



FUNDING, PROGRAMS & LEGISLATION  
EXECUTIVE COMMITTEE MEETING

MAY 13, 2024  
2:00 P.M.

TAM CONFERENCE ROOM  
900 FIFTH AVENUE, SUITE 100  
SAN RAFAEL, CALIFORNIA

900 Fifth Avenue  
Suite 100  
San Rafael  
California 94901

Phone: 415-226-0815  
Fax: 415-226-0816

www.tam.ca.gov

*This meeting will be held in-person and via Zoom webinar.*

This meeting shall consist of a simultaneous teleconference call at the following location(s):  
79 Ethel Avenue, Mill Valley, CA 94941

**Belvedere**  
Nancy Kemnitzer

**How to watch the live meeting using the Zoom link:**  
<https://us02web.zoom.us/j/85390710355?pwd=czlnSzVINXE2cnhXUVZoU3kweIA0QT09>

**Corte Madera**  
Eli Beckman

Webinar ID: 853 9071 0355  
Passcode: 571956

**Fairfax**  
Chance Cutrano

**Teleconference:** Members of the public wishing to participate via teleconference, can do so by dialing in to the following number at 2:00 PM on the day of the meeting: **+1 669 900 6833**; Access Code: 853 9071 0355; Password: 571956

**Larkspur**  
Gabe Paulson

**How to provide public comment (limited to 2 minutes or less):**

**Mill Valley**  
Urban Carmel

**Before the meeting:** Please email your comment to [info@tam.ca.gov](mailto:info@tam.ca.gov), no later than 5:00 p.m. Sunday, May 12, 2024, to facilitate timely distribution to Committee members. Please include the agenda item number you are addressing and your name and address. Your comments will be forwarded to the Committee members and will be placed into the public record.

**Novato**  
Rachel Farac

**Ross**  
Teri Dowling

**During the meeting:** For members of the public participating in-person, the Committee Chair will recognize persons from the audience who wish to address the Committee during public open time or on a particular agenda item at the time that item is considered by the Committee.

**San Anselmo**  
Brian Colbert

If watching this meeting online, click the “raise hand” feature in the webinar controls. This will notify TAM staff that you would like to comment. If participating by phone, “raise hand” by pressing \*9 and wait to be called upon by the Chair or the Clerk. You will be asked to unmute your device when it is your turn to speak and your comments will become part of the public record.

**San Rafael**  
Kate Colin

**Sausalito**  
Melissa Blaustein

Meeting-related comments may also be sent to [info@tam.ca.gov](mailto:info@tam.ca.gov), and will be read (up to 2-minute limit per comment) when the specific agenda item is considered by the Committee and will become part of the public record.

**Tiburon**  
Alice Fredericks

**County of Marin**  
Mary Sackett  
Katie Rice  
Stephanie Moulton-Peters  
Dennis Rodoni  
Eric Lucan



Late agenda material can be inspected in TAM’s office between the hours of 9:00 a.m. and 5:00 p.m.  
The TAM Office is located at 900 Fifth Avenue, Suite, 100, San Rafael.

The meeting facilities are accessible to persons with disabilities. Requests for special accommodations (assisted listening device, sign language interpreters, etc.) should be directed to Jennifer Doucette, 415-226-0820 or email: [jdoucette@tam.ca.gov](mailto:jdoucette@tam.ca.gov) no later than 5 days before the meeting date.

## AGENDA

1. Chair's Report & Commissioner Comments (Discussion)
2. Executive Director's Report (Discussion)
3. Open time for public expression, up to two minutes per speaker, on items not on the agenda that are within the subject matter of the agency's jurisdiction. (While members of the public are welcome to address the Committee, under the Brown Act, Committee members may not deliberate or take action on items not on the agenda, and generally may only listen.)
4. Approval of Meeting Minutes from April 8, 2024 (Action) – **Attachment**
5. Adopt Positions on 2024 State Legislative Bills (Action) – **Attachment**



MEETING OF THE  
TRANSPORTATION AUTHORITY OF MARIN  
FUNDING, PROGRAMS & LEGISLATION  
EXECUTIVE COMMITTEE

APRIL 8, 2024  
2:00 PM

TAM CONFERENCE ROOM  
900 FIFTH AVENUE, SUITE 100  
SAN RAFAEL, CALIFORNIA

**MEETING MINUTES**

Members Present: Alice Fredericks, Tiburon Town Council  
Brian Colbert, San Anselmo Town Council, Committee Chair  
Katie Rice, County of Marin Board of Supervisors  
Urban Carmel, Mill Valley City Council

Members Absent: Mary Sackett, County of Marin Board of Supervisors

Staff Members Present: Anne Richman, Executive Director  
Dan Cherrier, Director of Project Delivery  
David Chan, Director of Programming and Legislation  
Derek McGill, Director of Planning  
Grace Zhuang, Accounting and Payroll Specialist  
Jennifer Doucette, Executive Assistant/Clerk of the Board  
Joanne O'Hehir, Administrative Assistant  
Melanie Purcell, Director of Finance and Administration  
Mikaela Hiatt, Associate Transportation Planner  
Molly Graham, Public Outreach Coordinator  
Scott McDonald, Principal Transportation Planner

*Chair Colbert called the meeting to order at 2:01 p.m.*

Chair Colbert welcomed everyone to the meeting and asked Executive Assistant/Clerk of the Board Jennifer Doucette to conduct a roll call to ensure a quorum. A quorum of the Funding, Programs and Legislation (FP&L) Executive Committee was confirmed and detailed information about how the public may participate was provided.

**1. Chair's Report & Commissioner Comments (Discussion)**

None.

**2. Executive Director's Report (Discussion)**

Executive Director (ED) Anne Richman reported on the Metropolitan Transportation Commission's (MTC) Transportation Electrification (TE) Program; the Ride and Drive Event at Earth Day Mill Valley scheduled for April 21; and Marin Transit Focus Groups.

