

2024 STATE LEGISLATIVE PROGRAM

The California Transit Association's 2024 State Legislative Program is an integral part of making our vision a reality and is part and parcel of our mission to further the interests of public transportation as defined in the Association's 2023-2028 Strategic Plan.

The Association's Strategic Plan, which identifies advocacy as our top priority, sets our advocacy goal as follows:

Influence state and federal decision makers to enact policies and funding solutions supporting, expanding, developing, and advancing public transit.

The Association's Strategic Plan dictates our ongoing responsibilities as they pertain to our advocacy work as follows:

- *Protect existing transit operations and capital funds.*
- *Secure new sources of funding for transit operations and capital projects.*
- *Enhance public awareness of the essential nature of public transit and build support for increased transit funding.*
- *Ensure passage of transit legislation and regulations that support transit and defeat of those legislative and regulatory measures which impede transit's ability to meet the public's mobility needs.*
- *Ensure the passage of legislation and regulations does not create new unfunded mandates on transit agencies.*

To further refine the above responsibilities, the Association's Strategic Plan focuses our advocacy efforts from 2023 to 2028 on the following objectives:

- *Secure new transit operations funding to address the pandemic-induced looming fiscal cliff and support transit's recovery from the pandemic.*
- *Provide support to public transit agencies in the transition to zero-emission vehicles; address agency needs for recharging/ refueling infrastructure, maintenance facilities, etc.*
- *Update the Transportation Development Act (TDA).*
- *Enhance transit industry workforce recruitment and training efforts.*
- *Address driver and passenger safety and security concerns related to inappropriate behavior on transit vehicles and at stations; address the impact of unhoused persons on transit vehicles and at stations.*

2024 STATE LEGISLATIVE PROGRAM – SUMMARY OF ACTION ITEMS

The following summarizes the highest priority policy goals the California Transit Association will pursue in 2024, including sponsored legislation we will seek.

- **Transit Funding and Rebuilding Ridership:** Protect existing transit capital and operations funding and continue to pursue additional dedicated, formula funding for transit and rail agency operations, as well as resources to return riders to public transportation systems.
- **Transit Transformation Task Force:** Work with CalSTA, state agencies, transit agencies, regional partners, legislative committee staff, and other stakeholders in the Transit Transformation Task Force established by SB 125 (Committee on Budget and Fiscal Review) [Chapter 54, Statutes of 2023].
- **Zero-Emission Transit:** Monitor implementation of the Innovative Clean Transit regulation, the Commercial Harbor Craft regulation, the In-Use Locomotive regulation, and Advanced Clean Fleets regulation, and work to reduce the costs associated with deploying ZEVs, including pursuing dedicated funding for zero-emission transit vehicle deployment and supportive infrastructure.
- **Prioritizing Electricity for Transit Agencies:** Pursue legislation, as necessary, to ensure priority access to electricity for transit agencies during grid disruptions.
- **Yield Signs on Transit Buses:** Pursue legislation to authorize transit agencies to equip transit buses with a yield-to-bus sign affixed on the left rear of the bus to ease reentry into traffic after making scheduled stops.
- **Protecting Transit Workers and Riders:** Pursue legislation to protect transit employees from assault and battery. Continue to work with the Transit Operator and Rider Safety Subcommittee to identify additional policy changes and best practices to protect transit workers and riders.
- **Homelessness:** Monitor implementation of AB 1377 (Friedman) [Chapter 728, Statutes of 2023]. Continue to work with the Transit Operator and Rider Safety Subcommittee identify additional policy changes and best practices to address homelessness on California transit systems.
- **Cap & Trade Funding:** Pursue additional dedicated funding from the Greenhouse Gas Reduction Fund (GGRF).
- **Driver Testing:** Work to improve driver testing, certification, and licensing timeframes.

2024 STATE LEGISLATIVE PROGRAM – ALL ACTION ITEMS

The following summarizes all policy goals the California Transit Association will actively pursue in 2024, whether through sponsoring legislation or in supporting the work of other groups. These are a mix of our existing goals and new items added for 2024.

RESPONSIBILITY: Protect existing transit operations and capital funds.

A. The Association will participate in the Transit Transformation Task Force with stakeholders to develop recommendations for transit ridership recovery and structural reforms to state transit funding and performance metrics.

SB 125 (Committee on Budget and Fiscal Review) [Chapter 54 Statutes of 2023] requires the California State Transportation Agency, on or before January 1, 2024, to establish and convene a Transit Transformation Task Force comprised of representatives from transit agencies, academic institutions, nongovernmental organizations, and other stakeholders. SB 125 further requires the Task Force, to prepare and submit a report of findings and policy recommendations, based on the Task Force's efforts, to the appropriate policy and fiscal committees of the Legislature on or before October 31, 2025. SB 125 requires the report to include a detailed analysis of various issues and recommendations on a variety of transit-related topics, including, among others, transit ridership recovery, long-term funding for transit agencies, and Transportation Development Act (TDA) reform.

