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Ominous ruling for the future of public transit ***Judge upholds majority of \$1.259 billion raid on PTA coffers***

SACRAMENTO — A Sacramento County Superior Court Judge today upheld most of a \$1.259 billion raid on public transit dollars, a decision condemned by transit advocates as having dire consequences for the future of public transportation in California.

“This is a major setback for those who depend on public transit, and it’s also an affront to the millions of voters who time and again have said they want money reserved for public transit, and they want that money to actually be spent on public transit,” said Joshua Shaw, Executive Director of the California Transit Association, upon learning of the court’s decision.

The Association filed the lawsuit last September after adoption of the 2007-08 state budget that siphoned \$1.259 billion from the Public Transportation Account (PTA) and diverted it to the General Fund. The suit maintained that a series of voter-approved constitutional provisions – from 1990’s Proposition 116 through Proposition 1A of 2006 – established the PTA as a trust fund and require that PTA revenues must be spent on “mass transportation purposes.”

While the court agreed that \$409 million of the funding shift violated state law, it determined that more than \$779 million in diversions were within the guidelines specified by the initiatives, a point naturally disputed by transit officials.

“We feel the court’s decision hinges on a technical interpretation of Prop 116 that contradicts what we see as the clear intention of the voters,” said Shaw.

“On the surface, this decision suggests that we did indeed recoup more than \$400 million, and that’s certainly helpful,” he continued. “But the big picture reality is that this ruling does nothing to remedy the basic structural problem that recent governors and legislatures have been using to justify continued raids on transit funding. This needs to be fixed in order to restore voter faith in the state’s commitment to funding public transit.”

Shaw acknowledged that a full restoration of funds would pose further complications for the already problematic current year’s budget, but stressed that such a move should not be viewed in terms of a threat to vital services.

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“Some have cynically accused us of trying to take money away from school kids, the disabled and the elderly,” he said. “But those are precisely the people who are most dependent on public transit in their day-to-day lives. Those are the people who would ultimately benefit the most from these funds being fully restored. Those are the people who stand to suffer the most as a result of this decision.”

“We recognize what the governor and the legislature are up against in dealing with this budget situation,” Shaw added “and we support any efforts to enact meaningful structural reform – to raise revenues, to cut costs, and to do so without depending on transportation money to bail out the General Fund.”

The California Transit Association is the trade organization representing the state’s public transportation systems. Its mission is to support the needs of California’s public transit systems through advocacy and education. The Association’s members include more than 85 local and regional transit systems, operating bus, dial-a-ride, light rail and commuter rail services. Members provided more than 1.3 billion passenger trips on transit in 2006.

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