ED Richman also reported on upcoming closures on State Route (SR) 37 and Sonoma-Marin Area Rail Transit (SMART); and highlighted Bike to Work Day scheduled for May 16.

Chair Colbert, Commissioners Carmel and Rice, and ED Richman discussed electrical vehicle (EV) charging infrastructure and a potential future meeting of the Alternative Fuels and Electric Vehicles (AFEV) Ad Hoc Committee and subsequent update to the full TAM Board.

Chair Colbert asked if any members of the public wished to speak or had submitted a comment by e-mail, and hearing none closed this item.

### **3. Open Time for Public Expression**

Chair Colbert asked if any members of the public wished to speak or had submitted a comment by e-mail, and hearing none closed this item.

### **4. Approval of Meeting Minutes from March 11, 2024 (Action)**

Chair Colbert asked if any members of the public wished to speak or had submitted a comment by e-mail, and hearing none, closed public comment and asked for a motion.

Commissioner Fredericks moved to approve the March 11, 2024 meeting minutes. Commissioner Carmel seconded the motion, which passed unanimously.

### **5. Crossing Guard Program Financial Analysis and Update to Recommended Staffing Levels (Action)**

Director of Project Delivery Dan Cherrier presented this item, which recommends the FP&L Executive Committee considers the following items and refers them to the full TAM Board for approval: update approach to the number of locations evaluated each recertification cycle; update the New and Changed Condition Policy; and reduce the number of funded sites to 96 for FY2024-2025, based on program financial analysis.

In response to Commissioner Fredericks, Mr. Cherrier explained that alternative crossing guard locations are not used as a criterion during the site evaluation/scoring process.

Commissioner Carmel commented on the potential for local jurisdictions to pay for the expense of evaluating sites between recertification cycles.

In response to Commissioner Rice, ED Richman explained that staff recommends retaining the 4-year recertification cycle; and that pedestrian/bicycle counts are one of the criterion used to evaluate sites.

Chair Colbert asked if any members of the public wished to speak or had submitted a comment by e-mail, and hearing none, closed public comment.

Commissioner Carmel moved to forward staff's recommendation to update the approach to the number of locations evaluated each recertification cycle; update the New and Changed Condition Policy; and reduce the number of funded sites to 96 for FY2024-2025 to the TAM Board. Commissioner Fredericks seconded the motion, which passed unanimously.

**6. Regional Measure 3 (RM3) North Bay Transit Access Improvement Call for Projects Framework (Action)**

Director of Programming and Legislation David Chan presented this item, which recommends the FP&L Executive Committee review the framework for the Call for Projects for the Regional Measure 3 (RM3) North Bay Transit Access Improvement funds and refer it to the TAM Board for approval.

In response to Commissioner Carmel, ED Richman explained that funds must be used for capital projects, which could include but not be limited to, bus stop upgrades, pathways, access improvements, and/or transit centers.

In response to Commissioner Rice, ED Richman explained that fund recipients are required to be transit operators; and Mr. Chan explained that MTC did not provide a deadline for the use of the funds. ED Richman also explained that staff is tracking other funding sources and has adjusted the timeline for the call for projects accordingly.

In response to Chair Colbert's inquiry regarding the purchase of yellow school buses, ED Richman explained that the funds are required to be used for public transit capital expenses and that the purchaser may have to be a transit operator.

Chair Colbert asked if any members of the public wished to speak or had submitted a comment by e-mail, and hearing none, closed public comment and asked for a motion.

Commissioner Carmel moved to forward staff's recommendation to the TAM Board. Commissioner Fredericks seconded the motion, which passed unanimously.

**7. Authorize a One-Year Contract Extension and Budget Amendment for Reach Strategies for Technical Assistance and Outreach Support for the Alternative Fuels Program (Action)**

Director of Planning Derek McGill and Associate Transportation Planner Mikaela Hiatt presented this item, which requests the FP&L Executive Committee forward its recommendation to the TAM Board to authorize the Executive Director (ED) to negotiate and execute the first of two one-year contract extensions for Reach Strategies' Technical Assistance and Outreach Support for the Alternative Fuels Program Contract, including a budget amendment of \$150,000.

Chair Colbert asked if any members of the public wished to speak or had submitted a comment by e-mail, and hearing none, closed public comment and asked for a motion.

Chair Colbert commented on the importance of evaluating the return-on-investment for public outreach.

Commissioner Carmel moved to forward staff's recommendation to the TAM Board. Commissioner Fredericks seconded the motion, which passed unanimously.

*The meeting was adjourned at 3:12 p.m.*

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**DATE:** May 13, 2024

**TO:** Transportation Authority of Marin  
Funding, Programs & Legislation Executive Committee

**FROM:** Anne Richman, Executive Director *Anne Richman*  
David Chan, Director of Programming and Legislation

**SUBJECT:** Adopt Positions on 2024 State Legislative Bills (Action), Agenda Item No. 5

**RECOMMENDATION**

The Funding, Programs & Legislation (FP&L) Executive Committee reviews new positions on 2024 State Legislative Bills, shown in Attachment A, and refers it to the TAM Board for adoption.

**BACKGROUND**

The 2024 Legislative Session is the second year of a two-year session. Bills introduced in the first year of the session can be carried over to the second year of the session. Bills that are not passed in the second year of a two-year session are considered dead and must be reintroduced in a future session for consideration.

The 2024 Legislative Session is at its midpoint. May 17 is the last day for fiscal committees to hear and report on the floor bills introduced in their house. May 24 is the last day for both houses to pass bills introduced in their houses of origin. Bills that fail to pass on May 17 will be considered dead for 2024.

