

Memorandum

To: Chair and Commissioners

Date: May 1, 2009

From: Bimla Rhinehart
Executive Director

File No: Reference # 4.1

ACTION

Ref: State and Federal Legislation

Issue:

The Commission is requested to provide direction to staff on legislation of interest to it.

Recommendation:

Commission staff recommends that the Commission consider the bills presented by staff and provide direction.

AB 744 (Torrico): Transportation: Toll Lanes, Express Lane Network

At the last Commission meeting, staff was asked to provide an analysis of AB 744. AB 744 (Torrico) was amended on April 21 in the Assembly Transportation Committee, heard a second time by that Committee and passed out of Committee on April 27. AB 744 will be considered next by the Assembly Appropriations Committee.

AB 744, as amended, would authorize the Bay Area Toll Authority (BATA) to acquire, construct, administer, and operate an 800-mile Bay Area Express Lane Network on state highways within the Bay Area pursuant to recommendations by the Bay Area Express Lane Network Project Oversight Committee. AB 744 would require revenues from the lanes to be deposited in the Bay Area Express Lane Network Account. The bill transfers the rights and obligations of various Bay Area transportation entities relative to High Occupancy Toll lane projects to the Authority. It would authorize revenue bond issuances. Tolls for using the express lanes will be collected electronically.

According to the Metropolitan Transportation Commission (MTC), the 800-mile network would:

- Require five-hundred miles of existing or fully funded High Occupancy Vehicle (HOV) lanes to be converted to congestion-priced express lanes, as part of establishing the 800-mile network.
- Cost \$7.6 billion to build, finance, and operate over the next 25 years.
- Generate \$6.1 billion in revenue over 25 years.
- Complete the funding and construction of an 800-mile network of congestion-free lanes for carpools, buses, and toll payers.
- Boost worker productivity by \$100 billion by reducing freeway delay.

- Reduce CO₂ by 10 million metric tons.

AB 744 provides a role to the following agencies in implementing the Express Lane Network:

- BATA. The Legislature created the toll authority in 1997 to administer the tolls for the state-owned Bay Area toll bridges. MTC operates as BATA.
- The Sunol Smart Carpool Lane Joint Powers Authority, the Alameda County Congestion Management Agency, and the Santa Clara Valley Transportation Authority. These agencies would be required to enter into an agreement with BATA to transfer each respective agency's rights and responsibilities to implement HOT lanes on state highways in the Bay Area to BATA.
- Bay Area Express Lane Network Project Oversight Committee. This advisory committee consists of a representative of BATA, a representative from Caltrans, a representative from the California Highway Patrol, and a staff representative from each of the congestion management agencies within the geographic jurisdiction of MTC, as specified.
- Caltrans and the California Highway Patrol. The two agencies would work in a collaborative manner with BATA to develop network policies. Further the two agencies and BATA will establish agreements that shall identify the respective obligations and liabilities of those entities and assign them responsibilities relating to the network program.

Status Report on Bills of Interest

Policy committees must have heard and reported bills that have a fiscal impact to their respective fiscal committee by May 1.

Previously, the Commission directed staff to support:

SB 481 (Cox): Airports Wildlife (Commission Position: Support)

Commission staff testified before the Senate Natural Resources and Water Committee on April 28 in favor of the bill. The bill passed unanimously out to the Committee. It will be referred to the Senate Appropriations Committee.

Briefly, SB 481 would provide that, notwithstanding any other provision of state law, a public use airport certificated by FAA operating in the state that takes [e.g., removes, captures or kills], wildlife to protect public safety pursuant to federal law, including a federal depredation permit, does not violate state fish and game laws.

SB 737: (Negrete McLeod) Airport Land Use Commissions (Commission Position: Support)

Commission staff testified in support of the bill before the Senate Local Government Committee. The bill passed, went to the Senate floor for its second reading, was amended and was referred to the Committee on Appropriations.

Briefly, SB 737:

- Eliminates the authority of the board of supervisors of a county in which an airport is located to adopt a resolution declaring that the county is exempt from establishing an airport land use commission.
- Requires that if the board of supervisors and city selection committee determine that proper land use can be accomplished through the actions of an appropriately designated body, that it is a countywide body.
- Provides for airport land use commission fees.

SB 575 (Steinberg): Local Planning: Transportation (Commission Position: Staff Monitor)

Senate Pro Tempore Steinberg is using SB 575 as the vehicle for making minor changes and clarifications to last year's SB 375, as well as clarifying the open meeting law requirements for the Strategic Growth Council formed under SB 372

SB 575, as heard by the Senate Transportation and Housing Committee on April 28 would:

- Provides that transportation projects that are funded solely by a local sales tax measure are exempt from certain provisions of the Planning and Zoning Law relative to development of a regional transportation plan and adoption of a sustainable communities strategy if those projects were specifically listed in a ballot measure, prior to December 31, 2008, approving a sales tax increase for transportation projects.
- Provide that revisions to the housing elements in San Diego be adopted no later than 18 months after the adoption of the next regional transportation plan, adopted after September 30, 2010.
- Provide that a meeting of the Strategic Growth Council, including a meeting related to the development of grant guidelines and policies and the approval of grants, is subject to the Bagley-Keene Open Meeting Act, and that, for the purposes of this provision, "meeting" would not include a meeting at which council members are meeting as members of the Governor's cabinet.

