



Alameda-Contra Costa Transit District

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## STAFF REPORT

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TO: AC Transit Board of Directors  
FROM: Michael A. Hursh, General Manager  
SUBJECT: 2017 Federal and State Legislative Advocacy Programs

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### ACTION ITEM

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#### **RECOMMENDED ACTION(S):**

Consider approving the District's Federal and State Legislative Advocacy Programs for 2017.

#### **BACKGROUND/RATIONALE:**

Each year the AC Transit Board of Directors adopts advocacy programs to provide guidance for the District's activities in Washington, D.C. and Sacramento to influence transit legislation, appropriations, and administrative matters at the State and Federal levels. The attached programs for 2017 address on-going efforts as well as emerging issues for the coming year.

Staff solicited input to develop the attached Federal and State advocacy programs from key staff and executives. Per the Board's direction, draft programs were distributed to advocacy groups and the District's planning and funding partners to solicit feedback. Responses received were considered in developing the attached advocacy programs.

#### **BUDGETARY/FISCAL IMPACT:**

There is no budgetary or fiscal impact associated with this report.

#### **ADVANTAGES/DISADVANTAGES:**

This report is being provided to recommend areas of emphasis to guide Federal and State Advocacy efforts.

#### **ALTERNATIVES ANALYSIS:**

This report is being provided based on the District's current priorities.

#### **PRIOR RELEVANT BOARD ACTION/POLICIES:**

Staff Report 15-293a: 2016 Federal and State Legislative Advocacy Programs

#### **ATTACHMENTS:**

1. FY 2017 State Advocacy Program Draft
2. FY 2017 Federal Advocacy Program Draft

**Approved by:** Beverly Greene, Director of Legislative Affairs & Community Relations  
**Reviewed by:** Denise Standridge, General Counsel  
**Prepared by:** Estee Sepulveda, External Affairs Representative

DRAFT



2017 State Advocacy Program

Item	Staff Recommendation
<p><b>Funding</b></p> <ul style="list-style-type: none"> <li>• Support efforts to implement future transportation authorizations that at least maintain funding level for mass transit projects and programs for bus operators in the Bay Area.</li> <li>• Support <b>efforts that increase the formula allocation of cap &amp; trade auction revenue to public transit operations and capital investments, and the development and implementation of an expenditure plan for AB 32 cap and trade revenue that provides an equitable investment in mass transit capital improvements, operations, and infill/transit oriented development (TOD).</b></li> <li>• <b>Support the development of a regional toll measure expenditure plan and the enactment of legislation that provides for the equitable distribution of toll revenue for public transit operations and capital improvements within AC Transit's toll bridge corridors.</b></li> <li>• Actively participate in the California Air Resources Board's (CARB) Advanced Clean Transit regulatory process.</li> <li>• Support legislation and programs that would provide funding to offset the costs of climate change initiatives, <b>such as pending Advanced Clean Transit regulations and any zero emission vehicles clean air and clean fuels and implementation of AC Transit's Climate Action Plan.</b></li> <li>• Support efforts that create new sources of operating funds with equitable distribution to reflect urban transit needs.</li> <li>• Support efforts for <b>new, sustainable funding for to sustain existing transit revenues, including the State Transit Assistance (STA) program to offset the decline in available revenue decrease in diesel fuel consumption.</b></li> <li>• Support efforts that would exempt public transit providers from state sales tax.</li> </ul>	<p>Keep and revise</p> <p>Add</p> <p>Keep, revise, and moved up</p> <p>Keep and revise</p>