Other notable remaining dates for the 2024 Legislative Session are shown in the table below.

Deadline to propose changes to State Budget, referred to as "May Revise"	May 14, 2024
Deadline for Legislature to pass State Budget	June 15, 2024
Last day for the Legislature to pass bills	August 31, 2024
Last day for the Governor to sign or veto bills	September 30, 2024
Statutes take effect, except emergency items that take effect upon signing	January 1, 2025

**DISCUSSION/ANALYSIS**

Attachment A contains the 25 state bills that are being monitored by staff and Mr. Khouri. The initial set of bills introduced in March 2024 included 24 bills. Senate Bill (SB) 1031 was amended on March 23, 2024 after the distribution of the Board packet so SB 1031 was not included in the original bill matrix. However, the TAM Board discussed and adopted a position of watch for SB 1031 on March 28, 2024. SB 1031 is now reflected in the attached revised bill matrix under Attachment A.

The below table is a summary of the 25 bills listed in Attachment A that contains redlined revisions on bills that have been amended since March. Some of the bills are further discussed below because new positions were recommended.

Bill	Author	Subject	Prior Adopted Position	New Recommended Position
AB 817	Pacheo	Teleconferencing – Brown Act	Support	
AB 1774	Dixon	E-Bike – Sales Prohibition	Watch	
AB 1778	Connolly	E-Bike – Age Limit on Class 2 Bikes	Support	
AB 1904	Ward	Transit Buses Yield Sign	Support	
AB 2061	Wilson	Sales Tax – Ferries	Watch	
AB 2234	Boerner	E-Bike – Age Limit on Operation	Watch	N/A
AB 2259	Boerner	Bicycle Safety Handbook	Watch	
AB 2266	Petrie-Norris	Clean Air Vehicle Voucher Incentive	Watch	
AB 2290	Friedman	Active Transportation Program – Class III Path	Watch	
AB 2535	Bonta	SB1 – Trade Corridor Enhancement Program	Oppose	
AB 2669	Ting	Toll Bridges – Bicycle Pedestrian	Watch	
AB 2744	McCarty	Bicycle Pedestrian Safety	Watch	
AB 2796	Carillo	Zero-Emission Vehicles	Watch	
AB 2815	Petrie-Norris	Electric Vehicle Charging	Watch	Support
AB 3005	Wallis	Fuel Tax – Adjustment Suspension	Oppose	
SB 768	Caballero	CARB Study on VMT Impacts on CEQA	Watch	
SB 904	Dodd	SMART – Voter Initiative	Watch	Support
SB 915	Cortese	Autonomous Vehicles	Watch	
SB 925	Wiener	MTC Regional Transportation Measure	Watch	N/A
SB 926	Wahab	Bay Area Transit Consolidation	Oppose	N/A
SB 947	Seyarto	Highway Project Additional Costs	Watch	
SB 960	Wiener	Bicycle Pedestrian Transit Priority in SHOPP	Watch	
SB 1031	Wiener, Wahab	Regional Transportation Measure/Consolidation	Watch	
SB 1271	Min	E-Bike – Label Classifications	Watch	Support
SB 1510	Stern	Electric Vehicle Charging	Watch	

- AB 2234 (Boerner) – This bill would prohibit people under the age of 12 from operating an electric bicycle of any class and require the California Highway Patrol to issue a skills waiver to each person who completes the electric bicycle safety and training programs. This bill was amended on April 17, 2024 to apply only to San Diego County and is no longer applicable to Marin County.

The adopted position of watch for AB 2234 is recommended to be changed to not applicable (N/A) since it is not applicable Marin County. AB 2234 will be removed from the next bill matrix since tracking will not be needed.

- AB 2815 (Petrie-Norris) – This bill would require the State Energy Resources Conservation and Development Commission to provide funding under the Clean Transportation Program for repairs or replacement of nonoperational electric vehicle charging infrastructure that is in a publicly available parking space. The bill would require the Commission to allocate at least 50% of grant funding to low-income communities and disadvantaged communities.

Staff originally recommended a watch position, which was adopted by the TAM Board on March 28, 2024. Staff is recommending a new position of support for AB 2815 consistent with TAM’s adopted 2024 State Legislative Platform to incentivize zero emission vehicles in reducing greenhouse gas emissions.

- SB 904 (Dodd) – The bill would require the board of supervisors of the Counties of Sonoma and Marin to call a special election on a tax measure proposed by the district’s board of directors or a qualified voter initiative in their respective counties. This bill would also authorize those special taxes to be imposed by a qualified voter initiative. The bill would delete a provision that limits the district, in the County of Sonoma north of the City of Healdsburg, to locating commuter stations only within incorporated areas. This bill also increases the procurement threshold, from \$40,000 to \$75,000, for supplies, materials, and equipment, and removes obsolete references to the North Coast Rail Authority (NCRA).



Staff originally recommended a watch position, which was adopted by the TAM Board on March 28, 2024. Staff is recommending a new position of support for SB 904 consistent with TAM's adopted 2024 State Legislative Platform and prior SMART ballot initiative efforts.

- SB 925 (Wiener) and SB 926 (Wahab) – The original languages of SB 925 and SB 926 were merged into SB 1031 (Wahab & Wiener), making SB 925 and SB 926, as currently amended, no longer relevant for discussion. The positions of watch for both SB 925 and SB 926 have been recommended to be changed to not applicable (N/A). SB 925 and SB 926 will be removed from the next matrix since tracking will not be needed.
- SB 1031 (Wahab & Wiener) – This bill would authorize the Metropolitan Transportation Commission (MTC) to raise and allocate new revenue and incur and issue bonds and other indebtedness by imposing a retail transaction and use tax, a regional payroll tax, a parcel tax, and a regional vehicle registration surcharge through a regional measure in all or a subset of the nine counties of the San Francisco Bay area. The bill states that MTC is responsible for implementing a seamless transit rider experience across the San Francisco Bay area and requiring those rules and regulations to also promote the coordination of mapping and wayfinding, real-time transit information, and other customer-facing operating policies.

