



Alameda-Contra Costa Transit District

---

## STAFF REPORT

---

TO: AC Transit Board of Directors  
FROM: Michael A. Hursh, General Manager  
SUBJECT: 2018 Federal and State Legislative Advocacy Programs

---

### ACTION ITEM

---

#### RECOMMENDED ACTION(S):

Consider approving the District's Federal and State Legislative Advocacy Programs for 2018.

#### 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 2018 address on-going efforts as well as developing issues for the coming year such as emerging mobility services like autonomous and connected vehicle policies.

Staff solicited input to develop the attached Federal and State advocacy programs from key staff and executives. Draft programs were also 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 17-002: 2017 Federal and State Legislative Advocacy Programs

#### ATTACHMENTS:

- 1: 2018 Federal Advocacy Program
- 2: 2018 State Advocacy Program

**Approved by:** Beverly Greene, Executive Director of External Affairs, Marketing and Communications

**Reviewed by:** Beverly Greene, Executive Director of External Affairs, Marketing and Communications

**Prepared by:** Estee Sepulveda, External Affairs Representative



<p>Repair, and assessment management plans, and the Americans with Disabilities Act (ADA).</p> <ul style="list-style-type: none"> <li>Support federal funds to deploy 5G wireless technologies for buses and facilities.</li> </ul>	<p>Keep and revise</p> <p>Add</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 funding solutions that generate new revenues that include efforts to increase increasing the gas tax or other revenues to replenish and sustain long-term growth of the Highway Trust Fund/Mass Transit Account.</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 continued and increased funding for Small Starts programs and broad funding eligibility in federal transit 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>Keep and revise</p> <p>Keep and revise</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 and support the Coordinating</li> </ul>	<p>Keep and revise</p>

<p>Council on Access and Mobility (CCAM) to coordinate these efforts throughout the federal government.</p>	
<ul style="list-style-type: none"> <li>• Preserve modal parity by maintaining the commute tax benefits in legislation to reform <del>corporate</del> tax rates for individuals and employers and maintain the ability of employers to deduct the cost of this benefit.</li> </ul>	<p>Keep and revise</p>
<ul style="list-style-type: none"> <li>• Advocate for maintaining the tax exemption on municipal bonds in legislation to reform <del>corporate</del> tax rates.</li> </ul>	<p>Keep and revise</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 funding of infrastructure improvements covered by the American with Disabilities Act (ADA).</li> </ul>	
<ul style="list-style-type: none"> <li>• Monitor actions regarding 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).</li> </ul>	
<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>	
<ul style="list-style-type: none"> <li>• Explore options to expand the FTA’s 20% spare ratio requirement.</li> </ul>	
<ul style="list-style-type: none"> <li>• Monitor legislation or regulations related to emerging mobility services.</li> </ul>	<p>Add</p>
<ul style="list-style-type: none"> <li>• Support efforts to develop and deploy new transit data management platforms including the capabilities like GIS, Machine Learning and Data Analytics for safety and efficiency.</li> </ul>	<p>Add</p>
<ul style="list-style-type: none"> <li>• Support efforts to deploy new video security technologies including video analytics and collision avoidance system.</li> </ul>	<p>Add</p>
<ul style="list-style-type: none"> <li>• Support efforts to develop technology incubators and innovation centers for modernizing and bringing the legacy Transit application to State of Good Repair.</li> </ul>	<p>Add</p>
<ul style="list-style-type: none"> <li>• Monitor actions that decrease funding for sanctuary cities and state.</li> </ul>	<p>Keep and revise</p>

DRAFT



2018 State Advocacy Program

Item	Staff Recommendation
<p><b>Funding</b></p> <ul style="list-style-type: none"> <li>• Support innovative funding solutions that stabilize and or generate new revenues for transportation projects that includes funding for transit capital and operations 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>• Oppose efforts that repeal transportation revenue streams enacted through SB 1.</li> <li>• Support efforts that increase the formula allocation of cap &amp; trade auction revenue to public transit operations and capital investments, and the development of an expenditure plan for cap and trade revenue that provides an equitable investment in mass transit and infill/transit oriented development (TOD).</li> <li>• <del>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.</del></li> <li>• Actively participate in the California Air Resources Board's (CARB) Innovative Advanced Clean Transit regulatory process.</li> <li>• Support legislation and programs that would provide funding to offset the costs of climate change initiatives, such as pending Innovative Advanced Clean Transit regulations and any zero emission vehicles and infrastructure.</li> <li>• <del>Support efforts that create new sources of operating funds with equitable distribution to reflect urban transit needs.</del></li> <li>• Support efforts for new, sustainable funding for existing transit revenues, including the State Transit Assistance (STA) program to offset the decline in available revenue.</li> </ul>	<p>Keep and revise</p> <p>Add</p> <p>Remove. SB 595 signed into law.</p> <p>Keep and revise</p> <p>Keep and revise</p> <p>Remove. Folded into point #1.</p>