<ul style="list-style-type: none"> <li>• Support local ability to increase fees and gas taxes to be used for local mass transit purposes.</li> <li>• Support congestion pricing strategies and legislation that provide an equitable multi-modal distribution of generated revenues.</li> <li>• Support legislative or administrative action to remove State barriers so that Medicaid transportation funds can be used for public transit services, including ADA paratransit services.</li> <li>• Support funding and coordination between Health and Human Service (HHS) agencies and other transportation agencies to provide services to HHS clients.</li> <li>• Support/<del>seek additional efforts to provide</del> funding for essential services including, but not limited to, services for access to work, school or medical facilities.</li> <li>• Support <del>policy funding initiatives that</del> <b>relieve the undue burden of mandatory regulations</b> <del>maintain the fiscal integrity of the District and that all mandates that require funding by requiring all mandates be</del> <b>are sufficiently funded by mandating agency to protect the fiscal integrity of the District.</b></li> <li>• <b>Support efforts to ensure public transit receives a fair share of any new tax revenue, such as revenue resulting from Proposition 64.</b></li> <li>• <b>Support efforts at the California Public Utilities Commission and state legislature for discounted rates of electricity for zero emission vehicles.</b></li> <li>• <b>Support funding for continued operation and maintenance of the Transbay Transit Center.</b></li> </ul>	<p>Keep and revise (match federal point)</p> <p>Keep and revise</p> <p>Add</p> <p>Add</p> <p>Add</p>
<p><b><u>Equipment and Operations</u></b></p> <ul style="list-style-type: none"> <li>• Support legislation or administrative action that would direct Caltrans to establish and maintain HOV and HOT lanes on state highway routes and to improve existing lane management to maximize <b>person</b> throughput.</li> <li>• Support incentives to provide bus <b>only</b> <del>contra flow</del> lanes on the <del>San Francisco-Oakland Bay B bridges to/from the Transbay Transit Center Terminal.</del></li> </ul>	<p>Keep and revise</p> <p>Keep and revise</p>

<ul style="list-style-type: none"> <li>• Support legislation to exempt public transit <b>and paratransit</b> vehicles from state and local truck route ordinances.</li> <li>• Support legislation or administrative action that would direct Caltrans to permit permanent use of freeway shoulders by public transit buses <b>and paratransit vehicles</b>.</li> <li>• <b>Remove or except public transit diesel-powered heavy duty vehicles from the 3000 hours limitation required under the Emissions Defects Warranty established by CARB.</b></li> <li>• <b>Support increased resources for security and safety of bus divisions.</b></li> <li>• <b>Support funding for zero emission vehicle workforce training programs.</b></li> </ul>	<p>Keep and revise</p> <p>Keep and revise</p> <p>Add</p> <p>Add</p> <p>Add</p>
<p><b><u>Transit Incentives</u></b></p> <ul style="list-style-type: none"> <li>• Support legislation to provide incentives for employees and employers to use public transportation to commute to work, including tax credits for purchasing transit passes.</li> <li>• Support Clean Air Initiatives that encourage increased public transit use.</li> <li>• <del>Support incentives that would give auto insurance credits to heavy transit users.</del></li> <li>• Support legislation to provide incentives for local governments and developers to incorporate transit passes into the cost of housing.</li> </ul>	<p>Remove</p>
<p><b><u>Environment and Transit Supportive Land Use</u></b></p> <ul style="list-style-type: none"> <li>• Advocate for transit-supportive legislation that addresses climate change, healthy communities and environments.</li> <li>• Foster transit supportive land use initiatives that require coordination with transit providers in the initial stages of local planning or project development that impacts transit, including density level decisions <del>or TODs</del>; and advocate for the required use of:             <ul style="list-style-type: none"> <li>○ Transit streets agreements, and</li> <li>○ Complete streets plans in which local transportation plans anticipate use of all modes.</li> </ul> </li> <li>• Support improvement to the California Environmental Protection</li> </ul>	<p>Keep and revise</p>