The bill was amended by the author and was passed by the Committee to Appropriations Committee. The amendments included:

- Removing the exemption for sales tax increase for transportation project passed prior to December 31, 2008.
- Removing the provisions for when housing elements would be due, relative to regional transportation plans.

According to the author, the amendments would give people more time to negotiate with stakeholders over the precise language that should be in the bill.

California Transportation Commission
Status of Legislation
Commission Meeting May 14, 2009

	Bill #	Author	Bill Title	Subject	Current Status	CTC Position	Program
				ASSEMBLY			
1	AB X3 20	BASS	Federal Transportation Economic Stimulus Funds	Appropriates to the Department of Transportation, and provides for programming and apportionment of, federal economic stimulus funds made available to the state for highway purposes under the American Recovery and Reinvestment Act of 2009. Provides the percentages of the funds to be programmed by the department for allocation to the transportation Commission and to regional agencies, for transportation enhancement activities. Requires replacement project for specified bond funds.	3/27/09 - Chaptered 3/26/09 - Passed in Assembly floor 3/23/09 - Passed in Senate floor 1/5/09 - INTRO		Federal
2	AB 109	FEUER	Outdoor Advertising	Amends the Outdoor Advertising Act; prohibits an advertising display that is visible from a state, county or city highway from being constructed as, or converted, enhanced, improved, modified, modernized or altered into a digital advertising display; prohibits an official highway changeable message sign from being constructed as or converted, enhanced, improved, modified, modernized or altered into a digital advertising display for the purpose of displaying commercial messages.	4/30/09 Hearing-Failed 4/22/09 Hearing cancelled 3/24/09 2nd Read; AMEND; to G.O Cmte 3/24/09 - Jud Cmte Hearing 3/4/09 - to JUD and GO Committees 1/13/09 - INTRO	Staff Monitoring	Other
3	AB 113	PORTANTINO	Department of Transportation Property Sale	Requires the Department of Transportation to sell the real property it owns relative to the unconstructed portion of State Highway Route 710 in Los Angeles County located to the north of State Highway Route 10; requires proceeds from the sale of each parcel equal to the department's acquisition price of the parcel to be deposited in the State Highway Account. All remaining sale proceeds would be deposited in the General Fund, to be available, upon appropriation, for increasing funding for public higher education.	4/29/09 Re-refer to Trans Cmte; 2nd read; Amend 4/27/09 - Hearing-Failed 2/26/09 to Trans Cmte 01/13/09 - INTRO	Staff Monitoring	Right of Way
4	AB 118	LOGUE	California Global Warming Solutions Act of 2006	The California Global Warming Solutions Act of 2006 requires the State Air Resources Board to adopt regulations to require the reporting and verification of emissions of greenhouse gases and to monitor and enforce compliance with the reporting and verification program, and requires the state board to adopt a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions levels in 1990 to be achieved by 2020. The act requires the state board to prepare and approve a scoping plan for achieving the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions. The state board is required by January 1, 2011, to adopt greenhouse gas emissions limits and emission reduction measures by regulation to achieve the prescribed emission reductions. This bill would repeal the California Global Warming Solutions Act of 2006.	2/26/09 to Natural Res Cmte 1/15/09 - INTRO	Staff Monitoring	Environmental
5	AB 153	MA	High Speed Rail Authority	Existing law creates the High-Speed Rail Authority with specified powers and duties relating to the development and implementation of an intercity high-speed rail system. Existing law authorizes the authority to prepare a plan for the construction and operation of that system and to enter into contracts, acquire rights-of-way through purchase or eminent domain, and take other actions, subject to specified contingencies. Under existing law, a public entity may not commence an eminent domain proceeding until its governing body has adopted a resolution of necessity that meets certain requirements. Existing law generally prohibits a state agency from employing legal counsel other than the Attorney General unless there is a specific statute authorizing that employment. This bill would eliminate those contingencies to the exercise of the authority's authority and would specify that the authority constitutes a "governing body" for the purpose of adopting a resolution of necessity. The bill would authorize the authority to employ its own legal staff or contract with	4/29/09 Passed Appr Cmte 4/14/09 - passed Jud Cmte to Appr Cmte 3/24/09 - passed Trans cmte 2/26/09 to Trans and Jud Cmte's 01/23/09 - INTRO	Staff Monitoring	Rail

California Transportation Commission
Status of Legislation
Commission Meeting May 14, 2009