Staff continues to recommend a watch position for SB 1031 because the bill is still subject to extensive changes. Staff and Khouri Consulting will be monitoring SB 1031 and reporting to the TAM Board and TAM SB 1031 Ad Hoc Committee on any developments.

- SB 1271 (Min) – This bill was amended to require, beginning January 1, 2026, an electric bicycle (e-bikes), powered mobility device, or storage battery manufacturers or distributors to be tested at an accredited testing laboratory for compliance with safety standards. Additionally, this bill requires, by January 1, 2028, similar testing for these devices used as rental, and revises the definitions of Class 1 and Class 3 e-bikes.

Staff originally recommended a watch position, which was adopted by the TAM Board on March 28, 2024. Staff is recommending a new position of support for SB 1271 because the amendments are considered acceptable and reasonable compliance requirements.

In addition, the following bills on the matrix have failed passage for various reasons: AB 2266 (Petrie-Norris), AB 2744 (McCarty), AB 2796 (Carillo), AB 3005 (Wallis), SB 947 (Seyarto), and SB 1510 (Stern). TAM will not take further action to track these bills.

Letters of support or opposition may be developed at the appropriate time for each of the bills. TAM's Legislative Consultant, Mr. Khouri, may be requested to testify at Legislative hearings, if warranted, to convey TAM's positions on specific legislation.

## **FISCAL CONSIDERATION**

There are no immediate fiscal impacts to TAM by taking positions on these bills.

## **NEXT STEPS**

Continue to review proposed bills relevant to TAM and convey TAM's positions to our partner agencies and pertinent Legislators when warranted.

## **ATTACHMENTS**

Attachment A – TAM Bill Matrix – May 2024  
Attachment B – Khouri Consulting State Legislative Update

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## TAM Bill Matrix – May 2024

Measure	Status	Bill Summary	Recommended Position
<b>AB 817 (Pacheco)</b> <b>Open meetings:</b> <b>teleconferencing:</b> <b>subsidiary body</b>	1/25/24 Senate Rules	This bill allows, until January 1, 2026, a subsidiary body of a local agency to teleconference without meeting all the teleconferencing requirements of the Ralph M. Brown Act (Brown Act). A subsidiary body is defined as a commission, committee, board, or other body of a local agency, whether permanent or temporary, decision-making, or advisory, created by charter, ordinance, resolution, or formal action of a legislative body that does not take final action on behalf of a local entity.	<b>Support</b>
<b>AB 1774 (Dixon)</b> <b>Vehicles: electric bicycles</b>	4/25/24 Assembly Floor	This bill would prohibit a person from selling a product or device that can modify the speed capability of an electric bicycle such that it no longer meets the definition of an electric bicycle.	<b>Watch</b>
<b>AB 1778 (Connolly)</b> <b>Vehicles: electric bicycles</b>	4/29/24 Senate Rules	<p><u>As amended on April 18, 2024, this bill, until January 1, 2029, would authorize a local jurisdiction within the County of Marin to adopt an ordinance or resolution that prohibits any person under 16 years of age from operating a Class 2 electric bicycle. A class 2 electric bicycle is defined as a bicycle equipped with a motor that may be used exclusively to propel the bicycle, and that is not capable of aiding when the bicycle reaches the speed of 20 miles per hour. The bill would require an ordinance or resolution that is adopted to make a violation an infraction punishable by either a fine of \$25 or completion of an electric bicycle safety and training course. The county would be required to, by January 1, 2028, submit a report to the Legislature that includes, among other things, the total number of traffic stops initiated for violations, the results of the traffic stops, and the actions taken by peace officers during the traffic stops, as specified. The bill would require the local authority or county to administer a public information campaign for at least 30 calendar days prior to the enactment of the ordinance or resolution, as specified. The bill would require the local authority or county to only issue warning notices for the first 60 days after the passage of the ordinance or resolution.</u></p>	<b>Support</b>

## TAM Bill Matrix – May 2024

Measure	Status	Bill Summary	Recommended Position
<b>AB 1904 (Ward)</b> <b>Transit buses: yield right-of-way sign</b>	4/1/24 Senate Rules	This bill would allow transit agencies statewide to be equipped with a yield right-of-way sign on the left rear of the bus if the applicable entity approves a resolution requesting that this section be made applicable to it.	<b>Support</b>
<b>AB 2061 (Wilson)</b> <b>Sales and Use Tax: exemptions: zero-emission public transportation ferries</b>	3/11/2024 Assembly Appropriations Suspense File	Current sales and use tax laws impose a tax on retailers measured by the gross receipts from the sale of tangible personal property sold at retail in this state, or on the storage, use, or other consumption in this state of tangible personal property purchased from a retailer for storage, use, or other consumption in this state. This bill, beginning January 1, 2025, and until January 1, 2030, would exempt from those taxes the gross receipts from the sale in this state of, and the storage, use, or other consumption in this state of, zero-emission public transportation ferries, as defined, sold to a public agency, as specified.	<b>Watch</b>
<b>AB 2234 (Boerner)</b> <b>Vehicles: electric bikes</b>	4/23/24 Assembly Appropriations	This bill would prohibit people under the age of 12 from operating an electric bicycle of any class. This bill would require the California Highway Patrol, on or before June 30, 2025, to issue a skills waiver containing the name of person who completed the training, their guardian, and date of completion, in an electronic format, to each person who completes the electric bicycle safety and training programs. <a href="#">This bill was amended on April 17 to apply only to San Diego County for the enforcement of electric bicycle safety and is no longer applicable to Marin County.</a>	<del>Watch</del> <a href="#">N/A</a>
<b>AB 2259 (Boerner)</b> <b>Transportation: bicycle safety handbook</b>	4/10/24 Assembly Appropriations Suspense File	This bill would, upon appropriation by the Legislature, require the Department of Motor Vehicles to develop and distribute, on or before September 1, 2025, a bicycle safety handbook that includes information on, among other things, existing laws regulating bicycles and e-bikes.	<b>Watch</b>

