

report

GENERAL MANAGER'S



Bus Operator Protective Barriers Complete Phase 3 Implementation



The District has completed Operator Permanent Barrier Phase 3, which has equipping 267 buses with Protective Barriers.

The safety of Bus Operators while on duty has been the District's primary focus. Ensuring their well-being is essential to maintaining healthy, reliable, and secure bus network. Central to that commitment was retrofitting buses with Bus Operator Protective Barriers.

The District has now completed Operator Permanent Barrier Phase 3, equipping 267 buses with barriers. Additionally, all new bus procurements will include the Bus Operator Protective Barriers. This year, the District will receive 50 additional buses from Gillig, all fitted with these protective barriers.

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Ten Bus Operators volunteered to work on a Sunday, July 28, to support day-long bus bridges at Fruitvale BART and six other BART stations.

AC Transit Bus Operators Redefine Mutual Aid with Exceptional Service

Mutual aid and bus bridges have become common references in our news headlines but perhaps not commonly understood. Mutual aid stabilizes transit operations and supports recovery by sharing personnel, equipment, and vehicles. Bus bridges help maintain service continuity by linking areas cut off by rail or other transit interruptions.

From July 1, 2023, to June 30, 2024, AC Transit provided over 6,000 mutual aid hours, with more than 2,500 hours allocated to BART bus bridge events at a total cost of \$1.5 million and \$612,000, respectively.

While some mutual aid support involves planned events, it is more commonly required for unscheduled emergencies, requiring AC Transit's frontline staff to pivot and adapt on

short notice. When a request is made, Bus Operators, Road Supervisors, Mechanics, Service Employees, and the Operations Control Center (OCC), to name a few, engage in an artful dance of people and vehicles to maintain service continuity, alleviate overcrowding, and support the overall reliability of not only the District but also our partner transit districts.

On New Year's Day 2024, a BART train derailed and caught fire between the Orinda and Lafayette stations, forcing passengers to evacuate the train and leaving at least nine injured. The Central Contra Costa Transit Authority (County Connection) lacked resources due to the holiday. AC Transit, however, quickly assembled Bus Operators and buses, creating a 13-mile-long bus bridge between Rockridge BART and Walnut Creek BART, which remained in place for the entirety of the operating day.

Similarly, when an electrical room fire at an Oakland BART station caused systemwide delays and an evacuation of passengers from trains on July 27, the District demonstrated its nimbleness for two consecutive days of mutual aid and bus bridges.

The OCC received limited information from BART regarding the equipment fire, the number of affected stations, and was also unaware of a Giants'



Line 12 was one of 20 AC Transit bus routes providing mutual aid during the two-day BART power outage."

Mutual Aid continued...

doubleheader. Despite these challenging conditions, AC Transit's Bus Operators, without a weekend extra board, ensured that 1-Tempo, 6, 12, 14, 18, 19, 20, 33, 36, 40, 51A, 51B, 54, 57, 72, 72R, 72M, 73, 88, F, and NL supported mutual aid to riders navigating the East Bay.

The next day, as the power outage continued to affect BART's downtown Oakland operations, 10 Bus Operators volunteered to work on a Sunday to support bus bridges at Coliseum BART, Fruitvale BART, Lake Merritt BART, 19th Street BART, 12th Street BART, MacArthur BART, and West Oakland BART.

Whether planned or unforeseen, with each successive mutual aid event, AC Transit's frontline staff grows more robust and personifies the definition of a resilient transit infrastructure.



During the two-day power outage, Tempo Line 1T served as a vital transit link, connecting south county BART riders to downtown Oakland.



Chair of Influential CA Transportation Committee Tours Division 2

On July 25th, AC Transit hosted Assemblymember Lori Wilson, the Chair of the California Assembly Transportation Committee.

The California Assembly Committee on Transportation has jurisdictional responsibility for the state's entire transportation system. This includes highway systems and maintenance through the Department of Transportation (Caltrans), driver's license and vehicle registration at the Department of Motor Vehicles (DMV), and policy and planning at regional transportation agencies and the California Transportation Commission. Wilson assumed the role of Chair this year and brings to the influential committee a wealth of experience in finance, housing, and local government.

Board President Joel Young, alongside AC Transit staff members, met with the Chair to discuss the District's achievements and urgent issues.

They covered topics such as Supplementary School service, the AC Transit Realign initiative, the District's fiscal challenges, the zero emission program, and the \$15 million Bus and Low- and No-Emission Grant Awards (Low-No Grant) that the District received for the second year in a row.