<p>Agency's (Cal/EPA) screening process to better reflect <b>account for</b> the disadvantaged communities of the East Bay.</p>	<p>Keep and revise</p>
<p><b><u>Policy Interests</u></b></p> <ul style="list-style-type: none"> <li>• Support simple majority vote for local transportation <del>ballet</del> tax initiatives.</li> <li>• Support legislation to allow District to ban persons for specified offenses <b>relating to aggressive, threatening or criminal behavior against district property, assets or personnel and</b> from entering District property, including buses.</li> <li>• Seek revisions to the Metropolitan <b>Transportation Commission's statutes</b> <del>Planning Organization (MPO) grandfather clause that supports to include</del> the direct representation of transit properties on <b>its governing board</b> <del>MPOs</del>.</li> <li>• Support legislation for STA formula reform that includes federal operating funding as eligible revenue.</li> <li>• Support efforts that maintain existing Workers' Compensation regulation.</li> <li>• Consider efforts to reform tort general damages.</li> <li>• Monitor actions regarding <b>any efforts to eliminate 13C requirements, and/or the Department of Labor's position with respect to applicability of 13C to</b> pension reform law (PEPRA).</li> <li>• <b>Monitor administrative and regulatory compliance legislation that potentially impacts the District.</b></li> <li>• Support legislation that requires jurisdictions to install Transit Signal Priority equipment in order to receive money for traffic signal upgrades.</li> <li>• Support efforts to authorize AC Transit to enforce parking and moving violations in bus-only lanes and bus stops through <b>the use of</b> forward-facing cameras <del>and contracted county law enforcement departments</del>.</li> <li>• Seek to <b>harmonize</b> <del>clarify</del> treatment of independent <b>public transit</b> agency retirement systems <b>with large systems (e.g. CalPERS, CalSTRS)</b>.</li> </ul>	<p>Keep and revise</p> <p>Keep and revise</p> <p>Keep and revise</p> <p>Keep and revise</p> <p>Keep and revise</p> <p>Keep and revise</p> <p>Add</p> <p>Keep and revise</p> <p>Keep and revise</p>

- Support legislation that reduces liability for common carriers.
- Support legislation that allows for the enforcement of priority seating.

Add



**2017 Federal Advocacy Program**

Item	Staff Recommendation
<p><b>Funding</b></p> <ul style="list-style-type: none"> <li>• FY 2017 Grant Opportunities - Secure federal funds for key capital projects and support funding for 2017 Project Priorities for:               <ul style="list-style-type: none"> <li>○ Rehabilitation, <b>expansion, and replacement</b> of aging <b>bus, bus facilities, and equipment and maintain in a state of good repair.</b></li> <li>○ Within the Small Starts Program and other programs</li> <li>○ <del>AC Transit's Intelligent Transportation and Communication System upgrades</del> →</li> <li>○ Bus lifting equipment program</li> <li>○ <b>Security cameras and wireless access technologies for buses and facilities</b> →</li> <li>○ Zero Emission Bus Programs</li> </ul> </li> <li>• Advocate for supplemental funding through the Federal Transit Administration (FTA) to offset rising operating costs without jeopardizing total funding available for capital projects.</li> <li>• Support funding for the Transbay Terminal.</li> <li>• Support/seek additional funding for essential services including, but not limited to services for access to work, school or medical facilities.</li> <li>• Support efforts to rescind the planned across-the-board cuts to all federal programs, called "Sequestration," as enacted under the Budget Control Act of 2011.</li> <li>• Support federal funds <del>for the</del> <b>to purchase and refurbish</b> of zero emission buses <b>and related infrastructure.</b></li> <li>• Support <b>policy funding</b> initiatives that <b>relieve the undue burden of mandatory regulations by requiring all</b> maintain the fiscal integrity of the District <b>and that all unfunded federal mandates be sufficiently funded to protect the fiscal integrity of the District are funded, including Safety Management Systems (SMS) and State</b></li> </ul>	<p>Keep and revise</p> <p>Moved up and revised</p> <p>Remove</p> <p>Add</p> <p>Keep and revise</p> <p>Keep and revise (merged)</p>