## TAM Bill Matrix – May 2024

Measure	Status	Bill Summary	Recommended Position
<b>AB 2266 (Petrie-Norris)</b> <b>California Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project</b>	4/24/24 Assembly Transportation Hearing cancelled - failed passage	This bill would require the State Air Resources Board to authorize a voucher issued under the California Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project to be used for the acquisition of any zero-emission vehicle that meets specified requirements.	<b>Watch</b>
<b>AB 2290 (Friedman)</b> <b>Class III bikeways: bicycle facilities: Bikeway Quick-Build Project Pilot Program</b>	4/9/24 Assembly Appropriations	This bill would prohibit the allocation of Active Transportation Program funds for a project that creates a Class III bikeway unless the project is on a residential street with a posted speed limit of 20 miles per hour or less. A Class III bikeway is defined as a bikeway that provides a right-of-way on-street or off-street, designated by signs or permanent markings and shared with pedestrians and motorists.	<b>Watch</b>

## TAM Bill Matrix – May 2024

Measure	Status	Bill Summary	Recommended Position
<b>AB 2535 (Bonta)</b> <b>Trade Corridor Enhancement Program</b>	4/25/24 Assembly Appropriations	<p><del>This bill would require the California Transportation Commission to ensure that at least 50% of the funds allocated under the program in any fiscal year are allocated to investments in zero-emission freight infrastructure. The bill would also prohibit funding any capacity projects or general purpose lanes on the state highway system.</del> <u>As amended on April 9, this bill would require 50% of all Trade Corridor Enhancement Program (TCEP) funds awarded in 2030 to be dedicated to zero-emission vehicle infrastructure. The bill would require the applicant agency, as a condition of funding from the California Transportation Commission (CTC) for design, right-of-way, and capital construction costs, to complete the applicable requirements of the California Environmental Quality Act and the federal National Environmental Policy Act of 1969 within 6 months of the CTC adopting the TCEP program of projects. The bill would limit the CTC from programming projects, if levels of diesel particulate matter in communities within the highest quintile in CalEnviroScreen do not decline by 50 percent below 2024 levels by January 1, 2030, as determined by the Office of Environmental Health Hazard Assessment.</u></p>	<b>Oppose</b>
<b>AB 2669 (Ting)</b> <b>Toll bridges</b>	4/24/24 Assembly Appropriations Suspense File	<p>Current law provides for the construction and operation of various toll bridges by the state, the Golden Gate Bridge, Highway and Transportation District, <u>owned by Caltrans,</u> and private entities that have entered into a franchise agreement with the state. <u>As amended on April 2,</u> <del>t</del><u>his bill would prohibit a toll from being imposed on the passage of a pedestrian, bicycle, or personal micromobility device over these various toll bridges, unless the bridge was under construction on or after January 1, 2025, and the tolls are used for costs of constructing the bridge.</u></p>	<b>Watch</b>

## TAM Bill Matrix – May 2024

Measure	Status	Bill Summary	Recommended Position
<b>AB 2744 (McCarty)</b> <b>Vehicles: pedestrian, bicycle, and vehicle safety</b>	4/22/24 Assembly Transportation Hearing cancelled- failed passage	<p><u><del>As amended on April 15, this bill would, beginning on January 1, 2025, prohibit the addition of a right-turn or travel lane within 20 feet of a marked or unmarked crosswalk where there is not already a dedicated and marked right-turn or travel lane, and would prohibit vehicles from using this 20-foot area for right turns unless the area is already marked as a dedicated right-turn lane before January 1, 2025. construction of slip lanes. A slip lane is defined as a channelized right-turn lane that channelizes the right-turn lane between an island and the curb that allows a vehicle to turn onto a cross street without entering an intersection.</del></u></p>	<b>Watch</b>
<b>AB 2796 (Carrillo)</b> <b>Equitable Access to Zero-Emissions Vehicles Fund</b>	4/23/24 Assembly Transportation Not set for hearing- failed passage	<p>This bill would establish the Equitable Access to Zero-Emission Vehicles Fund and would make moneys in the fund available, upon appropriation by the Legislature, for a new vehicle rebate program and for other specified purposes. The bill would require the State Air Resources Board, by July 1, 2025, to establish a program to offer rebates for the purchase of zero-emission vehicles and other specified vehicles from moneys made available from the fund.</p>	<b>Watch</b>