The tour of Division 2 began with a demonstration of the District's expanding hydrogen fueling infrastructure, highlighting its importance for ensuring reliable and efficient fueling of the growing zero emission bus fleet. Chair Wilson was particularly excited about AC Transit's zero emission workforce development initiatives, which focus on equipping our employees with the necessary skills to operate and maintain the advancing zero emission vehicles.

The Suisun City Assemblymember outlined her priorities and interests as Chair, emphasizing the critical role of public transit as a lifeline service. She highlighted how the service AC Transit provides is often the sole transportation option for many and how transit across the state plays a crucial role in emergencies, particularly wildfire evacuations.

ABOVE: Lori Wilson, Chair of the California Assembly Transportation Committee joins President Joel Young and staff members to learn about the District's zero emission workforce development initiatives.



AC Transit Adopts Innovative Funding Strategy for Zero Emission Innovation

AC Transit recently applied for the California Transit and Intercity Rail Capital Program (TIRCP). What uniquely sets the District's application apart is that the TIRCP typically awards grants from the Greenhouse Gas Reduction Fund (GGRF) to support transformative capital improvements for modernizing commuter and urban rail systems.

Nonetheless, the GGRF also targets the reduction of greenhouse gas emissions for ferries and bus systems that connect to rail networks. This makes it an ideal funding source for AC Transit, which connects with 28 BART stations, seven Amtrak stations, and two ferry terminals.

A primary objective of the TIRCP Program is to provide transit services for disadvantaged and low-income communities, which is central to AC Transit's equity-focused service planning, including our commitment to the Clean Corridors Plan.

The TIRCP application underscores the District's evolving role in the post-pandemic era, serving not only as a primary local service provider but also as a crucial link between the community and regional rail connections. To achieve this,

the District has requested \$74.5 million to purchase 120 Fuel Cell Electric Buses, including 97 40-foot buses and 23 60-foot articulated buses, and develop hydrogen fueling infrastructure at Hayward Division-6.

These zero emission buses (ZEB) and new fueling infrastructure are essential for AC Transit as it enables the District to serve central and southern Alameda County with clean vehicles.

The planned fueling facility at D-6 is set to support upwards of 100 hydrogen fuel cell buses, addressing Hayward's hydrogen fueling infrastructure needs. This expansion will enable the District to serve southern Alameda County with ZEBs and enhance the clean fleet at its D-4 facility, which supports many of the District's disadvantaged communities.

This grant application marks the latest step in our journey toward achieving 100% zero emission status. If successful, the District will use this momentum to advance its zero emission program further.



The planned hydrogen fueling infrastructure at D-6 is set to support up to 100 hydrogen fuel cell buses.



The TIRCP grant could support the procurement of 97 forty-foot buses and 23 sixty-foot articulated fuel cell buses.

Redefining Transit's Future Through the Youth Innovation Challenge Program

The iconic slogan “A mind is a terrible thing to waste, but a wonderful thing to invest in” perfectly encapsulates AC Transit's 2024 Youth Innovation Challenge Program. This year, participants Kaila Williams and Makesi Moore, alongside Maintenance team member Adrian Vega, developed an impactful zero emission project. Their work emphasized not only the sustainability benefits of zero emission buses but also how the District's industry-leading buses can help reimagine our future workforce and communities.

Even though the District's team didn't win, their participation highlights the crucial role of involving young people

in discussions about public transit and environmental responsibility.

The Youth Innovation Challenge Program, led by Dr. Beverly Scott, former CEO and General Manager of Boston MBTA and founder of Youth to American Infrastructure, Inc. (Iyai+), aims to raise awareness about careers in transportation while empowering young people to proactively transform their communities.

The insights and experiences gained from this challenge will surely impact the future of transit and workforce development in the industry.



Kaila Williams and Makesi Moore, together with Maintenance team member Adrian Vega, created a significant zero-emission project.



9th Circuit Rules PEPPRA Legal Battle Lacks Jurisdiction

The California Transit Association (CTA) announced this week that the United States Court of Appeals for the Ninth Circuit has released its decision in the ongoing PEPPRA and 13(c) litigation (formally, *ATU International v. USDOL*).

According to CTA, the Ninth Circuit finds that it (and the United States District Court for the Eastern District of California, which previously ruled in favor of the State of California and the transit agencies it represents) lack jurisdiction over the case because the United States Department of Labor's 2021 Determination "was not a decision in response to any pending grant application," and thus, not prudentially ripe.

“the decision, which speaks to procedure, vacates the earlier judgment in favor of the State and the injunction, issued by the District Court; and remands the case to the District Court with instructions to dismiss the case for lack of jurisdiction.”

