statutes, 2011) — Authorized the BART, until January 1, 2015, to issue prohibition orders denying passengers committing certain illegal behaviors entry onto transit vehicles and facilities. The bill also removed the sunset provisions for Sacramento Regional Transit District (SacRT) and the Fresno Area Express (FAX), making their related authority permanent.

SB 1561 (Steinberg, Chapter 528, Statutes, 2008) — Authorized the SacRT and the FAX, until January 1, 2012, to issue prohibition orders denying passengers committing certain illegal behaviors entry onto transit vehicles and facilities. SB 1561 also described the kinds of behaviors according to their potential severity and prescribes the progressive penalties based upon the severity and frequency of violations.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

POSITIONS: (Communicated to the committee before noon on Friday, June 18, 2021.)

SUPPORT:

San Francisco Bay Area Rapid Transit (BART) (sponsor)

OPPOSITION:

None received.

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SENATE COMMITTEE ON TRANSPORTATION
Senator Lena Gonzalez, Chair
2021 - 2022 Regular

Bill No: AB 1374 **Hearing Date:** 6/24/2021
Author: Mullin
Version: 4/19/2021
Urgency: No **Fiscal:** Yes
Consultant: Melissa White

SUBJECT: Driver's licenses: organ donation

DIGEST: This bill requires the language on a driver's license or identification card (ID) application regarding enrollment in the Donate Life California Organ and Tissue Donor Registry to reflect mutually agreed upon language between the Department of Motor Vehicles (DMV) and Donate Life California.

ANALYSIS:

Existing law:

- 1) Authorizes Donate Life California, a non-profit entity, to maintain the registry for people who have identified themselves as organ, eye, and tissue donors upon their death.
- 2) Requires the DMV to ask verbally of an applicant applying in person for original or renewal driver's licenses or ID cards if they want to become organ and tissue donors.
- 3) Requires the DMV to include yes or no check boxes specifically asking "Yes, add my name to the donor registry" or "I do not wish to register at this time" on its application for a driver's license or ID card.
- 4) Requires the DMV to include prescribed language with the check boxes that describes what checking "Yes" means and information on how to remove one's name from the registry.
- 5) Requires that an applicant does not need to answer this question or check a box in order to receive a driver's license or ID card.
- 6) Requires the DMV to provide on the back of the application for a driver's license or ID card a disclosure statement that explains that checking yes is

legally binding for those 18 years and older and that minors require consent from a parent or guardian, and provides more information on what it means to be a donor.

- 7) Requires the DMV to offer the option of a \$2 contribution to Donate Life California for the purpose of promoting and supporting organ and tissue donation, when applying for a new or renewal driver's license or ID card.
- 8) Requires the DMV to print the word "DONOR" on the face of a driver's license or ID card to any registrant.
- 9) Requires the DMV to electronically transmit information weekly, as specified, from applications that indicates the decision to enroll in the organ donation program to Donate Life California.

This bill:

- 1) Requires the language on a driver's license application regarding enrollment in the organ and tissue donor registry reflect mutually agreed upon language as part of a memorandum of understanding (MOU) between the DMV and Donate Life California.
- 2) Recasts existing law on the language in drivers' license form and authorizes that language to be used if an MOU is not formed between Donate Life California and DMV.
- 3) Makes various technical, conforming changes to reflect the potential MOU between Donate Life and DMV on language changes in the driver's license and ID application.

COMMENTS:

- 1) *Purpose.* According to the author "there are currently more than 120,000 individuals waiting for an organ transplant in the United States and nearly 22,000 of those people are living in California, with an organ transplant being their only remaining medical option. One person can save eight lives and enhance 75 others through organ, eye and tissue donation. In 2020, 1,784 Californians became organ donors and 4,531 life-saving transplants were performed in the state. But even with the largest registry in the country, by population California is still below the national average for registered donors at only 43%, compared to the 60% national average. It is of vital importance that the questions used to register Californians at the DMV to become organ, tissue,

and eye donors be as clear and effective as possible to help grow the California donor registry and continue to save lives.”