	Bill #	Author	Bill Title	Subject	Current Status	CTC Position	Program
6	AB231	HUFFMAN	California Global Warming Solutions Act of 2006	Requires the State Air Resources Board to adopt a schedule of fees to be paid by the sources of greenhouse emissions which would be deposited in the Climate Protection Trust Fund, for purposes of carrying out the Global Warming Solutions Act of 2006	4/20/09 Pass - AMEND to Appr Cmte 4/13/09 - Nat Res Cmte Hrg - Postpone 03/04/09 to Nat Res Cmte 2/05/09 - INTRO	Staff Monitoring	Environmental
7	AB 266	CARTER	Transportation needs assessment.	Requires the Transportation Commission to develop an assessment of the unfunded costs of programmed state projects and federally earmarked projects in the state, as well as an assessment of available funding for transportation purposes and unmet transportation needs on a statewide basis. Requires the Dept of Transp to assist in conducting the assessment. Require the Commission to submit the 1st assessment report to the Legislature by March 1, 2011.	4/29/09 - Suspense File 4/21/09 - to Appr Cmte 4/20/09 - Read 2nd time, Amend 4/13/09 - Trans Cmte Hearing 3/04/092 to Trans Cmte 2/11/09 - INTRO	Staff Monitoring	Programming
8	AB 282	ASSEMBLY TRANSPORTATION COMMITTEE	Transportation	Requires any interest or other return earned by a city or county from investment of bond funds from the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 to be expended or reimbursed under the same conditions as are applicable to the bond funds themselves. Relates to transit operators' annual transportation planning reporting. Provides an updated definition of school pupil activity bus. Relates to the regulation of video and television monitors in motor vehicles.	4/29/09 - Hearing-Pass 4/20/09 - Hearing-Pass to Appr Cmte 3/4/09 to Trans Cmte 2/12/09 - INTRO	Staff Monitoring	Bond
9	AB 311	MA	Property taxation: certificated aircraft assessment	Deletes Extends the termination date of existing tax law to the 2015-2016 FY and the 12/31/10 date to 12/31/15 that requires the personal property of an air carrier be taxed at its fair market value, and the Constitution requires property subject to ad valorem property taxation to be assessed in the county in which it is situated and specifies the formula to determine the fair market value of certificated aircraft of a carrier.	4/27/09 Passed as Amend to Appr Cmte 4/13/09 - Rev & Tax Cmte Hearing-Postponed 4/2/09 Amend 3/4/09 to Rev & Tax Cmte 2/17/09 - INTRO	Staff Monitoring	Aeronautics
10	AB 499	HILL	Environment: Determination: Dispute	Requires that a petitioner or plaintiff name, as a real party in interest, a recipient of an approval, as identified by the public agency in its notice of determination or notice of exemption, that is subject of an action or proceeding challenging the determination, finding, or decision of a public agency pursuant to CEQA. Requires that a petition or complaint be subject to dismissal if a petitioner or plaintiff fails to serve any recipient of an approval within the statute of limitations period.	4/21/09 Hearing-PASS to Appr Cmte 4/13/09 Nat Res Hearing - pass to Jud Cmte 3/16/09 to Nat Res & Jud Cmte 2/24/09 - INTRO	Staff Monitoring	Environmental
11	AB 522	BLUMENFIELD	Transportation Bond Funds	Requires the Transportation Commission to ensure that bond funds previously committed to a project from the Highway Safety Traffic Reduction, Air Quality, and Port Security Fund of 2006 remain available to the sponsoring agency if funds from any federal economic recovery legislation are used to fund the project.	3/12/09 to Trans Cmte 2/25/09 - INTRO	Staff Monitoring	Bond
12	AB 610	CABALLERO	Local Infrastructure	Requires the Office of Planning and Research to advise and educate local agencies and other interested stakeholders about the role that public-private partnerships can play in planning, studying, designing, financing, constructing, operating, maintaining, or managing local infrastructure projects.	4/29/09 Hearing 3/16/09 to Loc Govts Cmte 2/25/09 - INTRO	Staff Monitoring;	Local Govts

California Transportation Commission
Status of Legislation
Commission Meeting May 14, 2009