With respect to TDA reform, specifically, SB 125 creates a state-level body and process for completing the work of the Association's TDA Reform Task Force, which began in early 2019 in response to outreach from then-Senate Transportation Committee Chair Jim Beall (D-San Jose) and then-Assembly Transportation Committee Chair Jim Frazier (D-Antioch).

Throughout fall 2023, the Association will work with the State Legislative Committee to develop a recommended process for consideration by the Executive Committee for nominating Association members to the Transit Transformation Task Force, with the goal of ensuring that the geographic, size and modal diversity of our member agencies is well-represented on the Task Force and with the intent of coordinating our industry's engagement and positions on the Task Force. Additionally, the Association will work with the State Legislative Committee throughout fall 2023 to develop a recommended process for constituting an advisory body on topics, including TDA reform, transit ridership recovery, and long-term funding. This advisory body would provide counsel and direction to Association staff on these substantive policy matters. These recommended processes will be presented to the Executive Committee as part of the adoption of the 2024 State Legislative Program.

In 2024, the Association, through representation by Association staff and in coordination with member agencies, will participate in the Transit Transformation Task Force to support any data collection efforts led by CalSTA and to inform the recommendations developed by the Task Force on topics, including, but not limited to, transit ridership recovery, long-term funding for transit agencies, and TDA reform.

B. Protect existing State transit funds, including the General Fund moneys appropriated in AB 102 (Committee on Budget) [Chapter 38, Statutes of 2023], SB 1 (Beall and Frazier) [Chapter 5, Statutes of 2017] funding, TDA, PTA, and Cap & Trade revenues for transit, from being eliminated, terminated, shifted or otherwise used for non-transit purposes, without specific repayment terms, and restore or obtain repayment of all previous loans or shifts of transit funds.

The Association will advocate for the maintenance of existing transit funding sources committed to transit capital and operations in the FY 2023-24 and FY 2022-23 State Budget and through Senate Bill 1. The Association will partner with local government, the environmental community, and other interested transportation stakeholders, among others, and form coalitions advocating for protection of transit funding. The Association will closely monitor the implementation of SB 125 and seek legislative fixes should any issues arise.

C. Preserve the relative share of Cap & Trade revenues for public transit established in 2014 legislation and explore flexibility regarding the use of existing Cap & Trade revenues.

The Association will work to protect the existing long-term Cap & Trade revenue allocated to transit in SB 862 (Committee on Budget and Fiscal Review) [Chapter 36, Statutes of 2014] through the Low- Carbon Transit Operations Program (5 percent) and the Transit and Intercity Rail Capital Program (10 percent) and support continued appropriations of Cap & Trade funds to the Low Carbon Transportation program to be used for transit and the Zero Emission Transit Capital Program, consistent with SB 125. Should changes be made to the overall expenditure plan for continuously appropriated Cap & Trade revenues, the Association will work to ensure an equal, if not greater amount of revenue is dedicated to transit.

D. Monitor implementation of the Governor’s executive orders to address climate change through transportation investments.

Executive Order N-19-19 directs the California State Transportation Agency (CalSTA) to invest its annual portfolio of \$5 billion toward construction, operations, and maintenance to help reverse the trend of increased fuel consumption and reduce greenhouse gas emissions associated with the transportation sector. CalSTA, in consultation with the Department of Finance, is also directed to align transportation spending, programming and mitigation with the state’s climate goals.

Executive Order N-79-20 states that it shall be the goal of California that 100 percent of in-state sales of new passenger cars and trucks will be zero-emission by 2035. The order further directs Caltrans and the California Transportation Commission, in consultation with the Department of Finance and other State agencies to “identify near term actions and investment strategies to improve clean transportation, sustainable freight and transit options...including building towards an integrated, statewide rail and transit network.” The Executive Orders led CalSTA to develop Climate Action Plan for Transportation Infrastructure (CAPTI) in 2021 with input from a variety of stakeholders. The Plan details how the state proposes to use discretionary transportation funds to “combat and adapt to climate change while supporting public health, safety and equity.”

The Association will continue to monitor implementation of CAPTI to ensure it is implemented in a manner that maximizes benefits to transit agencies, while working to ensure state and federal funds are made available to achieve the goals outlined in the plan.

RESPONSIBILITY: Secure new sources of funding for transit operations and capital projects and enhance public awareness of the essential nature of public transit and build support for increased transit funding.

A. Advocate for additional state funding to address transit and rail agencies’ operating needs and return riders to transit systems.