- 2) *Organ and Tissue Donation in California.* Since 2001, the DMV has provided Californians the opportunity to register as Organ and Tissue Donors using its driver’s license and ID application forms. Today, there are over 17 million Californians registered to be organ donors, roughly 99% of whom enrolled when they applied for to the DMV for a driver’s license or ID card. The Uniform Anatomical Gift Act authorizes the recovery of an individual’s organs and tissues in the event of their death. Those under the age of 18 require parental consent to be an organ donor. Individuals over the age of 18 can give consent by registering as an organ donor with Donate Life California. Organ donations can be used to give to another person in need of an organ, or be used for research purposes. An individual can limit the scope of the organ donations on the Donate Life website.

Your organs may still be donated if you check the box that says “I do not wish to register to be an organ or tissue donor at this time. The Uniform Anatomical Gift Act authorizes others to make the decision after death, so long as you have not expressly forbade organ donation in writing or you are known to be part of a religion that expressly prohibits organ donation.

As mentioned by the author, even with the largest registry in the country, by population California is still below the national average for registered donors at only 43%, compared to the 60% national average.

- 3) *Signing up to donate made easier through the DMV.* As noted, nearly 99% of people enrolled to be organ and tissue donors did so as part of applying for a new or renewal driver’s license or ID card. Currently, as prescribed in statute, the DMV driver’s license and ID application forms include three check boxes under the organ and tissue donation section. The form asks “Do you wish to be an organ or tissue donor?” The first box says “Yes, add or keep my name on the donor registry” and notifies you that a pink dot will be added to your driver’s license. The second box states “I do not wish to register to be an organ or tissue donor at this time.” This box includes a disclosure that checking the box does not remove you from the registry if you previously registered. It instructs that you must contact Donate Life California directly to do so. It also notifies you that DMV can remove the pink dot. A third box allows for a voluntary \$2 donation to Donte Life California for purpose of promoting and supporting organ and tissue donation.

- 4) *Increasing enrollment by using more plain language.* Donate Life California was concerned that potential donors may not understand their rights and options because the message was not written in plain language and that inconsistent language is currently being used across different platforms (e.g. paper forms at the DMV, online forms). To help identify barriers to becoming a donor, Donate Life California conducted a study to identify questions and concerns about the program and messaging, and improvements that may increase the likelihood of registering to be an organ and tissue donor. Part of the study was conducted at a DMV field office and a follow up statewide survey. The study found that more individuals may choose to register if they are able more plain language is used on DMV forms facilitating the organ donation registration process.
- 5) *Updating the DMV form is not easy.* The contents of the DMV forms for driver's license and ID cards are prescribed in statute. Any changes to the form require legislation. This does not make for easy updating and streamlining. In fact, for the last several years Donate Life California has sponsored legislation to add additional disclosure language to the driver's license and ID card forms. These attempts have been thwarted by broader DMV issues, including dramatically increased workload from as a result of REAL ID implementation and other factors.

In the meantime, Donate Life California and DMV have been working on a MOU to amend the language on the forms with the goal of increasing the number of Californians who voluntarily agree to register with Donate Life California for organ and tissue donation. AB 1374 codifies this effort by authorizing DMV to enter into an MOU with Donate Life California to rework the form instead of Donate Life California having to sponsor legislation in order to get the form changed. The MOU is expected to include new, plain language driver's license and ID forms; allow for an increased donation amount (more than the statutory \$2; and will automatically remove your name from the registry if you choose to no longer be registered.

According to Donate Life California, the sponsors of the bill, "the organ donation community has recently established best practices as it pertains to clearly presenting the organ donation question to individuals. AB 1374 (Mullin) would allow the DMV and DLC to work in consultation to update the DL-44 form to reflect these best practices and ensure that Californians are clear on what their donor decision means."

RELATED LEGISLATION:

SB 685 (Galgiani, 2019) -- Would have required DMV to notify the donor registry if a person who has previously requested to be on the registry checks a box indicating that they do not wish to be on the registry. Would also have added additional disclosure language to the driver's license form for the purposes of organ and tissue donation. SB 685 was held in the Senate Appropriations Committee.

SB 987 (Galgiani, 2018) -- Would have added additional disclosure language to the driver's license form for the purposes of organ and tissue donation. SB 987 was vetoed by Governor Brown.

SB 1395 (Alquist, Chapter 217, Statutes of 2010) -- Required DMV to update its applications with specified language asking the applicant to check yes or no to add his/her name to the organ donor registry.