	Bill #	Author	Bill Title	Subject	Current Status	CTC Position	Program
13	AB 619	BLUMENFIELD	Transportation Projects: Federal Funds	Requires the Department of Transportation to notify the Legislature when it is determined that a project, including a project designated in the National Corridor Infrastructure Improvement Program, will be delayed beyond its scheduled completion date due to state cashflow or other funding issues, if the places at risk federal funds	5/6/09 Hearing 4/27/09 Hearing-PASS; to Appr Cmte 3/23/09 to Trans Cmte 2/25/09 - INTRO	Staff Monitoring;	Federal
14	AB 672	BASS	Economic Stimulus-Transportation: bond-funded projects: letter of no prejudice.	States the intent of the Legislature to enact legislation to ensure that any economic stimulus moneys received from the federal governments are directed to programs and projects that provide the greatest economic benefits to the state, while maintaining and advancing the state's long term policy goals. <i>Authorize a regional or local agency that is a lead agency for a project that has been approved for bond funding to apply to the administrative agency for a letter of no prejudice that would allow the regional or local agency to expend its own funds for any <u>bond-funded</u> component of the project, subject to later reimbursement from bond proceeds, as specified</i>	4/27/09 Hearing-PASS; to Appr Cmte 4/14/09 Read 2nd Time Amend 4/13/09 to Trans Cmte 2/25/09 - INTRO	Staff Monitoring	Bond
15	AB 696	HAGMAN	Environmental Quality Act	Allows an applicant for a project <i>and the lead agency</i> , at the time of application, to opt to resolve all disputes with the lead agency arising out of a subsequent environmental impact report for that project before an arbitrator, in lieu of retaining the option to file an action or proceeding arising out of those disputes before a court. If an applicant se-opts <i>and the lead agency opt to do so</i> , it would require the applicant and the lead agency to agree to an arbitrator.	4/27/09 Hearing Failed; Reconsideration 4/16/09 Rd 2nd Time; Amend 3/26/09 to Nat Res and Jud Cmte's 2/26/09 - INTRO	Staff Monitoring	Environmental
16	AB726	NIELSEN	Transportation Capital Improvement	States that local road rehabilitation projects are eligible for transportation capital improvement funds pursuant to the State Transportation Improvement Program.	4/27/09 to RIs for reassignment 4/20/09 Pass 3/23/09 to Trans Cmte 2/26/09 - INTRO	Staff Monitoring	Programming
17	AB 729	EVANS	Transit Design Build Contracts	Existing law authorizes transit operators to enter into a design build contract ...It requires certain information submitted under these provisions to be submitted under penalty of perjury. Existing law repeals these provisions on January 1, 2011. This bill would delete the January 1, 2011, repeal date of these provisions instead repeal these provisions on January 1, 2015.	5/6/09 Hearing 4/23/09 2nd Read; referred to Appr Cmte 4/20/09 Amend: Pass 3/26/09 to Trans Cmte 2/26/09 - INTRO	Staff Monitoring	Design Build
18	AB 732	JEFFRIES	Transportation Projects	Extends the operative date of existing law which authorizes the Department of Transportation to conduct phase 2 of a pilot project through the utilization of design sequencing contracts for the design and construction of transportation projects, taking into consideration specified geographical consideration.	4/29/09 PASS 4/14/09 to Appr Cmte 4/13/09 - Trans Cmte Hearing-Pass 3/23/09 to Trans Cmte 2/26/09 - INTRO	Staff Monitoring	Other
19	AB 733	GALGIANI	High Speed Rail Authority	Authorizes the High Speed Rail Authority to consider the creation of jobs in the state when awarding major contracts or purchasing high speed trains, as specified.	4/29/09 Hearing-PASS 4/20/09 Hearing - PASS; to Appr Cmte 3/23/09 to Trans Cmte 2/26/09 - INTRO	Staff Monitoring	Rail

California Transportation Commission
Status of Legislation
Commission Meeting May 14, 2009

	Bill #	Author	Bill Title	Subject	Current Status	CTC Position	Program
20	AB 744	TORRICO	Bay Area High-occupancy-Transportation-Network toll lanes: Express Lane Network	Authorizes the Bay Area Toll Authority to acquire, construct, administer, and operate <i>the Bay area express Lane Network on the highway with in the 9 Bay Area counties pursuant to a development plan recommended by the Bay Area Express Lane Network Project Oversight Committee, which the authority would be required to establish. a value pricing high-occupancy vehicle network program on state highways within the geographic jurisdiction of the metropolitan commission. Authorizes capital expenditures for this program to be funded from program revenues, revenue bonds, and revenue derived from tolls on state owned toll bridges.</i>	4/27/09 Hearing-PASS; to Appr Cmte 4/21/09 2nd Read: Amend 4/20/09 Hearing - Cancelled 3/23/09 to Trans Cmte 2/26/09 - INTRO	Staff Monitoring	HOV
21	AB 782	JEFFRIES	Regional Transportation Plans: Sustainable Communities	Provides that upon the state Air Resources Board's acceptance that the sustainable communities strategy or an alternative planning strategy, if implemented, will achieve the greenhouse gas emissions reduction targets established by the board, that acceptance shall be final, and no person or entity may initiate or maintain any judicial proceeding to review the propriety of the state board's acceptance. Revises the Regional Targets Advisory Committee membership. Relates to exempted transportation projects.	4/27/09 Hearing-Cancelled 4/20/09 Hearing Postpone 3/26/09 to Nat Res and Loc Govts Cmte 2/26/09 - INTRO	Staff Monitoring	Environmental
22	AB 798	NAVA	Transportation Financing Authority Toll Facilities	Creates the Transportation Financing Authority with specified powers and duties relative to issuance of bonds to fund transportation projects to be backed, in whole or in part, by various revenue streams of transportation funds and toll revenues in order to increase the construction of new capacity or improvements for the state transportation system consistent with specified goals	4/14/09 to Appr Cmte 4/13/09 Hearing-Pass 3/23/09 to Trans Cmte 2/26/09 - INTRO	Staff Monitoring	Finance
23	AB 922	MILLER	Diesel Fuel Tax Exemption: Biodiesel	Bill would exempt from the imposition of tax, on and after July 1, 2009 to June 30, 2004, inclusive, biomass-based diesel fuel produced in the state with California feedstock, as defined, and would require the State Energy Resources Conservation and Development Commission, in coop. with State Board of Equalization, to provide specified oversight of the tax incentive program and make an annual report regarding the program.	5/11/09 Hearing 3/26/09 to Rev & Tax Cmte 2/26/09 - INTRO	Staff Monitoring	Finance
24	AB 949	LOGUE	State Local Partnership Program	Amends the Highway Safety, Traffic Reduction, Air Quality and Port Security Bond Act. Expands the definition of eligible local matching funds for purposes of provisions to include developer fees, mineral or resources extraction fees or taxes and local or regional fees or taxes solely dedicated to transportation improvements imposed within a county or any part thereof by voter approval or by the Board of Supervisors	4/27/09 - Hearing-Failed Reconsideration 4/20/09 - Hearing Cancelled 3/26/09 to Trans Cmte 2/26/09 - INTRO	Staff Monitoring	Bond
25	AB 1091	Ruskin	Natural Resources: Climate Change	Requires the Natural Resources Agency to <i>coordinate with other state agencies to review projects, generally and by region, that have been developed to address unavoidable climate change impacts, including those required by a specified executive order and any subsequent climate change adaptation planning required by the state. Specifies what the coordination requirement shall include and how the agency may designate regions.</i>	4/27/09 - Hearing-PASS; to Appr Cmte 3/26/09 2nd Read; Amend 3/26/09 to Nat Res Cmte 2/27/09 - INTRO	Staff Monitoring	Environmental
26	AB 1175	TORLAKSON	Toll Bridges: Seismic-Safety Retrofit-Program Toll Facilities	<i>Would require SCO to the extent feasible to offset amts overdue and unpaid for nonpayment of a bridge toll or HOT lane fee by a person or entity against state income</i> This bill would add seismic safety improvement projects on the Antioch and Dumbarton Bridges to the toll bridge seismic safety program. The bill would provide that surplus cost overrun revenues to be shared between the state and the Bay Area Toll Authority be redirected to the authority for the Antioch and Dumbarton seismic safety projects, and would appropriate those funds for that purpose. The bill would require the authority to provide all remaining funds necessary to complete those seismic safety projects. The bill would provide for the authority to increase tolls on all Bay Area state-owned toll bridges in that regard. <i>This bill will enact other related provisions.</i>	4/20/09 Hearing PASS; to Appr Cmte 4/14/09 2nd Read - Amend 3/26/09 to Trans Cmte 2/27/09 - INTRO	Staff Monitoring	Seismic Retrofit