The COVID-19 pandemic dramatically reduced state and local transit revenue sources and increased the cost of transit operations, threatening the viability of public transit in the short and long-term. At the same time, the pandemic also undermined transit ridership and emphasized the importance of transit agencies exploring new strategies and investments to regain and expand their place in California’s transportation network. Despite success in securing flexible funding in the FY 2023-24 State Budget to address operations funding needs, additional operations funding is still necessary to maintain and expand service; the Association will continue to seek additional short-term operations funding through a range of revenue options established by the Association’s Transit Operations Funding Subcommittee and pursue through the Transit Transformation Task Force mechanisms for additional long-term operations funding.

B. Advocate for additional state funding to support the transition to zero-emission transit vehicles across all modes.

The Association will continue to advocate to ensure funding is approved by the State Legislature for the Clean Truck, Bus, and Off-Road Equipment Program – which includes, but is not limited to the Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project and Clean Off-Road Equipment Voucher Project – and emerging opportunities to support zero-emission transit vehicle deployment and the California Energy Commission’s various clean transportation programs that support zero-emission transit vehicle infrastructure buildout. For HVIP and the CEC Clean Transportation Programs, specifically, the Association will advocate to re-establish the funding set-asides that specifically and exclusively advantage transit agencies. The Association will also continue to advocate for the inclusion of robust funding for zero-emission transit vehicles and infrastructure in the state’s pending resources bond. Additionally, the Association will continue to engage on HVIP and TIRCP guidelines to better align these programs and their requirements to reflect the needs and limitations of transit agencies and, thus, increase the share of funding available to transition to zero-emission buses.

C. Support new local government funding options to support transit and infrastructure near transit.

The Association supports new local funding tools enabling local governments to maintain and expand transit service and promote infrastructure, including affordable housing, near public transit. These tools could come in the form of changes to Infrastructure Financing District law, CEQA incentives for development closer to transit stations, lower voter-thresholds and sub-regional initiatives for local sales tax measures, authority for transit agencies to develop projects on their own property, and the inclusion of transit-oriented development projects in new housing programs.

D. Seek resources to assist transit agencies in managing homelessness.

The Association will monitor implementation of AB 1377 (Friedman) [Chapter 728, Statutes of 2023]. Through the Transit Operator and Rider Safety Subcommittee, the Association will continue to work to identify funding models and sources, which can be used by transit agencies to combat homelessness on their systems and will work the Legislature and the Administration to such funding. Additionally, the Association will seek to expand the Project HomeKey program to require consideration of transit availability for future project sites.

E. Advocate for resources to help transit agencies recruit, retain, and train employees.

In the last three years both the State and federal government have made landmark investments in transit, however, labor shortages in transit operations and maintenance could severely undercut the benefits of these investments. There has been a dire shortage of transit bus drivers and bus maintenance positions for years. In a 2022 survey by APTA, 71% of transit agencies reported that they have either had to cut services or delay service increases because of worker shortages. Nearly all responding agencies indicated that they face challenges hiring new employees.

To address this issue, the Association will advocate for new state resources to fund existing transit workforce development programs or establish new training programs, through pilots or other means, in community colleges to ensure a strong pool of skilled transit workers for the future.

RESPONSIBILITY: Ensure passage of transit legislation and regulations that support transit and defeat of those legislative and regulatory measures which impede transit’s ability to meet the public’s mobility needs, and ensure the passage of legislation and regulations does not create new unfunded mandates on transit agencies.

A. Identify and pursue legislative and regulatory strategies to reduce the cost of compliance with the Innovative Clean Transit regulation, Commercial Harborcraft regulation, and In-Use Locomotive regulation.

The Association will continue to educate the Legislature, ARB, the Public Utilities Commission (PUC) and the California Energy Commission on the real-world costs and experiences of transit agencies deploying zero-emission transit vehicles. More specifically, the Association will continue to work with its ZEV Task Force to identify and pursue legislative and regulatory strategies to reduce the costs associated with deploying ZEVs and complying with state regulations.

B. Monitor and pursue, as necessary, regulatory and legislative solutions to reduce the cost of electricity and hydrogen procured by transit agencies, and to ensure the reliability of these energy sources.

To address the high cost of electricity and hydrogen as a fuel, the Association will continue to work with its ZEV Task Force to monitor the implementation of new commercial electricity vehicle rates, approved by the PUC in 2018 and 2019, and will engage the PUC to ensure that approved rate designs reduce the cost of operating battery-electric buses and are extended, as appropriate. Additionally, the Association will engage with the CEC to develop and implement strategies for reducing the high cost of hydrogen as a fuel.

Despite AB 463 (Hart) failing to move forward in 2023, the Association will pursue legislation, as necessary, to ensure electricity is prioritized for transit agencies. As public transit agencies statewide replace their vehicles, rolling stock, and vessels with all-electric fleets, the Association has heard concerns from transit agencies about the ability to maintain service during public safety driven power shutoffs and rolling blackouts.