As the Court describes, “ripeness is a justiciability doctrine designed ‘to prevent the courts, through avoidance of premature adjudication, from entangling themselves in abstract disagreements over administrative policies, and also to protect the agencies from judicial interferences until an administrative decision has been formalized and its effects felt in a concrete way by the challenging parties.’”

Importantly (and of likely impact to transit agencies across the state), the decision, which speaks to procedure, vacates the earlier judgment in favor of the State and the injunction, issued by the District Court; and remands the case to the District Court with instructions to dismiss the case for lack of jurisdiction.

In December 2022, Chief Judge, Kimberly J. Mueller, of the United States District Court, Eastern District of California held the following:

“In October 2021, the United States Department of Labor publicized its intent to deny all future federal mass transit funds to local transit agencies throughout California. That announcement was the latest in a long series of heavily litigated disputes between the state, local transit agencies, unions representing transit employees, and the Department of Labor. In a previous order, this court preliminarily enjoined the Department from putting its 2021 policy into practice. California now asks the court to set aside the Department's decision formally under the Administrative Procedure Act (APA) and to make the injunction permanent.

As explained in this order, the Department had no authority to issue the broad, prospective decision it did in 2021. Congress clearly limited the Department to making decisions, one at a time, about specific funding applications by specific transit agencies and their employees. The Department also reached the conclusions incorporated in its 2021 decision after an arbitrarily truncated process. As a result, it overlooked important parts of the problem and relied on unpersuasive and arbitrary reasoning. Under the APA, therefore, its decision must be set aside.”

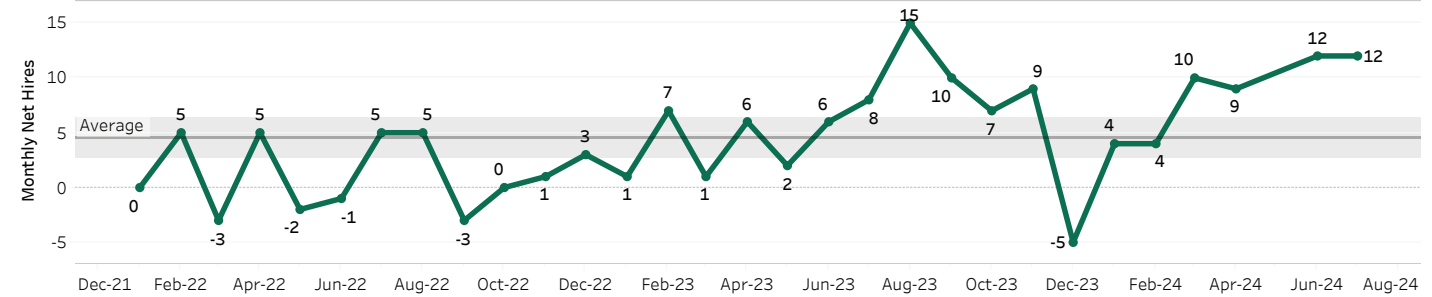
CTA is awaiting further guidance from the State of California on likely impacts and next steps

Human Capital Management Update

HIRING - OPERATORS [Jan 2022 - Jul 2024]

Total Hiring	Total Separations	Net Hires	Promotions in FY2024	Bus Operator		
508	386	122	28	Hiring	Separations	
				2022	182	167
				2023	209	142
				2024	117	77
				Grand Total	508	386

Monthly Net Hires [Total Hires - Total Separations]



TOTAL HIRES v SEPARATIONS by Division

		2022				2023				2024			Grand Total	
		Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3		
Hiring	D-2 Bus Drivers	11	7	16	1	10	14	1	19					79
	D-3 Bus Drivers	3		5	2	2	1	18	17				16	64
	D-4 Bus Drivers	13	19	2	14	21	12	18	2	32				133
	D-6 Bus Drivers			5	9	2	15	9	2	10				52
	Special Division 7	1	2	3	5	1	1	1						14
	Transportation Training	11	9	24	20	9	13	15	6	11	26	22		166
Separations	D-2 Bus Drivers	5	3	3	4	3	2	3	1	3	1			28
	D-3 Bus Drivers	3	5	2	1	2	4	4	3	1	4			29
	D-4 Bus Drivers	3	6	13	8	1	4	8	6	4	6	2		61
	D-6 Bus Drivers	5	3	2	6	1	8	1	4	4	3			37
	Special Division 7	8	12	11	11	13	12	6	8	10	10	1		102
	Transportation Training	13	6	17	17	16	12	7	13	13	8	7		129
Grand Total		76	72	103	98	81	98	91	81	88	74	32		894

HIRES v SEPARATIONS TREND

*Data reflects Promotions during FY2024