California Transportation Commission
 Status of Legislation
 Commission Meeting May 14, 2009

	Bill #	Author	Bill Title	Subject	Current Status	CTC Position	Program
27	AB 1364	EVANS	Public Contracts	Provides that any state agency that has entered into a contract grant agreement for the expedite of state bond funds where the agency has or may be unable to comply with the terms of that contract agreement because of the suspension of programs by the Pooled Money Investment Board shall <i>with the consent of the grant recipient, have the authority to amend the terms of the contract to address contract either renegotiate the deadlines and a timetable and deliverables with the grant agreement</i> that may not be met because of the suspension	5/12/09 Hearing 4/29/09 - 2nd Read; AMEND 3/31/09 to B&P Cmte 02/27/09 - INTRO	Staff Monitoring	Contracts
28	AB 1375	GALGIANI	High-speed Rail	The bill would continue the High-Speed Rail Authority in existence to make policy decisions relative to implementation of high-speed rail consistent with Proposition 1A. The bill would create the Department of High-Speed Trains within the Business, Transportation and Housing Agency, which would implement those policies. The bill would transfer certain of the existing powers and responsibilities of the authority to the department, and would specify additional powers and duties of the authority and department relative to implementation of the high-speed rail project, including the annual submission of a 6-year high-speed train capital improvement program and progress report to the Legislature. The director of the department would be appointed by the authority, who would serve at the pleasure of the authority, and the Governor would be authorized to appoint up to 10 executive employees of the department who would be exempt from civil service and serve at the pleasure of the director. The bill would provide for acquisition and disposition by the department of rights-of-way for the high-speed rail project. The bill would enact other related provisions.	4/27/09 - Hearing-PASS; to Appr Cmte 3/31/09 to Trans Cmte 02/27/09 - INTRO	Staff Monitoring	Rail
29	AB 1381	PEREZ	High-occupancy Toll Lanes	Requires the Los Angeles County Metropolitan Transportation Authority HOT Lanes program to be implemented with the active participation of the Department of the California Highway patrol. Establishes appropriate performance measures for the purpose of ensuring optimal use of the HOT Lanes without adversely affecting other traffic on the state highway system	4/29/09 Hearing Pass 4/16/09 to Appr Cmte 4/14/09 Pass as Amend 3/31/09 to Trans Cmte 02/27/09 - INTRO	Staff Monitoring	HOT
30	AB 1386	HAYASHI	State Highway Route 238 State Highways	Relates to existing law that authorizes a city or county in which a planned transportation facility was to be located on State Highway Route 238 in Alameda County to develop and file with the Transportation Commission a local alternative transportation program that address transportation problems and opportunities. Modifies the restriction limiting use of revenues from excess property sales to state highway purposes be authorizing those revenues to be used for any highway purpose Modify the restriction limiting use of revenues from excess property sales to state highway purposes applicable to State Highway Route 238 by authorizing those revenues to be used for any highway purpose. This bill would require revenues from excess property sales for State Highway Route 238 and State Highway Route 84 to be deposited into separate accounts in the Special Deposit Fund, a continuously appropriated fund, to be available for expenditure by local agencies for purposes of an approved local alternative transportation program for the applicable corridor route. This bill would authorize the commission to relinquish portions of State Highway Routes 92, 185, and 238 in the City of Hayward to that city subject to various conditions	4/23/09 to Appr Cmte 4/20/09 - Pass 4/13/09 Read 2nd time - AMEND 3/31/09 to Trans Cmte 02/27/09 - INTRO	Staff Monitoring	Programming
31	AB 1414	HILL	Transportation-Planning-Controlled Substances	Amends apportionment of federal funding to the state for allocation to metropolitan planning organizations for the purpose of transportation planning activities. Amends STIP to a 6yr program. Requires the Fund Estimate period to be the the same as the STIP period. Requires the TCRP program be included in the STIP. This bill includes other STIP provisions. (2-year bill)	4/30/09 AMEND 4/27/09 Hearing Cancelled 4/2/09 to Trans Cmte; 2nd read; AMEND 02/27/09 - INTRO		Programming