C. Work to improve driver testing, certification, and licensing processes.

The Association will continue to work with the Department of Motor Vehicles and other relevant state entities on driver testing, certification, and licensing, and pursue legislation or new funding, if appropriate, to improve the time it takes to deploy new bus operators. These efforts will be focused, in part, on addressing the challenges related to transit agencies meeting the 10-test rule for the Employer Testing Program to build on efforts that began in 2021.

In 2022, the Association drafted and sent a letter to the Department of Motor Vehicles offering a series of recommendations to alleviate the shortage in transit operators. These recommendations included expediting commercial licensing, and pursuing state funding for additional courses, appointments, and online webinars to allow for recertification of Examiners.

D. Support transportation efforts to improve enforcement and driver safety.

The Association will pursue legislation to authorize crimes committed against transit employees, generally, to be charged as felonies or misdemeanors, punishable by a fine of no more than \$10,000, or a combination of the two, depending on whether an injury is inflicted.

Additionally, the Association will continue to work with the Transit Operator and Rider Safety Subcommittee to explore new ideas and support member agencies as they work to improve the enforcement of violations on transit systems or those that may impact transit service. The Subcommittee is also exploring ways, including statutory changes, to better protect transit vehicle operators.

E. Support alternative procurement methods and measures that improve the construction of transit capital projects and encourage development near transit.

The Association supports state policy objectives and legislation that enable transit agencies to use alternative procurement methods, such as design-build, construction manager/general contractor, and job order contracting, to help streamline construction & maintenance and reduce costs. The Association also supports efforts that allow local governments to maintain and expand transit service and promote infrastructure, including affordable housing, near public transit. Finally, the Association will support legislation and policies at both the state and federal level that streamline federal, state, and

local permitting processes and requirements, and that reduce the costs of obtaining permits, particularly from other local agencies that stand to benefit from a project's completion.

F. Support efforts to assist public transit buses when returning to traffic after scheduled stops and further improve transit bus services.

The Association supports efforts that facilitate safer operating maneuvers that also may further enhance transit services. The Association will pursue legislation to authorize public transit agencies statewide to affix "yield-to-bus" signs on the left rear of transit buses to reduce service delays because of the inability to quickly merge back into traffic after scheduled bus stops.

G. Support efforts to increase and enhance transit priority on shared transportation infrastructure and defeat efforts that impede fast, frequent, and reliable transit service.

In previous legislative sessions, the Association sponsored/co-sponsored measures to expand transit priority on local streets and roads and state highways, including SB 288 (Wiener) [Chapter 200, Statutes of 2020], SB 1283 (Beall, 2020), AB 476 (Mullin, 2021), AB 917 (Allen) [Chapter 350, Statutes of 2021], SB 922 (Wiener) [Chapter 987, Statutes of 2022], and we have been actively engaged to support through administrative guidance further improvements to shared infrastructure to improve transit travel times, frequency and reliability.

The Association will continue to support efforts – whether they be legislative or administrative – to increase and enhance transit priority on shared transportation infrastructure. We will also work to defeat efforts that impede fast, frequent, and reliable transit service.

H. Continue to Monitor PEPRA 13(c)-Related Litigation

The Association will continue to monitor objections to the certification of federal transit grants for California as well as the status of the litigation filed by the Amalgamated Transit Union in response to the United States Department of Labor's certification of transit grants over Public Employees' Pension Reform Act of 2013-related objections.

I. Monitor and support efforts to advance racial and social justice, transportation equity, and workforce equity through state transportation policy.

The Association will implement the recommendations of the *Actions for a More Equitable, Inclusive, and Diverse Association* report by reviewing and engaging on state transportation policy intended to advance racial and social justice, transportation equity, and workforce equity. Such policy may relate to issues, including but not limited to, transit access and affordability, policing, workforce development and training, and zero-emission technologies.

J. Support efforts to implement the Infrastructure Investment and Jobs Act in California and, if necessary, assist the Federal Legislative Committee in securing a surface transportation reauthorization bill with the best outcomes for transit.

The Association will continue to participate in state, legislative, and regulatory efforts to ensure appropriate implementation of the Infrastructure Investment and Jobs Act at the state level.

K. The Association will work with legislative leadership, the Governor, and other groups to advocate that any reforms to the CEQA process advantage public transit projects, including bicycle, pedestrian, and TOD projects, and will monitor closely the implementation of SB 146 (Gonzalez) [Chapter 58, Statutes of 2023], SB 149 (Caballero) [Chapter 60, Statutes of 2023], and SB 922 (Wiener) [Chapter 987, Statutes of 2022].