## TAM Bill Matrix – May 2024

Measure	Status	Bill Summary	Recommended Position
<b>AB 2815 (Petrie-Norris)</b> <b>Clean Transportation Program: electric vehicle charging infrastructure</b>	4/23/24 Assembly Appropriations	<p><u>As amended on April 3, 2024</u>, this bill would require the State Energy Resources Conservation and Development Commission to establish, on or before January 1, 2026, <u>to provide funding through a new or existing</u> a program under the Clean Transportation Program to provide grants for repairs <u>or replacement of nonoperational</u> <del>to</del> electric vehicle charging infrastructure that has been in operation for at least 5 years, <u>that were installed prior to January 1, 2024</u>, and that is in a publicly available parking space, as provided. The bill would authorize grant funding to be used for, among other things, the cost to repair, upgrade, or replace an electric vehicle charging port or supporting infrastructure and the cost of operations, maintenance, and warranties for repaired, upgraded, or replaced electric vehicle charging ports and supporting infrastructure. The bill would require the commission to allocate at least 50% of grant funding to low-income communities and disadvantaged communities.</p>	<u>Watch Support</u>
<b>AB 3005 (Wallis)</b> <b>Motor Vehicle Fuel Tax Law: adjustment suspension</b>	4/23/24 Assembly Transportation Failed passage	This bill would suspend the annual inflationary adjustment of gas tax revenues, which would create a deficit of funding for the State Transportation improvement Program, State Highway Operations and Protection Program, and local streets and roads.	<b>Oppose</b>
<b>SB 768 (Caballero)</b> <b>California Environmental Quality Act</b>	4/29/24 Assembly Natural Resources	As amended on January 11, 2024, this bill would require the State Air Resources Board by January 1, 2026, to conduct and submit to the Legislature a study on how vehicle miles traveled is used as a metric for measuring transportation impacts pursuant to CEQA.	<b>Watch</b>



## TAM Bill Matrix – May 2024

Measure	Status	Bill Summary	Recommended Position
<b>SB 904 (Dodd)</b> <b>SMART</b>	4/29/24 Senate Appropriations Consent	<p>Current law creates, within the Counties of Sonoma and Marin, the Sonoma-Marín Area Rail Transit District with specified duties and powers relative to the provision of a passenger and freight rail system within the territory of the district. Under current law, the district is governed by a 12-member board of directors appointed by various local governmental entities. Current law authorizes the board to submit to the voters of the district a measure proposing a retail transaction and use tax ordinance.</p> <p><u><a href="#">As amended on March 21, this bill would also authorize those special taxes to be imposed by a qualified voter initiative. The bill would require the board of supervisors of the Counties of Sonoma and Marin to call a special election on a tax measure proposed by the district’s board of directors or a qualified voter initiative in their respective counties, as specified. The bill would delete a provision that limits the district, in the County of Sonoma north of the City of Healdsburg, to locating commuter stations only within incorporated areas. This bill also increases the procurement threshold, from \$40,000 to \$75,000, for supplies, materials, and equipment, and removes obsolete references to the North Coast Rail Authority.</a></u></p>	<p><u><a href="#">Watch</a></u>  <u><a href="#">Support</a></u></p>

## TAM Bill Matrix – May 2024

Measure	Status	Bill Summary	Recommended Position
<b>SB 915 (Cortese)</b> <b>Local government:</b> <b>autonomous vehicles</b>	4/29/24 Senate Appropriations	<p><del>As amended on April 11, prohibit an autonomous vehicle service, which has received approval to conduct commercial passenger service or engage in commercial activity using driverless vehicles by DMV, PUC, or another state agency, from commencing operation within a local jurisdiction until authorized by a local ordinance enacted pursuant to the bill's provisions. The bill prohibit an autonomous vehicle service, which has received approval to conduct commercial passenger service or engage in commercial activity using driverless vehicles by DMV, PUC, or another state agency, from commencing operation within a local jurisdiction until authorized by a local ordinance enacted pursuant to the bill's provisions.</del> this bill would authorize each city, county, or city and county in which an autonomous vehicle has received authorization <u>by the Department of Motor Vehicles, the Public Utilities Commission, or any other applicable state agency</u> to operate, to protect the public health, safety, and welfare by adopting an ordinance or resolution in regard to autonomous vehicle services within that jurisdiction. <del>The bill would require each city, county, or city and county that adopts an ordinance or resolution to include certain provisions within that ordinance or resolution. These would include a policy for entry into the business of providing autonomous vehicle services including a permitting program, the establishment of reasonable vehicle caps and hours of service restrictions, and the establishment of an interoperability or override system accessible by first responders in case of an emergency.</del></p>	<b>Watch</b>
<b>SB 925 (Wiener)</b> <b>San Francisco Bay area:</b> local revenue measure: <b>transportation improvements</b>	4/24/24 Senate Floor	<p><del>This bill would state the intent of the Legislature to enact subsequent legislation to authorize the Metropolitan Transportation Commission to propose a revenue measure to the voters in its jurisdiction to fund the operation, expansion, and transformation of the San Francisco Bay area's public transportation system, as well as other transportation improvements.</del> <u>As amended on March 20, this bill addresses legislative review of state agency action and is no longer relevant to TAM.</u></p>	<b>Watch</b> <u>N/A</u>

## TAM Bill Matrix – May 2024

Measure	Status	Bill Summary	Recommended Position
<b>SB 926 (Wahab)</b> <b>San Francisco Bay area: public transportation</b>	5/6/24 Senate Appropriations	<p><del>This bill would require the Transportation Agency to develop a plan to consolidate all transit agencies, as defined, that are located within the geographic jurisdiction of the Metropolitan Transportation Commission.</del> <u>As amended on March 20, this bill has been amended to address crimes associated with distribution of intimate images and is no longer relevant to TAM.</u></p>	<b>Oppose</b> <u>N/A</u>
<b>SB 947 (Seyarto)</b> <b>Department of Transportation: state highway projects: agreements with public entities: project design changes.</b>	4/24/24 Assembly Transportation  Not set for hearing- failed passage	<p>This bill would require Caltrans, in an agreement with a city, county, or other public entity for the contribution of funds for the acquisition, construction, or improvement of any portion of state highway, to include a provision that makes Caltrans responsible for any additional costs associated with a new project design adopted by Caltrans after the project is included in the state transportation improvement program or the state highway operation and protection program, as specified. The bill would also make this provision applicable to agreements in effect as of January 1, 2025.</p>	<b>Watch</b>