California Transportation Commission
Status of Legislation
Commission Meeting May 14, 2009

	Bill #	Author	Bill Title	Subject	Current Status	CTC Position	Program
32	AB 1431	HILL	Air Quality: Port of Oakland	This bill would require the Port of Oakland and entities involved in goods movement at the Port of Oakland to establish emission reduction strategies that are no less stringent than emission reduction strategies employed at the Port of LA and the Port of LB. Will require the Bay Area Air Quality Management District to determine, after consultation with the South Coast Air Quality Mgmt Dist and the SARB whether the Port of Oakland and those entities have complied.	4/27/09 Hearing Cancelled 4/14/09 2nd Read; AMEND; 4/2/09 to Trans Cmte 02/27/09 - INTRO	Staff Monitoring	Goods Movement/Env
SENATE							
33	SB 295	DUTTON	California Global Warming Solutions Act of 2006	Relates to the Global Warming Solutions Act of 2006. Requires reporting and verification of emissions of greenhouse gases and to enforce compliance with reporting and verification. Prohibits the state board from implementing those regulations until the unemployment rate in the state is below a specified level. Requires the state board to make public the costs of those regulations <i>would require the state board to complete a study to reevaluate the evaluation of costs and provide the study to the Legislature by October 1, 2009. The state board would be required to report to the Legislature by November 1, 2009 on whether the revised analysis has led, or will lead, to any changes to the scoping plan, and whether any changes should be made to the act's timelines. Require the LAO to review the board's implementation of requirements.</i>	4/27/09 2nd Read; Amend; Re-refer to EQ Cmte 4/20/09 - Hearing Cancelled 4/13/09 Read 2nd time Amend 3/9/09 to E.Q. Cmte 2/25/09 - INTRO	Staff Monitoring	Environmental
34	SB 391	LIU	California Transportation Plan	Requires updating of the California Transportation Plan; requires the plan to address how the state will achieve maximum feasible emissions reductions to order to attain a statewide reduction of greenhouse gas emission to 1990 levels by 2020 and 80 percent below 1990 levels by 2050 and to identify the statewide integrated multimodal transportation system needed to achieve these results.	4/27/09 Hearing-PASS; to Appr Cmte 4/23/09 Re-fer'd to EQ Cmte 4/22/09 Hearing; Pass as AMEND 3/12/09 to Transp and E.Q Cmte's 2/25/09 - INTRO	Staff Monitoring	Environmental
35	SB 406	DESAULNIER	Land Use: Environmental Quality	Changes the membership of the Planning Advisory and Assistance Council. Requires that the council work with the Strategic Growth Council, <i>regional agencies, and cities and counties to facilitate the development and implementation of sustainable community strategies or regional blueprint projects</i> . Authorizes a municipal planning organization as defined, or council of governments as defined, or a county transportation commission and a subregional council of governments jointly preparing a subregional sustainable communities strategy to impose a surcharge of up to \$2 motor vehicle registration surcharge on motor vehicles registered to an owner with an address be expended to develop and implement a regional blueprint plan specify that of the surcharge revenue be transmitted to the council for performance of its functions	4/28/09 Hearing; PASS; to Appr Cmte 4/23/09 to T&H Cmte 4/15/09 Pass; re-referred to RLS 4/13/09 2nd Read; AMEND 3/16/09 to L.Gov & Rls Cmte's 2/25/09 - INTRO	Staff Monitoring	Environmental
36	SB 409	DUCHENY	Department of Railroads	Creates the Department of Railroads in the Business, Transportation and Housing Agency. Transfers to the department responsibility for various state railroad programs currently administered by other agencies. Provides that the department shall be the only state agency eligible to apply for and receive grant and loan funds from the federal government for intercity rail, high-speed rail, or freight rail purposes	4/14/09 - Hearing postponed 3/12/09 to Transp Cmte 2/25/09 - INTRO	Staff Monitoring	Rail