SB 689 (Speier, Chapter 665, Statutes of 2005) -- Required DMV to include on its applications for drivers' licenses and identification cards a space for the applicant to give his or her consent to be an organ or tissue donor.

SB 112 (Speier, Chapter 405, Statutes of 2003) -- Transferred responsibility for establishing the registry to a private, non-profit organization administered by the four federally-designated OPOs. Required DMV to provide donor registration forms to those applying for drivers' licenses or identification cards. These forms included instructions to mail the completed form to Donate Life California.

SB 108 (Speier, Chapter 740, Statutes of 2001) -- Authorized the establishment of an Organ and Tissue Donor Registry in the California Health and Human Services Agency and required DMV to provide an enrollment form to anyone coming to obtain or renew their driver's licenses.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

POSITIONS: (Communicated to the committee before noon on Friday, June 18, 2021.)

SUPPORT:

Donate Life California (sponsor)
California Dialysis Council

OPPOSITION:

None received.

-- END --

SENATE COMMITTEE ON TRANSPORTATION
Senator Lena Gonzalez, Chair
2021 - 2022 Regular

Bill No:	AB 1499	Hearing Date:	June 24, 2021
Author:	Daly		
Version:	5/24/2021		
Urgency:	No	Fiscal:	Yes
Consultant:	Melissa White		

SUBJECT: Transportation: design-build: highways

DIGEST: This bill extends the sunset date from January 1, 2024 to January 1, 2034 for California Department of Transportation (Caltrans) and regional transportation agencies (RTPAs) to use the design-build procurement method for transportation projects in California.

ANALYSIS:

Existing law:

- 1) Provides that Caltrans has full possession and control of all state highways.
- 2) Provides, within the State Constitution, that all government entities be allowed to contract with qualified private entities for architectural and engineering services for all public works of improvement.
- 3) Authorizes Caltrans to utilize design-build procurement for up to 10 projects on the state highway system, based on either best value or lowest responsible bid and sunsets this authority on January 1, 2024.
- 4) Authorizes RTPAs to utilize design-build procurement for an unlimited number of projects on or adjacent to the state highway system and expressways and sunsets this authority on January 1, 2024.
- 5) Requires Caltrans or its consultants perform construction inspection services for any design-build project on or where project interfaces with the state highway system and sunsets this authority on January 1, 2024.

This bill:

- 1) Extends the authority for Caltrans utilize to utilize design-build procurement for up to 10 transportation projects in California until January 1, 2034.
- 2) Extends the authority for RTPAs to utilize design-build procurement for projects on streets, roads, or the state highway system until January 1, 2034.
- 3) Extends the authority for Caltrans or its consultants to perform construction inspection services for any design-build project on or where project interfaces with the state highway system, until January 1 2034.
- 4) Requires Caltrans to submit a report, by January 1, 2033, to the transportation and fiscal committees of the Legislature on its experience with use of design-build procurement method, in terms of relative costs, value of, and time to complete projects.

COMMENTS:

- 1) *Purpose.* According to the author, “the design-build authority under current law sunsets on January 1, 2024. Major construction projects, especially those involving state highways and expressways, are typically planned years in advance due to funding requirements and other obligations. Without an extension of the existing authorization, neither regional transportation agencies nor Caltrans can consider design-build as an available option for future construction projects. AB 1499 will provide certainty and potential cost savings for future projects by extending the authorization for another 10 years.”
- 2) *What is Design-Build?* Design-build refers to a procurement and project delivery method in which both the design and construction of a project are procured from a single entity. Design-build differs from the traditional design-bid-build contracting method whereby work on a project is divided into two separate phases: design and construction. Under design-bid-build, the sponsoring government agency is responsible for the design of the project, either by designing the project itself or by contracting with a private entity to do so. When designs are completed, the agency solicits bids from the construction industry and hires the responsible low bidder to build the project. Design-build combines these two phases into a single, comprehensive contract. Design-build is used to minimize risks for the project sponsor and to reduce the delivery schedule by overlapping the design phase and construction phase of a project.
- 3) *Design-Build in California.* For over 10 years, California’s transportation agencies have had the ability to utilize the design-build procurement method, with some restrictions. Specifically, SB 4 (Cogdill, Second Extraordinary

Session, Chapter 2, Statutes of 2009), authorized Caltrans to utilize design-build procurement for 10 state highway, bridge, or tunnel projects. Additionally, it authorized local transportation agencies to utilize design-build on five local street or road projects within the jurisdiction of the agency, if approved by the California Transportation Commission (CTC).