TAM Bill Matrix – May 2024

Measure	Status	Bill Summary	Recommended Position
<p><b>SB 960 (Wiener)</b>  <b>Transportation:</b>  <b>planning: <u>complete</u></b>  <b><u>streets:</u> transit</b>  <b>priority projects:</b>  <b>multimodal</b></p>	<p>4/26/24                      Senate                      Appropriations</p>	<p><u>As amended on April 16, this bill directs Caltrans to develop a transit priority policy. This bill requires inclusion of bicycle, pedestrian, and transit priority facilities in the Transportation Asset Management Plan, the State Highway System Management Plan, and the plain language performance report of the State Highway Operation and Protection Program (SHOPP). This bill requires any project in the SHOPP to include bicycle, pedestrian, and transit priority projects unless a specified exception applies. would require the Caltrans asset management plan for the state highway operation and protection program (SHOPP) to prioritize the implementation of comfortable, convenient, and connected facilities for pedestrians, bicyclists, and transit users on all projects in the program, where applicable. The bill would repeal the requirement for the California Transportation Commission (CTC) to adopt targets and performance measures and instead require the CTC to adopt 4 year and 10 year objective targets and performance measures reflecting state transportation goals and objectives, including for complete streets assets that reflect the existence and conditions of bicycle, pedestrian, and transit facilities on the state highway system... The bill would require the department, in consultation with the CTC, to update the asset management plan and use it to guide the selection of transit priority projects for the SHOPP, as specified.</u></p>	<p><b>Watch</b></p>

<p><a href="#"><u>SB 1031 (Wahab &amp; Wiener)</u></a>  <a href="#"><u>San Francisco Bay area: local revenue measure: transportation improvements</u></a></p>	<p><a href="#"><u>4/24/24</u></a>  <a href="#"><u>Senate Appropriations</u></a></p>	<p><a href="#"><u>As amended on April 16, this bill would authorize the Metropolitan Transportation Commission (MTC) to raise and allocate new revenue and incur and issue bonds and other indebtedness by imposing a retail transaction and use tax, a regional payroll tax, a parcel tax, and a regional vehicle registration surcharge through a regional measure in all or a subset of the nine counties of the San Francisco Bay area.</u></a></p> <p><a href="#"><u>The bill would also require the California State Transportation Agency to select the University of California Institute of Transportation Studies or the Mineta Transportation Institute at San José State University to conduct an assessment, by January 1, 2026, of the associated advantages and disadvantages of consolidating transit agencies that are in the 9-county San Francisco Bay area.</u></a></p> <p><a href="#"><u>The bill states that MTC is responsible for implementing a seamless transit rider experience across the San Francisco Bay area and requiring those rules and regulations to also promote the coordination of mapping and wayfinding, real-time transit information, and other customer-facing operating policies. A transit operator would be ineligible to receive an allocation of the revenues generated by the new regional measure from MTC or to make a claim pursuant to the Transportation Development Act for an allocation of funds from a local transportation fund if the operator is not in compliance with those rules and regulations.</u></a></p> <p><a href="#"><u>This bill would authorize MTC, as part of a regional measure to propose a ballot measure that would require a covered employer that is located in proximity to transit to purchase a regional transit pass for each of its employees and to require a covered employer that is not located in proximity to transit to provide a subsidy to each of its employees corresponding in financial value to the regional transit pass.</u></a></p> <p><a href="#"><u>The legislation also prescribes a return to source distribution of funding of no less than 70 percent of revenues generated in each county, projects and programs that benefit that county, including transit operations funding for transit agencies that serves riders of that county for prescribed expenditures, over each five-year period that the tax is operative. MTC would recalculate allocations every two years.</u></a></p>	<p><a href="#"><u>Watch</u></a></p>
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<p><b>SB 1271 (Min)</b> <b>Electric bicycles, powered mobility devices, and storage batteries</b></p>	<p>4/24/24 Senate Appropriations</p>	<p><del>As amended on April 24, This bill requires, beginning January 1, 2026, an electric bicycle (e-bikes), powered mobility device, or storage battery manufacturers or distributors to test said devices by an accredited testing laboratory for compliance with safety standards. Additionally, this bill requires, by January 1, 2028, similar testing for those devices used as rental, and revises the definitions of class 1 and class 3 e-bikes, as specified. This bill would clarify that an electric bicycle is a bicycle equipped with fully operable pedals and an electric motor with continuous rated mechanical power of not more than 750 watts. The bill would, if an electric bicycle can operate in multiple modes, require a manufacturer and distributor to include on the label the classification number of all classes of which it is capable of operating. Commencing January 1, 2026, this bill would prohibit a person from distributing, selling, leasing, or offering for sale or lease, an electric bicycle, powered mobility device, or storage battery, as defined, unless the battery for the electric bicycle or powered mobility device has been tested, as specified, or the storage battery meets specified tests.</del></p>	<p><b><u>Watch Support</u></b></p>
<p><b>SB 1510 (Stern)</b> <b>Permitting: electric vehicle charging</b></p>	<p>2/16/24 Introduced</p>	<p>Current law requires every city, county, and city and county to administratively approve an application to install electric vehicle charging stations through the issuance of a building permit or similar nondiscretionary permit and requires the review of an application to install an electric vehicle charging station to be limited to the building</p>	<p><b>Watch</b></p>

## TAM Bill Matrix – May 2024

Measure	Status	Bill Summary	Recommended Position
	Not referred to a committee-failed passage	official's review of whether it meets all health and safety requirements of local, state, and federal law. Current law requires an electric vehicle charging station to comply with, among other things, all applicable rules of the Public Utilities Commission regarding safety and reliability, as specified. This bill would express the intent of the Legislature to enact subsequent legislation that would reduce state and local permitting barriers for electric vehicle charging.	