California Transportation Commission
Status of Legislation
Commission Meeting May 14, 2009

	Bill #	Author	Bill Title	Subject	Current Status	CTC Position	Program
37	SB 455	LOWENTHAL	High-Speed Rail	Relates to a High-speed rail authority membership. Require the members of the authority at a scheduled board meeting, to cause to be prepared an overall project schedule with project delivery milestones on a quarterly basis, and to approve a quarterly contract status report beginning at the 1st brd mtg after 3/1/10. Require members of the authority to approve all contract amendments at a sched brd mtg. Requires the authority to ensure that projects undertaken including projects for acquisition of right-of-way, are consistent with specified criteria. Relates to real property obtained for high-speed rail purposes by the authority	5/4/09 Hearing Cancelled 4/21/09 Pass; re-refer'd to Appr cmte 4/16/09 2nd Read: AMEND 3/12/09 to T&A Cmte 2/26/09 - INTRO	Staff Monitoring	Rail
38	SB 474	DUCHENY	Transportation: Reporting Requirements pilot programs	Relates to authorization of the Department of Transportation to enter into agreements for transportation projects under pilot programs using public-private partnerships. Requires the department to provide an annual consolidated report to the Legislature on the progress of and savings resulting from such programs. <i>Will require the department to present to the California Transportation Commission for its review and comment, a draft of the methodology for determining those savings. Would also require the department, prior to awarding any contract or entering into any agreement for a pilot prog. involving innovative contracting or financing authority to make a finding that the use of that authority will provide specified benefits.</i>	4/27/09 2nd Read: AMEND; Re-refer to RLS 3/12/09 to Rules Cmte 2/26/09 - INTRO	Staff Monitoring	PPP
39	SB 481	COX	Airports: Wildlife	This bill would provide that, notwithstanding any other provision of law, a public use airport certificated by the Federal Aviation Administration operating in the state that takes wildlife to protect public safety pursuant to federal law, including a federal depredation permit, does not violate state fish and game laws, provided that the taking occurs on land owned or leased by the airport that is not habitat mitigation land, and there is no taking of endangered species or candidate threatened or endangered species. <i>Will required the airports to provide all federal reports required pursuant to a federal depredation permit to also be provided to the department and that the department be provided reasonable access to airport land to ensure compliance. Will allow department to seek reimbursement.</i>	4/28/09 Hearing - PASS; Re-refer'd to Appr Cmte 4/22/09 2nd Read: AMEND 3/12/09 to Nat Res & WA Cmte 2/26/09 - INTRO	Support	Aeronautics
40	SB 485	WRIGHT	Highway Operation and Protection Program	Enacts the State Highway Operation and Protection Program Emergency Funding Act and states the intent of the Legislature to provide adequate funding to meet the needs of the program	4/28/09 Hearing Cancelled 4/21/09 Hearing Cancelled 3/12/09 to Transp and Appr Cmte's 2/26/09 - INTRO	Staff Monitoring	SHOPP
41	SB 526	ASHBURN	Intercity Rail: Study-San Joaquin Corridor:Altamont Pass extension.	This bill would state the intent of the Legislature to enact legislation to require the Department of Transportation to study the potential for increasing ridership by routing certain Amtrak intercity rail services over the Altamont Pass alignment between the Central Valley and the Bay Area. enter into negotiations with relevant operating freight and passenger commuter railroads for the purpose of developing a service plan and an operating agreement for the extension of at least one San Joaquin Corridor intercity passenger train using the Altamont Corridor to and from San Francisco. Would required the Dept to report to the Leg by 3/31/10 the status of negotiations.	4/28/09 Hearing-PASS; to Appr Cmte 4/2/09 2nd Read: AMEND; re-refer'd to T&H Cmte 3/12/09 to Rules Cmte 2/27/09 - INTRO	Staff Monitoring	Rail
42	SB 527	ASHBURN	High-Speed Rail	This bill would state the intent of the Legislature to reorganize the High-Speed Rail Authority to ensure greater oversight and accountability for the high-speed rail project.	4/28/09 Hearing Cancelled 4/16/09 to T&H Cmte 3/12/09 to Rules Cmte 2/27/09 - INTRO	Staff Monitoring	Rail

California Transportation Commission
 Status of Legislation
 Commission Meeting May 14, 2009