- 4) To continue the use of design-build, the Legislature passed and Governor Brown signed into law AB 401 (Daly, Chapter 586, Statutes of 2013), which authorized Caltrans to use design-build procurement for an additional 10 projects on the state highway system, and provided RTPAs with unlimited authority to use design-build procurement for projects on or adjacent to the state highway system and expressways. AB 401 also assigned Caltrans the responsibility to oversee the construction inspection of projects on the state highway system. A private company or joint venture complete the design and construction work on a design-build procured project. When construction is complete, however, Caltrans is responsible for maintaining the new facility.
- 5) The current design-build authority for both Caltrans and RTPAs expires on January 1, 2024. AB 1499 would extend the authority to January 1, 2034.
- 6) *Are we seeing the benefits?* According to Caltrans, they utilized design-build for all original 10 projects authorized by SB 4 x2. Of the 10, eight projects have completed construction. The average pre-construction time savings was approximately one year with an average construction cost savings of 11% across all of the projects.
- 7) Caltrans and local agencies have also used design-build under the AB 401 authority, with Caltrans being limited to an additional 10 projects. Specifically, five Caltrans projects are underway, with two having reached construction award. For example, one of the projects that is farthest along is State Route 50 Multimodal Corridor Enhancement and Rehabilitation in Sacramento County, with the design-build contract being awarded in June 2020. Caltrans estimated that these projects show time savings of three months to one year and cost savings of 7-8%.
- 8) RTPAs also report time and money savings using design-build. Writing in support of the bill, the Orange County Transportation Authority notes, "since the enactment of AB 401, several highway projects have been eligible to utilize the design-build authority, including the Interstate 405 (I-405) Improvement Project in Orange County. Utilizing design-build on the I-405 Improvement Project has expedited the project by two years and allowed for associated cost savings."

- 9) According to the Riverside County Transportation Commission, “the use of best value design/build contracts provided cost and schedule certainty, contractor innovation and appropriate transfer of risk. The very complex \$1.43 billion SR-91 Corridor Improvement Project was completed on an accelerated schedule. The \$472 million I-15 Express Lane Project design/build contract was completed on schedule and under budget by over \$10 million. The \$270 million 15/91 Express Lanes Connector project is in progress implementing best practices learned from the previous projects with design/build innovation efforts focused on maintaining traffic and safety during construction in this heavily travelled area.”

To further understand the benefits of design-build procurement in California, AB 1499 requires Caltrans to submit a report to the Legislature by January 1, 2033, detailing its experience in using design-build in terms of costs and time for complete projects.

RELATED LEGISLATION:

AB 401 (Daly, Chapter 586, Statutes, 2013) — Authorized Caltrans and RTPAs to use design-build procurement for 10 transportation projects in California, while requiring Caltrans, to oversee construction inspection of these projects on the state highway system.

AB 2098 (Miller, Chapter 250, Statutes, 2010) — Authorized the Riverside County Transportation Commission (RCTC) to use the design-build procurement for its SR 91 Corridor Improvement Project.

SB 4 x2 (Cogdill, Chapter 2, Statutes, 2009) — Authorized Caltrans to utilize design build procurement for 10 state highway, bridge, or tunnel projects, and it authorized a local transportation agency to utilize design-build on five local street or road, bridge, tunnel, or public transit projects within the jurisdiction of the local agency, if approved by the California Transportation Commission (CTC).

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

POSITIONS: (Communicated to the committee before noon on Friday, June 18, 2021.)

SUPPORT:

Professional Engineers in California Government (PECG) (sponsor)

American Automobile Association of Northern California, Nevada & Utah
Associated General Contractors
Automobile Club of Southern California
American Society of Civil Engineers, Region 9
City/County Association of Governments of San Mateo County
Orange County Transportation Authority
Self-Help Counties Coalition
Solano Transportation Authority

OPPOSITION:

None received.