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May 2, 2024

TO: Board Members, Transportation Authority of Marin  
 FROM: Gus Khouri, President  
 Khouri Consulting LLC

**RE: STATE LEGISLATIVE UPDATE – MAY**

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### **General Outlook**

The State Legislature reconvened from the Spring Recess on April 1 and heard bills through the policy committee deadline of April 26. Budget subcommittees continue to meet and take public comment on the Governor's proposed FY 24-25 State Budget. Items will remain open without action until the May Revise is released no later than May 14, 2024. The State Budget must be enacted by the State Legislature on June 15 and signed by the Governor by June 30. The Governor will have until September 30, 2024 to sign or veto legislation.

On April 11, the State Legislature sent SB 106 (Wiener) and AB 106 (Gabriel) to the Governor's desk to address \$17.3 billion of a \$38 billion state budget deficit, which was projected by the Governor in January. Governor Newsom signed the package on April 18, 2024. Adjustments to the remainder of the FY 23-24 and FY 24-25 budget included \$3.6 billion in reductions, \$5.2 billion in borrowing, \$5.2 billion in deferrals, and \$3.3 billion in fund shifts. Aside from a delay of \$1 billion out of \$4 billion in SB 125 transit capital and intercity rail formulaic funding, which is a cash flow maneuver without a programmatic effect, transportation funding has no impact. The early action by the State Legislature is intended to realize solutions, leaving an \$8 billion to \$23 billion shortfall before the release of the May Revise.

On May 1, the Department of Finance issued a budget letter stating the current balance of \$2.4 billion in SB 125 funds is suspended until further notice. The action is expected to last until at least the end of FY 23-24, which ends on June 30, 2024. This could impact discussions related to SB 1031 (Wiener), which attempts to authorize MTC to place a regional measure on the ballot primarily for transit operations funding.

## Bills of Interest

**AB 2535 (Bonta)**, as amended on April 24, proposes to alter the Trade Corridor Enhancement Program (TCEP) to allow investment targets into zero-emission freight infrastructure. The minimum investment target is 15%, increasing by 5% each cycle until it reaches 50%.

Additionally, starting on January 1, 2025, the Department of Housing and Community Development (HCD) and California Air Resources Board (CARB) would create guidance for programming projects that expand a highway's physical footprint to address the impact on the highest 10 percent of [CalEnviroScreen](#) communities. This guidance must be incorporated into the January 1, 2028 programming cycle, which is Cycle 5.

Lastly, the bill would require the applicant agency to complete the requirements of the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA) within six months of the California Transportation Commission (CTC) adopting the TCEP program of projects as a condition of CTC funding for design, right-of-way, and capital construction costs.

TCEP is one of the SB 1 competitive programs (Solutions for Congested Corridors Program, Local Partnership Program being the others) administered by the CTC that can fund highway and multimodal projects. Cycle 4 funds are estimated at \$815 million. If Cycle 5 is the same amount, AB 2535 would remove \$122.25 million (15%) in programming capacity to fund highway or rail projects if enacted. This amount will increase to \$407.5 million in a future cycle (50%). Many SB 1 project submissions total over eight figures, which routinely necessitates supplementing projects from other programs, such as SCCP and LPP, to fund a project entirely.

The inclusion of HCD and CARB in establishing programming criteria for project eligibility creates challenges for the CTC's administration of all SB 1 programs. This is because more restrictive criteria (CalEnviroScreen criteria) constrain the CTC's ability to mix and match funding, threatening the ability of local jurisdictions, such as TAM, to leverage state funds to deliver projects. The SCCP is a \$500 million program each cycle, and the LPP is \$400 million each cycle, so the CTC currently has roughly \$1.7B to program for each cycle.

The CEQA and NEPA requirements in the bill are intended to ensure that projects are certified before the CTC considers funding them. This is already a guideline requirement for each program and ensures that the CTC is not promising funding for a project that may not have full CEQA/NEPA certification. **Status:** Assembly Appropriations Committee.

**SB 904 (Dodd)**, as amended on March 21, would authorize special taxes (sales tax) that may be pursued by the Sonoma-Marin Area Rail Transit District (SMART) Board to submit to the voters within SMART's district also to be imposed by a qualified voter initiative. The bill would require the Board of Supervisors of the Counties of Sonoma and Marin to call a special election on a tax measure proposed by the SMART's Board of Directors or a qualified voter initiative in their respective counties, as specified. The bill would delete a provision that limits locating commuter stations only within incorporated areas in Sonoma County, allowing for a station to be built in Healdsburg. This bill also increases the procurement threshold, from \$40,000 to \$75,000, for supplies, materials, and equipment and removes obsolete references to the North Coast Rail Authority. **Status:** Senate Floor

**SB 1031 (Wiener and Wahab)**, as amended on April 16, would authorize the Metropolitan Transportation Commission to place a regional measure in all or a subset of the nine counties within MTC's jurisdiction (Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, Sonoma) on the 2026 ballot or later and require operational reforms and a consolidation assessment beginning in 2025. The bill merges the contents of SB 925 (Wiener) and SB 926 (Wahab). MTC could propose a regional ballot measure by imposing a retail transaction and use tax, a regional payroll tax, a parcel tax, and a regional vehicle registration surcharge to address public transportation purposes. It also includes reforms intended to provide a more seamless experience for public transportation riders, including integrating schedules, fares, and maps among systems and requiring the 27 transit operators to be assessed for consolidation. The bill was recently amended to include some return-to-source provisions, with minimum funding guarantees for transit operators based on the size of the system.

Senator Wiener recently committed to additional amendments in the Senate Transportation and Revenue and Taxation Committees, which are not yet in print, that would require MTC to go to the ballot before 2040, ensure that the measure would have a 30-year sunset, and have no more than a ½ cent sales tax. MTC can only bond against the revenue measure for capital purposes and can only condition the receipt of the region's population share of State Transit Assistance program funds for non-compliance with fulfilling spending requirements under the measure. **Status:** Senate Appropriations Committee.