

Legislative Histories of the SSTIA and the TDA

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This brief describes the legislative history and statutory changes made to both the Social Service Transportation Improvement Act (SSTIA) and the Transportation Development Act (TDA) since their enactment.

SSTIA

The SSTIA was enacted in 1979 to "improve transportation service required by social service recipients by promoting the consolidation of social service transportation services." By consolidating these services, the legislature hoped that transportation service providers would purchase necessary equipment together; train drivers; have a centralized dispatching system; have a centralized maintenance system; have centralized administration of social service programs; and, identify and consolidate existing funding sources to save funds.

The original bill (AB 120) contained one study and a number of reporting requirements for those who participated in the process. Section 15972, repealed in 1990, required the Department of Transportation to study insurance problems surrounding social service transportation services. The report was to "make specific recommendations regarding changes in state law which would assist in reduction of the high costs of insurance and resolve the problem of insurance availability." The bill that repealed the study (Senate Bill 2374) required the Legislature to "review and evaluate existing and proposed state advisory commissions and task forces, and to abolish those which are determined unnecessary or inefficient or which are undertaking duplicative activities." The insurance study was repealed without comment by the bill, however, it can be inferred that the study was determined either unnecessary or inefficient.

Originally, the SSTIA included a reporting requirement. Section 15973, repealed in 2002 by Assembly Bill 2647, required transportation planning agencies and county transportation commissions prepare and submit a report to the Director of the Department of Transportation on all existing social services transportation services in their respective geographic areas. The report was required to contain: an inventory of all existing public and private social service transportation services, the amount of funds they use and the number of people served; a statement on the services' drivers and management, a summary of average vehicle miles driven; a description of the background of the service in the community, and any other pertinent information about the service.

According to the legislative analysis of the bill (AB 2647) Caltrans argued that the reports "served no useful purpose." The analysis stated that regional transportation planning agencies (RTPAs) and county transportation commissions submit an inventory of social service transportation services and a service consolidation plan every four years and an action plan every two years. Caltrans was also required to submit to the Legislature and the Governor a biennial summary of the report from the RTPAs and the county transportation commissions. The reports were submitted in 1990, 1992, 1994, and 2001, but received no inquiries or feedback from any public entity or the Legislature. The analysis goes on to mention that most

reporting agencies have a system in place (for example, advisory boards) that takes action on unmet transit needs of particular clients in their area. It then states that

"[c]omparing the original legislative intent, consolidation and coordination of social service transportation, and current social service transportation coordination systems throughout the state, it appears that the legislative intent is being met without a cumbersome information collection and reporting process and that the legislation is of limited value. Furthermore, this bill would not affect the RTPA's and the county transportation commissions' obligation to collect the information on social service transportation services."¹

TDA

The foundation for state financial assistance to public transportation in California is provided by The Transportation Development Act (TDA) enacted in 1971 declaring: "[p]ublic transportation is an essential component of the balanced transportation system which must be maintained and developed so as to permit the efficient and orderly movement of people and goods in the urban areas of the state..." and designed to "encourage maximum utilization of ...all the people of the state, including the elderly, the handicapped, the youth, and the citizens of limited means of the ability to freely utilize the systems."

The TDA provides funding to be allocated to transit and non-transit related purposes that comply with regional transportation plans. The TDA provides two funding sources: 1) Local Transportation Fund (LTF), which is derived from a ¼ cent of the general sales tax collected statewide; and, 2) State Transit Assistance fund (STA), which is derived from the statewide sales tax on gasoline and diesel fuel.

Since its enactment, the TDA has had neither significant additions or subtractions impacting coordination in the state. However some items of significance are worth mentioning. For instance, in 1998, AB 2132 amended the citizen participation process to ensure that "[h]earings ... be scheduled to ensure broad community participation and, if possible, the location of the hearings shall be rotated among the various communities within the advisory council's jurisdiction." The bill also allowed participation in the form of "teleconferencing, questionnaires, tele-canvassing, and electronic mail."²

Subsequently in 2007, then Assemblyman Mark DeSaulnier³, introduced AB 1637 which would have repealed the requirement that prohibits a recipient of specified federal transportation funds from receiving reimbursement for medical transportation services under the Medi-Cal program in any amount greater than the fee charged by that provider to persons for whom services are not reimbursed by Medi-Cal. The bill would have allowed a provider of public transit or paratransit services to serve as a provider of Medi-Cal non-emergency transportation services and receive reimbursement on the same terms and conditions as other providers of comparable services. The bill died because it had not been passed by the Assembly by January 31st of its second year being active.⁴

¹ See http://www.leginfo.ca.gov/pub/01-02/bill/asm/ab_2601-2650/ab_2647_cfa_20020627_183031_asm_floor.html (last visited February 20, 2009).

² See Cal. Pub. Utilities Code § 99238.5 (West 2009).

³ Currently Senator Mark DeSaulnier.

⁴ Article IV § 10(c) of the California Constitution.