-- END --

SENATE COMMITTEE ON TRANSPORTATION

Senator Lena Gonzalez, Chair

2021 - 2022 Regular

Bill No:	ACR 32	Hearing Date:	06/24/2021
Author:	Megan Dahle		
Version:	4/5/2021		
Urgency:	No	Fiscal:	Yes
Consultant:	Katie Bonin		

SUBJECT: High Desert State Prison Correctional Officer Richard Bianchi, Jr., Memorial Highway

DIGEST: This resolution designates a portion of State Route 36 near Susanville, from post mile 25.356 at State Route 139 to post mile R29.390 at Junction State Route 395, in the County of Lassen as the High Desert State Prison Correctional Officer Richard Bianchi, Jr., Memorial Highway.

ANALYSIS:

The committee has adopted a policy regarding the naming of state highways or structures. Under the policy, the committee will consider only those resolutions that meet all of the following criteria:

- 1) The person being honored must have provided extraordinary public service or some exemplary contribution to the public good and have a connection to the community where the highway or structure is located.
- 2) The person being honored must be deceased.
- 3) The naming must be done without cost to the state. Costs for signs and plaques must be paid by local or private sources.
- 4) The author or co-author of the resolution must represent the district in which the facility is located, and the resolution must identify the specific highway segment or structure being named.
- 5) The segment of highway being named must not exceed five miles in length.
- 6) The proposed designation must reflect a community consensus and be without local opposition.
- 7) The proposed designation may not supersede an existing designation unless the sponsor can document that a good faith effort has uncovered no opposition to rescinding the prior designation.

This resolution designates a portion of State Route 36 near Susanville, from post mile 25.356 at State Route 139 to post mile R29.390 at Junction State Route 395, in the County of Lassen as the High Desert State Prison Correctional Officer Richard Bianchi, Jr., Memorial Highway. The Department of Transportation is requested to determine the cost of appropriate signage showing this special designation and, upon receiving donations from nonstate sources covering that cost, erect those signs.

COMMENTS:

- 1) *Purpose.* The purpose of this resolution is to memorialize the life and service of High Desert State Prison Correctional Officer Richard Bianchi, Jr.
- 2) *Background.* Officer Bianchi was killed in a single-vehicle crash in the early morning of June 25, 2020, while on his way to provide security coverage at a Redding hospital. Officer Bianchi began his service with the Department of Corrections and Rehabilitation in 2010 after serving in the United States Air Force.

Officer Bianchi is survived by his wife, Pam, and two, children Richie and Rachel.

- 3) *Consistent with committee policy.* This resolution is consistent with the provisions of the committee's policy on highway designation.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

POSITIONS: (Communicated to the committee before noon on Friday, June 18, 2021.)

SUPPORT:

California Department of Corrections and Rehabilitation
California Professional Firefighters

OPPOSITION:

None received.

SENATE COMMITTEE ON TRANSPORTATION
Senator Lena Gonzalez, Chair
2021 - 2022 Regular

Bill No:	ACR 40	Hearing Date:	06/24/2021
Author:	Mathis		
Version:	3/2/2021		
Urgency:	No	Fiscal:	Yes
Consultant:	Katie Bonin		

SUBJECT: Harry Tow Memorial Highway Overcrossing

DIGEST: This resolution designates a highway overcrossing in the City of Visalia as the Harry Tow Memorial Highway Overcrossing.

ANALYSIS:

The committee has adopted a policy regarding the naming of state highways or structures. Under the policy, the committee will consider only those resolutions that meet all of the following criteria:

- 1) The person being honored must have provided extraordinary public service or some exemplary contribution to the public good and have a connection to the community where the highway or structure is located.
- 2) The person being honored must be deceased.
- 3) The naming must be done without cost to the state. Costs for signs and plaques must be paid by local or private sources.
- 4) The author or co-author of the resolution must represent the district in which the facility is located, and the resolution must identify the specific highway segment or structure being named.
- 5) The segment of highway being named must not exceed five miles in length.
- 6) The proposed designation must reflect a community consensus and be without local opposition.
- 7) The proposed designation may not supersede an existing designation unless the sponsor can document that a good faith effort has uncovered no opposition to rescinding the prior designation.