<ul style="list-style-type: none"> <li>• Support efforts that would exempt public transit providers from state sales tax.</li> <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/seek additional funding for essential services including, but not limited to, services for access to work, school or medical facilities.</li> <li>• Support policy initiatives that relieve the undue burden of mandatory regulations by requiring all mandates be sufficiently funded to protect the fiscal integrity of the District.</li> <li>• Support efforts to ensure public transit receives a fair share of any new tax revenue, such as revenue resulting from Proposition 64.</li> <li>• Support efforts at the California Public Utilities Commission and state legislature for discounted rates of electricity for zero emission vehicles.</li> <li>• Support funding for continued operation and maintenance of the Transbay Transit Center.</li> <li>• <b>Support funding for school transportation and a universal student transit pass program.</b></li> </ul>	<p style="text-align: center;">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 person throughput.</li> </ul>	

<ul style="list-style-type: none"> <li>• Support incentives to provide bus only lanes on bridges to/from the Transbay Transit Center.</li> <li>• Support legislation to exempt public transit and paratransit 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 and paratransit vehicles.</li> <li>• Remove or exempt public transit diesel-powered heavy duty vehicles from the 3000 hours limitation required under the Emissions Defects Warranty established by CARB.</li> <li>• Support increased resources for security and safety of buses and facilities divisions.</li> <li>• Support funding for zero emission vehicle workforce training programs.</li> <li>• Support efforts to develop and deploy new transit data management platforms including the capabilities like GIS, Machine Learning and Data Analytics for safety and efficiency.</li> <li>• Support efforts to deploy new video security technologies including video analytics and collision avoidance system.</li> <li>• Support legislation to authorize three-position bicycle racks on 60-foot buses.</li> <li>• Support efforts that increase the limit of facility repairs to \$50,000 or more under public contract code 20211 (c).</li> </ul>	<p>Keep and revise</p> <p>Add</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>• Support legislation to provide incentives for local governments and developers to incorporate transit passes into the cost of commercial and residential projects housing.</li> </ul>	<p>Keep and revise</p>



**Environment and Transit Supportive Land Use**

- Advocate for transit-supportive legislation that addresses climate change, healthy communities and environments.
- 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; and advocate for the required use of:
  - Transit streets agreements, and
  - Complete streets plans in which local transportation plans anticipate use of all modes.
- Support improvement to the California Environmental Protection Agency’s (Cal/EPA) screening process to better account for the disadvantaged communities of the East Bay.

**Policy Interests**

- Support simple majority vote for local transportation tax initiatives.
- Support legislation to allow District to ban persons for specified offenses relating to aggressive, threatening or criminal behavior against district property, assets or personnel and from entering District property, including buses.
- **Support efforts that levy fees or taxes on transportation network companies (TNCs) to fund local public transportation.**
- **Monitor legislation or regulations related to emerging mobility services.**
- Seek revisions to the Metropolitan Transportation Commission’s statutes to include the direct representation of transit properties on its governing board.
- ~~Support legislation for STA formula reform that includes federal operating funding as eligible revenue.~~
- Support efforts that maintain existing Workers’ Compensation regulation.
- Consider efforts to reform tort general damages.
- Monitor actions regarding 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).

Add

Add

Remove.  
AB 1113 was signed into law

- Monitor administrative and regulatory compliance legislation that potentially impacts the District.
- Support legislation that requires jurisdictions to install Transit Signal Priority equipment in order to receive money for traffic signal upgrades.
- Support efforts to authorize AC Transit to enforce parking in **bus-only lanes** and ~~moving violations in bus-only lanes and bus stops~~ through the use of forward-facing cameras.
- Seek to harmonize treatment of independent public agency retirement systems with large systems (e.g. CalPERS, CalSTRS).
- Support legislation that reduces liability for common carriers.
- ~~Support legislation that allows for the enforcement of priority seating.~~

Keep and revise.  
SB 1051 was  
signed into law.

Remove.  
SB 413 was  
signed into law.