<p>of Good Repair and assessment management plans.</p> <ul style="list-style-type: none"> <li>• <del>Support funding initiatives that enable the District to maintain buses and bus facilities in a state of good repair.</del></li> </ul>	<p>Remove (captured in #1)</p>
<p><b><u>Transportation Authorization Principles</u></b></p> <ul style="list-style-type: none"> <li>• Advocate for the inclusion of transit buses by Congress and the incoming Administration in any initiative to enhance funding or financing opportunities for transportation infrastructure.</li> <li>• Ensure that private sector financing proposals do not replace current funding for transit from the Highway Trust Fund.</li> <li>• Preserve continued guaranteed funding for transit from the Highway Trust Fund/Mass Transit Account, and oppose any efforts to break to 80/20 split for highways and transit.</li> <li>• Support efforts to increase the gas tax or to increase other revenues to replenish and sustain long-term growth of the Highway Trust Fund/Mass Transit Account.</li> <li>• <del>Support transportation authorization reform that emphasizes greater funding levels to urban mass transit systems, and oppose efforts to reduce spending on transit formula programs, and support stronger performance criteria.</del></li> <li>• Support FTA and Congressional efforts to make State of Good Repair for transit bus systems a strategic priority and include more funding.</li> <li>• Support increased funding for Small Starts programs and broad funding eligibility in federal transit programs, including Small Starts programs.</li> <li>• Seek revisions to the Metropolitan Planning Organization (MPO) grandfather clause that supports the direct representation of transit properties on MPOs.</li> <li>• Support legislation through the federal highway and transportation authorization for safety requirements based on agency size and transportation mode.</li> <li>• Support efforts to require local labor workforce minimums for construction projects funded by grants from the FTA.</li> </ul>	<p>Add</p> <p>Add and split</p> <p>Keep and revise</p> <p>Remove (Not relevant in current environment)</p> <p>Keep and revise</p> <p>Add</p>

<p><b><u>Other Advocacy</u></b></p>	
<ul style="list-style-type: none"> <li>• Support funding and coordination between Health and Human Service (HHS) agencies and other transportation agencies to provide services to HHS clients.</li> </ul>	
<ul style="list-style-type: none"> <li>• Support <b>Preserve</b> modal parity <b>by maintaining</b> in the commute tax benefits <b>in legislation to reform corporate tax rates.</b></li> </ul>	<p>Keep and revise</p>
<ul style="list-style-type: none"> <li>• <b>Advocate for maintaining the tax exemption on municipal bonds in legislation to reform corporate tax rates.</b></li> </ul>	<p>Add</p>
<ul style="list-style-type: none"> <li>• <del>Support legislation that relieves the fiscal burden of mandatory regulations.</del></li> </ul>	<p>Remove (repetitive)</p>
<ul style="list-style-type: none"> <li>• Support legislation that encourages Single Payer health insurance.</li> </ul>	
<ul style="list-style-type: none"> <li>• Advocate for <b>funding of infrastructure improvements covered by the American with Disabilities Act (ADA)</b> improvements.</li> </ul>	<p>Keep and revise</p>
<ul style="list-style-type: none"> <li>• Monitor actions regarding <b>any efforts to eliminate 13C requirements, and/or the Department of Labor’s position with respect to applicability of 13C to pension reform law (PEPRA).</b></li> </ul>	<p>Keep and revise</p>
<ul style="list-style-type: none"> <li>• Advocate for transit-supportive legislation that mitigates climate change and/or calls for environmental stewardship and related funding.</li> </ul>	<p>Moved down the list</p>
<ul style="list-style-type: none"> <li>• <b>Explore options to expand the FTA’s 20% spare ratio requirement.</b></li> </ul>	<p>Add</p>
<ul style="list-style-type: none"> <li>• <b>Monitor actions that decrease funding for sanctuary cities.</b></li> </ul>	<p>Add</p>