This resolution designates the highway overcrossing in the City of Visalia off Plaza Drive and California State Route 198, at postmile R4.796, as the Harry Tow Memorial Highway Overcrossing. The Department of Transportation is requested to determine the cost of appropriate signage showing this special designation and, upon receiving donations from non-state sources covering that cost, erect those signs.

COMMENTS:

- 1) *Purpose.* The purpose of this resolution is to recognize the life and service of Harry Tow.
- 2) *Background.* Mr. Tow was a true Visalian who dedicated his life to volunteerism and community restoration. Mr. Tow received numerous awards for his work, including the hall of fame award from the College of the Sequoias Foundation Board, a Distinguished Award Honoree from the Boy Scouts of America, and Man of the Year from the Visalia Chamber of Commerce.
- 3) *Consistent with committee policy.* This resolution is consistent with the provisions of the committee's policy on highway designation.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

POSITIONS: (Communicated to the committee before noon on Friday,
June 18, 2021.)

SUPPORT:

None received.

OPPOSITION:

None received.

-- END --

SENATE COMMITTEE ON TRANSPORTATION

Senator Lena Gonzalez, Chair

2021 - 2022 Regular

Bill No:	ACR 47	Hearing Date:	06/24/2021
Author:	Stone		
Version:	4/5/2021		
Urgency:	No	Fiscal:	Yes
Consultant:	Katie Bonin		

SUBJECT: Robert Scott Johnson Memorial Highway

DIGEST: This resolution designates a specified portion of State Highway Route 1 in the City of Seaside as the Robert Scott Johnson Memorial Highway.

ANALYSIS:

The committee has adopted a policy regarding the naming of state highways or structures. Under the policy, the committee will consider only those resolutions that meet all of the following criteria:

- 1) The person being honored must have provided extraordinary public service or some exemplary contribution to the public good and have a connection to the community where the highway or structure is located.
- 2) The person being honored must be deceased.
- 3) The naming must be done without cost to the state. Costs for signs and plaques must be paid by local or private sources.
- 4) The author or co-author of the resolution must represent the district in which the facility is located, and the resolution must identify the specific highway segment or structure being named.
- 5) The segment of highway being named must not exceed five miles in length.
- 6) The proposed designation must reflect a community consensus and be without local opposition.
- 7) The proposed designation may not supersede an existing designation unless the sponsor can document that a good faith effort has uncovered no opposition to rescinding the prior designation.

This resolution designates the portion of State Highway Route 1 between Exit 406 for Lightfighter Drive, postmile R82.759, and Exit 404 for Fremont Boulevard and Del Monte Boulevard, postmile R80.970, in the City of Seaside as the Robert Scott Johnson Memorial Highway. The Department of Transportation is requested to determine the cost of appropriate signage showing this special designation and, upon receiving donations from nonstate sources covering that cost, erect those signs.

COMMENTS:

- 1) *Purpose.* The purpose of this resolution is to recognize the life and accomplishments of Staff Sergeant Robert Scott Johnson.
- 2) *Background.* Staff Sergeant Johnson was killed during operations supporting Operation Iraqi Freedom. Staff Sergeant Johnson was awarded a Purple Heart and a Bronze Star Medal for his exceptional acts of bravery. He was born and raised in Seaside.
- 3) *Consistent with committee policy.* This resolution is consistent with the provisions of the committee's policy on highway designation.

FISCAL EFFECT: Appropriation: Fiscal Com.: Yes Local:

POSITIONS: (Communicated to the committee before noon on Friday, June 18, 2021.)

SUPPORT:

None received.

OPPOSITION:

None received.

-- END --

SENATE COMMITTEE ON TRANSPORTATION
Senator Lena Gonzalez, Chair
2021 - 2022 Regular

Bill No: ACR 51 **Hearing Date:** 06/24/2021
Author: Gabriel
Version: 3/18/2021
Urgency: No **Fiscal:** Yes
Consultant: Katie Bonin

SUBJECT: Dr. Sally Ride Memorial Highway

DIGEST: This resolution designates a portion of State Highway 101 as the Dr. Sally Ride Memorial Highway.