	Bill #	Author	Bill Title	Subject	Current Status	CTC Position	Program
43	SB 528	NEGRETE MCLEOD	Toll Facilities	Relates to existing law that authorizes the Department of Transportation and regional transportation agencies to enter into comprehensive development lease agreements with public and private entities. Prohibits a lease agreement entered into after a certain date from providing for compensation for adverse effects of competing projects. This bill would prohibit a lease agreement entered into on or after January 1, 2010, from providing for compensation for adverse effects of competing projects.	5/12/09 Hearing 3/12/09 to Transp Cmte 2/27/09 - INTRO	Staff Monitoring	TOLL
44	SB 545	CEDILLO	Freeway Construction	Authorizes the Department of Transportation to construct a freeway, without an agreement with a county or city, on the route determined by the Transportation Commission, if specified requirements have been met, including that an agreement with one or more counties and cities is not possible because an impasse has existed for 20 or more years after an initial route was adopted. Will limit this exception to construction of a segment of a freeway to consists solely of a subsurface transp facility. Would require as a condition for the exception to apply that an agreement with one or more counties and cities is not possible because an impasse has existed for 20 or more years after a initial route was adopted. Will provide that SHR 710 between Valley Blvd in the City of LA and Del Mar Blvd in the City of Pasadena may not be a surface or above-grade hwy.	4/28/09 Hearing-PASS; to Appr Cmte 4/20/09 2nd Read; AMEND 3/12/09 to Transp Cmte 2/27/09 - INTRO	Staff Monitoring	Hwy
45	SB 560	ASHBURN	Sustainable Communities Strategy	Relates to transportation planning. Provides that greenhouse gas emission credits for counties and cities that permit commercial wind, solar, and biomass projects may be used as credit in the formulation of the sustainable communities strategy or an alternative planning strategy. Excludes transportation trips related to a military installation.	3/12/09 to EQ T&H Cmte's 02/27/09 - INTRO	Staff Monitoring	Environmental
46	SB 575	STEINBERG	Local Planning: Housing Element Transportation	Would specify that nothing in the Planning and Zoning Law provisions requires projects that are funded solely by local sales tax measure to be subject to the provisions if those projects were specifically listed in a ballot measure prior to 12/31/08 approving a sale tax increase for transp projects. This bill would require that all local governments within the regional jurisdiction of the San Diego Association of Governments adopt their 5th revision no later than a n unspecified period of time- 18 mths after the adopt of the next rpt to be adopted after 9/30/10. This bill would provide that the planning period for the 5th revision would be from 7/31/10 until 18 mths of adoption of the report in 2019. This bill includes other provisions.	4/28/09 Hearing-PASS; to Appr Cmte 4/21/09 Hearing Cancelled 4/15/09 2nd Read; AMEND 3/19/09 to Transp and Appr Cmte's 2/27/09 - INTRO	Staff Monitoring	Environmental
47	SB 632	LOWENTHAL	Ports: Congestion Relief: Air Pollution Mitigation	Requires the Ports of Long Beach, Los Angeles, and Oakland to assess their infrastructure and air quality improvement needs including projects that improve the efficiency of the movement of cargo, reduce congestion impacts associated with the movement of cargo, and reduce pollution associated with the movement of cargo. Requires each port to provide the assessment to the Legislature and to include an assessment of the cost of such improvements, possible funding options, and timelines for implementation.	4/27/09 Hearing-PASS w/AMEND; to Appr Cmte 4/1/09 to EQ Cmte 3/31/09 Trans Hearing - PASS w/amend's 3/19/09 to Transp and EQ Cmte's 2/27/09 - INTRO	Staff Monitoring	Ports - Environmental
48	SB 721	STEINBERG	Energy: Greenhouse Gas Emissions	Creates the Climate Action Team responsible for coordinating the state's overall climate policy and preparing, adopting, and presenting to the Legislature, a strategic research, development, demonstration, and development plan that establishes priorities and identifies key expenditure categories for research, development, demonstration, and development funds to be expended by the state agencies represented on the CAT. Amendments not substantive.	5/4/09 Hearing 4/20/09 - Hearing PASS as AMEND; to Appr Cmte 3/24/09 to E.Q Cmte 2/27/09 - INTRO	Staff Monitoring	Environmental

California Transportation Commission
 Status of Legislation
 Commission Meeting May 14, 2009

	Bill #	Author	Bill Title	Subject	Current Status	CTC Position	Program
49	SB 734	LOWENTHAL	Transportation	This would require any interest or other return earned by a city or county from investment of bond funds received under these provisions to be expended or reimbursed under the same conditions as are applicable to the bond funds themselves. It includes other related provisions.	4/28/09 Hearing-PASS; to Appr Cmte w/ comments 3/19/09 to T&H Cmte 02/27/09 - INTRO	Staff Monitoring	Bond
50	SB 737	NEGRETE MCLEOD	Airports and Airport Land Use Commissions	This bill changes the airport land use planning laws as they relate to the authority of airport land use commissions.	5/4/09 Hearing 4/20/09 Hearing-PASS to Appr Cmte 4/13/09 - 2nd Read: AMEND 3/19/09 to Loc Govt Cmte 2/27/09 - INTRO	Support	Aeronautics
51	SB 783	ASHBURN	High Speed Rail	This bill would require the authority to prepare and expanded business plan addressing specified elements prior to seeking bond funding for the 2009-10 FY pursuant to Proposition 1A. Would require the authority to submit a draft of the expanded business plan to the Legislature by Sept 1, 2009, and to adopt the plan at its January 2010 regularly scheduled meeting following at least one public hearing.	4/28/09 Hearing-PASS; to Appr Cmte 4/16/09 Re-referred to T&H Cmte 4/13/09 - 2nd Read: AMEND 3/19/09 to RLS Cmte 2/27/09 - INTRO	Staff Monitoring	Rail