ANALYSIS:

The committee has adopted a policy regarding the naming of state highways or structures. Under the policy, the committee will consider only those resolutions that meet all of the following criteria:

- 1) The person being honored must have provided extraordinary public service or some exemplary contribution to the public good and have a connection to the community where the highway or structure is located.
- 2) The person being honored must be deceased.
- 3) The naming must be done without cost to the state. Costs for signs and plaques must be paid by local or private sources.
- 4) The author or co-author of the resolution must represent the district in which the facility is located, and the resolution must identify the specific highway segment or structure being named.
- 5) The segment of highway being named must not exceed five miles in length.
- 6) The proposed designation must reflect a community consensus and be without local opposition.
- 7) The proposed designation may not supersede an existing designation unless the sponsor can document that a good faith effort has uncovered no opposition to rescinding the prior designation.

This resolution designates a portion of State Highway 101 between the junction with Interstate 405, at postmarker 17.165 and Balboa Boulevard, at postmarker 19.217, as the Dr. Sally Ride Memorial Highway. The Department of Transportation is requested to determine the cost of appropriate signage showing this special designation and, upon receiving donations from non-state sources covering that cost, erect those signs.

COMMENTS:

- 1) *Purpose.* The purpose of this resolution is to recognize the life and accomplishments of Dr. Sally Ride.
- 2) *Background.* Dr. Ride was a crewmember for the notorious space shuttle, Challenger wherein she became the first American woman, and the youngest American, to fly in space. As Dr. Ride's career ended as an astronaut, she became a professor of physics and served as the Director of the California Space Institute at the University of California.

Dr. Ride tragically passed away on July 23, 2012, after a 17-month battle with pancreatic cancer.

- 3) *Consistent with committee policy.* This resolution is consistent with the provisions of the committee's policy on highway designation.

FISCAL EFFECT: Appropriation: Fiscal Com.: Yes Local:

POSITIONS: (Communicated to the committee before noon on Friday, June 18, 2021.)

SUPPORT:

California Institute of Technology
Discovery Cube
Elementary Institute of Science
Equality California

OPPOSITION:

None received.

-- END --

This resolution designates a portion of State Highway Route 41 from the East Jensen Avenue Overcrossing No. 42-268 (postmile R21.113) to the South Fresno Viaduct No. 42-226 (postmile R22.107) in the County of Fresno as the Tom Seaver Memorial Highway. The Department of Transportation is requested to determine the cost of appropriate signage showing this special designation and, upon receiving donations from nonstate sources covering that cost, erect those signs.

COMMENTS:

- 1) *Purpose.* The purpose of this resolution is to recognize the life and accomplishments of Tom Seaver.
- 2) *Background.* Seaver joined the United States Marine Corps Reserve in 1962. Shortly thereafter, the University of Southern California (USC) recruited Seaver to play college baseball. Seaver was signed to the New York Mets in 1966. In 1992, Seaver was elected to the Baseball Hall of Fame. In 2016, ESPN ranked Seaver 34th on its list of the greatest Major League Baseball players of all time, while The Athletic ranked him the 41st greatest player of all time in 2020.

Seaver passed away in 2020. He is survived by his wife, two daughters, Sarah and Anne, and four grandsons.

Seaver was born and raised in Fresno.

- 3) *Consistent with committee policy.* This resolution is consistent with the provisions of the committee's policy on highway designation.

FISCAL EFFECT: Appropriation: Fiscal Com.: Yes Local:

POSITIONS: (Communicated to the committee before noon on Friday,
June 18, 2021.)

SUPPORT:

None received.

OPPOSITION:

None received.

-- END --

SENATE COMMITTEE ON TRANSPORTATION
Senator Lena Gonzalez, Chair
2021 - 2022 Regular

Bill No:	ACR 64	Hearing Date:	06/24/21
Author:	Fong		
Version:	5/6/2021		
Urgency:	No	Fiscal:	Yes
Consultant:	Katie Bonin		

SUBJECT: Harvey L. Hall Memorial Highway

DIGEST: This resolution designates a portion of Westside Parkway on State Route 58 in the County of Kern as the Harvey L. Hall Memorial Highway.

ANALYSIS:

The committee has adopted a policy regarding the naming of state highways or structures. Under the policy, the committee will consider only those resolutions that meet all of the following criteria:

- 1) The person being honored must have provided extraordinary public service or some exemplary contribution to the public good and have a connection to the community where the highway or structure is located.
- 2) The person being honored must be deceased.
- 3) The naming must be done without cost to the state. Costs for signs and plaques must be paid by local or private sources.
- 4) The author or co-author of the resolution must represent the district in which the facility is located, and the resolution must identify the specific highway segment or structure being named.
- 5) The segment of highway being named must not exceed five miles in length.
- 6) The proposed designation must reflect a community consensus and be without local opposition.
- 7) The proposed designation may not supersede an existing designation unless the sponsor can document that a good faith effort has uncovered no opposition to rescinding the prior designation.

This resolution designates a portion of Westside Parkway between the Coffee Road off-ramp and the Allen Road off-ramp on State Route 58 in the County of Kern as the Harvey L. Hall Memorial Highway. The Department of Transportation is requested to determine the cost of appropriate signage showing this special designation and, upon receiving donations from non-state sources covering that cost, erect those signs.

COMMENTS:

- 1) *Purpose.* The purpose of this resolution is to recognize the life and accomplishments of Mayor Harvey L. Hall.
- 2) *Background.* Mayor Hall served as the City of Bakersfield's 25th mayor and was the longest-serving mayor thus far. Moreover, Mayor Hall founded and developed the largest EMS provider in Kern County, which has provided exceptional and essential healthcare service throughout the COVID-19 pandemic.
- 3) *Consistent with committee policy.* This resolution is consistent with the provisions of the committee's policy on highway designation.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

POSITIONS: (Communicated to the committee before noon on Friday, June 18, 2021.)

SUPPORT:

California Professional Firefighters

OPPOSITION:

None received.

-- END --

SENATE COMMITTEE ON TRANSPORTATION
Senator Lena Gonzalez, Chair
2021 - 2022 Regular

Bill No:	ACR 67	Hearing Date:	06/24/2021
Author:	Quirk-Silva		
Version:	4/21/2021		
Urgency:	No	Fiscal:	Yes
Consultant:	Katie Bonin		

SUBJECT: Tommy Lasorda Memorial Highway

DIGEST: This resolution designates a portion of Interstate 5 within the County of Orange as the Tommy Lasorda Memorial Highway.

ANALYSIS:

The committee has adopted a policy regarding the naming of state highways or structures. Under the policy, the committee will consider only those resolutions that meet all of the following criteria:

- 1) The person being honored must have provided extraordinary public service or some exemplary contribution to the public good and have a connection to the community where the highway or structure is located.
- 2) The person being honored must be deceased.
- 3) The naming must be done without cost to the state. Costs for signs and plaques must be paid by local or private sources.
- 4) The author or co-author of the resolution must represent the district in which the facility is located, and the resolution must identify the specific highway segment or structure being named.
- 5) The segment of highway being named must not exceed five miles in length.
- 6) The proposed designation must reflect a community consensus and be without local opposition.
- 7) The proposed designation may not supersede an existing designation unless the sponsor can document that a good faith effort has uncovered no opposition to rescinding the prior designation.

This resolution designates a portion of Interstate 5 from Ball Road OC 55-670 at postmile 37.638 to Eastbound exit State Route 91 at postmile 42.671, within the County of Orange, as the Tommy Lasorda Memorial Highway. The Department of Transportation is requested to determine the cost of appropriate signage showing this special designation and, upon receiving donations from non-state sources covering that cost, erect those signs.

COMMENTS:

- 1) *Purpose.* The purpose of this resolution is to recognize the life and accomplishments of Tommy Lasorda.
- 2) *Background.* Lasorda made his major league debut in 1954, with the Brooklyn Dodgers, where he played for two seasons before being traded to the Kansas City Athletics in 1956, where he pitched for one season. After Lasorda's very successful playing career he served as a scout, minor league manager, third base coach, and then manager for the Los Angeles Dodgers.

Lasorda is survived by his wife, many friends, and the Los Angeles Dodger fan base.

- 3) *Consistent with committee policy.* This resolution is consistent with the provisions of the committee's policy on highway designation.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

POSITIONS: (Communicated to the committee before noon on Friday, June 18, 2021.)

SUPPORT:

None received.

OPPOSITION:

None received.

-- END --